

MINNESOTA CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

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Neil A. Shah, M.D. )  
)  
) Minnesota Democratic-Farmer-Labor Party  
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)  
) Minn. Stats. § 10A.15 & § 211B.01  
) Political Party Campaign Disbursement  
) Complaint  
)  
)

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COMPLAINT

1. This action arises from unlawful campaign contributions, in violation of Minn. Stat. § 211B.01, Minn. Stat. § 10A.01 Subd. 11, Minn. Stat. § 10A.01 Subd. 13, Minn. Stat. § 10A.15 Subd. 3b, and Minn. Stat. § 10A.27 Subd. 2 made by the Minnesota Democratic-Farmer-Labor Party (“Respondent”), 255 East Plato Blvd, St. Paul, MN 55107 to 129 candidates for the Minnesota House of Representatives (“House Candidates”) and 64 candidates for the Minnesota Senate (“Senate Candidates”) (collectively “Legislative Candidates”).
2. In 2022, Respondent actively furnished voter identification lists (“Voter Lists”) including the names, addresses, e-mail addresses, and telephone numbers of thousands of Minnesota voters to Legislative Candidates. These lists are furnished via the Voter Action Network (“VAN”). The lists were provided to Legislative Candidates at a cost far below market value, resulting in an in-kind campaign donation by Respondent to the Legislative Candidates.
3. Neither Respondent nor the Legislative Candidates have reported receiving the Voter Lists far below their market value as an in-kind contribution.
4. For many of the Legislative Candidates, who will receive the maximum allowable campaign

contributions under Minn. Stat. § 10A.27 Subd. 2, the value of the Voter List contribution from Respondent causes the Legislative Candidate to exceed the maximum contribution limit from a Political Party Unit.

## **FACTS**

5. Based on information and belief, the Complainant, Dr. Neil Shah, at 6 Preserve Trail, North Oaks, MN 55126, adopts all allegations set forth in this Complaint.
6. Respondent is a major political party under Minn. Stat. § 10A.01 Subd. 23 and Minn. Stat. § 200.02 Subd. 7.
7. Respondent's mission is to identify, recruit, and assist candidates in being elected to partisan public offices in Minnesota.
8. For decades and with heightened focus in the digital age, Respondent has collected information about voters across Minnesota, including names, addresses, telephone numbers, and e-mail addresses. These lists, within and outside Minnesota, are stored in a database called the Voter Activation Network ("VAN"). Exhibit 1 provides detailed information on the contents and value of VAN.
9. The Legislative Candidates are running for seats in the Minnesota Legislature in districts throughout Minnesota and maintain candidate committees registered with the Minnesota Campaign Finance and Public Disclosure Board.
10. On information and belief, Respondent has provided complete access to the Voter Lists via VAN to Legislative Candidates throughout the campaign cycle for a flat fee of \$400.00 for a House of Representatives Candidate and \$800.00 for a Senate Candidate. See Exhibit 2 for a sample of these fees received from various campaign committees. These rates are dramatically below the market value for the information provided.
11. Exhibit 3 provides a sample invoice from a private company providing voter information for a monthly

access fee ("Market Price"). This invoice represents full access to the names and addresses of the people occupying the population of a Minnesota Senate. The minimum cost for this data access is \$300.00 per month. If the Legislative Candidates received a full two-year cycle of VAN access for their campaigns, the value is \$7,200.

12. Alternatively, the Republican Party of Minnesota values each entry on a Voter List at \$0.13 based on emails to a senate candidate (Exhibit 4). Based on this value, for a list of 80,000 entries in a typical senate district, a Voter List for Minnesota Senate district is worth \$10,400.00. Again, this is full access is to Republican voters' names, addresses, phone, and email records.
13. Expenditures and contributions must be reported in the year they are made. Minn. Stat. § 21 1A.02; Minn. Stat. § 10A.01, subd. 9.
14. Neither Respondent nor any Legislative Candidate reported an in-kind contribution from Respondent through the provision of the Voter Lists to the Legislative Candidates below market value on their 2022 Pre-Primary Report to the Minnesota Campaign Finance Board.

### **VIOLATIONS OF LAW AND CLAIMS**

15. Political Party campaign contributions in excess of statutory limits are expressly prohibited under Minnesota law. Minn. Stat. § 10A.27 Subd. 2.
16. A contribution is "money, a negotiable instrument, or a donation in kind that is given to a political committee, political fund, principal campaign committee, local candidate, or party unit." Minn. Stat. § 10A.01 subd. 1 l(a).
17. A "donation in kind" is "anything of value that is given [...]" Minn. Stat. § 10A.01 subd. 13.
22. The Minnesota Campaign Finance and Public Disclosure Board has jurisdiction over this matter pursuant to Minn. Stat. § 10 A.022, subd. 3(a).


