

Commissioner of Political Practices
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www.politicalpractices.mt.gov

Campaign Finance and Practices

Complaint Form (08/17)

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SIGNED/NOTARIZED

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

Person bringing complaint (Complainant):

Complete Name Emily Harris, Busse for Montana

Complete Mailing Address PO BOX 8537 • KALISPELL, MT 59904

Phone Numbers: Work _____ Home _____

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

Complete Name Greg Gianforte

Complete Mailing Address PO Box 877, Helena, MT 59624

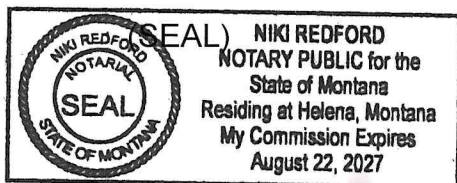
Phone Numbers: Work _____ Home _____

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 Lewis and Clark

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



Emily Harris
Signature of Complainant

Subscribed and sworn to before me this 28th day of June, 2024.

[Signature]
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 attachment

Complaints must be:

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

Commissioner Gallus –

The Gianforte campaign is systematically concealing its activities from the Montana public, flouting even the most basic requirements of campaign disclosure law in Montana.

1. Concealing expenditures by funneling money through Jake Eaton companies

Gianforte’s campaign manager, Jake Eaton, doesn’t work for free. But the public wouldn’t know it from any of Gianforte’s campaign finance reports.

Though Gianforte’s campaign has funneled over \$1,000,000 to Eaton’s companies in just six months, nowhere do his reports specify any payment to Eaton for his personal services as campaign manager/consultant.

Further, public reporting shows that money passed through Eaton’s companies goes to other Republican-aligned vendors—payments Gianforte conceals from his reporting.

At best, both are violations of the “specific services” disclosure requirement for consulting and services providers in 13-37-229(2)(b), MCA, which prevents secret pass-through payments. At worst, Gianforte is simply flouting Montana’s basic expenditure disclosure requirement provided in 13-37-229(2)(a), MCA.

The following is a partial summary of known payments to Eaton companies in Gianforte’s campaign finance reports this year:

Report Date	Amount	Eaton Company	"Purpose"
20-Mar	4,275.00	The Political Company	# 5 000 - 8.5 x 11 in. Fundraising Letter Package
20-Mar	1,945.82	The Political Company	Shipping and Postage for Contribution Mailers
20-Mar	11,616.44	The Political Company	Digital Ad Getting Results 15 sec 30 sec and 60 sec versions 01/01/24 - 03/15/24
20-Mar	115	Ultra Graphics	#250 Business Card Printing
20-Mar	429.28	Ultra Graphics	#307 Thank you Postcards 8.5 x 5.5
20-Mar	240	Ultra Graphics	Thank You Postcard Design
20-Mar	519.5	Ultra Graphics	#500 Palm Cards 7.5 x 5.5 Gianforte for Gov
21-Apr	16,200.00	The Political Company	#20 000 8.5in x 11in. Greg for Montana Fundraising Letter Design and Postage
21-Apr	13,500.00	The Political Company	Digital Ad Getting Results 15 sec 30 sec and 60 sec versions 03/27/24 - 05/07/24

