

BEFORE THE COMMISSIONER OF  
POLITICAL PRACTICES OF THE STATE OF MONTANA

<b>Washburn v Murray</b> Formerly no. COPP-2013-CFP-002  <i>Corrected and Renumbered to</i>  <b>Washburn v Murray</b> No. COPP-2010-CFP-019	NOTICE OF REOPENING OF COMPLAINT  NOTICE OF WITHDRAWAL OF THE COMMISSIONER'S DECISION DATED JANUARY 28, 2013
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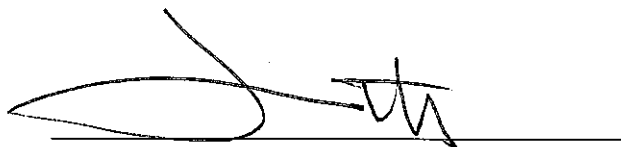
The caption in this Matter is corrected as shown above. The caption is corrected to reflect the proper year of filing and renumbered according to the year of filing. The complaint in this Matter was filed on August 16, 2010 and accepted by Commissioner Unsworth on August 23, 2010.

Commissioner Murry considered the complaint in this Matter in his January 28, 2013 Decision. Commissioner Murry's Decision addressed late filing and attribution issues, but did not address corporate contributions, coordination or express advocacy issues. Since January 28, 2013 the Commissioner's Office has completed an investigation in a comparable matter and issued a Decision: *Bonogofsky v Kennedy* COPP 2010-CFP-15. The *Bongofsky* Decision determined actions and evidence related to coordination and corporate contribution issues that were not considered in the January 28, 2013 Decision in this Matter. Accordingly, the January 28, 2013 Decision is withdrawn in its entirety because this Commissioner will now reconsider and

determine the issues, with particular attention paid to the coordination and corporate contribution issues.

There has been no settlement or adjudication of the now withdrawn January 28, 2013 Decision such that it remains open for further consideration and Decision as this Commissioner will now carry out. By this Notice Candidate Murray and the public are informed that, pursuant to §13-37-111(2)(a) MCA and 44.10.307(3) ARM, the Commissioner will now additionally consider in this Matter the coordination/corporate contribution allegations and issues addressed by or inherent in *Bonogofsky v Kennedy* COPP 2010-CFP-15. With that focus in mind, a copy of the cover of the Western Tradition Partnership folder for candidate Murray is attached to this Notice. That document and the *Bonogofsky* Decision introduce the additional issues that the Commissioner will address and candidate Murray should respond to. After consideration the Commissioner will issue a new Decision that replaces the January 28, 2013 Decision.

DATED this 12<sup>th</sup> day of November, 2013.

A handwritten signature in black ink, appearing to read 'Jonathan R. Motl', is written over a horizontal line.

Jonathan R. Motl  
Commissioner of Political Practices  
Of the State of Montana  
P. O. Box 202401  
1205 8<sup>th</sup> Avenue  
Helena, MT 59620  
Phone: (406)-444-4622

**MASTER CANDIDATE FOLDER:**

- Signature
- Letterhead
- Corner card (#10)
- #9

**PRINTED:**

Letterhead Blue # 2500  
 Letterhead Red # 1575  
 Corner card (#10) Blue 2500 *cream*  
 Corner card (#10) Red 2500 *security*  
 #9 # 7 3/4 *1700*

Primary Mail Budget	Tier 1 Voters			COPY TO CAND	COPY APPROVED
	House Ct.	PerPiece	House \$		
Intro Letter with Survey	567 <del>793</del>	0.5	\$396.50		
Wife Letter	654	0.65	\$425.10		
Issue-ID'd voters (R,T,L,G)	1429	0.45	\$643.05		
GUN	307				
LIFE	333				
TAX	250				
TAX/RTW	201				
Final	793	0.45	\$356.85		
<b>Totals</b>	<b>3669</b>		<b>\$1,821.50</b>		

Absentee Chase	T1 Abs vtrs=	396	T2 Abs. Vot=	711	
	doing?	to whom?	House Ct.	PerPiece	House \$
Intro				0.5	\$
Wife				0.65	\$
Postcard				0.38	\$
<b>Total Abs:</b>					\$

<b>TOTAL</b>	<b>\$1,821.50</b>	<b>Deposit:</b>	<b>\$910.75</b>
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murray Survey - 1600 done

Pg 3+4 on Cream - 1600 done

Pg 1+2 Absentee - 1100 done Cream w/Blue LH.

