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2014 OCT 29 P 12:08

COMMISSIONER OF
POLITICAL PRACTICES

October 28, 2014

Jonathan Motl
Commissioner of Political Practices
1205 Eighth Avenue
Helena, MT 59601

Dear Commissioner Motl,

Please accept this letter and supporting evidence as a formal complaint of political practice violations by the political group,

Montanans for Liberty and Justice
32 S Ewing St #304
Helena, MT 59601

Although we have corresponded before in my capacity as Executive Director of the Montana Republican Party, I am filing this complaint as a citizen, not on anyone else's behalf.

On October 4th, 2014, I received by US mail a flyer entitled "**Montana Voters Guide for Judicial Elections**". The mail piece was clearly intended to look like an official voting guide sent out by the state of Montana. It even included the official Montana Secretary of State website "sos.mt.gov/Elections/". However, upon opening the piece, I found politically biased information regarding the Mike Wheat v. Lawrence VanDyke race for Supreme Court Justice.

On the inside of the folded mail piece is side-by-side information about both Wheat and Vandyke, as if to convey an official comparison of the candidates. Yet, upon closer inspection, the information appears to advocate for Wheat's victory. On the center of the piece in large letters is the Montana Secretary of State's web address, as if to suggest that the piece came from the Secretary of State's office.

It is very troubling that a political group would send out electioneering material under the guise of official information. Moreover, this form of deception clearly violates several statutes of the Montana Code Annotated. Those statutes are included below.

You recently required Stanford and Dartmouth to issue an apology letter, which instructed voters to disregard a misleading mailer that was dispersed. I would expect the same treatment for this mailer, which could just as easily be confused as a state-delivered document.

I am confident that upon inspection of this mail piece, you will find that it is in violation of the following statutes of the Montana Code Annotated.

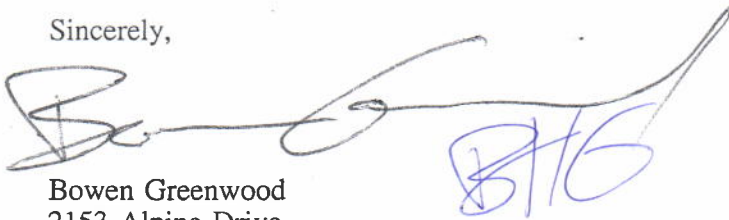
Montana Code Annotated 13-35-218(2), prohibiting use of "fraudulent contrivance" to compel induce, or prevail upon any elector to give or to refrain from giving the elector's vote at any election;

Montana Code Annotated 13-35-235, Prohibits the dissemination of incorrect of misleading election procedures information;

Montana Code Annotated 45-7-209, Prohibits the impersonation of a public servant.

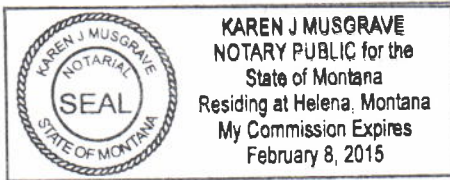
I have included a copy of the mail piece in question as evidence of my claims, and will be happy to assist you further in your investigation.

Sincerely,



Bowen Greenwood
2153 Alpine Drive
Helena, MT 59601

State of Montana
County of Forest Park



Sworn to and Subscribed
before me this 29th day
of Oct Nov. 2014. by
Bowen Greenwood

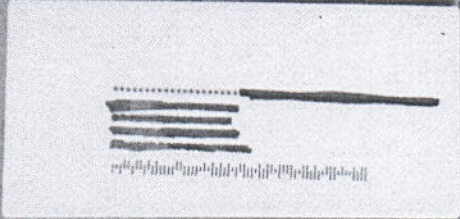
Karen J. Musgrave

Karen J. Musgrave
Notary Public

Residing in Helena, MT
My Commission Expires
2/8/2015

Paid for by Montanans for Liberty and Justice
32 S. Ewing, #304
Helena, MT 59601
Anita Roessmann, Treasurer

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US POSTAGE
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Montana Voters Guide for Judicial Elections

**Vote or Mail your Ballot
by Tuesday, November 4**

**For more election information visit:
sos.mt.gov/Elections/**

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by Tuesday, November 4**

To ensure our Constitution and rights are protected, Montanans need a fair and **impartial** Supreme Court Justice with proven Montana experience.