23. Respondent's provision of the Voter Lists to Legislative Candidates with a market value in excess of any amounts paid by the Legislative Candidates for the contributions constitute in-kind donations, and thereby contributions, to the Legislative Candidates.
24. Respondent has contributed Voter Lists with significant monetary value to the Legislative Candidates that the Legislative Candidates would otherwise themselves have to pay to develop and use.
25. Even if the unreported in-kind donations were correctly reported, the list access contribution alone exceeds the statutory limits of permitted contributions by a political party of \$10,000 per two-year cycle for house and senate candidates based on the valuation scheme provided by Exhibit 4.
26. Based on the valuation scheme provided by both Exhibit 3 and Exhibit 4, any list access provided to statewide candidates exceeds the \$20,000-\$40,000 limits, based on the office sought, due to the number of senate districts involved.

#### **RELIEF SOUGHT**

27. Pursuant to authority conferred on the Board by Minn. Stat. §§ 10A.022, subd. 3(a) and 10A.28 subd. 2(a), it may impose penalties "up to four times the amount of the violation" if a candidate committee receives contributions in excess of the prescribed limits for contributions from a political party unit.
28. Pursuant to authority conferred on the Board by Minn. Stat. §§ 10A.022, subd. 3(a) and 10A.025 subd. 2, it may impose penalties up to \$3,000.00 on an individual or principal campaign committee for submission of false or incomplete information.
29. Complainant requests that the Board impose the maximum fine pursuant to Minn. Stat. § 10A.28 subd. 2(A) and subd. 3(a) and 10A.025 subd. 2 on Respondent and on each Legislative Candidate's committee that received contributions from Respondent that exceed the prescribed limits for contributions from a political party unit and that failed to report the in-

kind contribution from Respondent resulting from paying less than market value for the  
Voter Lists.

Respectfully submitted,

  
\_\_\_\_\_  
Neil A. Shah, M.D.  
6 Preserve Trail  
North Oaks, MN 55126

Subscribed and sworn to before me  
This 19<sup>th</sup> day of October, 2022

  
\_\_\_\_\_  
Notary Public

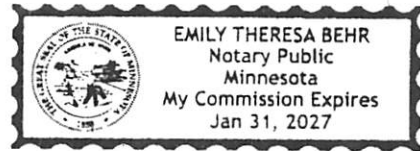


Exhibit 1

# TEXAS DEMOCRATS

Home Our Party



Take Action

Voting Resources

Media Events Shop

TEXAS DEMOCRATS

Request VAN access

## How can I get access to VAN?

Campaigns can request a new VAN committee or renewal at [txdem.co/VAN-Request](https://www.txdem.co/VAN-Request). Precinct chairs or others who need account access should check with the County Party or Campaign admin. County Chairs can contact the data team at [txdem.co/Data-Help](https://www.txdem.co/Data-Help). Our data team will follow up with you via email within a couple of days.

## What is VAN?

By using this website, you agree to our use of cookies. We use cookies to provide you with a great experience and to help our website run effectively.

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that allows us to organize information about voters and volunteers to ensure we're targeting the right voters and turning them out to vote. It makes campaigns more efficient and effective and allows campaigns and activists to track their projects and successes.

This powerful database allows Democrats to ensure that our communities are registered to vote and allows us to encourage everyone to make it to the ballot box—no matter where you live in Texas.

We invest hundreds of thousands of dollars to make sure this data is current, and we are always adding more information with the help of our Texas and national partners. Voter data from every county in the state is in the VAN, like voter registration information and vote history as far back as 2006, including Primary and General Elections. It is supplemented with run-off elections, special elections, and constitutional elections.

Access to the voter file is free for Democratic Party leaders and is provided at a small cost to candidates for office who run as Democrats.

Have questions? Please fill out a help ticket at [txdem.co/VAN-Help](https://txdem.co/VAN-Help).

## Who Has Access to VAN?

Campaigns, county parties, and Democratic clubs and organizations.

## How can I get trained on how to use VAN?

The Texas Democratic Party offers online and in person trainings on VAN. Please visit [txdem.co/training](https://txdem.co/training) for more information.

