

Commissioner of Political Practices
1205 Eighth Avenue
Post Office Box 202401
Helena, MT 59620-2401
Phone: 406-444-2942
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www.politicalpractices.mt.gov

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SEP 02 2010

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CERTIFIED MAIL

SIGNED/NOTARIZED

Campaign Finance and Practices

Complaint Form (10/09)

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

Person bringing complaint (Complainant):

Complete Name Debra M. Bonogofsky

Complete Mailing Address 2009 Tired Man Road
Billings, MT 59101

Phone Numbers: Work 406-252-5151 Home 406-245-5022

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

Complete Name Dan Kennedy

Complete Mailing Address PO Box 1216
Laurel, MT 59044


Phone Numbers: Work 406-259-5900 Home 406-839-7117

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, DEBRA M. Bonogofsky, being duly sworn, state that the information in this Complaint is complete, true, and correct, to the best of my knowledge and belief.

 Debra M. Bonogofsky
Signature of Complainant

Subscribed and sworn to before me this 31st day of August, 2010.

K. R. Carranco
Notary Public for the State of Montana
Residing at Billings, Montana

My Commission Expires: Oct. 16, 2012

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 certified mail.

The enclosed letter, handout, and pictures of billboards used by Dan Kennedy's campaign violate MCA, Title 13, chapter 35. The campaign did not include the appropriate disclaimer.

According to 13-35-225(1), MCA, campaign material distributed by a campaign must conspicuously include the attribution 'paid for by' followed by the name **and the address** of the person who made or financed the expenditure. The address of the campaign was not included on the letter, handouts, billboard or website. The vinyl signs on his store delivery truck has no disclaimer what so ever.

According to 13-37-229(2), MCA "the full name, mailing address, **occupation and employer, if any**, of each person who has made aggregate contributions, other than loans, of \$35 or more" must be reported. On Dan Kennedy's C-5 form dated through 6/23, on page 5, Douglass Stafford is Vice-President & Treasurer of the National Right to Work Committee. This information should be reported as his occupation and employer-not "retired" as the report shows since he is being compensated according to the organization's IRS form 990. The officers list from the website of National Right to Work is enclosed.

Dan Kennedy's campaign also has violated MCA, 13-37-230(1a) which states "the full name and mailing address of each person to whom expenditures have been made by the committee or candidate during the reporting period, including the amount, date and purpose of each expenditure and the total amount of expenditures to each person." Dan Kennedy's report has failed to account for billboard rent, for designing and setting up his website, for his yard signs and for small tape measures he gave out at the doors.

According to MCA 13-35-227(1), a corporation may not make a contribution or an expenditure in connection with a candidate or a political committee that supports or opposes a candidate. Dan

Kennedy's campaign violated this statute by putting billboard-sized vinyl signs on Ashley Home Furniture's delivery truck and parking it in strategic places. This is clearly a campaign contribution with a value that would be comparable to renting a double-sided billboard.

In addition, through Dan Kennedy's association and endorsement by Western Tradition Partnership and Dan Fuchs and Direct Mail and Communication which Dan Kennedy sent money for mailings, Montana Law has been circumvented. Jeremy Hofer, who is an officer of Direct Mail and Communications, also signed the checks that paid for attack radio ads and mail against Bonogofsky through Assembly Action Fund. WTP also sent out an attack mailer. These groups while not registered with the State of Montana are really political committees and should operate under the laws regulating these committees. Therefore under Montana Law, they are subsequently subject to the limitations on contributions.

Only the candidates that are supported by these groups (WTP, Montana Conservative Alliance, Montana Citizens for Right to Work etc) are given the information to use Direct Mail and Communication, which is directly connected to WTP through a common address in Aurora, CO. The mailings that WTP sent out and the mailings the candidates "sent out" are all too similar to be coincidence. I maintain that Dan Kennedy and also the other candidates knew what kind of help they would receive and these mailings should not be considered an independent expenditure. Dan Kennedy thanked Dan Fuchs on his Facebook page. These groups are convoluted and intertwined and are clearly meant to confuse and deceive Montana voters and circumvent Montana Law.

Dan Kennedy's campaign broke so many laws that he evidently never even read the rules, clearly showing willful and blatant disregard for Montana's election laws.



