



Judy Gudgel
MOR Treasurer

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September 13, 2023

Via Email Only

Chris J. Gallus
Commissioner of Political Practices
1209 8th Avenue
PO Box 202401
Helena, MT 59620-2401
Christopher.gallus@mt.gov
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Re: Missoula Organization of REALTORS Response; *Pearson v. National Association of REALTORS et al., COPP-2023-CFP-011*
Request for supplemental response to the three (3) amendments from complaints

Dear Mr. Gallus,

The Missoula Organization of REALTORS (MOR) received your email dated August 31, 2023, regarding the request to respond to three amendments by C.B. Pearson to his original complaint. Further you have requested several specific questions be addressed.

As previously stated in our original response MOR urges COPP to ignore the non-factual assumptions and undocumented assertions littering Mr. Pearson's complaint and focus solely on the law and facts. The three amendments are solely an attempt to take media articles, that in all likelihood were orchestrated by Pearson, to generate some kind of public attention or distraction from the real issues of this mayoral race. Pearson's amendments seem frivolous much like the frivolous ones summarized in the decision of *Landsgaard v. Peterson and Wilks*.

For the reasons stated herein, COPP should dismiss the complaint and find that MOR is in full compliance with Montana campaign finance laws.



REQUESTED RESPONSES

1. *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?*

This question is directed towards NAR and would expect them to respond.

2. *Who designed or wrote the specific poll questions or otherwise designed the response methodology used in NAR's April 3-7 poll?*

American Strategies designed and wrote the specific questions and is responsible for the overall methodology. MOR did have a review session with American Strategies on this viability poll after the poll results came back but was not involved in the design or methodology used.

3. *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?*

No staff of MOR spent any time creating or circulating NAR's April 3-7 poll.

4. *After NAR had concluded its April 3-7 poll, to whom were all collected responses or data originally provided?*

Our CEO, Jim Bachand received the 'toplines' report on April 11, 2023. And on April 17, 2023, American Strategies presented the summary of this report. As previously stated in MOR's original response, poll results were analyzed in compliance with Montana Campaign finance law, where relevant parties determined that supporting Mike Nugent for Mayor served MOR's interests.

5. *How were all collected responses or data from NAR's April 3-7 poll utilized by NAR and MOR after polling had been concluded?*

As previously stated in MOR's original response, the poll was utilized to identify whether Mike Nugent was a viable candidate in the race, not to persuade voters, support or oppose a particular candidate.

6. *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?*



As is the case with most local trade associations and given the limited number of staff that we utilize to run our organization, our CEO is asked to perform several responsibilities. Specific to this question, it might be helpful to point out two key duties; as the chief strategist in assessing candidate viability; and then as a chief public/governmental advocate as the co-treasurer for Missoula Mayor political committee, which was formed several months later. I have discussed this matter with Mr. Bachand, and while he was involved in the request of the poll and the review of the data on April 17, 2023, to determine candidate viability, at no time, to the best of his knowledge does he recall telling the vendor to utilize the poll for any political messaging as suggested in the amended complaint for the benefit of the Missoula Mayor political committee.

CONCLUSION

As previously stated in MOR's original response, MOR wants nothing more than to ensure that it is in full compliance with Montana's campaign finance laws. MOR is absolutely not in the business of hiding its political activity or evading the law. However, if COPP determines MOR bears a reporting obligation for the candidate viability poll NAR conducted far in advance of any IE activity, MOR will amend its filing and comply with COPP's determination.

Sincerely,

A handwritten signature in black ink that reads 'Judy Gudgel'. The signature is written in a cursive, flowing style.

Judy Gudgel
Treasurer
Missoula Organization of REALTORS®

Cc: Jim Bachand, CEO, Missoula Organization of REALTORS®.

