

SETTLEMENT OF

COPP v. Montana Pro-Life Coalition and Dr. Annie Bukacek.

First Judicial District Court, Lewis & Clark County, No. ADV-2016-213

The parties to this settlement agreement are the Montana Pro-Life Coalition and Dr. Annie Bukacek, and the Office of the Commissioner of Political Practices, through the current Commissioner, Jeffrey A. Mangan. Each party and its representative makes a settlement declaration and then agrees to settle as follows:

**DECLARATION OF DR. ANNIE BUKACEK
and THE MONTANA PRO-LIFE COALITION**

Per. Mont. Code Ann. § 1-6-105, the undersigned declares under oath as follows:

1. I am Dr. Annie Bukacek. I live and practice medicine in Kalispell, Montana.
2. I am the current President of the Montana Pro-Life Coalition.
3. I offer this statement or Declaration to set out information and facts personally known to me. If I were called to testify under oath, I would testify consistently with the matters contained herein.
4. I have reviewed a certain letter dated May 16, 2012 supporting Dr. Rollan Roberts and opposing Sen. Bruce Tutvedt. A copy of that letter is attached to this statement (COPPvMPLC 001-3, 5). I have the following to say about this letter:
 - a. I did not write the words set out in the letter.
 - b. I did not sign the letter, provide a signature model for the letter or authorize anyone to add my name on the letter.
 - c. I did not discuss with or authorize any person or entity to prepare the letter and mail it out under my name.
 - d. The letter was mailed without my permission and without my knowledge and without the knowledge or permission of the Montana Pro-Life Coalition.

- e. My signature replication on the letter was made by a person or entity using a signature model of my name acquired without my knowledge or permission.
5. Neither I or the Montana Pro-Life Coalition authorized, prepared, approved, signed, ratified or distributed the mailer. Neither I or the Montana Pro-Life Coalition made an expenditure which is reportable under the campaign finance laws of the state of Montana in support of Dr. Roberts or in opposition to former Sen. Tutvedt in Montana's 2012 election cycle. My activities consisted of volunteer work and writing letters to the editor.
6. I did submit a letter to the editor of the Daily Inter Lake Newspaper which was published on May 6, 2012. A copy of that letter is attached to this statement (BUKACEK 0179).
7. I also submitted a letter to the editor of the Daily Inter Lake Newspaper which was published on January 17, 2016. A copy of that letter is attached to this statement (COPPvMPLC 015).
8. Nothing contained in Paragraphs 1 through 7 of my Declaration shall constitute an acceptance of, or agreement with, any of the assertions contained in the Declaration of Jeffrey Mangan, aside from those that restate assertions contained in Paragraphs 1 through 7 of my Declaration.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April, 2018 in Kalispell, Flathead County, State of Montana.

Dr. Annie Bukacek
Dr. Annie Bukacek
President of the Montana Pro-Life Coalition

DECLARATION OF
JEFFREY MANGAN, COMMISSIONER OF POLITICAL PRACTICES
for the OFFICE OF THE COMMISSIONER OF POLITICAL PRACTICES

Per. Mont. Code Ann. § 1-6-105, the undersigned declares under oath as follows:

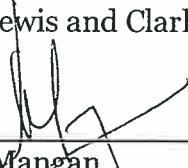
1. I am Jeffrey Mangan, the Commissioner of Political Practices for the State of Montana. I make this declaration in response to the declaration of Dr. Annie Bukacek and the Montana Pro-Life Coalition.
2. I have read the declaration of Dr. Annie Bukacek and the Montana Pro-Life Coalition and reviewed the materials and statements produced in the enforcement action in this matter on which the declaration is based.
3. On January 14, 2016, Commissioner Motl found: “[t]he Commissioner notes that the MPLC letter has the appearance (type face, style of writing, pre-cancelled Banner bulk mail stamp) of a letter prepared, printed and mailed by the ‘corporate group’ of entities working with or through the Right to Work corporate entities. The Commissioner reserves a determination that other corporate entities could also be responsible for sufficiency decisions applied solely to MPLC.” (*Tutvedt v. Roberts, et. al.*, COPP-2012-CFP-047; *Welch v. Western Tradition Partnership*, COPP-2014-CFP-015; and *Welch v. National Right to Work*, COPP-2014-CFP-016, “Sufficiency Decision”, pp. 20-21).
4. Based on information and evidence in the COPP’s possession the letter dated May 16, 2012 (COPPvMPLC001-3, 5) was produced by Christian LeFer and/or Allison LeFer utilizing information gathered through their association with the National Right To Work Committee and their associated corporations and entities in the 2008 and 2010 election cycles.
5. The May 16, 2012 letter mailed under the Montana Pro-Life Coalition letterhead was written in the same style and tone as the letters from the National Pro-Life Alliance in the 2010 election cycle, and the letters from the Montana Committee to Protect the Unborn in the 2008 election cycle (funded by the National Pro-Life Alliance).
6. The costs of the May 16, 2012 letter in the 2012 Senate District 3 primary are completely unreported and undisclosed to the people of Montana. Further, the entity or individuals who mailed the letter failed to disclose the source of the funding for the mailer. The letter is visible election material, sent to the homes of voters, and meets the definition of “dark money” election activity.
7. I also find that the third party use of Montana Pro-Life Coalition’s name, president’s signature, and reputation without the authorization, approval,

ratification of the Montana Pro-Life Coalition to be reprehensible and fraudulent action taken by the third parties in the 2012 election cycle.