Vote For

DAN KENNEDY

Conservative Republican House District #57

My Core Beliefs:

- **Fiscal Responsibility:** We've seen the damage out of control government spending creates.
- **Smaller Government:** To get spending under control, we need to get government under control.
- **Constitutional Rights:** We must protect all of our rights for all Americans.
- **Pro-Life:** We must protect Americans who have no voice of their own.

Contact: Phone 406-839-7117 ~ Email dan@friendsofdankennedy.com

Vote

KENNEDY

Conservative Republican

Paid for by Friends of Dan Kennedy for State Legislature, Corey Stapleton Treasurer

Conservative Republican

JFK
KENNEDY



ASHLEY
FURNITURE
HomeStore

EXIT 446
KING AVE
S. 29TH ST W.

Vox **KENNEDY**

Conservative Republican

Paid for by Friends of Dan Kennedy for State Legislature, Corey Napleton Treasurer

- The National Right to Work Committee® - <http://www.nrtwc.org> -

Officers

Posted By [admin](#) On January 26, 2010 @ 7:50 pm In | [Comments Disabled](#)

Officers

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Vice President & Treasurer

Douglass A. Stafford

compensation \$ 114,773

Vice President & Asst. Treasurer

Matthew M. Leen

Vice President

Stephen O. Goodrick

Media Contact

Members of the media seeking a formal comment should contact:

Patrick Semmens, The National Right to Work Committee Public Affairs, pts@nrtwc.org.

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Search Home Profile Account



Dan Fuchs Add as Friend

Wall Info Causes

View Photos of Dan (17)

Poke Dan

I want this team to win. I'm obsessed with winning, with discipline, with achieving.

Information

Birthday: August 16, 1958
Current City: Billings, MT

Mutual Friends

1 friend in common See All



Kelly Wynne Burton

Friends

239 friends See All



Kim Gillan



Jon Bennon



Aaron Flint



Todd Wyrine



Kim Wiedeman Sarrud



Tim Fox

Links

3 of 4 links See All

MARINE STUNS A TEA PARTY WITH THE FOURTH VERSE OF THE STAR SPANGLED BANNER 8:59am Jun 14

Constitution First Initiative 10:18am Jun 10

mexico 2010 hyyryy! 5:12pm Mar 26

Report/Block this Person

Share



Dan Fuchs Congrats to all who won in the primary! Now you need to forgive and forget and prepare to win in November! Politics is like golf. You need a short memory. Trying to carry around that chip on your shoulder will only lead you to the next triple bogey. Get over it!



Constitution First Initiative Americans for candidates that will honor their OATH and put the Constitution FIRST on ALL MATTERS before them

June 10 at 10:19am · Share



Dan Kennedy Thanks for what you do to serve this state and nation.

June 10 at 11:32am



Dan Fuchs Thanks Representative! Congrats!!

June 10 at 1:33pm

Filters

Create an Ad

Billings 1-Day Coupons



One huge coupon emailed daily.

Like

Sustainable Energy MBA



Find out how fuel alternatives and renewable energy sources can positively impact your business with an Online MBA from Marylhurst.

Like

Billings Babysitter



Need a creative and dependable babysitter? Four years experience with infants, toddlers and K through 4th. I am a Billings West Junior.

Like

More Ads



Handwritten calculation: 20.5 x 8 x 10 = 65.00

Chat (12)

Dan Kennedy

Monday Morning

Dear Friend:

Special interests, social welfare bureaucrats, tax-and-spend politicians and their buddies in the media will do nearly anything to keep our state government growing like a weed . . .

. . . bigger and bigger until virtually all meaningful growth is choked out of our fragile economy.

You and I both know tax-and-spend politics effectively kills self-reliance and personal responsibility.

It fosters a climate of entitlement and a divisive, selfish society where voters are encouraged to go the polls to vote to spend their and their neighbors' tax dollars.

Well, when it comes to government, I believe bigger isn't better.

My name is Dan Kennedy, and not long ago, after much discussion, my wife, Denise, and I both decided it was time for me to run for the State House.

I'm a 4th generation Montanan who has employed hundreds as a businessman and managed small and large budgets.

And today, with the June 8 GOP Primary right around the corner, I'm asking for your help.

As you'll see, I've enclosed a brief questionnaire with this letter because I need you to tell me what issues are most important to you.

