

Commissioner of Political Practices  
1205 Eighth Avenue  
Post Office Box 202401  
Helena, MT 59620-2401  
Phone: 406-444-2942  
Fax : 406-444-1643  
www.politicalpractices.mt.gov

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### 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 Matthew Monforton  
Complete Mailing Address 32 Kelly Court  
Bozeman, Montana 59718  
Phone Numbers: Work (406) 570-2949 Home \_\_\_\_\_

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

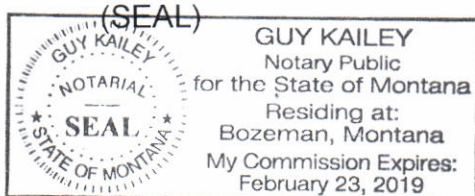
Complete Name Monica Lindeen & Jesse Laslovich  
Complete Mailing Address 840 Helena Ave  
Helena, Montana 59601  
Phone Numbers: Work (406) 444-2040 Home \_\_\_\_\_

**Please complete the second page of this form and describe in detail the facts of the alledged violation.**

#### Verification by oath or affirmation

State of Montana, County of Gallatin

I, Matthew Monforton, being duly sworn, state that the information in this Complaint is complete, true, and correct, to the best of my knowledge and belief.



[Signature]  
Signature of Complainant

Subscribed and sworn to before me this 8th day of February, 2016.

[Signature]  
Notary Public

My Commission Expires:

**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.

*Please see attached Complaint and supporting exhibits*

**Complaints must be:**

- signed
- notarized
- delivered in person or by certified mail.

1 Matthew G. Monforton  
2 32 Kelly Court  
3 Bozeman, Montana 59718  
4 Telephone: (406) 570-2949  
5 Facsimile: (406) 551-6919  
6 E-mail: matthewmonforton@yahoo.com

7 Appearing *Pro Se*

8 **BEFORE THE COMMISSIONER OF POLITICAL PRACTICES**

9 MATTHEW MONFORTON, )  
10 Complainant, ) Case No. COPP 2016-CFP-\_\_\_\_  
11 vs. )  
12 **COMPLAINT**  
13 MONICA LINDEEN, JESSE )  
14 LASLOVICH, )  
15 Defendants. )  
16 )  
17 )

18 COMES NOW Complainant Matthew Monforton, who alleges as follows:

19 **I. INTRODUCTION**

20  
21 1. This is a complaint brought pursuant to Montana's campaign finance laws. It  
22 is based upon deposition testimony given by Deputy Securities Commissioner Lynne  
23 Egan, Roberta Cross Guns, who is an attorney previously employed by the State  
24 Auditor's office, and Alan Ludwig, a former employee of the State Auditor's office.  
25 For over a year, Egan performed tasks for the 2012 campaigns of Defendant  
26 Monica Lindeen and Defendant Jesse Laslovich that, under Montana law, can only be  
27 performed by a campaign treasurer or deputy treasurer. Defendants never registered  
28



1 Egan as a treasurer or deputy treasurer. Defendants caused Egan to perform the duties  
2 of treasurer during working days. They also conducted numerous campaign-related  
3 strategy sessions and planned fundraisers while on state premises. The Commissioner  
4 is therefore required by law to seek appropriate penalties from the District Court.  
5

## 6 **II. PARTIES**

7 2. Complainant Matthew Monforton is a registered voter residing in Bozeman,  
8 Montana.

9 3. Defendant Monica Lindeen was a candidate for State Auditor in the 2012  
10 election at all times pertinent to this complaint

11 4. Defendant Jesse Laslovich was a candidate for Attorney General in the 2012  
12 election at all times pertinent to this complaint.  
13

## 14 **III. JURISDICTION**

15 5. The Commissioner of Political Practices has jurisdiction over this matter  
16 pursuant to § 13-37-111, MCA.  
17

## 18 **IV. STATEMENT OF FACTS**

19 6. On January 7, 2011, Defendant Lindeen filed a C-1 "Statement of Candidate"  
20 with the Commissioner's office pertaining to her candidacy for State Auditor.

21 7. The statement identified Margaret Novak, a resident of Chester, as the  
22 campaign treasurer.

23 8. On June 30, 2011, Defendant Laslovich filed a C-1 "Statement of Candidate"  
24 with the Commissioner's office pertaining to his candidacy for Attorney General.

25 9. The statement identified John Edwards, a Billings attorney, as the campaign  
26 treasurer.  
27  
28

1           10. Beginning in July 2011, Deputy Securities Commissioner Egan performed  
2 the duties of treasurer for Lindeen's and Laslovich's campaigns.

3           11. As explained by Egan, there's "an official treasurer, and then there is  
4 somebody who actually is the treasurer." (Deposition of Alan Ludwig, p. 95).

5           12. From July 2011 until June 2012, when Defendant Laslovich was defeated in  
6 the Democratic primary, Egan made numerous deposits during working days of  
7 campaign checks made out to the Laslovich campaign. (Deposition of Lynne Egan, p.  
8 94; Deposition of Roberta Cross Guns, pp. 25-26).

9           13. From January 2011 until November 2012, when Defendant Lindeen was  
10 reelected to the position of State Auditor, Egan made numerous deposits during  
11 working days of campaign checks made out to the Lindeen campaign. (Egan Depo.,  
12 p. 85.)

13           14. During these time periods, Defendants Lindeen and Laslovich also caused  
14 to be transferred to Egan campaign checks brought to the State Auditor's office during  
15 working hours. (Ludwig Depo., pp. 95-98.)

16           15. Defendant Laslovich's paid political consultant, Bob Funk, routinely  
17 brought campaign checks to the State Auditor's office and demanded that employees  
18 transfer them to Egan. (Ludwig Depo. pp. 95-98.)

19           16. Neither Defendant Lindeen nor Defendant Laslovich registered Deputy  
20 Securities Commissioner Egan as either a treasurer or deputy treasurer for their  
21 campaigns.