MONTANA SUPREME COURT JUSTICE
Mike Wheat

Justice Mike Wheat has served on the Montana Supreme Court since January 2010.

A U.S. Marine Corps combat veteran, Wheat served in Vietnam and was awarded a Purple Heart.

Wheat is an **experienced judge** with more than 30 years of Montana legal experience. After graduating from University of Montana Law School, Wheat served as a criminal prosecutor in Butte-Silver Bow, and then opened a law office representing individuals, families and small businesses in Bozeman.

Justice Wheat is a **fair and impartial guardian of the Montana Constitution** who knows how to interpret our laws fairly. He wrote the decision upholding our right to access our public streams.

His campaign is backed by Montanans who trust his extensive experience and Montana values.



BILLINGS GAZETTE

"The Montana Supreme Court on Thursday upheld the state's stream access law. Justice Mike Wheat said the court's decision is a victory for what has long been settled common law in Montana." 1/16/14

Lawrence VanDyke
for MONTANA SUPREME COURT JUSTICE

Lawrence VanDyke has spent most of his career living **outside of Montana**. He worked for a lobbying and corporate law firm based in Washington D.C., Texas, and California. VanDyke worked in their D.C. and Texas offices before briefly working in Texas government.

His only legal experience in Montana is 15 months working in state government.

VanDyke has consistently represented powerful interests, not individuals or small businesses.

Earlier this year a court ruled that VanDyke had not been admitted to practice law in Montana for five years — a requirement to run for the Montana Supreme Court.

VanDyke's campaign is **backed by out-of-state corporate lawyers**. A large percentage of his campaign contributions come from Washington D.C., Texas and California. (Source: MT Commissioner of Political Practices, 2014)



BILLINGS GAZETTE

"A district judge on Friday ordered the name of Montana Supreme Court justice candidate Lawrence VanDyke removed from the November ballot because he's ineligible to run." 1/13/14

RE-ELECT
Justice Mike Wheat
on NOVEMBER 4

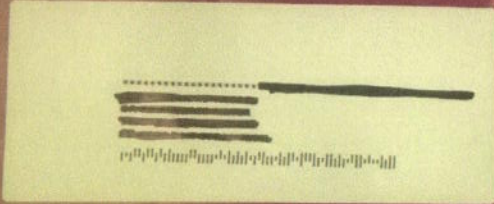
FOR SUPREME COURT
JUSTICE #2
(VOTE FOR ONE)

- MIKE WHEAT
- LAWRENCE VANDYKE
-



Paid for by Montanans for Liberty and Justice
32 S. Ewing, #304
Helena, MT 59601
Anita Roessmann, Treasurer

