

THE STATE OF MONTANA

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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COMMISSIONER OF  
POLITICAL PRACTICES

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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 DAVID A. PONTE

Complete Mailing Address 308 Comfort Lane  
Bozeman, MT 59718

Phone Numbers: Work \_\_\_\_\_ Home 406 586 2105

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

Complete Name Francis "Ed" Buttrey

Complete Mailing Address 27 Granite Hill Lane  
Great Falls, Montana 59405

Phone Numbers: Work \_\_\_\_\_ Home 750-6798

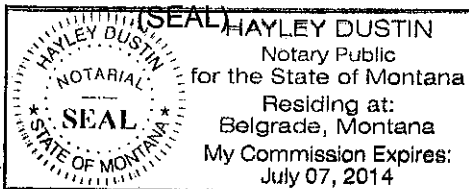
Please complete the second page of this form and describe in detail the facts of the alleged violation.

Verification by oath or affirmation

State of Montana, County of Gallatin

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

David A. Ponte  
Signature of Complainant



Subscribed and sworn to before me this 13<sup>th</sup> day of February, 2014.  
Hayley Dustin  
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.

Attached.

**Complaints must be:**

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

It is disappointing that Commissioner Motl has addressed the actions of only a few candidates who did business with General Consulting. Assuming the Commissioner doesn't have time to initiate complaints against all candidates similarly situated (as outlined in the Bonogofsky complaints), I file this complaint in an effort to facilitate the Commissioner's work.

The Senate District 13 race in 2010 was between candidates Francis "Ed" Buttrey and Kathleen Halcro-Galvin. Buttrey was the successful candidate in that election.

Buttrey reported \$2,374.79 in payments to General Consulting of Billings, Montana, for direct mail services related to his Senate District 13 campaign in 2010. Buttrey paid General Consulting \$2,089.33 on October 18, 2010, for mailing and postage. However, his campaign report fails to identify what was mailed, how many pieces, and at what price. Buttrey paid General Consulting \$285.46 on November 5, 2010, for a letter and postage. Again, his report fails to identify the letter, how many were printed, at what cost, how many were mailed and the cost of postage.

General Consulting provided a mailer, letter, and postage for the payment(s). The Commissioner has established that the holding of public office in Montana is a "public trust" (§ 2-2-103, MCA) and Montana's interest in preventing corruption of this public trust allows it to impose campaign practice requirements on a candidate for public office. Buttrey should be subjected to the same standards and campaign practice requirements as any other candidate for public office.

Buttrey accepted in-kind contributions from third party entities Western Tradition Partnership and Direct Mail & Communications. Those third party entities were connected to Western Tradition Partnership (WTP) in such a way they became agents of WTP. Please refer to the Commissioner's Sufficiency Decision in re the mater of Clark v. Bannan, January 22, 2014, pp. 7 thru 10, for a description of the relationships between WTP and third party entities.

Buttrey contracted for WTP/Direct Mail work through "General Consulting." General Consulting is an unorganized entity that was not and is not registered with the Montana Secretary of State. General Consulting has no current existence anywhere in business in Montana. The Commissioner has already held that General Consulting is an artifice created by WTP/Direct Mail and that General Consulting is the same as, or an agent of, WTP/Direct Mail. Buttrey cooperated with, knew of, and approved the services provided by General Consulting.

It is reasonable and likely that the General Consulting bill delivered to Buttrey came from the same "drop box" address as General Consulting bills

to Candidate Bannan (see Clark v. Bannan). It is reasonable and likely that the General Consulting campaign bill to Buttrey is comparable to the billing record listed by WTP/Direct Mail in the WTP Bannan folder. The Commissioner has already established that anyone who did business with Direct Mail and Communications, and General Consulting, received contributions from WTP and was directly involved with the illegal contributions. Buttrey should be held to the same standard as all the other candidates the Commissioner has determined coordinated with and received contributions from, WTP and Direct Mail.

Francis "Ed" Buttrey coordinated with WTP/Direct Mail by using General Consulting for his printing and mail services (44.10.323(4) ARM). He also received in-kind and illegal contributions from WTP/Direct Mail by paying printing costs to General Consulting at significantly less than the Commissioner's established fair market value for printing services as charged by Allegra Printing (44.10.323(2) ARM). As a result, Buttrey did not report the total value of his printing services from General Consulting as required by section 13-37-225 MCA.

The Commissioner has access to the "Colorado" documents which should hold evidence of coordinated slicks and letters from Buttrey. Those materials should also hold evidence of any WTP orchestrated third-party attack letters.

As stated, Buttrey won the 2010 election and has served as a state senator since. Buttrey is running for re-election in 2014. He should be removed from office and prohibited from being on the ballot in 2014.