22           17. Defendants Lindeen and Laslovich, as well as other employees of the State  
23 Auditor's office, conducted numerous campaign strategy sessions and planned  
24 campaign fundraisers during working days while on state premises. (Cross Guns  
25 Depo., pp. 27-28; Egan Depo. p. 95).

26  
27  
28



1                   **V. VIOLATIONS OF MONTANA’S CAMPAIGN FINANCE LAW**

2  
3                                   **Count I**

4       **Causing the Transfer of Contributions to a Person Not Identified as a Campaign**  
5                                   **Treasurer in Violation of Mont. Adm. Rule 44.10.507**

6           18. All previous paragraphs are incorporated by reference.

7           19. A candidate or candidate’s agent who receives a contribution must promptly  
8 transfer it to the campaign treasurer. Mont. Adm. Rule 44.10.507.

9           20. Defendants Lindeen and Laslovich and their agents transferred  
10 contributions made to their campaigns to Deputy Securities Commissioner Egan  
11 during working days while she was at her place of employment.

12           21. Defendants Lindeen and Laslovich did not register Deputy Securities  
13 Commissioner Egan as a treasurer or deputy treasurer for their campaigns.

14           22. Defendants Lindeen and Laslovich therefore violated Mont. Adm. Rule  
15 44.10.507 by causing their contributions to be transferred to Deputy Securities  
16 Commissioner Egan.

17  
18                                   **Count II**

19       **Causing Deposits of Contributions by an Unauthorized Person in Violation of**  
20                                   **Mont. Adm. Rule 44.10.503 and § 13-37-207, MCA**

21           23. All previous paragraphs are incorporated by reference.

22           24. No contribution received by a candidate may be deposited except by the  
23 appointed campaign treasurer or duly authorized deputy treasurer. Mont. Adm. Rule  
24 44.10.503; § 13-37-207, MCA.

25           25. Defendants Lindeen and Laslovich instructed Deputy Securities  
26 Commissioner Egan to deposit campaign contributions during working days.

27           26. Defendants Lindeen and Laslovich did not register Deputy Securities  
28

1 Commissioner Egan as a treasurer or deputy treasurer for their campaigns.

2 27. Defendants Lindeen and Laslovich therefore violated Mont. Adm. Rule  
3 44.10.50 and § 13-37-207, MCA by causing their contributions to be deposited by  
4 Deputy Securities Commissioner Egan.

5

6

### Count III

7

#### **Failure to Register Persons Performing the Duties of Treasurer in Violation of 8 §§ 13-37-201 and 13-37-202, MCA**

9

28. All previous paragraphs are incorporated by reference.

10

29. Candidates are required to register with the Commissioner their campaign  
11 treasurer as well as any deputy treasurers. §§ 13-37-201 and 13-37-202, MCA.

12

30. Defendants Lindeen and Laslovich and their agents transferred  
13 contributions made to their campaigns to Deputy Securities Commissioner Egan  
14 during working hours while she was at her place of employment.

15

31. Defendants Lindeen and Laslovich caused Deputy Securities Commissioner  
16 Egan to deposit campaign contributions during working days.

17

32. Defendants Lindeen and Laslovich did not register Deputy Securities  
18 Commissioner Egan as a treasurer or deputy treasurer for their campaigns.

19

33. Defendants Lindeen and Laslovich therefore violated §§ 13-37-201 and 13-  
20 37-202, MCA.

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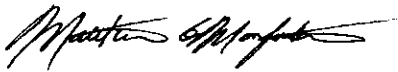
1 **VI. REQUEST FOR RELIEF**

2 Complainant hereby respectfully requests that the Commissioner promptly  
3 investigate Counts I, II, and III, and seek the following relief from the District Court:

- 4
- 5 • An order imposing fines against Defendants Lindeen and Laslovich for causing  
6 campaign contributions to be transferred to Deputy Securities Commissioner  
7 Lynne Egan during working days at her place of employment and deposited by  
8 Egan during working days without identifying Egan as a campaign treasurer as  
9 required by §§ 13-37-201 and 13-37-202, MCA;
  - 10 • An order pursuant to § 13-37-127(1), MCA, mandating compliance by  
11 Defendants Lindeen and Laslovich with §§ 13-37-201 and 13-37-202, MCA,  
12 through the filing of an updated statement identifying all persons who  
13 performed duties on their behalf in 2012 that are required to be performed by  
14 campaign treasurers or deputy treasurers;
  - 15 • An order pursuant to § 13-35-106(3), MCA, removing Defendant Lindeen from  
16 office and barring the names of Defendant Lindeen and Laslovich from  
17 appearing on the primary and general election ballots in 2016.

18 DATED: February 8, 2016

19 Respectfully submitted,

20 

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22  
23 

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Matthew G. Monforton  
24 Complainant



Roberta Cross Guns

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MONTANA TWENTY-FIRST JUDICIAL DISTRICT COURT  
RAVALLI COUNTY

---

STATE OF MONTANA,  
Plaintiff,

vs.

CAUSE NO. DC-11-117

HARRIS HIMES,  
Defendant.

---

DEPOSITION UPON ORAL EXAMINATION OF  
ROBERTA CROSS GUNS

---

BE IT REMEMBERED, that the deposition upon oral examination of ROBERTA CROSS GUNS, appearing at the instance of Plaintiff, was taken at the offices of the Securities and Insurance Commissioner, 840 Helena Avenue, Helena, Montana, on Tuesday, August 14, 2012, beginning at the hour of 2:06 p.m., pursuant to the Montana Rules of Civil Procedure, before Jan M. Baldensperger, Court Reporter and Notary Public.

