

Cook, Scott

From: Cook, Scott
Sent: Thursday, August 31, 2023 1:42 PM
To: MOR@missoularealestate.com; Jonathan Waclawski; Sheena@inkmt.com; Jim Bachand
Cc: Gallus, Chris J.
Subject: Pearson v. Missoula Organization of Realtors, National Association of Realtors/NAR Fund, and Missoula Mayor political committee, COPP-2023-CFP-011- Notice of Amendments to complaint and request for a supplemental response
Attachments: Amendment to Complaint 1.pdf; Amendment to Complaint 2.pdf; Amendment to Complaint 3.pdf

Judy, Jon, and Shannon:

On August 4, 2023, Commissioner Gallus sent written correspondence to each of the Missoula Organization of Realtors (MOR), National Association of Realtors (NAR)/NAR Fund, and Missoula Mayor political committee to inform you that he was accepting the matter of *Pearson v. Missoula Organization of Realtors, National Association of Realtors Fund, and Missoula Mayor political committee*, COPP-2023-CFP-011, for further consideration. On each of August 17, 22, and 29, 2023, complainant C.B. Pearson emailed the Commissioner and myself additional information or documentation he wished be considered as part of the complaint. After consideration, Commissioner Gallus has accepted each as an Amendment to this complaint. As a courtesy, I am providing each email message and the associated information or documentation received from Complainant Pearson and accepted by Commissioner Gallus as an Amendment to this complaint with this Memo.

Pursuant to Mont. Code Ann. § 13-37-111, Commissioner Gallus formally requests that MOR, NAR/NAR Fund, and the Missoula Mayor political committee each provide a supplemental written response addressing the specific issues identified in each complaint Amendment. By accepting these three Amendments, he feels it is best that you each be provided a chance to respond directly in writing. I would also request that any supplemental response you provide specifically address the following questions:

- What was the process and timeline for NAR authorizing and implementing its April 3-7 poll regarding the Mayoral race in the City of Missoula?
- Who designed or wrote the specific poll questions or otherwise designed the response methodology used in NAR's April 3-7 poll?
- What was the full cost of creating and circulating NAR's April 3-7 poll, including any paid time spent by NAR, MOR, or related organization staff?
- After NAR had concluded its April 3-7 poll, to whom were all collected responses or data originally provided?
- How were all collected responses or data from NAR's April 3-7 poll utilized by NAR and MOR after polling had been concluded?

and

- Was the Missoula Mayor political committee provided with all collected responses or data from NAR's April 3-7 poll? If so, by whom was it provided, and when?

Please provide this supplemental response by 5:00 PM on Friday, September 8, 2023.

As with your original response, any supplemental response you provide is a public record that COPP posts on our website, per Mont. Code Ann. §13-37-132, and provision of this requested supplemental response via email message is accepted.

The process and procedure by which this Office will review and address this complaint continues as outlined in the Commissioner's original August 4 letter. As always, please feel free to contact either the Commissioner or myself with questions regarding the formal CFP Complaint process.

I appreciate your time and consideration of this important matter.

Scott Cook
Compliance Specialist 3/Public Records Officer
Office of the Commissioner of Political Practices
(406) 444-4627
SCook3@mt.gov