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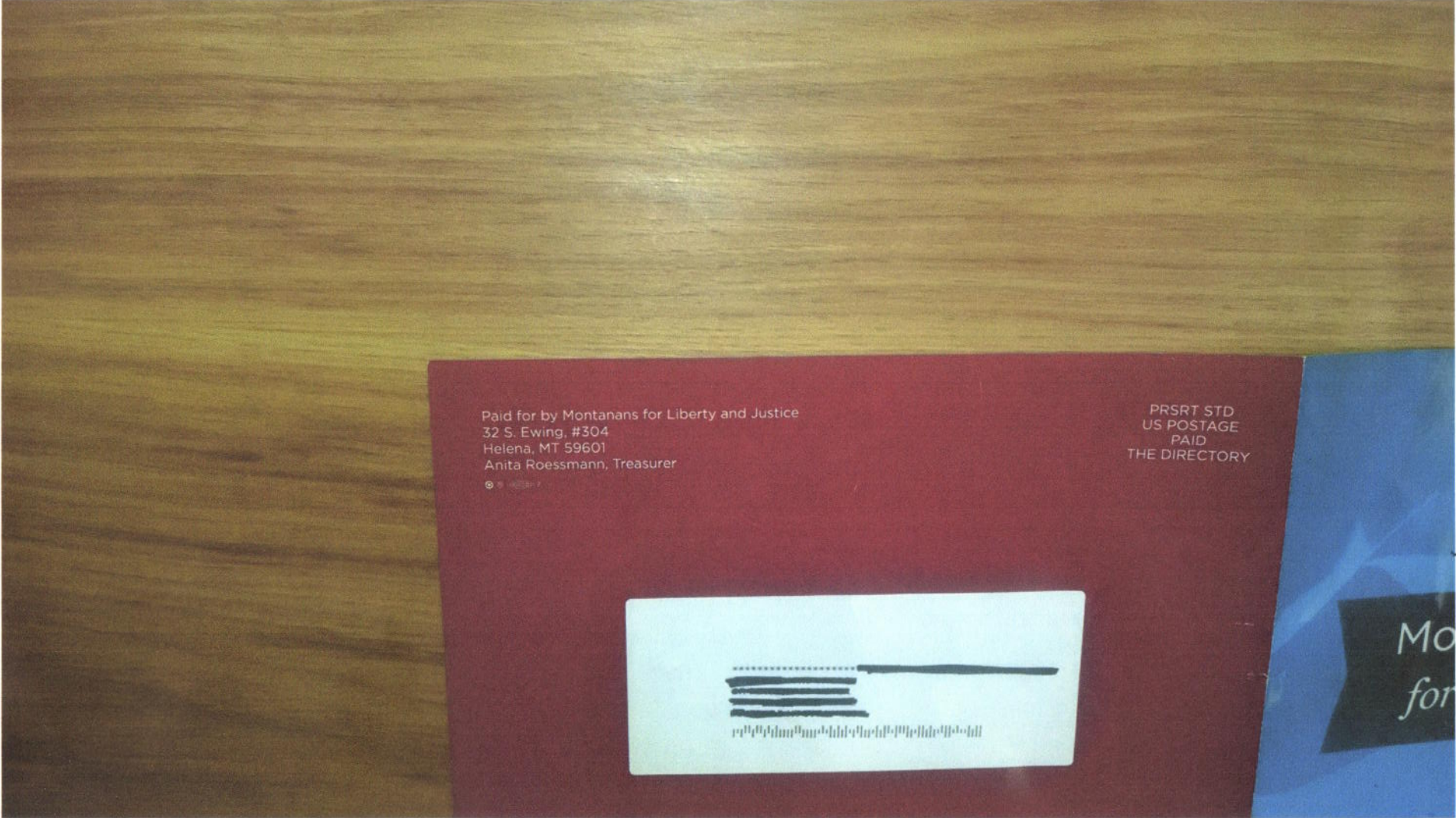


Montana Voters Guide for Judicial Elections

**Vote or Mail your Ballot
by Tuesday, November 4**

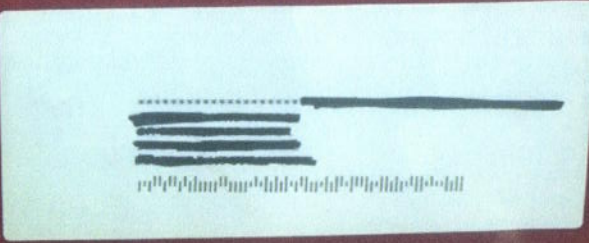
*For more election information visit:
sos.mt.gov/Elections/*

**Vote or Mail your Ballot
by Tuesday, November 4**



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Sincerely,

A handwritten signature in blue ink, appearing to be 'Bowen Greenwood', written in a cursive style.

Bowen Greenwood
2153 Alpine Drive
Helena, MT 59601