**Roberta Cross Guns**

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APPEARANCES

ATTORNEY APPEARING ON BEHALF OF THE PLAINTIFF,  
STATE OF MONTANA:

Mr. Jesse Laslovich, Esq.  
Office of the Montana State Auditor  
840 Helena Avenue  
Helena, Montana 59601

ATTORNEY APPEARING ON BEHALF OF THE DEFENDANT,  
HARRIS HIMES:

Mr. Matthew G. Monforton, Esq.  
Monforton Law Offices, PLLC  
32 Kelly Court  
Bozeman, Montana 59718

Roberta Cross Guns

1           Do you -- do you have any recollection of  
2 Lynne Egan making any kind of bank deposits on  
3 behalf of the Lindeen campaign?

4           A.    Yes.

5           Q.    How many times did that occur?

6           MR. LASLOVICH:  Objection, foundation and  
7 speculation.

8           THE WITNESS:  I'm not certain how many times,  
9 but, you know, fairly often.  A couple of times a  
10 week she would say, "Ah, I've got to run to the  
11 bank.  I've got to go and" -- you know, she told me  
12 what she was doing.

13                   And then she would also go check the  
14 mail, because they had post office boxes down here  
15 at the downtown post office where contributions come  
16 in.  And then she would come back to work.

17           BY MR. MONFORTON:

18           Q.    When Ms. Egan told you that she was going  
19 to the bank to make deposits on behalf of  
20 Ms. Lindeen's campaign --

21           A.    Um-hum.

22           Q.    -- was that during the workday?

23           A.    Yes.

24           Q.    Was she here on state premises when she  
25 told you that?

Roberta Cross Guns

1 A. Yes.

2 Q. What was the time period in which she was  
3 engaging in those kind of activities? And by  
4 "activities," I mean the depositing of contributor  
5 funds.

6 A. I'm more interested in what you mean by  
7 "time period." Do you mean time of the day? Do you  
8 mean -- what do you mean by that?

9 Q. Good point. Time period as in month,  
10 year --

11 A. Well --

12 Q. -- that --

13 A. -- I left in January, so it was before  
14 that.

15 Q. When did these events start occurring?

16 A. I would say probably October of 2011.

17 Q. To your knowledge, were there any  
18 meetings that took place on state time and on state  
19 premises involving Ms. Lindeen's campaign?

20 MR. LASLOVICH: Objection, foundation,  
21 speculation.

22 THE WITNESS: That's a little bit of a tricky  
23 question because whether it's on state time, you  
24 know, it depends on whether that's recorded as work  
25 time.



**Roberta Cross Guns**

1           So I'm confident enough in Lynne that she  
2 probably took time out of her pay schedule -- in  
3 other words, she didn't record this time -- so it  
4 probably wasn't state time. But I'm also confident  
5 that meetings occurred on the premises during the  
6 workday regarding the campaign.

7 BY MR. MONFORTON:

8           Q.    What do you base that on?

9           A.    The closed door. Go down and Monica's in  
10 there, and Jesse's in there, and the door is closed.  
11 And then, you know, when they'd leave, the comments  
12 from Lynne, you know, "We're putting something  
13 together. We're going to have a fund-raiser."  
14 "Okay."

15          Q.    How long would these meetings typically  
16 last?

17          MR. LASLOVICH:  Objection, foundation and  
18 speculation.

19 BY MR. MONFORTON:

20          Q.    If you --

21          A.    I honestly don't know, because I worked  
22 on this floor, and they moved securities downstairs  
23 a couple of years ago. So if I walked by, you know,  
24 and the door is closed -- it was an unusual event  
25 for Lynne to close her door, so when you see that

27

Roberta Cross Guns

1 increase, it was noticeable.

2 And then when you see just Monica and  
3 Jesse coming out, then you know that, you know,  
4 things are going on.

5 Usually, if the chief counsel is in there  
6 talking to a bureau chief or a -- or a deputy, he's  
7 by himself or maybe he has one other employee with  
8 him, but it's not usually with the commissioner.

9 Q. When did this increase in closed-door  
10 meetings occur?

11 MR. LASLOVICH: Objection, speculation,  
12 foundation.

13 THE WITNESS: I would say probably about the  
14 same time. October, November of 2011.

15 BY MR. MONFORTON:

16 Q. Did that increase in closed-door meetings  
17 continue for the duration that you remained in the  
18 auditor's office?

19 A. Yes.

20 Q. Do you recall Lynne Egan making any other  
21 comments to you about these meetings, other than the  
22 comments that you've already testified to?

23 A. Not really, no.

24 Q. When you first started working for the  
25 Flathead tribes, up until the time when you joined

28

Lynne Egan

1 MONTANA TWENTY-FIRST JUDICIAL DISTRICT COURT

2 RAVALLI COUNTY

3  
4 STATE OF MONTANA,

5 Plaintiff,

6 vs.

CAUSE NO. DC-11-117

7 HARRIS HIMES,

8 Defendant.

9  
10  
11 DEPOSITION UPON ORAL EXAMINATION OF

12 LYNNE EGAN

13  
14  
15 BE IT REMEMBERED, that the deposition upon oral  
16 examination of LYNNE EGAN, appearing at the instance of  
17 Plaintiff, was taken at the offices of the Securities and  
18 Insurance Commissioner, 840 Helena Avenue, Helena,  
19 Montana, on Tuesday, August 14, 2012, beginning at the  
20 hour of 10:05 a.m., pursuant to the Montana Rules of Civil  
21 Procedure, before Jan M. Baldensperger, Court Reporter and  
22 Notary Public.

APPEARANCES

ATTORNEY APPEARING ON BEHALF OF THE PLAINTIFF,  
STATE OF MONTANA:

Mr. Jesse Laslovich, Esq.  
Office of the Montana State Auditor  
840 Helena Avenue  
Helena, Montana 59601

ATTORNEY APPEARING ON BEHALF OF THE DEFENDANT,  
HARRIS HIMES:

Mr. Matthew G. Monforton, Esq.  
Monforton Law Offices, PLLC  
32 Kelly Court  
Bozeman, Montana 59718



Lynne Egan

1 the goodness of my heart because I like to help  
2 people.

3 And that -- that -- you know, each year a  
4 couple of more people will ask and a couple of  
5 people will move or -- or I, you know, just kind of  
6 lose contact with them.