21-Apr	70.92	Ultra Graphics	#5000 7.5 x 5.5 Gianforte for Gov Shipping
21-Apr	321.57	Ultra Graphics	#497 8.5 x 5.5 Gianforte for Gov Thank you Cards
21-Apr	2,830.59	Ultra Graphics	#5000 7.5 x 5.5 Gianforte for Gov Thank you Cards
20-May	500,000.00	The Political Company	Television Digital and Cable Ad Placement Greg for Montana 05/06/24 - 11/05/24 ; 15 and 30 Second Spots
20-May	250,000.00	The Political Company	Television Digital and Cable Ad Placement Greg for Montana 05/06/24 - 11/05/24 ; 15 and 30 Second Spots
20-May	8,754.40	The Political Company	#6 517 Fundraising Letter Packages Greg for Montana #10 #9 and 8.5 in x 11 in.
20-May	2,000.00	The Political Company	#100 - 2x4 Highway Signs Greg for Montana
20-May	5,636.75	The Political Company	#6 442 Fundraising Letter Packages Greg for Montana #10 #9 and 8.5 in x 11 in.
20-May	517.17	Ultra Graphics	#791 8.5 x 5.5 Gianforte for Gov Invitations- Lewiston Hobson Roundup
20-May	982.32	Ultra Graphics	#1 421 8.5 x 5.5 Gianforte for Gov Thank you cards
20-May	5,622.39	Ultra Graphics	#514 8.5 x 5.5 Gianforte for Gov Thank you cards postage and Business Cards
20-Jun	1,181.00	The Political Company	# 9 048 Greg for Montana SMS Fundraising Messages and Setup
20-Jun	1,270.58	The Political Company	Hobson Event Food and Beverages
20-Jun	250,000.00	The Political Company	05/23/24 - 11/05/24; Greg for Montana 15 and 30 Second Digital and Cable Ad Placement
20-Jun	2,321.97	Ultra Graphics	#10 000 7 x 6.5 Gianforte for Gov Remittance Envelopes
20-Jun	1,143.93	Ultra Graphics	#2 500 12x18 Gianforte for Gov Mailer
20-Jun	888.7	Ultra Graphics	#650 8.5 x 5.5 Event Invitations Gianforte for Gov
Subtotal	1,082,383.33		

There is no reported expenditure to Eaton or his companies for his campaign management services by Gianforte’s campaign. Either that amount has not been reported at all (in violation of 13-37-229(2)(a), MCA), or it is contained—but not itemized or reported—within the above-listed expenditures (in violation of 13-37-229(2)(b), MCA).

Public reporting also shows that the above-described expenditures conceal additional “specific services” by third-party vendors that have not been reported at all.

For example, in May, Gianforte ran an advertisement containing false statements. When a media organization, NonStop Local, fact-checked the advertisement, Gianforte disavowed the advertisement and blamed a third-party vendor for its content, stating through a spokesperson that his advertisement “was a product of an outside contractor and has been removed at our direction.”¹ But Gianforte’s only reporting for digital advertising spending during the relevant time period, the reports filed May 20 and June 20, are expenditures to Eaton’s “The Political Company.” Those expenditures were for 15 and 30 second video advertisements. The ad containing the false statement was a Twitter post containing a still image, which is reported nowhere in Gianforte’s disclosures.

Either Gianforte failed to report the expenditure to the “outside contractor” entirely, in violation of 13-37-229(2)(a), or he failed to report the use of Eaton’s company as a pass-through entity (and the “specific services” provided by the third-party vendor) in violation of 13-37-229(2)(b).

Even the stated reporting to Eaton’s companies raises serious questions about the truthfulness and accuracy of Gianforte’s reports, and the potential for additional unreported/concealed or pass-through payments. For example, Gianforte reports paying Eaton five different prices, at five different times, for identical 5.5 x 8.5 thank you cards:

Report Date	# Thank You Cards	Expenditure	Price/Card
20-Mar	307	\$ 429.28	\$ 1.40
21-Apr	497	\$ 327.51	\$ 0.66
21-Apr	5000	\$ 2,830.59	\$ 0.57
20-Apr	1421	\$ 982.32	\$ 0.69
20-May	514	\$ 514.00	\$ 1.00

This alone—on an item as inconsequential as printing—raises serious questions about the truthfulness and accuracy of Gianforte’s payments to Eaton’s companies, which is required by 13-37-229(2). Taken in conjunction with the failures to report the matters described above, these discrepancies require further investigation by your office regarding Gianforte’s fidelity to Montana’s campaign finance transparency laws and the role of Eaton’s companies.