Pg 1+2 Polling - 500 done - Cream w/Blue 11

COMMISSIONER OF  
POLITICAL PRACTICES



STATE OF MONTANA

JONATHAN R. MOTL  
COMMISSIONER  
TELEPHONE (406) 444-2942  
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1205 EIGHTH AVENUE  
PO BOX 202401  
HELENA, MONTANA 59620-2401  
www.politicalpractices.mt.gov

November 12, 2013

Ronald Murray  
407 Moon Beam Lane  
Belgrade, MT 59714

Via: Regular and certified mail  
Re: 2010 HD 69 activity

Dear Mr. Murray:

I enclose a Notice of reopening of the complaint filed against you over activities involved in your 2010 candidacy for House District 69. The Notice is self-explanatory. The *Bongofsky v Kennedy* Decision referenced in the Notice is available for reading and printing from the Commissioner's website. Please call Karen at our office if you have difficulty finding the Decision on the website.

Please review the Notice and the *Bonogofsky v Kennedy* Decision. The Commissioner, pursuant to §13-37-111(2)(c) MCA, hereby declares and requires production of all "books, papers, correspondence, memoranda ...or other records" between yourself (or any agent of your campaign) and Christian LeFer, Allison LeFer, Western Tradition Partnership, Direct Mail and Communications, Inc., Assembly Action Fund, Montana Citizens for Right to Work and any agent of these people or entities. Please assemble any such documents and notify me when I may inspect the same. Section 13-37-208, MCA requires that the treasurer for each candidate and political committee preserve campaign account documents for at least four years.

As Commissioner, I am authorized to inspect records, accounts and books held by a candidate or political committee, administer oaths and affirmations, subpoena witnesses and compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, bank account statements, or any other records that are relevant or material for the purpose of conducting an investigation. (§ 13-37-111, MCA.) Your preservation and production of all such documents is required and destruction of any such evidence is punishable:

**§ 45-7-207, MCA. Tampering with or fabricating physical evidence.** (1) A person commits the offense of

tampering with or fabricating physical evidence if, believing that an official proceeding or investigation is pending or about to be instituted, he:

(a) alters, destroys, conceals, or removes any record, document, or thing with purpose to impair its verity or availability in such proceeding or investigation; or

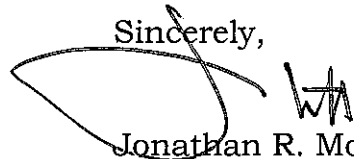
(b) makes, presents, or uses any record, document, or thing knowing it to be false and with purpose to mislead any person who is or may be engaged in such proceeding or investigation.

(2) A person convicted of tampering with or fabricating physical evidence shall be imprisoned in the state prison for a term not to exceed 10 years or be fined an amount not to exceed \$50,000, or both

At this time the Complaint against you is made as part of an pre-adjudication process that requires the Commissioner to determine whether or not there is sufficient evidence to demonstrate a violation of Montana's campaign practice laws. This process results in a Decision, such as the *Bonogofsky v Kennedy* Decision, that can lead to civil charges, in the form of a complaint, being brought against you in Montana state district court by the Commissioner or a County Attorney.

Any state district court complaint brought against you alleging a violation of campaign practice law automatically insures that you are provided full civil due process protection and rights through the Court system. While the Commissioner's Decision is the necessary precursor to any such district court complaint, the Decision process also provides you an informal opportunity to provide information showing that the evidence is not sufficient to demonstrate any campaign practice violation. I hereby provide you 20 days for provision of the information, as demanded above. Please contact me should you have any questions or concerns about this Matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jonathan R. Motl', written over a large, loopy scribble.

Jonathan R. Motl  
Commissioner of Political Practices