



**Wojtalewicz**  
**LAW FIRM, LTD.**  
DEDICATED TO THE RIGHTS OF THE INJURED

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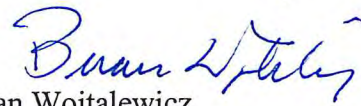
October 10, 2016

Campaign Finance & Public Disclosure Board  
190 Centennial Office Building  
658 Cedar Street  
St. Paul, MN 55155

Dear Folks:

Enclosed please find my Complaint for Violation of the Campaign Finance and Public Disclosure Act.

Sincerely,



Brian Wojtalewicz  
*brian@wojtalewiczlawfirm.com*

BW/la  
enclosure  
cc [cf.board@state.mn.us](mailto:cf.board@state.mn.us)

# Campaign Finance & Public Disclosure Board



190 Centennial Office Building, 658 Cedar St, St Paul, MN 55155

www.cfboard.state.mn.us

## Complaint for Violation of the Campaign Finance and Public Disclosure Act

All information on this form is confidential until a decision is issued by the Board.  
A photocopy of the entire complaint, however, will be sent to the respondent.

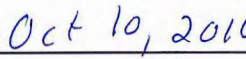
### Information about complaint filer

Name of complaint filer	Brian Wojtalewicz		
Address	2095 110th St. SW	Email address	brian@wojtalewiczlawfirm.com
City, state, and zip	Appleton, MN 56208	Telephone (Daytime)	320-760-8416

### Identify person/entity you are complaining about

Name of person/entity being complained about	Tim Miller and THREE ENTITIES. (See attached)
Address	
City, state, zip	
Title of respondent (If applicable)	
Board/Department/Agency/District # (If legislator)	Legislative District 17A

  
Signature of person filing complaint

  
Date

Send completed form to:

Campaign Finance & Public Disclosure Board  
190 Centennial Office Building  
658 Cedar Street  
St. Paul, MN 55155

If you have questions:

Call 651-539-1190, 800-657-3889, or for TTY/TDD communication contact us through the Minnesota Relay Service at 800-627-3529. Board staff may also be reached by email at [cf.board@state.mn.us](mailto:cf.board@state.mn.us).

This document is available in alternative formats to individuals with disabilities by calling 651-539-1180, 800-657-3889, or through the Minnesota Relay Service at 800-627-3529.

Give the statutory cite to the section of Chapter 10A, Chapter 211B, or Minnesota Rules you believe has been violated: \_\_\_\_\_

You will find the complete text of Chapter 10A, Chapter 211B, and Minnesota Rules chapters 4501 - 4525 on the Board's website at [www.cfboard.state.mn.us](http://www.cfboard.state.mn.us).

### Nature of complaint

Explain in detail why you believe the respondent has violated the campaign finance and public disclosure laws. Attach an extra sheet of paper if necessary. Attach any documents, materials, minutes, resolutions, or other evidence to support your allegations.

See attached explanation.

Minnesota Statutes section 10A.022, subdivision 3, describes the procedures required for investigating complaints. A full description of the complaint process is available on the Board's website.

Briefly, the Board will notify you when it has received your complaint. The Board must send a copy of the complaint to the respondent. Complaints and investigations are confidential. Board members and staff cannot talk about an investigation except as required to carry out the investigation or to take action in the matter. After the Board issues a decision, the record of the investigation is public.

The law requires a complaint to go through two stages before the Board can begin an investigation: a prima facie determination and a probable cause decision. If the complaint does not pass one of the stages, it must be dismissed.

The Board has 10 business days after receiving your complaint to determine whether the complaint is sufficient to allege a prima facie violation of the campaign finance laws. If the Board determines that the complaint does allege a prima facie violation, the Board has 45 days to decide whether probable cause exists to believe a violation that warrants a formal investigation has occurred. Both you and the respondent have the right to be heard on the issue of probable cause before the Board makes this decision. The Board will notify you if the complaint moves to the probable cause stage.

If the Board determines that probable cause does not exist, the Board will dismiss the complaint. If the Board determines that probable cause exists, the Board will start an investigation. The Board will send you monthly updates regarding the status of the investigation. At the end of the investigation, the Board will offer you and the respondent the opportunity to be heard before the Board makes a final decision.