7 I've done nonprofit -- accounting for  
8 nonprofit organizations. I think the last nonprofit  
9 I probably stopped doing in 2010. I do my own  
10 finances. I did my parents' finances until they  
11 passed away. My sister's. I -- when asked, I -- if  
12 I can help, I help.

13 Q. What are some of the nicer gifts you've  
14 received, besides gift certificates to -- for a free  
15 dinner?

16 A. Generally -- that's probably about as  
17 nice as it gets, a nice dinner for two at On  
18 Broadway. I don't -- I don't really remember.

19 Q. Do you provide any kind of service for  
20 Ms. Lindeen's campaign?

21 A. I volunteer for her campaign.

22 Q. What kind of services did you do in a  
23 volunteer capacity for Ms. Lindeen?

24 A. Well, I still volunteer for her campaign.  
25 I've -- I didn't do it. My husband designed some

1 letterhead for her, and I baked for fund-raisers.  
2 I've put up some signs, done -- baked for  
3 fund-raisers. I've made some phone calls. I've  
4 helped with thank-you notes to contributors. And  
5 I've helped her with some financial aspects of her  
6 campaign.

7 Q. Tell me about the financial aspects of  
8 the campaign that -- in which you provided  
9 assistance.

10 A. I've kept a list of contributors --  
11 contributors for her, phone lists in Excel. I  
12 volunteer on an as-needed basis. If -- if she has a  
13 request and I can help, I've done it in regard to  
14 the financial things.

15 Q. Have you actually handled any of the  
16 monies that have been contributed to Ms. Lindeen's  
17 campaign?

18 A. I have made deposits for her, yes.

19 Q. How often do you do that?

20 A. On an as-needed basis.

21 Q. Tell me what as-needed is.

22 A. Oh, maybe a couple of times a month I've  
23 made deposits for her.

24 Q. What's a typical amount that those  
25 deposits would be?

Lynne Egan

1 A. There's no typical amount.

2 Q. Give me a high amount.

3 A. Well, the maximum contribution anybody  
4 can make is \$310 --

5 Q. Do you --

6 A. -- for an individual contributor.

7 Q. Let me rephrase the question. When you  
8 make deposits, do they typically consist of one  
9 check from one contributor or more than that?

10 A. There can be one check. There can be  
11 multiple checks.

12 Q. Tell me what the biggest amount -- the  
13 biggest deposit you've made in terms of money to --  
14 on behalf of Ms. Lindeen.

15 A. Two or three thousand.

16 Q. What's the average size of the deposit  
17 you -- that you would typically make for Ms.  
18 Lindeen?

19 A. There's really no average.

20 Q. Have you served as the treasurer for  
21 Ms. Lindeen's campaign?

22 A. No.

23 Q. Who is -- who is the treasurer for  
24 Ms. Lindeen's campaign, if you know?

25 A. I know her first name is Margaret. I

Lynne Egan

1 don't know.

2 Q. Do you know what, if any, tasks Margaret  
3 performs for the campaign?

4 A. I do not know. I do know she's the  
5 treasurer, but I've never met her.

6 Q. Besides making deposits on behalf of  
7 Ms. Lindeen's campaign, what other kind of financial  
8 services have you provided for Ms. Lindeen's  
9 campaign?

10 A. I've helped her put together her C5 and  
11 her C7.

12 Q. And are those documents filed with  
13 Political Practices?

14 A. Yes.

15 Q. How often do you do that?

16 A. On an as-needed basis.

17 Q. Can you be a little more specific?

18 A. Well, it -- it depends on the time of  
19 year. If she needs assistance doing it, I'll help  
20 her do it.

21 Q. How often do those forms have to be  
22 filed?

23 A. Well, the calendar is set forth, I think,  
24 a year before. I've helped candidates over the last  
25 ten years as, you know, a volunteer.



Lynne Egan

1           It's more frequently this year. I can't  
2 tell you exactly how often, but it seems like  
3 there's a lot more reporting periods than there ever  
4 were in the past. Maybe -- maybe ten reports in a  
5 year. I don't -- I would be guessing, though.

6           Q. In the past year, have you participated  
7 in preparing all ten of those reports for  
8 Ms. Lindeen's campaign with different numbers?

9           A. I have helped with a majority of them,  
10 but not the first -- not the first part of last  
11 year. I did not.

12          Q. Do you do the entire preparation of those  
13 documents? Does someone assist you? How does that  
14 work?

15          A. Well, I have -- well, Monica has a  
16 staffer that works for her. She's got somebody  
17 that's hired by the campaign.

18          Q. Who is this individual?

19          A. His name is Morgan Cosgrove.

20          Q. How do you and Mr. Cosgrove divvy up the  
21 chores with regard to Political Practices --

22          A. I --

23          Q. -- forms?

24          A. -- I just volunteer. He's an employee of  
25 her campaign -- or independent contractor, I

Lynne Egan

1 believe. We -- he does the work for her. I just  
2 volunteer on an as-needed basis when I have time in  
3 my life to help.

4 Q. Tell me specifically how you assist  
5 Mr. Cosgrove on those occasions when you do.

6 A. He will make requests of me for putting  
7 together an Excel spreadsheet, helping him get  
8 information off of Campaign Tracker. He'll send me  
9 an e-mail and ask if I can help him. I don't see  
10 him very often.

11 Q. Any other financial services or financial  
12 activities that you perform -- that you have  
13 performed for the Lindeen campaign, other than what  
14 you've just -- just discussed?

15 A. I don't believe so. I've contributed  
16 myself, but I -- I can't recall any -- any right  
17 now.

18 Q. Did anyone ask you to participate in  
19 Ms. Lindeen's campaign?

20 A. No. I volunteered.

21 Q. How did that come about? Did you  
22 approach Ms. Lindeen and say that you were  
23 available?

24 A. I had done -- I had helped other people  
25 in the past, and I -- I don't remember. I think I

Lynne Egan

1 just offered to -- to volunteer, to help her with  
2 her campaign.