I hope you'll fill it out and return it right away.

I believe Montana has always been a very special place to live and work.

But as I'm sure you're aware, the current trend around the country is to become more "progressive" and be more

like the "Left Coast".

Thankfully, despite the best efforts of some, Montanans have generally resisted that urge and have held on to our traditional values.

But if that's going to remain the case, this next election is critical.

You see, since the current administration took office in Helena, state spending has increased by over 45%.

That's an average of almost 7% per year -- more than double the rate of inflation.

Is it any wonder why our economy is struggling right now?

But the saddest part is, if we had just a little fiscal responsibility in Helena in recent years, we could have provided huge tax relief and been well on the way toward job creation.

You see, if spending had just simply been kept equal to rate of inflation, we could have rebated \$2 BILLION to Montana taxpayers and still have a \$300 million budget surplus!

Instead, we have a projected budget deficit of \$473 million in just three years.

That's why it's vital that good folks like you and I stand up for our Montanan values.

If elected, I pledge to:

*** Fight hard to cut taxes and regulations on Montana small businesses.

I believe the best way to create jobs and attract new ones from other states is for the State Government to throw the chains off our most valuable asset -- our people!

*** Work to slash government waste, all unnecessary

"feel good" programs and return the surplus to the taxpayers.

Liberal Republicans helped Democrats pass massive budget increases in recent years, including an unprecedented \$900,000 for Planned Parenthood in 2009. That's an outrage!

*** Improve education by putting control back into the hands of parents and teachers.

Our children are our future, and we need to make sure that they're equipped with the proper tools to face the challenges in today's society;

*** Fight for Montana values, and Constitutional liberties.

Our values are the glue that holds us together as a community, a state and a country. That's why I'll never compromise on the right to life, gun rights and the right to our religious liberty.

Whether some politicians want to admit it or not, every new dollar of government spending must eventually be matched by new taxes.

That's just common sense.

You can't spend money you don't have.

Because of our current government's irresponsible spending, our growing tax burden threatens to have a devastating effect on the quality of life in Montana.

And it's small businesses and working families that are paying the price.

As your State Representative, one of my top priorities will be to stop the runaway growth in our state government.

If you agree, then I hope you'll fill out the enclosed survey and rush it to me immediately.

Of course, with the June 8 Republican Primary around the corner, it's vital I can get my Pro-Constitution, conservative message out to as many voters as possible.

So, if you can, please include a generous contribution of \$320 (the maximum per couple), \$160 (the maximum per individual), \$75, \$50 or \$25 to help me in this battle to defend our traditional Montanan values.

I'm proud to call Montana my home.

And there's just too much at stake this election year to take a back seat and do nothing.

Montana is, and always has been, a shining example to the rest of the country on how freedom and traditional American values foster strong families, communities and economic prosperity.

Working together, you and I can make sure that the light of freedom continues to shine brightly in Montana, so that future generations can enjoy the same freedoms and values that you and I grew up with.

Sincerely,



Dan Kennedy
Republican Candidate
State House District 57

P.S. I want Montana to be known as the beacon of freedom and home-grown prosperity -- but I need your help.

Unchecked government spending is going to destroy opportunity for our children and grandchildren, which is why we must send a real conservative to Helena.

So please let me know where you stand by filling out the enclosed survey and rushing it to me immediately.

And, if at all possible, please make your most generous contribution of \$320 (the maximum per couple), \$160 (the maximum per individual), \$75, \$50 or \$25 to help me in this fight.

Official Primary Election Issue Questionnaire

Montana State House District 57

Please give your opinion by checking the answers that best represent your views and return in the enclosed envelope.

1. **What issue will most influence your vote in the General Election?**
 - Taxes
 - Healthcare
 - 2nd Amendment Rights
 - Abortion/Moral Issues
 - Support for a Right to Work law
 - Other: _____

2. **Do you believe that Montana should allow illegal aliens to receive taxpayer-funded benefits?**
 - Yes
 - No
 - Undecided

3. **Regarding property taxes, do you think the State Legislature should . . .**
 - Dramatically reduce all property taxes?
 - Abolish residential property taxes?
 - Put a cap on property taxes?
 - Change the way property taxes are assessed?
 - Keep things the same?