2. Concealing pre-registration fundraising

Gianforte’s reports also appear to show extensive fundraising by the Governor before registering and reporting with your office, in violation of 13-37-201. That statute requires candidates to register with your office within five days of becoming a candidate. A person becomes a candidate, under 13-1-101(8)(b), MCA, when “an individual who has solicited or received and retained contributions, made expenditures, or given consent to an individual, organization, political party, or committee to solicit or receive and retain contributions or make expenditures on the individual’s behalf to secure nomination or election to any office at any time, whether or not the office for which the individual will seek nomination or election is known when the:

¹ See https://www.montanarightnow.com/elections/montana-political-show/nonstop-local-fact-checks-recent-ad-from-governor-gianforte-on-alleged-illegal-immigrants/article_77e7f500-1aae-11ef-8faa-0f4ce8fac01b.html

- (i) solicitation is made;
- (ii) contribution is received and retained; or
- (iii) expenditure is made;”

In other words, soliciting contributions (including through third parties) triggers the reporting requirement—not their actual receipt.

Gianforte registered with this office on January 16, 2024. His first report, three months later, purportedly showed Gianforte raising \$1.2 million—but doing so with no subscription to fundraising databases, no phone expenses, no staff, and catering expenses for—at most—five in-person events. Yet the donations themselves are dominated by donors providing the precise maximum amount of \$2,240.

It is implausible that Gianforte raised this sum using mail or other passive solicitation techniques. Comparatively few donations are for smaller amounts, which are more common for donations made through mail or digital advertising (*e.g.*, low-dollar donations or “round” donations of \$1,000 rather than \$1,120, the primary maximum, which indicate personal solicitation by the candidate or candidate’s agent). It is also exceedingly implausible that Gianforte’s five events resulted in the overall fundraising number, either. The “pass the hat” contributions at events that Gianforte has reported so far have raised just \$20 (from 12 attendees) and \$100 (from 60 attendees), for example.

The reports are devoid of evidence that Gianforte raised \$1.2 million through personal outreach, while serving as sitting governor, in under three months, with no phone expenses, and extremely few in-person events. Instead, on information and belief, Gianforte or his agent (a fundraising staff person for the Montana Republican Party, for example) solicited these funds more than five days before he registered as a candidate, then collected them during the reporting period. Doing so effectively shields Gianforte’s campaign activity from public disclosure or scrutiny by failing to register and report, and is a clear violation of 13-37-201, MCA.

3. Concealing pre-registration polling

Gianforte and his agents also conducted campaign expenditures more than five days before registering as a candidate, in violation of 13-37-201 and 13-37-229(2), MCA. Jake Eaton, through his companies, commissioned and conducted a poll that he provided to Gianforte and his agents. A partial summary of the poll was released publicly and is attached. Other portions of the poll collected and provided to Gianforte have not been publicly released.

On information and belief, this poll provided information to Gianforte in connection with his unannounced, unregistered, but certain candidacy for Governor, and had the effect of supporting that candidacy. Whether a contribution or an expenditure, it occurred more than five days before Gianforte registered as a candidate and was not reported, which are violations of 13-37-201 and 13-37-229(2), MCA.

4. Concealing staff

Gianforte has also systematically concealed his expenditures on staff. In addition to Eaton, a number of other people publicly describe themselves as employed by the Gianforte campaign:



Experience



Dyk Experience







Brandon Wenzel
Regional Director - Greg for Montana
Helena, Montana, United States · [Contact Info](#)
304 followers · 302 connections

 See your mutual connections

[Join to view profile](#) [Message](#)



Anna Marian Block
Communications Director - Greg for Montana
Helena, Montana, United States · [Contact Info](#)
916 followers · 500+ connections

 See your mutual connections

And in public media, they describe their work for the campaign:

Gianforte campaign spokesperson Anna Marian Block said in a statement Thursday the governor felt McMurray would be a good legislator.