3 Q. What was her response when you offered?

4 A. "Thank you."

5 Q. When did that happen?

6 A. I would say probably the spring of last  
7 year.

8 Q. Have the activities that you've described  
9 with regard to Ms. Lindeen's campaign -- have you  
10 been performing those up until present day?

11 A. Yes.

12 Q. Have you done any of those activities on  
13 state time, state premises, or using state  
14 equipment?

15 A. No.

16 Q. Have you ever had discussions with  
17 Ms. Lindeen with regard to her campaign on state  
18 time or on state premises?

19 A. Yes. Only on state premises, never on  
20 state time.

21 Q. And by "state premises," what do you  
22 mean?

23 A. I -- I have talked to her in the office,  
24 on a break, about matters. I've told her that I was  
25 going to drop off something I had baked during a

Lynne Egan

1 break in the agency.

2 I generally correspond with her about  
3 anything I'm volunteering via messaging or e-mail on  
4 my personal e-mail, but there have been times that I  
5 have talked to her on a break in the agency or over  
6 a lunch, walked up on my lunch break and talked to  
7 her about it.

8 Q. What kind of breaks do you have as an  
9 employee here?

10 A. I take an hour lunch break -- and we're  
11 into my hour now -- from twelve to one every day. I  
12 close my door in my office, and I take a lunch  
13 break. And very seldomly, but occasionally, I'll  
14 take a 10-, 15-minute break in the morning or the  
15 afternoon.

16 So if I take a break -- our -- our  
17 policy, I believe, is you can have a 15-minute break  
18 for every four hours that you work. So you can take  
19 a 15-minute break in the morning and a 15-minute  
20 break in the afternoon. I generally don't take  
21 breaks, but occasionally, I do.

22 Q. Is there a set time when you -- when you  
23 take your breaks?

24 A. No.

25 Q. And you've discussed political matters

Lynne Egan

1 with regard to Ms. Lindeen's campaign during breaks  
2 other than a lunch break; is that correct?

3 A. I have on occasion. Not -- not many  
4 times. But, yeah, I've talked to her on a break.

5 Q. Have you ever done any kind of financial  
6 work with regard to Ms. Lindeen's campaign on state  
7 premises?

8 A. No.

9 Q. How about on state time?

10 A. No.

11 Q. How about with the use of state  
12 equipment?

13 A. No.

14 Q. Let's switch over to Mr. Laslovich's  
15 campaign.

16 MR. LASLOVICH: Former, for the record.

17 MR. MONFORTON: Understood. Mr. Laslovich's  
18 former campaign.

19 BY MR. MONFORTON:

20 Q. Did you perform -- have you performed any  
21 activities on behalf of Mr. Laslovich's campaign?

22 A. Yes, I have.

23 Q. And describe those for me. Well, you  
24 know -- strike that question.

25 Let me -- let me ask it this way: Would

Lynne Egan

1 you say that the activities you did for  
2 Mr. Laslovich were similar to the activities that  
3 you did on behalf of Ms. Lindeen's campaign?

4 A. Yes.

5 Q. And how did that start? Did you approach  
6 Mr. Laslovich or did he approach you?

7 A. I believe he asked me.

8 Q. Do you recall when this occurred?

9 A. I don't remember.

10 Q. Did -- did --

11 THE WITNESS: Did you ask me or -- I don't -- I  
12 don't recall. July of last year.

13 BY MR. MONFORTON:

14 Q. What do you recall Mr. Laslovich asking  
15 you?

16 A. I think he may have asked me if I knew  
17 anybody that could help him with his campaign.

18 Q. What was your response?

19 A. "Yeah. I'd be happy to help you."

20 Q. Did you tell him --

21 THE WITNESS: Does that sound more familiar?  
22 Pardon me?

23 BY MR. MONFORTON:

24 Q. Did you tell him anything else in that  
25 conversation?

Lynne Egan

1 A. I don't believe so.

2 Q. You did financial activities, financial  
3 services on behalf of Mr. Laslovich's campaign; is  
4 that correct?

5 A. I -- I volunteered for his campaign.  
6 Included in my volunteer duties were I helped him  
7 with financial aspects. I'm an accountant. It's  
8 important that things be done correctly and in  
9 accordance with the law.

10 Q. And did that include making deposits to  
11 the bank on behalf of Mr. Laslovich?

12 A. Yes.

13 Q. Did it include filling out Political  
14 Practices forms on behalf of Mr. Laslovich?

15 A. We don't fill out Political Practices  
16 forms anymore, so no --

17 Q. Well, complete Political Practices forms  
18 on behalf of Mr. Laslovich.

19 A. I -- I did assist in putting together the  
20 C5s and the C7s.

21 Q. Did anyone else assist you in putting  
22 those -- in preparing those forms?

23 A. Mr. Laslovich had a staff person, a  
24 campaign manager, and Mr. -- his campaign manager  
25 also worked -- he worked for compensation. He was

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Lynne Egan

1 the primary person. I assisted him putting it  
2 together on occasion.

3 Q. Who was that person you worked with --

4 A. Robert Funk.

5 Q. Were you the treasurer for Mr. Laslovich?

6 A. No.

7 Q. Do you recall who the treasurer was?

8 A. Jonathan Edwards.

9 Q. Are there times when you discussed with  
10 Mr. Laslovich -- on state premises, state time -- or  
11 state time -- issues involving Mr. Laslovich's  
12 campaign?

13 A. Never on state time, but I did talk to  
14 him, on occasion, on state premises during a break  
15 or during my lunch.

16 Q. And where would those conversations take  
17 place?

18 A. They may have -- they took place in my  
19 office on occasion, in his office on occasion, in  
20 the parking lot on occasion.