4. **How do you think the State Legislature should handle the budget shortfall which is projected to approach half a billion dollars in just three years?**
 - Raise taxes to make up for the shortfall
 - Ask the federal government for a bailout
 - Eliminate wasteful spending

5. **On the issue of abortion, I consider myself . . .**
 - Strongly pro-life
 - Somewhat pro-life
 - Somewhat pro-choice
 - Strongly pro-choice
 - Undecided

6. **Historically, state Right to Work laws lead to higher job growth and more disposable income. Do you support enactment of a state Right to Work law?**
 - Yes
 - No
 - Undecided

7. **Regarding gun control, I generally . . .**
 - Support more regulations on firearm ownership
 - Oppose more regulations on firearm ownership
 - Undecided

Special Voter Questionnaire Reply Memorandum

Dear Dan:

I agree with your common-sense message. I have completed the House District 57 Primary Election Issue Questionnaire, and I want you to know you can count on me to:

- Volunteer on your campaign, so please have your campaign team call me at:

Or, you can email me at: _____

- Put a "Vote for Dan Kennedy" sign in my yard.
- Enclose a generous contribution so you can get the word out to voters about your positions on the issues.

\$25 \$50 \$75 \$160 (Ind. Max.) \$320 (Couples max.)

Please make checks payable to "Friends of Dan Kennedy for State Legislature"

Occupation: _____

Employer: _____

Name and Address: _____

Authorized and Paid for by Friends of Dan Kennedy for State Legislature



Colorado Secretary of State
Date and Time: 03/31/2008 08:09 AM
Id Number: 20081173078

Document processing fee
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Paper documents must be typewritten or machine printed.

ABOVE SPACE FOR OFFICE USE ONLY

Articles of Incorporation for a Nonprofit Corporation

filed pursuant to §7-90-301, et seq. and §7-122-101 of the Colorado Revised Statutes (C.R.S)

1. Entity name: Western Tradition Partnership
(The name of a nonprofit corporation may, but need not, contain the term or abbreviation "corporation", "incorporated", "company", "limited", "corp.", "inc.", "co." or "lid." §7-90-601, C.R.S.)

2. Use of Restricted Words *(if any of these terms are contained in an entity name, true name of an entity, trade name or trademark stated in this document, mark the applicable box):*

"bank" or "trust" or any derivative thereof
 "credit union" "savings and loan"
 "insurance", "casualty", "mutual", or "surety"

3. Principal office street address: 12237 East Amherst Circle
(Street name and number)

Aurora CO 80014
(City) (State) (Postal/Zip Code)

United States
(Country - if not US)

(Province - if applicable)

4. Principal office mailing address: (if different from above)
(Street name and number or Post Office Box information)

(City) (State) (Postal/Zip Code)
(Province - if applicable) (Country - if not US)

5. Registered agent: (if an individual): Shires Scott
(Last) (First) (Middle) (Suffix)

OR (if a business organization): _____

6. The person appointed as registered agent in the document has consented to being so appointed.

7. Registered agent street address: 12237 East Amherst Circle
(Street name and number)

Aurora CO 80014
(City) (State) (Postal/Zip Code)

8. Registered agent mailing address: (if different from above)
(Street name and number or Post Office Box information)

(City) *(State)* *(Postal/Zip Code)*

(Province - if applicable) *(Country - if not US)*

9. If the corporation's period of duration is less than perpetual, state the date on which the period of duration expires:

(mm/dd/yyyy)

10. (Optional) Delayed effective date:

(mm/dd/yyyy)

11. Name(s) and address(es) of incorporator(s): (if an individual)

Shires **Scott**

(Last) *(First)* *(Middle)* *(Suffix)*

OR (if a business organization)

12237 East Amherst Cir

(Street name and number or Post Office Box information)

Aurora **CO** **80014**

(City) *(State)* *(Postal/Zip Code)*
United States

(Province - if applicable) *(Country - if not US)*

(if an individual)

(Last) *(First)* *(Middle)* *(Suffix)*

OR (if a business organization)

(Street name and number or Post Office Box information)

(City) *(State)* *(Postal/Zip Code)*
United States

(Province - if applicable) *(Country - if not US)*

(if an individual)

(Last) *(First)* *(Middle)* *(Suffix)*

OR (if a business organization)

(Street name and number or Post Office Box information)

(City) *(State)* *(Postal/Zip Code)*
United States

(Province - if applicable) *(Country - if not US)*

(If more than three incorporators, mark this box and include an attachment stating the names and addresses of all incorporators.)