“With Governor Gianforte’s pro-family, pro-jobs, pro-business policies and his strong record of protecting our Montana way of life, Montanans are overwhelmingly supporting Governor Gianforte’s reelection, providing him with record support in only 60 days,” Gianforte campaign manager Jake Eaton said.

Despite their obvious, public work for Gianforte’s campaign, these individuals are not paid by Gianforte’s campaign. Gianforte’s reports to date do not show any salary or personal services expenditures for these six people, which is a violation of 13-37-229(2)(a), MCA.

5. Disclosure failures

The following expenditures by Gianforte fail adequately to provide the “purpose” of the expenditure and the itemization for “specific services provided” in violation of 13-37-229(2)(a) and (b).

March 20 Report

Anchor City Strategies 102 Kimborough St , Greenville, e, SC 29607	Primary	February Digital Ad 30 second placement Gianforte for Gove rnor	No	03/0 1/20 24	4,728.16
Anchor City Strategies 102 Kimborough St , Greenville, e, SC 29607	Primary	Jan/Feb Digital Ad 30 second placement Gianforte for Gove rnor	No	01/1 7/20 24	10,000.00

Failure to itemize and provide detail for specific services provided; no information regarding advertising placement, which ad this disclosure concerns, run times, or where media placed.

Blain, Aimon 518 Shadow Lawn Ct , Billings, MT 59102	Primary	Event Catering	No	03/0 1/20 24	2,848.16
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Failure to itemize and provide detail for specific services provided by “other person that performs services for or on behalf of a candidate” under 13-37-229(2)(b).

Malfette, Eugene 4624 W US Hwy 12 , Helena, MT 59601	Primary	Event Catering	No	03/0 1/20 24	1,337.38
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Failure to itemize and provide detail for specific services provided by “other person that performs services for or on behalf of a candidate” under 13-37-229(2)(b).

Ogren, Kathy 3495 Loraine Dr , Missoula, M T 59803	Primary	Event Catering	No	03/0 1/20 24	200.00
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Failure to itemize and provide detail for specific services provided by “other person that performs services for or on behalf of a candidate” under 13-37-229(2)(b).

The Political Company PO Box 81274 , Billings, MT 59 108	Primary	Digital Ad Getting Results 15 s ec 30 sec and 60 sec versions 01/01/24 - 03/15/24	No	03/1 5/20 24	11,616.44
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Failure to itemize and provide detail for specific services provided; no information regarding advertising placement, which ad this disclosure concerns, or where media placed.

Wenzel, Brandon 6435 Foxwood Crt , Helena, M T 59602	Primary	Mileage and Food (540 miles)	No	03/0 1/20 24	569.12
Wenzel, Brandon 6435 Foxwood Crt , Helena, M T 59602	Primary	Mileage and Food (250 miles)	No	02/1 6/20 24	211.95
Wenzel, Brandon 6435 Foxwood Crt , Helena, M T 59602	Primary	Mileage and Food (813 miles)	No	01/1 7/20 24	853.54

Failure to itemize and provide detail for specific services provided by “other person that performs services for or on behalf of a candidate” under 13-37-229(2)(b).

April 21 Report

Anchor City Strategies 102 Kimborough St , Greenwill e, SC 29607	Primary	March/April Digital Ad 30 seco nd placement Gianforte for G overnor	No	04/0 6/20 24	10,372.14
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Failure to itemize and provide detail for specific services provided; no information regarding advertising placement, which ad this disclosure concerns, run times, or where media placed.

Hubbert Strategic Consulting 502 E Nelson , Alexandria, VA 22301	Primary	Contributor List Commission	No	04/1 5/20 24	2,174.81
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Failure to itemize and provide detail for specific services provided by “other person that performs services for or on behalf of a candidate” under 13-37-229(2)(b).

