

Commissioner of Political Practices  
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COMMISSIONER OF  
POLITICAL PRACTICES  
HAND DELIVERED

SIGNED/NOTARIZED

## Campaign Finance and Practices

### Complaint Form (08/17)

Type or print in ink all information on this form except for verification signature

#### Person bringing complaint (Complainant):

Complete Name Jake Eaton  
Complete Mailing Address P.O. Box 81274  
Billings, MT 59108  
Phone Numbers: Work \_\_\_\_\_ Home \_\_\_\_\_

#### Person or organization against whom complaint is brought (Respondent):

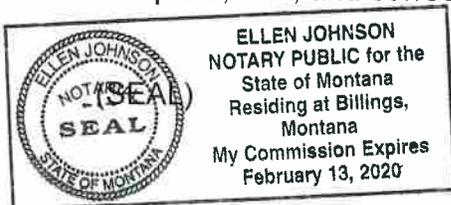
Complete Name Zach Brown  
Complete Mailing Address 601 S. Tracy  
Bozeman, MT 59715  
Phone Numbers: Work \_\_\_\_\_ Home \_\_\_\_\_

*Please complete the second page of this form and describe in detail the facts of the alleged violation.*

### Verification by oath or affirmation

State of Montana, County of Yellowstone

I, Jake Eaton, being duly sworn, state that the information in this Complaint is complete, true, and correct, to the best of my knowledge and belief.



[Signature]  
Signature of Complainant

Subscribed and sworn to before me this 25 day of May, 2018.

Ellen Johnson  
Notary Public

My Commission Expires:

**Statement of facts:**

Describe in detail the alleged violation(s) and cite the statute or statutes you believe have been violated. Please attach copies of documentary evidence to support the facts alleged in your statement.

If the space provided below is insufficient, you may attach additional pages as necessary.

See Attached

**Complaints must be:**

- signed
- notarized
- delivered in person or by mail.

Zach Brown, candidate for House District 63 in 2016 has violated ARM 44.11.502(7) by failing to report the purpose, subject matter and quantity of election materials, and ARM 44.11.502(2) by failing to timely report debts incurred by the campaign.

ARM 44.11.502 states:

### EXPENDITURES, REPORTING

(1) A campaign expense paid personally by an individual in his or her own campaign is always coordinated with, and is a campaign expense of, the campaign that must be reported and disclosed as an expense by the campaign in the same manner as an expense paid through the campaign depository account.

(2) An obligation to pay for a campaign expenditure is incurred on the date the obligation is made, and shall be reported as a debt of the campaign until the campaign pays the obligation by making an expenditure.

(3) An expenditure is made on the date payment is made, or in the case of an in-kind expenditure, on the date the consideration is given.

(4) The date of each expenditure shall be reported in the reporting period during which it is made.

(5) Expenditures made from the petty cash fund need not be reported, except that an accounting shall be maintained pursuant to ARM 44.11.409.

(6) All expenditures must be supported by a contemporaneous written agreement, invoice, billing statement, or similar documentation appropriate to the transaction that describes the services provided, the billing period identifying the specific dates on which services were provided, an itemized basis for the payments made, and other pertinent information.

(7) For purposes of the disclosure requirements of 13-37-229 and 13-37-232, MCA, the "purpose" of each expenditure as reported on the commissioner's campaign finance reporting forms shall specifically describe the purpose, quantity, subject matter, as appropriate to each expenditure, and must be detailed enough to distinguish among expenditures for similar purposes. For example, two expenditures for direct mail advertisements should not both be reported as "Flyers."

1. Violation ARM 44.11.501(7)

The: 5/04/16-5/26/16 c5 report (exhibit 1) lists a payment of \$6.80 on 5/4/16 to Rosauers of Bozeman, MT that is described only as "Buying stamps for postcards - thank you notes for donors" This description does not comply with the standards set for in ARM.

2. Violation ARM 44.11.501(1)(2)(3)(4)(5)(7)

The: 5/27/16-6/22/16 c5 report (exhibit 2) lists a payment of \$16.80 on 5/31/16 to Postal Annex Bozeman of Bozeman, MT that is described as "Postage – package of remit envelopes to friend in Washington DC". No expense or in-kind contribution is listed on this or any previous reports for the printing of Remit Envelopes. By failing to report any expense or in-kind contribution of remit envelopes the campaign as failed to comply with the requirements set forth in ARM.

3. Violation ARM 44.11.501(7)

The: 10/05/16-10/25/16 c5 report (exhibit 3) lists a payment of \$502.39 on 10/25/16 to Montana Technical Services of Billings, MT that is described only as "standard a postage for mailing done on 10/10/2016" This description does not comply with the standards set for in ARM.