21 Q. Anywhere else besides those locations?

22 A. I can't -- I can't recall.

23 Q. How long would those meetings typically  
24 last?

25 A. Brief. A few minutes.



Lynne Egan

1 Q. Would the door be closed?

2 A. Yes, generally.

3 Q. Was the same true with regard to  
4 Ms. Lindeen?

5 A. Generally, yes.

6 Q. Where would you meet Ms. Lindeen when the  
7 two of you discussed campaign issues during your  
8 breaks?

9 A. Generally, she would come down to my  
10 office. But I think, on an occasion or two, I was  
11 in her office.

12 Q. How long would those meetings typically  
13 last?

14 A. A few minutes.

15 Q. Would the door be closed?

16 A. Generally, but occasionally not.

17 Q. Let's go off the record for a minute.

18 (Off the record)

19 BY MR. MONFORTON:

20 Q. I want to talk to you, Lynne, about some  
21 conversations that -- that you had with Alan Ludwig.  
22 At least his recollection of some conversations you  
23 had with -- with Mr. Ludwig.

24 And, for the record, who is Mr. Ludwig?

25 A. Alan Ludwig was an employee. He was an

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Lynne Egan

1 examiner analyst in my division, and he worked for  
2 approximately -- nearly four years. He resigned at  
3 the end of April --

4 Q. Do you know why he --

5 A. -- 2012.

6 Q. Do you know why he resigned?

7 A. He -- he resigned when I was out of the  
8 office. I have heard things that were said. He  
9 told me -- oh, eight to nine -- eight to nine months  
10 before he resigned -- that his wife wasn't happy in  
11 Helena, that she wanted to get back near the ocean,  
12 and he was looking for jobs.

13 He came to me on at least one occasion  
14 with a job he was interested in. He had me review  
15 his resumé and help him beef it up. So I knew he  
16 was looking for work. He didn't want to stay in the  
17 Helena area. He wanted to -- his wife wanted to  
18 leave, and so he was going to go with her.

19 Q. Did he express any other reasons for  
20 wanting to leave the office to you?

21 A. No, not really.

22 Q. You mentioned a moment ago that you heard  
23 other things. When you say that, do you mean you  
24 heard other things from other employees here in the  
25 office?

Lynne Egan

1           A.    I've -- I've been briefed on kind of a  
2 summary of his testimony that he gave in his  
3 deposition a couple of weeks ago, so I've heard that  
4 he wasn't -- he was disgruntled and he was upset  
5 about certain things in the agency, so I've heard  
6 that.

7                        But directly from Mr. Ludwig, I knew that  
8 he was unhappy in the agency because his wife wanted  
9 to leave Helena, and he was looking for -- for other  
10 work.

11           Q.    Who briefed you on Mr. Ludwig's  
12 deposition testimony?

13           A.    Mr. Laslovich.

14           Q.    What was the purpose of that briefing?

15           A.    To prepare me to -- for what to expect  
16 today.

17           Q.    What did Mr. Laslovich tell you in terms  
18 of what to expect today?

19           A.    He told me that Mr. Ludwig felt that the  
20 agency was anti his religion. He felt that people  
21 were -- that I was critical of him, that I gave him  
22 a negative performance review, that he was unhappy  
23 and left because of the environment in the agency.

24           Q.    Do you normally receive briefings about  
25 depositions?

Lynne Egan

1           A.    Normally there's some prep before a  
2 deposition, yes.

3           Q.    Do you normally receive briefings about  
4 other people's depositions?

5           A.    I usually read other people's depositions  
6 before I am deposed, if they're available.

7           Q.    Do you normally receive briefings from  
8 other individuals in this office about other  
9 depositions that have been taken?

10          A.    If I'm unable to read the deposition,  
11 then I'm frequently briefed.

12          Q.    Mr. Ludwig testified that there was a  
13 point where you referred to Derrick Skees as a  
14 Christian nut. Is that something you ever said?

15          A.    No.

16          Q.    Can you think of any reason why  
17 Mr. Ludwig would be mistaken about that?

18          A.    No.

19          Q.    Was there ever a point in time where you  
20 referred to the Boy Scouts as Nazis?

21          A.    Not the Boy Scouts. The organization.

22          Q.    Tell -- tell me exactly what -- what kind  
23 of comment you made about the Boy Scout  
24 organization?

25          A.    Every year we have an employee or two in

Lynne Egan

1 this building that their child is a Boy Scout, and  
2 they come in and they're selling their goods and  
3 wares. And I would never say no to a child. I buy  
4 every year.

5 And I think the product is extremely --  
6 usually it's popcorn or caramel corn -- the product  
7 is extremely over-priced. And I don't really care  
8 for the organization of the Boy Scouts.

9 So in passing, I -- I -- I will admit  
10 that I've made the comment "I don't care for the Boy  
11 Scout organization," and I truly made that comment.

12 Q. You compared the Boy Scout organization  
13 to Nazis?

14 A. I compare it to an organization that  
15 doesn't practice tolerance and is discriminatory,  
16 and I -- a poor -- a poor comment, but yes, I did  
17 make that statement.

18 Q. Okay. So I just want to make sure the  
19 record is clear. You -- you have compared the Boy  
20 Scout organization to Nazis?

21 A. Neo-Nazis. And I apologize if I offended  
22 anybody with that. I have said that in the past.

23 Q. Who have you said that to?

24 A. I believe I've said it in passing  
25 whenever I've purchased Boy Scout goods. My spouse,

Alan Ludwig

1 MONTANA TWENTY-FIRST JUDICIAL DISTRICT COURT  
2 RAVALLI COUNTY

3  
4 STATE OF MONTANA,  
5 Plaintiff,

6 vs.

Cause No. DC 11-117

7 HARRIS HIMES,  
8 Defendant.

9  
10 VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION OF  
11 ALAN LUDWIG

12  
13  
14 BE IT REMEMBERED, that the videotaped  
15 deposition upon oral examination of ALAN LUDWIG,  
16 appearing at the instance of Defendant, was taken  
17 at the offices of Fisher Videoconferencing, Court  
18 Reporting & Videography, 503 East Mendenhall,  
19 Bozeman, Montana on Tuesday, July 31, 2012,  
20 beginning at the hour of 9:15 a.m., pursuant to  
21 the Montana Rules of Civil Procedure, before Kasey  
22 L. Fisher, Court Reporter - Notary Public.