Moore Information 2130 SW Jefferson Street Suit e 200 , Portland, OR 97201	Primary	Voter Preference Telephone P olling	No	04/1 0/20 24	22,300.00
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Failure to itemize and provide detail for specific services provided by “other person that performs services for or on behalf of a candidate” under 13-37-229(2)(b).

The Political Company PO Box 81274 , Billings, MT 59 108	Primary	Digital Ad Getting Results 15 s ec 30 sec and 60 sec versions 03/27/24 - 05/07/24	No	03/2 2/20 24	13,500.00
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Failure to itemize and provide detail for specific services provided; no information regarding advertising placement, which ad this disclosure concerns, or where media placed.

Wenzel, Brandon 6435 Foxwood Crt , Helena, M T 59602	Primary	Mileage and Food (404 miles)	No	03/2 1/20 24	270.68
Wenzel, Brandon 6435 Foxwood Crt , Helena, M T 59602	Primary	Mileage and Food (168 miles)	No	04/0 3/20 24	131.54

Failure to itemize and provide detail for specific services provided by “other person that performs services for or on behalf of a candidate” under 13-37-229(2)(b).

Turner Media Solutions 1931 Jerome Place , Helena, M T 59601	Primary	Video Rental and Editing for G reg for Montana Ad	No	03/2 6/20 24	656.00
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Failure to itemize and provide detail for specific services provided by “other person that performs services for or on behalf of a candidate” under 13-37-229(2)(b).

May 20 Report

Anchor City Strategies 102 Kimborough St , Greenvill e, SC 29607	Primary	April Digital Ad 30 second plac ement Gianforte for Governor and Prospecting E-mail Desig n	No	05/0 3/20 24	11,548.43
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Failure to itemize and provide detail for specific services provided; no information regarding advertising placement, which ad this disclosure concerns, or where media placed.

Highlands Golf Club 714 Poly Dr , Billings, MT 5910 2	Primary	Billings Event Catering	No	05/0 7/20 24	872.43
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Failure to itemize and provide detail for specific services provided by “other person that performs services for or on behalf of a candidate” under 13-37-229(2)(b).

Look Ahead Strategies 1500 Wilson Blvd 5th Floor , A rlington, VA 22209	Primary	Campaign Strategy Research Project	No	05/0 3/20 24	42,000.00
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Failure to itemize and provide detail for specific services provided by “other person that performs services for or on behalf of a candidate” under 13-37-229(2)(b).

The Political Company PO Box 81274 , Billings, MT 59 108	Primary	Television Digital and Cable Ad Placement Greg for Montana 05/06/24 - 11/05/24; 15 and 30 Second Spots	No	04/2 2/20 24	500,000.00
The Political Company PO Box 81274 , Billings, MT 59 108	Primary	Television Digital and Cable Ad Placement Greg for Montana 05/06/24 - 11/05/24; 15 and 30 Second Spots	No	05/0 2/20 24	250,000.00

Failure to itemize and provide detail for specific services provided; no information regarding advertising placement, which ad this disclosure concerns, or where media placed.

Wenzel, Brandon 6435 Foxwood Crt , Helena, M T 59602	Primary	White Sulphur Springs and Lewiston Event Supplies	No	05/0 1/20 24	488.17
Wenzel, Brandon 6435 Foxwood Crt , Helena, M T 59602	Primary	Mileage and Travel Food - Phillipsburg Great Falls (398 miles @ .70)	No	05/1 4/20 24	293.56

Failure to itemize and provide detail for specific services provided by “other person that performs services for or on behalf of a candidate” under 13-37-229(2)(b).

June 20 Report

Anchor City Strategies 102 Kimborough St , Greenville, SC 29607	Primary	Digital Ad Placement Via Emails Greg for Montana	No	06/0 4/20 24	12,228.16
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Failure to itemize and provide detail for specific services provided; no information regarding advertising placement, which ad this disclosure concerns, run times, or where media placed.