In most cases, the Board will issue findings, conclusions, and an order as its decision. For a spending or contribution limits violation, the Board can enter into a conciliation agreement with the respondent instead of issuing findings, conclusions, and an order. The Board's final decision will be sent to you and posted on the Board's website.

PERSON AND ENTITIES I AM COMPLAINING ABOUT:

1. Tim Miller, Republican Candidate for House District 17A.
2. The Tim Miller Campaign Committee for House District 17A.
3. The Southern Minnesota Beet Sugar Cooperative PAC (Reg. 30221).
4. The Renville County RPM (Reg. 20237).

On July 17, 2016 Tim Miller's campaign committee reported receipt of a \$4,500 donation by the Renville County RPM (Reg. 20237). This is in addition to a donation of \$500 received on June 14, 2016.

On July 18, 2016 Renville County RPM (Republican Party of Minnesota?) received a donation of \$5000 from the state account of the Southern Minnesota Beet Sugar Cooperative PAC, Reg. # 30221 (SMBSC PAC). Also, on July 18, 2016, Renville County RPM reported giving a donation of \$4,500 to the Tim Miller committee. Again, the Tim Miller campaign committee reported to have received this contribution on July 17, 2016.

Renville County RPM did not have the funds in their account to write a \$4,500 donation to the Tim Miller committee on July 17, 2016, without the receipt of the \$5,000 contribution by SMBSC-PAC on July 18, 2016.

Renville County RPM's beginning balance on January 1, 2016, was \$4228.17.

All of its non-itemized receipts, January 1, 2016 - July 18, 2016, totaled \$2496.00.

Total: \$6,724.17

Less expenditures:

- January 1, 2016 - July 18, 2016 - Non-itemized expenditures: \$438.24
- April 16, 2016 - Contribution to Andrew Lang committee: \$2,500.00
- April 16, 2016 - Contribution to Tim Miller committee: \$500.00
- April 19, 2016 - Renville County Agricultural Society (Fair Booth): \$210.00

Total possible cash on July 17, 2016 for Renville County RPM: \$3,075.93

It was not possible to write and deposit a check for \$4,500 to the Tim Miller Committee on July 17, 2016, as the Renville County RPM account would be negative by \$1,424.07

The timing and sequence of these transactions make the attempted illegal "wash" quite transparent. This contribution by SMBSC (Reg. 30221) to Renville County RPM (Reg. 20237) had to have been earmarked for the Tim Miller committee. **This is illegal under MN Statute 10A.16**

<https://www.revisor.mn.gov/statutes/?id=10A.16>  
<http://www.cfboard.state.mn.us/issues/glossary.pdf>

Also, SMBSC (Reg. 30221) made a \$500 contribution to the Tim Miller committee on December 8, 2015. The \$5,000 given to Renville County RPM earmarked for the Tim Miller committee means SMBSC has contributed \$5,000 to the Tim Miller committee. This is \$4,000 above the legal limit of \$1,000.

Furthermore, the current Southern Minnesota Beet Sugar Cooperative Chairman of the Board, Kyle Peterson (elected chairman, possibly re-elected on December 4, 2015 <http://www.aqweek.com/news/minnesota/3904065-southern-minnesota-beet-sugar-cooperative-elects-officers>) made personal contributions to the Tim Miller Committee of:

- February 12, 2015- \$500.00
- September 26, 2015 - \$250.00
- December 24, 2015 - \$150.00

Total: \$900.00 to the Tim Miller committee.

Current Southern Minnesota Beet Sugar Cooperative Board Member Chris(topher) Long serves as the Chair of the SMBSC-PAC (Reg. 30221). He made a personal contribution to the Tim Miller committee on December 10, 2015 of \$250.00.

Current Southern Minnesota Beet Sugar Cooperative Board Member Ian O'Connell serves as the Treasurer of the SMBSC PAC (Reg. 0221).

These donations by the SMBSC board members show intent behind the obviously earmarked donation to the Renville County RPM. The attempt to "wash" this illegal donation is very transparent.