Alan Ludwig

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APPEARANCES

ATTORNEY APPEARING ON BEHALF OF THE  
PLAINTIFF, STATE OF MONTANA:

Mr. Jesse Laslovich, Esq.  
Chief Legal Counsel  
Commissioner of Securities and  
Insurance Office of the Montana  
State Auditor  
840 Helena Avenue  
Helena, Montana 59601

ATTORNEY APPEARING ON BEHALF OF THE  
DEFENDANT, HARRIS HIMES:

Mr. Matthew Monforton, Esq.  
32 Kelly Court  
Bozeman, Montana 59718

Mr. Patrick F. Flaherty, Esq.  
P.O. Box 1968  
Great Falls, Montana 59403

ATTORNEY APPEARING ON BEHALF OF THE  
WITNESS, Alan Ludwig:

Mr. Arthur V. Wittich, Esq.  
602 Ferguson Avenue, Suite 5  
Bozeman, Montana 59718

Videographer: Laura Fisher

Alan Ludwig

1 shared it with both of them, and I don't know how  
2 many other people were there. But Lynne seemed --  
3 or Roberta seemed bothered because Jameson was a  
4 young attorney who'd just come on with the office  
5 and thought it was a really bad impression for  
6 Lynne to create by sharing that with Jameson  
7 because he didn't need to know that.

8 In fact, she said afterwards Jameson was  
9 worried about me and wanted to talk to me because  
10 he was upset that I was upset.

11 Q. Did you ever discuss this matter with  
12 Mr. Jameson?

13 A. No.

14 Q. And did you -- did Ms. Cross-Guns say  
15 anything else about this incident other than --

16 A. No. She just warned me and she'd warned  
17 me before not to -- not to give Lynne reason to  
18 gossip.

19 Q. I think you mentioned earlier this  
20 morning that Ms. Egan had been the treasurer for  
21 Ms. Lindeen and Mr. Laslovich's campaign.

22 Did I get that right?

23 A. Yes.

24 Q. When did -- or when did you first find  
25 out about this?



Alan Ludwig

1           A.    Lynne told me.  She was very proud of it.  
2  She said she was doing it on her own and taking  
3  her time and she needed to quit doing favors for  
4  people and said she'd be busy with it.

5           Q.    Busy with -- with what?

6           A.    Being the treasurer for both of them.

7           Q.    When did Ms. Egan say that?

8           A.    What time of year?

9           Q.    Yeah, I'm sorry.  What -- what -- what  
10 date?

11          A.    It was shortly after they announced their  
12 candidacy I believe.

13          Q.    Can you give us a date approximately?

14          A.    I -- I would defer to whoever knows when  
15 their campaign started.  I -- I wouldn't know the  
16 month.

17          Q.    What prompted this discussion between you  
18 and Mr. Egan about her role as -- as treasurer for  
19 Ms. Lindeen's campaign and Mr. Laslovich's  
20 campaign?

21          A.    One of the primary things that Lynne has  
22 discussed with me in working there four years is  
23 other people and Lynne.  And if Lynne has  
24 something she want to share about something she's  
25 doing, that's great, or challenging or whatever,   94

Alan Ludwig

1 she shares it with me. And that day I did not  
2 come in to discuss anything about anything  
3 political or who was going to be treasurer of  
4 Jesse and Monica's campaigns.

5 She just says these things. The same  
6 thing with Skees and the fact that he was running  
7 against Monica. I -- I really don't care.

8 Q. These were topics that Ms. Egan would  
9 bring up on her own initiative?

10 A. Yes.

11 Q. Did she describe in any kind of detail  
12 what her duties involved with regard to either  
13 Ms. Lindeen's campaign or Mr. Laslovich's  
14 campaign?

15 A. She just explained that there's actually  
16 an official treasurer and then there is somebody  
17 who actually is the treasurer. I didn't ask  
18 beyond that.

19 Q. Did she ever explain to you why she was  
20 acting in the role of treasurer, if there was an  
21 official treasurer for these campaigns?

22 A. No.

23 Q. Did you ever observe or hear of Ms. Egan  
24 conducting political activity on state property or  
25 on state time?

Alan Ludwig

1 A. Can you define political activity.

2 Q. Yeah. Let me -- let me rephrase that  
3 question.

4 Did you ever see or hear of Ms. Egan  
5 doing work on behalf of either Ms. Lindeen's  
6 campaign or Mr. Laslovich's campaign while on  
7 state property or on state time?

8 A. Yes.

9 Q. Tell me what -- tell me about those  
10 events.

11 A. Lynne was in a meeting one day. Kate  
12 Lawler who works at the front desk, L-a-w-l-e-r,  
13 called me and said a man was up front for Lynne  
14 Egan, he had something for her. And I said, She's  
15 in a meeting.

16 She said, Yeah, I know, but he has  
17 something for her. And I went up there and it was  
18 a gentleman whose last name was Funk and he had a  
19 check for Jesse Laslovich's campaign that he was  
20 going to give to Lynne Egan. He explained that to  
21 me, he had the check in his hand --

22 Q. I'm sorry. Mr. Funk explained that to  
23 you?

24 A. Yes. And said, Give this to Jesse, and I  
25 asked Kate for an envelope because it seemed

Alan Ludwig

1 strange to have a check I was taking back to Lynne  
2 addressed to Jesse. And she put it in the  
3 envelope and I took it back and left it on Lynne's  
4 desk and notified her when she was done with her  
5 meeting.

6 Q. How much was the check for?

7 A. I do not remember. It was three figure,  
8 I think.

9 Q. Do you recall the date that this  
10 occurred?

11 A. No.

12 Q. Can you give us an estimate or an  
13 approximation?

14 A. I'm bad with dates.

15 Q. If you know.

16 A. It wasn't long after the campaign, after  
17 the announcements that they were running for  
18 office. And it was prior to the debut of the  
19 movie that was made called Gold Diggers by our  
20 office, because I remember seeing Mr. Funk again  
21 at that event. So it was prior to that, whatever  
22 date that was.