The Political Company PO Box 81274 , Billings, MT 59 108	Primary	05/23/24 - 11/05/24; Greg for Montana 15 and 30 Second Digital and Cable Ad Placement	No	05/2 9/20 24	250,000.00
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Failure to itemize and provide detail for specific services provided; no information regarding advertising placement, which ad this disclosure concerns, run times, or where media placed.

Wenzel, Brandon 6435 Foxwood Crt , Helena, M T 59602	General	Mileage - Helena to Bozeman 104 miles @ 0.67 and Travel Meal	No	06/0 4/20 24	168.77
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Failure to itemize and provide detail for specific services provided by “other person that performs services for or on behalf of a candidate” under 13-37-229(2)(b).

Dated June 28, 2024.

Emily Harris, Busse for Montana



Memorandum

To: Interested Parties
From: Jake Eaton
SUBJECT: MONTANA 2024
DATE: February 9, 2023

With the national media fixating on Montana as a top US Senate race in 2024, there has been a lot of speculation about the race already. With that in mind, I wanted to share with you some recent polling data. The poll was conducted Jan 30 – Feb 1 testing several potential General Election match-ups and looking at the image ratings of several Montana elected officials.

If you would like to discuss this poll in more detail or catch up about any of the exciting races 2024 has in store, feel free to give me a call at 406.233.9121 or shoot me an email at Eaton@ThePoliticalCompany.com

Senator Tester's Re-Election Prospects

The poll looked at Montanans' feelings about re-electing Jon Tester. A clear majority do not want to see Tester gain a fourth term with 56% likely opposing his re-election and only 34% supporting him.

Table with 5 columns: Question, All Voters, GOP Voters, Dem Voters, Ind Voters. Rows include: 'I would voter to replace Jon Tester for US Senate regardless of who ran against him', 'I would consider another candidate for US Senate', 'I would vote to re-elect Jon Tester for US Senate regardless of who ran against him', and 'Don't know'.

General Election Scenarios

The poll looked at hypothetical match-ups between several current Republican elected officials and incumbent Democrat Jon Tester.

Matchup #1

Ryan Zinke 40%
Jon Tester 46%
Don't Know/Undecided 14%

Matchup #2

Matt Rosendale 40%
Jon Tester 45%
Don't Know/Undecided 15%

Matchup #3

Greg Gianforte 45%
Jon Tester 45%
Don't Know/Undecided 10%

Image Ratings

The poll looked at Montanans' opinion of these elected officials.

	Total Fav	Very Fav	Smwt Fav	No Opinion	Never hrd of	Smwt Unfav	Very Unfav	Total Unfav
Greg Gianforte	61%	41%	19%	2%	1%	8%	29%	37%
Matt Rosendale	53%	29%	24%	4%	2%	7%	34%	42%
Jon Tester	56%	37%	18%	2%	2%	7%	33%	40%
Ryan Zinke	54%	23%	30%	4%	2%	7%	34%	41%

Analysis

While Reps. Zinke and Rosendale enjoy reasonably positive image ratings, they are in the difficult position of needing to garner 2/3 of the undecided voters to have a path to victory. This poll clearly shows that Senator Tester is extremely vulnerable in 2024, but Republicans must have the right candidate to take advantage of this opportunity.

Poll Information

The poll was conducted January 30th – February 1st, the survey sample included 534 likely voters with a margin of error of +/- 4%. The survey included landline, cell phone and text responses. (35% R / 24% D/ 40% I). Some totals may not add to 100% due to rounding.

About The Political Company

The Political Company (TPC) is a full-service public affairs and political consulting firm led by Jake Eaton. Mr. Eaton has over 20 years of experience in Montana politics, he has worked for and advised campaigns at the local, state and federal level across the country. Jake served as Campaign Manager for Governor Greg Gianforte and Chief Strategist for Attorney General Austin Knudsen. In 2022, Jake led several successful independent expenditure efforts including re-electing Alaska Governor Mike Dunleavy and building historic super majorities in both chambers of the Montana Legislature.