

Missoula Mayor Independent Committee
2814 Brooks St #203
Missoula, MT 59801

July 25, 2023

Subject: Goldman v. Missoula Mayor Political Committee, COPP-2023-CFP-009

Dear Commissioner Gallus:

This letter is in response to your request on July 21, 2023, regarding the alleged violations of MCA 13-1-101 by the Missoula Mayor Committee.

On June 1, 2023, our Political Committee, Missoula Mayor, completed our C2 filing, and we promptly reached out to the COPP office to request a review of our committee draft filing (see attached). Our goal was to ensure full compliance with MCA 13. In the "purpose" section of the form, we stated the following: "Independent Expenditure Committee to Support the next Mayor for City of Missoula." Based upon conversation with COPP the committee type was changed to Incidental.

On July 14, 2023, a news reporter contacted Mr. Bachand to inquire about a potential complaint to your office. The complaint alleged that our Independent Committee had not clearly stated which mayoral candidate it was supporting. On the same day, Mr. Bachand contacted your office and discussed the issue with your staff and determine if any additional reporting was required. As always, the COPP team was incredibly helpful in explaining the process and how to amend our C2.

During the call with COPP on July 14, 2023, we promptly submitted an amended C2 with the revised purpose statement: "Independent Expenditure Committee to Support the next Mayor for City of Missoula, Mike Nugent."

On July 21, 2023, we received an email from your office with the complaint from Mr. Goldman, and your request to respond. It appears that the first item of the complaint is implying that we did not properly classify the committee as an Independent Committee. We agree with Mr. Goldman's observation that our C2 purpose should have reflected an Independent Committee organized primarily for receiving contributions and making expenditures, not under the control, direct or indirect, of any candidate. If our current classification needs to be amended we would appreciate the opportunity to do so.

Regarding the second allegation, we want to clarify that the omission of the candidate's name in the statement of organization was unintentional and not meant to mislead. As outlined above, we promptly corrected this error as soon as we became aware of it and before the

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complaint was filed. The expenses reported clearly demonstrated that our committee's sole purpose is to independently support Mike Nugent. Additionally, the June 30th financial report disclosed the committee's support for Mike Nugent, indicated by the phrase "Paid for by Missoula Mayor" on the leased billboards.

As requested by the commissioner in the letter dated July 21, 2023, our contributions and expenses were reported in the June financial report and detailed below:

Contributions as of July 24, 2023 originated from two organizations, namely the Missoula Organization of Realtors® (MOR) in the amount of \$10,000 and the National Association of Realtors® (NAR) Fund in the amount of \$125,000. Both of these contributions are from known entities and not from any nefarious organizations. There was also an in-kind contribution reported for the time spent by Mr. Bachand, CEO of MOR, for his work in financial reporting as co-treasurer and the use of the MOR conference Room for an in-person meeting of the committee.

Additional time by Mr. Bachand and any time of other committee officers is volunteer time without compensation, and need not be recorded or reported, MCA 13-1-101(9)(b)(i)

Independent expenditures outlined in June report were as follows:

- Two billboards in Missoula promoting Mike Nugent for Mayor, in the amount of \$2,280
- A wire transfer fee for contributions in the amount of \$10.00
- The establishment of a P.O. Box for the committee in the amount of \$118.00

If there are any recommendations from the commissioner of corrections to ensure our filing complies with MCA 13, we are committed to implementing them immediately. We have no intention of misleading anyone, as transparency is paramount to maintain a high degree of public trust. All of our activities associated with this committee are independent and organized primarily for receiving contributions and making expenditures, not under the control, direct or indirect, of any candidate. As stated above, this Independent Committee purpose is to support the next Mayor for City of Missoula, Mike Nugent.

Sincerely,

S

Shannon Winterer, Co-Treasurer

Jim bachand

Jim Bachand, Co-Treasurer

Statement of Organization (C2)

Committee Information

Committee Name: Missoula Mayor
Mailing Address: 724 Burlington Ave Missoula, MT 59801
Physical Address:
Committee Type: Independent
Incorporated: Y
Received Date:
Current Status: In Process
Amended Date:

Committee Treasurer Information

Treasurer Full Name: Winterer, Shannon
Mailing Address: 3550 Duncan Dr Missoula, MT 59802
Physical Address:
Home Phone: (406) 554-0506
Alternate Phone:
Home or Personal Email Address: Sheena@inkmt.com

Deputy Treasurer Information

Deputy Treasurer Full Name: Bachand, James J
Mailing Address: PO Box 9019 Missoula, MT 59807
Physical Address: 724 Burlington Ave Missoula, MT 59807
Home Phone: (406) 880-2330
Alternate Phone:
Home or Personal Email Address: jjbachand@hamibac.com

Committee Account Information

Primary Bank: First Security Bank
Primary Address: 1704 Dearborn Ave Missoula, MT 59801
Secondary Bank:
Secondary Address:

Additional Officer Information

Officer Full Name: Smith, DJ
Mailing Address: 724 Burlington Ave Missoula, MT 59801
Physical Address:
Home Phone: (406) 207-2559
Alternate Phone:
Home or Personal Email Address: DJ@soldwithsmith.com

Purpose of Committee and/or Name(s) of Candidate(s) or Ballot Issue(s) Supported or Opposed

Candidate/Issues	Position	Issue Status
Independent Expenditure Committee to Support the next Mayor for City of Missoula	Support	Support

Signature: *Shannon C Winterer*
Shannon C Winterer (Jul 25, 2023 14:12 MDT)










Email: sheena@inkmt.com

Signature: *[Handwritten Signature]*
jim bachand (Jul 25, 2023 14:35 MDT)

Email: jjbachand@hamibac.com

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