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**TOTAL RECEIPTS THIS SECTION:** \$0.00 \$0.00 \$0.00 \$22,140.00

Schedule B Expenditures - This reporting period	PURPOSE	DATE	AMOUNT	
			PRIMARY	GENERAL
<b>1. Petty Cash Expenditures</b>			\$0.00	\$0.00
<b>Total this period</b>				
<b>2. All other expenditures</b>			\$0.00	\$16,909.55
310 Eaddy Street 57 North Bond Street 26000 - 000000 P. 00000	Sign	05/07/2010	\$0.00	\$374.25
200000 901 W. Cassin Ave 140000 MI 48100	Charitable contributions (postcard)	05/22/2010	\$0.00	\$2,165.00
Recreation Fund LLC 110 E. New Hampshire Street Canton MI 48105	Work fee	06/16/2010	\$0.00	\$205.00
Butterfly House Foundation 27 Cottage Hill Lane Cassopolis MI 48106	fundraiser handout (PS)	06/16/2010	\$0.00	\$30.00
311 East Parkers 2400 E. Monroe Street Cassopolis MI 48105	Charitable Label Stickers	06/22/2010	\$0.00	\$1,315.00
Congressional Committee 1302 4th St W #209 Cassopolis MI 48102	Multi-purpose sign	07/26/2010	\$0.00	\$2,099.00
PSNY 12324 2nd St Cassopolis MI 48102	Constitutional Payment	08/12/2010	\$0.00	\$2,000.00
PSNY 601 Park Street Cassopolis MI 48102	Constitutional Payment	08/12/2010	\$0.00	\$2,000.00
PSNY P.O. Box 2989 Cassopolis MI 48102	Constitutional Payment	08/22/2010	\$0.00	\$2,000.00
10000 4010 5th Ave N Cassopolis MI 48102	Bills/signs	08/22/2010	\$0.00	\$2,000.00
Michigan School News P.O. Box 2552 Cassopolis MI 48102	Video Camera	09/11/2010	\$0.00	\$100.00
10000 10000 2101 North Ave Cassopolis MI 48102	Signs	09/22/2010	\$0.00	\$1,000.00
Printing Center 285 117 5th St N Cassopolis MI 48102	Post cards	09/22/2010	\$0.00	\$300.00
On the Rock Club Ladies Fund 1021 Grand Street Cassopolis MI 48102	Radio Advertising	10/19/2010	\$0.00	\$600.00
Miss Park 950 Bayview Ave Livonia MI 48150	Printing campaign items	02/26/2010	\$0.00	\$49.55

Madison  
 Protection Matthew  
 County Address  
 Box 829  
 Wheaton, MT 59226

11/02/2010 20.00 20.00 89.00 \$300.00 \$0.00 \$93.00

Principal name:  
 Entrepreneur, Art

**TOTAL RECEIPTS THIS SECTION:** \$0.00 \$0.00 \$0.00 \$930.00

Schedule B Expenditures - This reporting period	PURPOSE	DATE	AMOUNT	
			PRIMARY	GENERAL
<b>1. Petty Cash Expenditures</b>			\$0.00	\$0.00
<b>Total this period</b>			\$0.00	\$0.00
<b>2. All other expenditures</b>			\$0.00	\$7,205.46
General Construction 1302 24th St. W #297 Billings MT 59102	Internet postage	11/02/2010	\$6.00	\$795.46
SEIV P.O. Box 2955 Great Falls, MT 59403	Telephone Conferences	11/02/2010	20.00	\$6,410.00
<b>TOTAL EXPENDITURES THIS SECTION, INCLUDING PETTY CASH:</b>			<b>\$0.00</b>	<b>\$7,205.46</b>

Schedule C Debits and Loans not yet paid	PURPOSE	DATE INCURRED	BALANCE DUE	
			PRIMARY	GENERAL
Pratt & Whitney 77 Olympic Blvd Suite Great Falls, MT 59403	Construction Loan to Campaign	10/31/2010	\$0.00 (\$0.00)	\$10,665.00 (\$10,665.00)

**Schedule D**  
 Corrections  
 Utilize this section to report corrections to receipts, contributions and expenditures reported on a prior report.

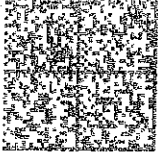
Originally reported on		AS ORIGINALLY REPORTED	EXPLAIN CORRECTION
DATE	SCHEDULE		

David Ponte  
208 Comfort Lane  
Bozeman, MT 59718

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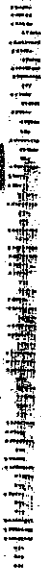


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PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS; FOLD AT DOTTED LINE

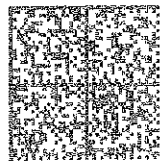
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