4. Violation ARM 44.11.501(2)

The: 11/29/16-3/10/17 c5 report (exhibit 4) lists a payment of \$350.00 on 12/1/16 to Kylar Clifton of Bozeman, MT that is described as "campaign staff stipend". The 10/26/16-11/28/16 c5 report (exhibit 5) lists no debts. Presumably candidate Brown did not incur a debt to a campaign staffer between 11/28/16 the closing of one report(exhibit 5) and 12/1/16 the date the expenditure was paid. This would seem especially unlikely since the dates in question were after the election. By not timely reporting an obligation to pay for a campaign expenditure the campaign has failed to comply with the standards set for in ARM.

5. Violation ARM 44.11.501(2)

The: 11/29/16-3/10/17 c5 report (exhibit 4) lists a payment of \$23.54 on 12/3/16 to Facebook of Menlo Park, CA that is described as "paying off remained of facebook ads account". The 10/26/16-11/28/16 c5 report (exhibit 5) lists no debts. Presumably candidate Brown did not incur a debt to a for facebook ads between 11/28/16 the closing of one report(exhibit 5) and 12/3/16 the date the expenditure was paid. This would seem especially unlikely since the dates in question were after the election. By not timely reporting an obligation to pay for a campaign expenditure the campaign has failed to comply with the standards set for in ARM.

### Candidate Campaign Finance Report (C-5)

Candidate Information

Date Filed: 02/17/2016  
 D1 Received Date: 03/14/2016  
 C118 Received Date:

Original Filing for: 03/04/2016 - 05/26/2016  
 Report Type: Periodic  
 Receive and File Date: 05/26/2016  
 Report Status: Filed

*Exhibit 1*

Brown, Zach J  
 601 S Tracy Bozeman, MT 59715

Election Year: 2016

Resident County: Gallatin  
 (406) 579-5697  
 brownfontana@gmail.com

Office Sought: House District No. 63  
 Political Party: Democrat

Candidate Type: State District  
 Candidate Status: Amended

Treasurer:  
 Brown, Zachary J  
 601 S Tracy Bozeman, MT 59715

Bank Information:  
 First Security Bank  
 208 E Main Bozeman, MT 59715

Summary Report

Cash Summary: Money Received and Spent  
 1. Cash in Bank - Balance from previous report  
 2. Receipts - Total Received and deposited this period  
 3. Expenditures - Total paid out this period  
 4. Cash in Bank - Ending Balance this report

	Primary	General
1. Cash in Bank - Balance from previous report	\$0.00	\$2,214.18
2. Receipts - Total Received and deposited this period	\$0.00	\$660.00
Subtotal	\$0.00	\$2,874.18
3. Expenditures - Total paid out this period	\$0.00	\$234.51
4. Cash in Bank - Ending Balance this report	\$0.00	-\$2,639.67

Candidate Contributions

Election	Description	In-Kind	Cash/Check Amount	Total to Date

Loans

Election	Occupation/ Employer	Election	Date	Description	In-Kind	Value	Cash/Check Amount	Total to Date

Fundraisers

Entity	Election	Purpose	Date	Description	In-Kind	Value	Cash/Check Amount	Total to Date

Committee Contributions

Entity	Committee Type	Election	Date	Description	In-Kind	Value	Cash/Check Amount	Total to Date

Entity	Committee Type	Election	Date	Description	In-Kind	Value	Cash/Check Amount	Total to Date
Health Care Services Corp, Employees 300 E. Randolph St., Chicago, IL 60601	Independent Committee Contributions	General	05/09/2016			\$0.00	\$170.00	\$0.00(P) \$170.00(G)
Montana Agricultural PAC 420 N. California, Helena, MT 59601	Independent Committee Contributions	General	05/23/2016			\$0.00	\$150.00	\$0.00(P) \$150.00(G)
Weyerhaeuser Political Action Committee P.O. Box 9777 CH3D21, Federal Way, WA 98063	Independent Committee Contributions	General	05/09/2016			\$0.00	\$170.00	\$0.00(P) \$170.00(G)

Individual Contributors (Total Contributions < \$35: \$0.00) (Primary Contributions < \$35: \$0.00) (General Contributions < \$35: \$0.00)

Entity	Occupation/ Employer	Election	Description	In-Kind	Value	Cash/Check Amount	Total to Date
Dubitzky, Jane 520 S 3th Ave, Bozeman, MT 59715	Not Employed Not Employed	General			\$0.00	\$170.00	\$0.00(P) \$170.00(G)