23 Q. Okay. What did you do with this check  
24 once you received it?

25 A. I put it in an envelope and left it on

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Alan Ludwig

1 Lynne's desk and when she got out of her meeting I  
2 informed her that it was there.

3 Q. What was Ms. Egan's response when you  
4 told her that?

5 A. Nothing.

6 Q. Had there been other occasions when you  
7 either saw or heard of political contributions  
8 being delivered to the auditor's office?

9 A. I saw Mr. Funk on more than one occasion  
10 in the office. And, you know, up front I guess I  
11 saw him up front and then I -- I walked into Cindy  
12 Walker's office one day to get Lynne Egan because  
13 someone was on the phone for Lynne.

14 And I was talking to Lynne about the  
15 phone call and there was a man standing there next  
16 to them that Cindy introduced as Monica's fund  
17 manager or campaign manager, marketing manager,  
18 something like that, because Cindy thought I was  
19 talking about the job Lucas does who's an employee  
20 there and she said, No, this is for the campaign.

21 But I don't know the purpose of that  
22 person being in the office with Lynne.

23 Q. Do you know the name of that person?

24 A. He introduced himself. I -- I think he  
25 thought it was odd that he wasn't being introduced 98

Alan Ludwig

1 so he introduced himself. And he was a young  
2 fella in his 20s. But I was really more  
3 interested in getting Lynne the phone call.

4 Q. Did this person indicate that he had a  
5 check or a contribution for someone?

6 A. No. It just seemed -- there was a real  
7 awkwardness like Lynne really was not -- Lynne  
8 acted like something was wrong in that I was there  
9 and this fella was there. There was this strange  
10 look to it -- look to her about it.

11 Q. Do you recall what Mr. Funk did or what  
12 his occupation was?

13 A. No. Know nothing about the man.

14 Q. Other than what you've just described,  
15 are there other incidents that you recall either  
16 witnessing or have heard with regard to  
17 contributions being made in the state auditor's  
18 office?

19 A. No.

20 Q. Political contributions?

21 A. No. And, actually, I'd have to state I  
22 don't know that that check that Mr. Funk was  
23 delivering to Lynne Egan that was made out to  
24 Jesse Laslovich was a campaign contribution except  
25 that he said something about the campaign. But I 99

Alan Ludwig

1 don't know that that check was for the campaign.  
2 He said something more about Jesse running for  
3 office and Jesse's campaign.

4 Q. Besides campaigning -- potential campaign  
5 contributions being delivered to the state  
6 auditor's office, did you witness or hear of any  
7 other political activities or work, political work  
8 taking place on state property or state time on  
9 behalf of the Lindeen campaign or the Laslovich  
10 campaign?

11 A. In my exit comments I mentioned a  
12 political atmosphere and that was because Jesse  
13 and Monica seemed to be in Lynne's office a lot  
14 more. And the looks or concerns that I got if I  
15 entered into the office seemed to be different or  
16 more about secrecy and more closed doors than they  
17 had been regarding Lynne's time at work.

18 Q. When you say a lot more, what do you mean  
19 by that?

20 A. They were down in her office a lot more  
21 than they had been.

22 Q. What was the date that this change took  
23 place?

24 A. After they announced their nomination --  
25 or their candidacy.

100

Alan Ludwig

1 Q. Quantify for me if you can what you mean  
2 by a lot more.

3 A. Almost daily.

4 Q. Were these closed door meetings?

5 A. Often. Sometimes the door was open and  
6 then the door would be closed.

7 Q. Did these kind of meetings take place  
8 prior to Ms. Lindeen and Mr. Laslovich announcing  
9 their campaigns?

10 A. They weren't in the office as often and  
11 when they were they didn't make a point of closing  
12 the door and they didn't look over their shoulder --  
13 their shoulder the way they did when they were  
14 down there.

15 An example with Jesse Laslovich would be  
16 I was trying to talk to Lynne about a problem one  
17 day and was sitting in front of her desk talking  
18 to her and Jesse walked in and just took over the  
19 conversation and started talking to her. But they  
20 didn't close the door. That was something work  
21 related.

22 I don't -- I wouldn't see a need for the  
23 closed door if it was something that was case  
24 related. Maybe there was another personnel issue.  
25 They could have been talking about me for all I

101



Alan Ludwig

1 know. But the number of closed doors and the how  
2 often they were down there in that office changed.

3 Q. How long would these meetings take  
4 place --

5 A. Oh, I didn't keep track. Oh, I'm sorry.

6 Q. How long would these meetings take place  
7 typically after the campaigns were -- the -- after  
8 the candidates announced their campaigns?

9 A. I -- I don't know.

10 Q. Okay.

11 A. Sometimes long enough that I gave up  
12 asking -- trying to ask Lynne what I was going to  
13 ask her because the door would be closed. But in  
14 general I couldn't tell how long meetings occurred  
15 or if other people came into the room because I  
16 would go back to my office.

17 Q. Did any of your coworkers describe to you  
18 any kind of campaign work that they saw or  
19 observed on behalf of Ms. Lindeen or  
20 Mr. Laslovich --

21 A. No.

22 Q. -- occurring on -- occurring on state  
23 property?

24 A. No.

25 Q. During your time in the state auditor's 102



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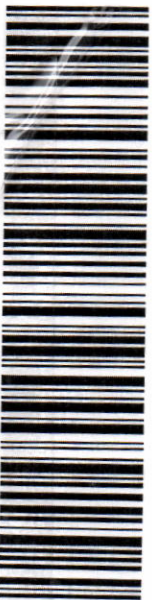
Matthew Morforton  
32 Kelly Court  
Bozeman MT 59718

0000

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Helena MT 59620-2401

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