8. On behalf of the COPP, I adopt and ratify Commissioner Motl's determination in the Sufficiency Decision, "[t]he Commissioner reserves a determination that other corporate entities could also be responsible for sufficiency decisions applied solely to MPLC".
9. On behalf of the COPP, the declaration of Dr. Annie Bukacek and the Montana Pro-Life Coalition, the declaration is accepted as complete and any claim against Dr. Annie Bukacek and the Montana Pro-Life Coalition is resolved without fine, rebuke or finding of wrongdoing as to the May 16, 2012 letter (COPPvMPLC001-3, 5).

I declare under the penalty of perjury that the foregoing is true and correct.

Executed this 12th day of April, 2018 in Helena, Lewis and Clark County, State of Montana.


Jeffrey A. Mangan
Commissioner of Political Practices

SETTLEMENT AGREEMENT

Based on the foregoing declarations and in contemplation of settling the matter of *COPP v. Montana Pro-Life Coalition and Dr. Annie Bukacek*, Cause No. ADV-2016-213, First Judicial District Court, Lewis and Clark County, the parties settle this matter as follows:

1. I, Dr. Annie Bukacek, agree to the dismissal with prejudice of all claims and counterclaims in this matter.
2. I, Dr. Annie Bukacek, as President of the Montana Pro-Life Coalition, agree to the dismissal with prejudice of all claims and counterclaims in this matter.
3. I, Jeffery Mangan, Commissioner of Political Practices, and for the Office of the Commissioner of Political Practices for the State of Montana, agree to the dismissal with prejudice of all claims and counterclaims in this matter.
4. That the COPP will move the Court for a stipulated order dismissing all the claims and counterclaims with prejudice, each party to bear their own attorneys fees and costs, in this matter.

Dated this 4th day of April, 2018.

Dr. Annie Bukacek
Dr. Annie Bukacek, Defendant



Jeffrey Mangan, Plaintiff
Montana Commissioner of Political Practices

Dr. Annie Bukacek
Dr. Annie Bukacek, President
For the Montana Pro-Life Alliance, Defendant

Dr. Annie Bukacek

May 16, 2012

Dear Friend:

My name is Dr. Annie Bukacek. You may have heard my name because I'm the President of the Montana Pro-Life Coalition.

But today I am just writing as your neighbor from Bigfork, and because I care deeply about our community and our children.

I've been leading the fight in Montana to protect the unborn for more than three decades now, and I believe standing up for traditional values and ending the tragedy of abortion-on-demand are issues we cannot ignore.

I'm writing you to let you know I've endorsed Rollan Roberts for State Senate District 3 and I urge you to vote for him on Tuesday, June 5 in the Republican Primary.

I've gotten to know Rollan Roberts and his wife Ren, and I can tell you, he is a solid leader who will fight for traditional family values and will serve the Flathead well.

Sadly, Rollan's incumbent opponent in this race -- incumbent Senator Bruce Tutvedt – has done little to help the most vulnerable among us during his term as a State Senator.

In fact, Bruce Tutvedt used his position as a legislative leader to further the radical abortionists' anti-family agenda as State Senate President Pro Tem.

And sadly, I'm not referring to an isolated incident -- Tutvedt's extreme voting behavior against kids and families has become a pattern.

For example, Bruce Tutvedt voted for “stimulus” funding that handed \$6 MILLION in taxpayer-funded federal debt to Planned Parenthood, the nation’s largest abortion provider (SB 456, 2009).

This is the same Planned Parenthood that puts to death over 330,000 babies per year!

Not only that, but Bruce Tutvedt even voted to force Planned Parenthood’s graphic sex education curriculum on our children in Montana’s public schools. . .

. . . blocking a requirement for schools who want to use graphic sex education materials to inform parents that they plan to expose their students to the material (H.B. 456, 04/01/11).

During the legislative battle, he had the audacity to say, “I don’t see the need” [to inform parents about the borderline pornographic teaching materials].

Then, Senator Tutvedt even voted to bring “Dr. Death” Kevorkian-style physician-assisted suicide to Montana (SB 116, 2011)!