Expenditures: Petty Cash

Election	Purpose	Date	Amount

Expenditures: Other

Entity	Election	Purpose	Date	Amount
Act Blue 366 Summer Street, Somerville, MA 02144	General	Admin fee for online donations	05/23/2016	\$7.71
Montana Democratic Legislative Campaign Committee PO Box 802, Helena, MT 59624	General	Design fee for walk cards	05/24/2016	\$50.00
Montana Democratic Party PO Box 802, Helena, MT 59624	General	Voter Activation Network software access	05/18/2016	\$170.00
ROSALBERS 3255 TECHNOLOGY BLVD W, BOZEMAN, MT 59718	General	Buying stamps for postcards - thank you notes for donors	05/24/2016	\$6.80

Debits

Entity	Election	Type	Purpose	Date	Debit Amount	Balance Due

Payments Only

Entity	Type	Debit Amount	Date	Paid Amount	Balance Due

### Candidate Campaign Finance Report (C-5)

Candidate Information

Date Filed: 02/17/2016  
 D1 Received Date: 03/14/2016  
 C118 Received Date:

Original Filing for: 05/27/2016 - 06/22/2016  
 Report Type: Periodic  
 Receive and File Date: 06/27/2016  
 Report Status: Filed

Brown, Zach J

601 S Tracy, Bozeman, MT 59715

Election Year: 2016

Resident County: Gallatin  
 (406) 579-5697  
 brownformontana@gmail.com

Office Sought: House District No. 63  
 Political Party: Democrat

Candidate Type: State District  
 Candidate Status: Amended

Treasurer:  
 Brown, Zachary J  
 601 S Tracy Bozeman, MT 59715

Bank Information:  
 First Security Bank  
 208 E Main Bozeman, MT 59715

Summary Report

Cash Summary: Money Received and Spent  
 1. Cash in Bank - Balance from previous report  
 2. Receipts - Total Received and deposited this period  
 3. Expenditures - Total paid out this period  
 4. Cash in Bank - Ending Balance this report

	Primary	General
1. Cash in Bank - Balance from previous report	\$0.00	\$2,639.67
2. Receipts - Total Received and deposited this period	\$0.00	\$705.00
	+	
Subtotal	\$0.00	\$3,344.67
3. Expenditures - Total paid out this period	\$0.00	\$552.24
4. Cash in Bank - Ending Balance this report	\$0.00	\$3,289.43

Candidate Contributions

Election	Description	In-Kind	Cash/Check Amount	Total to Date
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Loans

Entity	Occupation/ Employer	Election	Date	Description	In-Kind	Value	Cash/Check Amount	Total to Date
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Fundraisers

Entity	Election	Purpose	Date	Description	In-Kind	Value	Cash/Check Amount	Total to Date
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Committee Contributions

Entity	Committee Type	Election	Date	Description	In-Kind	Value	Cash/Check Amount	Total to Date
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*Exhibit 2*

Individual Contributors (Total Contributions < \$35: \$25.00) (Primary Contributions < \$35: \$0.00) (General Contributions < \$35: \$25.00)

Entry	Occupation/ Employer	Election	Description	In-Kind	Value	Cash/Check Amount	Total to Date
Davis, Sweep 2953 Star Ridge Rd, Bozeman, MT 59715	Not Employed Not employed	General			\$0.00	\$170.00	\$0.00(P) \$170.00(G)
Funk, Mofie PO BOX 925, Helena MT, MT 59624	Teacher Montana City Schools	General			\$0.00	\$170.00	\$0.00(P) \$170.00(G)
PHEAR, NICKY 328 1/2 SOUTH 4TH WEST, MISSOULA, MT 59801	Professor University of Montana	General			\$0.00	\$170.00	\$0.00(P) \$170.00(G)
Robertson, Tom 1125 Cherry St, Missoula, MT 59802	Photographer self	General			\$0.00	\$170.00	\$0.00(P) \$170.00(G)

**Expenditures: Petty Cash**

Election	Purpose	Date	Amount

**Expenditures: Other**

Entity	Election	Purpose	Date	Amount
ActBlue 366 Summer Street, Somerville, MA 02144	General	Interest on online contributions	06/20/2016	\$24.02
ActBlue 366 Summer Street, Somerville, MA 02144	General	3.95% Interest Rate on ActBlue Contributions	06/22/2016	\$14.42
Postal Annex Bozeman 290 W Kagy Blvd Ste D, Bozeman, MT 59715	General	Postage - package of remitt envelopes to friend in Washington, DC	05/31/2016	\$16.80