12. The nonprofit corporation is formed under the Colorado Revised Nonprofit Corporation Act.
13. The corporation will OR will not have voting members.
14. A description of the distribution of assets upon dissolution is attached.
15. Additional information may be included pursuant to §7-122-102, C.R.S. and other organic statutes. If applicable, mark this box and include an attachment stating the additional information.

Notice:

Causing this document to be delivered to the secretary of state for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the secretary of state, whether or not such individual is named in the document as one who has caused it to be delivered.

16. Name(s) and address(es) of the individual(s) causing the document to be delivered for filing:

Shires	Scott		
<i>(Last)</i>	<i>(First)</i>	<i>(Middle)</i>	<i>(Suffix)</i>
12237 East Amherst Circle			
<i>(Street name and number or Post Office Box information)</i>			
Aurora	CO	80014	
<i>(City)</i>	<i>(State)</i>	<i>(Postal/Zip Code)</i>	
	United States		
<i>(Province – if applicable)</i>	<i>(Country – if not US)</i>		

(The document need not state the true name and address of more than one individual. However, if you wish to state the name and address of any additional individuals causing the document to be delivered for filing, mark this box and include an attachment stating the name and address of such individuals.)

Disclaimer:

This form, and any related instructions, are not intended to provide legal, business or tax advice, and are offered as a public service without representation or warranty. While this form is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form. Questions should be addressed to the user's attorney.

Business Entity Search

[Instructions](#) [Search Tips](#) [Feedback](#)

Data Current as of...

If you are ordering a Certificate of Fact or Certificate of Existence, please make sure the Foreign/Domestic Corporation or Limited Liability Company is in "Good Standing".
 Enter the name of the business, and check to see whether their annual report was filed in the current year.

We are not able to provide a Certificate of Fact or Certificate of Existence unless the current annual report is filed.

If you would like to purchase a Certificate of Authorization for this business entity, select the button below.
 You will be assessed a \$5.00 fee for this service.

[Get Certificate of Authorization](#)

If you would like to purchase information on the principals (i.e., officers, directors, members, managers, partners, etc) associated with this entity, select the button below. You will be assessed \$2.00 for each search you perform.

[Get Principals](#)

If you would like to purchase a Certificate of Fact for this business entity, select the button below. You will be assessed a \$15.00 fee for this service.

[Get Certificate of Fact](#)

[Do another Search](#)

[Search](#)

Name: DIRECT MAIL AND COMMUNICATIONS INC.
ID #: F059595
Type: GENERAL BUSINESS CORPORATION
Jurisdiction State: CO
Status: ACTIVE
Status Reason: GOOD STANDING

Status Dates

Qualification Date: 05/12/2010
Date of Incorporation: 02/02/2008
Last AR Filed:
Inactive Date:
Involuntary Intent:
Diss/Withdr/Revoke:

Principal Office Address

Street: 12237 E AMHERST CIRCLE
City: AURORA
State: CO
Zip: 80014-0000

Additional Info

Term: PERP
Description: GENERAL BUSINESS
Purpose Code: 200
Manner of Use: ANY LAWFUL BUSINESS

Agent

Registered Agent: HELEN G FANDRICH

Business Entity Search

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When a business entity name ends with an asterisk (*) the name was either too long for the database or is listed in this system twice. The asterisk is not usually part of the name. If you need an exact name, such as for legal process, please e-mail the Secretary of State for further information at sos@mt.gov.

Name	City	Status
DIRECT MAIL AND COMMUNICATIONS INC.	EAST HELENA	ACT

Principal Information

Position	Name	Address	City	State	Zip
DIRECTOR	ALLISON ANDREWS	12237 E AMHERST CIRCLE	AURORA	CO	80014
DIRECTOR	JEREMY HOFER	12237 E AMHERST CIRCLE	AURORA	CO	80014
PRESIDENT	ALLISON ANDREWS	12237 E AMHERST CIRCLE	AURORA	CO	80014
VICE PRESIDENT	VACANT				
SECRETARY	JEREMY HOFER	12237 E AMHERST CIRCLE	AURORA	CO	80014
TREASURER	VACANT				