I think Senator Tutvedt is just plain wrong.

You see, I believe life is precious, and you and I must do everything we can to protect life -- born and unborn, young and old alike.

I don’t believe you and I can afford to re-elect politicians who work to further an anti-family agenda once in office.

That’s why I hope you’ll vote for Rollan Roberts for State Senate in the upcoming June 5 Republican Primary.

Rollan will lead the fight for family values in Helena --including fighting to pass a Life at Conception act, which would legally recognize that life begins at the moment of conception.

And Rollan will certainly fight to keep borderline pornographic images from being used to indoctrinate our children while they are trying to learn the “three R’s” in school!

So if you think it's time we get serious about ending abortion and protecting our children in Montana, then I ask you to please vote for Rollan Roberts in the Tuesday, June 5 Republican Primary.

Together, we can -- and MUST -- protect children, both born and unborn in Montana.

Sincerely,

Annie Bukacek

Dr. Annie Bukacek
President
Montana Pro-Life Coalition

P.S. If you care about the family and the Sanctity of Life as much as I do, then I hope you'll join me in supporting Rollan Roberts for State Senate District 3 in the upcoming June 5 Republican Primary.

Rollan is 100% Pro-Life and 100% opposed to Planned Parenthood's radical agenda in our schools -- I know he will be a Senator you can trust to get serious about fighting for our shared values in Helena.

Unfortunately, as an incumbent Senator, Bruce Tutvedt has worked to further the pro-abortion crowd's agenda. Isn't it time we had someone who will work for US in Helena?

Dr. Annie Burkack
P.O. Box 2758
Bigfork, MT 59911

Beulah Krueger
2410 W Springcreek Rd
Kalispell, MT 59901-6925

11664
Revert egg
5/12 508-01
L. W. Krueger
11664



Publication Name: Daily Inter Lake

Publication Date: 5/6/12

Vote for Roberts ‘for a change’

Our elected officials swear an oath to uphold the U.S. Constitution. Abiding by the Constitution is our best secular means for protecting our God-given rights.

If elected “representatives” upheld their oath when they voted, we would not have federal government encroachment, judicial activism, burgeoning government entitlement programs, massive under-use of natural resources and limitation of gun use by law-abiding citizens. Unfortunately, most of them do not abide by their oath.

Rollan Roberts is an honest, scrupulous, pro-life constitutional conservative who will keep his oath and vote for state’s rights, property rights, gun rights, freedom to use Montanan’s natural resources, and decreased government spending that equals decreased taxes. He will also promote that most critical issue that is dearest to my heart: equal right to life for unborn persons.

I urge you to vote for Rollan Roberts. We need him, for a change, in Senate Dis-trict 3. —**Annie Bukacek, Bigfork**

LETTER: DOCTOR DISPUTES ALLEGATION OF ELECTION ERROR

January 17, 2016 at 9:00 am /

I laughed out loud when I heard I was named in the decision by political practices commissioner Jon Motl regarding Mr. Tutvedt's primary race in 2012. I can't wait to read the document!

Montana ProLife Coalition is a grassroots organization, has always been made up of unpaid volunteers, is basically unfunded, and when it was formed in 2009 the decision was made to not seek 501(c)(3) IRS status so as to be free to promote or demote political candidates at will. If Mr. Motl had done his homework, he would know the Montana ProLife Coalition has never been hampered in free speech based on IRS status.

The letter I sent out during the campaign was a criticism of Mr. Tutvedt for being tied for having the worst Republican voting record regarding the unborn. If Mr. Tutvedt is going to continue to support the murder of innocent unborn children, he needs to put his big boy pants on and accept the fact that I and others will continue to exercise our God-given right to free speech in keeping him accountable for his deplorable voting record. —**Annie Bukacek, Bigfork**

MONTANA FIRST JUDICIAL DISTRICT COURT
LEWIS AND CLARK COUNTY

The COMMISSIONER OF POLITICAL PRACTICES FOR THE STATE OF MONTANA, through JEFFREY A. MANGAN, acting in his official capacity as the Commissioner of Political Practices,

Plaintiff,

v.

MONTANA PROLIFE COALITION and DR. ANNIE BUKACEK,

Defendants.

Cause No. ADV-2016-213

**ORDER OF DISMISSAL
WITH PREJUDICE**

Pursuant to the Stipulation to Dismiss signed by counsel for all parties and the Settlement Agreement signed by the parties, and for good cause shown, IT IS HEREBY ORDERED that this matter, including all of plaintiff's claims are DISMISSED with prejudice, as fully and finally settled on the merits. The parties shall pay their own costs and attorneys' fees.

DATED this 13th day of April, 2018.

By *Mike Menahan*
Hon. Mike Menahan, District Court Judge

c: Jaime MacNaughton
Mark Mackin
Matthew Monforton