**Debits**

Entity	Election	Type	Purpose	Date	Debit Amount	Balance Due

**Payments Only**

Entity	Type	Debit Amount	Date	Paid Amount	Balance Due



Individual Contributors (Total Contributions < \$35: \$105.00) (Primary Contributions < \$35: \$0.00) (General Contributions < \$35: \$105.00)

Entry	Occupation/ Employer	Election	Description	In-Kind	Value	Cash/Check Amount	Total to Date
Burrell, Erica 205 N Pondera Ave, Apt C, Bozeman, MT 59718	Office Manager Western Transportation Institute	General			\$0.00	\$35.00	\$0.00(P) \$35.00(G)
Smith, Kristin A 631 D St NW Apt 830, Washington, DC 20004	Senior Policy Analyst DropBox	General			\$0.00	\$100.00	\$0.00(P) \$100.00(G)

Expenditures: Petty Cash

Election	Purpose	Date	Amount
			Amount

Expenditures: Other

Entity	Election	Purpose	Date	Amount
AirCraf Printers 241 E Main St, Bozeman, MT 59715	General	Printing for 3,000 matters and walk cards	10/13/2016	\$400.00
AirCraf Printers 241 E Main St, Bozeman, MT 59715	General	Shipping Walk Cards	10/13/2016	\$29.91
FACEBOOK 1 HACKER WAY, MENLO PARK, CA 94025	General	Facebook campaign advertisement	10/19/2016	\$25.00
Montana Democratic Legislative Campaign Committee PO Box 802, Helena, MT 59624	General	Donation towards central committee work	10/13/2016	\$2,500.00
Montana Democratic Party Coordinated Campaign, Federal Account PO Box 802, Helena, MT 59524	General	Buy-in for Get Out The Vote Paid Canvassing Program	10/13/2016	\$4,000.00
Montana Technical Services PO Box 245, Billings, MT 59103	General	standard A postage for mailing done on 10/10/2016	10/25/2016	\$302.39
United States Postal Service 2201 Baxter lane, Bozeman, MT 59719	General	Two books of post card stamps, one book of Forever stamps	10/05/2016	\$23.00

Debits

Entity	Election	Type	Purpose	Date	Debit Amount	Balance Due
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Payments Only

Entity	Type	Debit Amount	Date	Paid Amount	Balance Due
Aircraft Printers 2001 1st Ave N, Billings, MT 59103	Debit	\$400.00	10/13/2016	\$400.00	\$0.00
Mailing Technical Services 850 S 27th Street, Billings, MT 59101	Debit	\$531.81	10/23/2016	\$502.39	\$29.41999999999996

### Candidate Campaign Finance Report (C-5)

Candidate Information

Date Filed: 02/17/2016  
 D1 Received Date: 03/14/2016  
 C118 Received Date: 03/10/2017

Brown, Zach J  
 601 S Tracy, Bozeman, MT 59715

Resident County: Gallatin  
 (406) 579-5697  
 brownfor montana@gmail.com

Amended Filing for: 11/29/2016 - 03/10/2017  
 Report Type: Periodic  
 Receive and File Date: 03/10/2017  
 Report Status: Amended  
 Amended Date: 03/10/2017

Treasurer:  
 Brown, Zachary J  
 601 S Tracy Bozeman, MT 59715

Bank Information:  
 First Security Bank  
 208 E Main Bozeman, MT 59715

Summary Report

Cash Summary: Money Received and Spent  
 1 Cash in Bank - Balance from previous report  
 2 Receipts - Total Received and deposited this period  
 3 Expenditures - Total paid out this period  
 4 Cash in Bank - Ending Balance this report

	Primary	General
1 Cash in Bank - Balance from previous report	\$0.00	\$1,286.59
2 Receipts - Total Received and deposited this period	\$0.00	\$0.00
<b>Subtotal</b>	<b>+</b>	<b>\$1,286.59</b>
3 Expenditures - Total paid out this period	\$0.00	\$1,286.59
4 Cash in Bank - Ending Balance this report	\$0.00	\$0.00

Candidate Contributions

Election	Description	In-Kind	Cash/Check Amount	Total to Date
Loans				
Entry	Occupation/ Employer	Election	In-Kind Value	Cash/Check Amount Total to Date

Fundraisers

Entry	Election	Purpose	Date	Description	In-Kind Value	Cash/Check Amount	Total to Date

Committee Contributions

Entry	Committee Type	Election	Date	Description	In-Kind Value	Cash/Check Amount	Total to Date

*Exhibit 4*

Individual Contributors (Total Contributions < \$35: \$0.00) (Primary Contributions < \$35: \$0.00) (General Contributions < \$35: \$0.00)

Entity	Occupation/ Employer	Election	Description	In Kind	Value	Cash/Check Amount	Total to Date
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Expenditures: Petty Cash

Election	Purpose	Date	Amount
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Expenditures: Other

Entity	Election	Purpose	Date	Amount
Chiron, Kylar 100 Hanon Hall, Bozeman, MT 59715	General	Campaign staff stipend	12/01/2016	\$350.00
FACEBOOK 1 HACKER WAY, MENLO PARK, CA 94025	General	Paying off remainder of facebook ads account	12/03/2016	\$23.54
First Security Bank 208 E. Mann, Bozeman, MT 59715	General	Transfer remaining balance to constituent account	03/10/2017	\$913.05

Debits

Entity	Election	Type	Purpose	Date	Debit Amount	Balance Due
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Payments Only

Entity	Type	Debit Amount	Date	Paid Amount	Balance Due
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### Candidate Campaign Finance Report (C-5)

Candidate Information

Date Filed: 02/17/2016  
 D1 Received Date: 03/14/2016  
 C118 Received Date:

*Exhibits*

Brown, Zach J  
 601 S Tracy, Bozeman, MT 59715

Amended Filing for: 10/26/2016 - 11/28/2016  
 Report Type: Periodic  
 Receive and File Date: 11/28/2016  
 Report Status: Amended  
 Amended Date: 03/10/2017

Resident County: Gallatin  
 (406) 579-5697  
 brownfmontana@gmail.com

Election Year: 2016  
 Office Sought: House District No. 63  
 Political Party: Democrat

Candidate Type: State District  
 Candidate Status: Amended

Treasurer:  
 Brown, Zachary J  
 601 S Tracy Bozeman, MT 59715

Bank Information:  
 First Security Bank  
 208 E Main Bozeman, MT 59715

Summary Report

**Cash Summary: Money Received and Spent**  
 1. Cash in Bank - Balance from previous report  
 2. Receipts - Total Received and deposited this period  
 3. Expenditures - Total paid out this period  
 4. Cash in Bank - Ending Balance this report

	Primary	General
1. Cash in Bank - Balance from previous report	\$0.00	\$2,325.02
2. Receipts - Total Received and deposited this period	\$0.00	\$95.09
<b>Subtotal</b>	\$0.00	\$2,420.02
3. Expenditures - Total paid out this period	\$0.00	\$1,133.43
4. Cash in Bank - Ending Balance this report	\$0.00	\$1,286.59

Candidate Contributions

Election	Description	In-Kind	Cash/Check Amount	Total to Date

Loans

Entry	Occupation/ Employer	Election	Date	Description	In-Kind	Value	Cash/Check Amount	Total to Date

Fundraisers

Entry	Election	Purpose	Date	Description	In-Kind	Value	Cash/Check Amount	Total to Date

Committee Contributions

Entry	Committee Type	Election	Date	Description	In-Kind	Value	Cash/Check Amount	Total to Date

Individual Contributors (Total Contributions < \$35: \$0.00) (Primary Contributions < \$35: \$0.00) (General Contributions < \$35: \$0.00)

Entity	Occupation/ Employer	Election	Description	In-Kind	Value	Cash/Check Amount	Total to Date
Alvarez, Edward 2324 Morpheer Drive, San Jose, CA 95116	Field Operations Ro Khanna for Congress	General			\$0.00	\$10.00	\$0.00(P) \$40.00(C)
Cady, Katie H 2211 Arrowleaf Hills Dr, Bozeman, MT 59715	Retired Retired	General			\$0.00	\$50.00	\$0.00(P) \$50.00(C)
Jackson, Anthony 125 Maggler Ave, Bozeman, MT 59718	Attorney Beck, Amsden & Stolpes PLLC	General			\$0.00	\$35.00	\$0.00(P) \$35.00(C)

**Expenditures: Petty Cash**

Election	Purpose	Date	Amount

**Expenditures: Other**

Entity	Election	Purpose	Date	Amount
Act Blue 366 Sumner Street, Somerville, MA 02144	General	3.95% Interest Rate on online ActBlue Contributions	11/28/2016	\$1.78
Allegra Printing 39 South Tracy, Bozeman, MT 59715	General	printing and first class postage for 1,832 post cards	11/03/2016	\$971.03
FACEBOOK 1 HACKER WAY, MENLO PARK, CA 94025	General	Targeted Facebook and Instagram advertisement (Pay per-click)	11/01/2016	\$160.62

**Debits**

Entity	Election	Type	Purpose	Date	Debit Amount	Balance Due

**Payments Only**

Entity	Type	Debit Amount	Date	Paid Amount	Balance Due