**Get started**

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Hobson, Brian House Committee (Registered Id: 18926)

PO Box 368 Park Rapids, MN 564700368

Date	Description or purpose of miscellaneous income	Total
07/14/2022	Other: VAN Access	400.00

Holton-Dimick, Martha

2900 Golden Valley Rd Minneapolis, MN 554112814

Employment: Info Requested

Date	Description or purpose of miscellaneous income	Total
03/04/2022	Other: VAN Access	800.00

Howard, Michael House Committee (Registered Id: 18320)

7139 16th Ave S Richfield, MN 554233433

Date	Description or purpose of miscellaneous income	Total
03/22/2022	Other: VAN Access	400.00

Hussein, Samakab House Committee (Registered Id: 18767)

1360 University Ave W Ste 185 Saint Paul, MN 551044086

Date	Description or purpose of miscellaneous income	Total
02/17/2022	Other: VAN Access	400.00
06/09/2022	Other: Email App	20.00
07/14/2022	Other: Email App	20.00
<b>Total</b>		<b>440.00</b>

IUPAT District Council 82 PAC (Registered Id: 80030)

3205 Country Dr Saint Paul, MN 551171176

Date	Description or purpose of miscellaneous income	Total
05/09/2022	Other: Program Ad, Banner Hanging - State Convention	1,250.00

Jost, Nancy House Committee (Registered Id: 18949)

PO Box 1042 Fergus Falls, MN 565381042

Date	Description or purpose of miscellaneous income	Total
07/07/2022	Other: VAN Access	400.00

Julie Sandstede For MN House Volunteer Committee (Registered Id: 17941)

6168 Krogerus Rd Chisholm, MN 557198059

Date	Description or purpose of miscellaneous income	Total
06/24/2022	Other: VAN Access	400.00

Keith Ellison for Attorney General (Registered Id: 18336)

PO Box 80824 Minneapolis, MN 554088824

Date	Description or purpose of miscellaneous income	Total
05/09/2022	Other: Exhibit Booth, Banner Hanging - State Convention	850.00

Kessler, Dan Senate Committee (Registered Id: 18841)

2612 Schuller Ct Chaska, MN 553181170

Date	Description or purpose of miscellaneous income	Total
05/13/2022	Other: VAN Access	800.00

Khalif, Farhio Senate Committee (Registered Id: 18888)

PO Box 1688 Maple Grove, MN 553116688

Date	Description or purpose of miscellaneous income	Total
04/25/2022	Other: VAN Access	800.00

Kimberly at Large

3454 Upton Ave N Minneapolis, MN 554122210

Date	Description or purpose of miscellaneous income	Total
02/03/2022	Other: VAN Access	800.00

Kirkland for Hennepin

20205 Mallard Way Rogers, MN 553748716

Date	Description or purpose of miscellaneous income	Total
02/11/2022	Other: VAN Access	800.00

*Exhibit Z*



# Invoice



Invoice number 3C29CFA2-0004  
Date of issue August 2, 2022  
Date due August 2, 2022

i360, LLC  
2300 Clarendon Blvd  
Suite 800  
Arlington, Virginia 22201  
United States  
+1 571-999-6890  
bszmytke@i-360.com

Bill to



**\$675.00 due August 2, 2022**

[Pay online](#)

Description	Qty	Unit price	Amount
Call minute Jul 2 – Aug 2, 2022	0	\$0.045	\$0.00
Text message Jul 2 – Aug 2, 2022	0	\$0.08	\$0.00
AddonProduct Aug 2 – Sep 2, 2022	1	\$150.00	\$150.00
AddonProduct Aug 2 – Sep 2, 2022	1	\$175.00	\$175.00
AddonProduct Aug 2 – Sep 2, 2022	1	\$50.00	\$50.00
Base Plan Aug 2 – Sep 2, 2022	1	\$300.00	\$300.00
		Subtotal	\$675.00
		Total	\$675.00
		Amount due	\$675.00

*Exhibit 3*

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Please note that we do not accept check payments.

To view or update your subscription, please log in to [https://setup.i-360.com/customers/sign\\_in](https://setup.i-360.com/customers/sign_in)

From: Michael Loneragan <mpl@mngop.com>

Date: July 22, 2022 at 15:13:32 CDT

To: [REDACTED]

Subject: MN GOP Data Access

Dear [REDACTED]

We continue to encourage you to have your data access restored by contacting us to get a new user agreement and submit reporting on activity and enhancements.

In the meantime, in the absence of a valid user agreement, we must reiterate that you must cease and desist immediately from using any and all information covered by the previous agreement you had on file with our office, including but not limited to names, email addresses, physical addresses, phone numbers and any other information.

Further, you are to return any lists that were obtained through the agreement and associated data resources and destroy any versions that you have. This includes but is not limited to names, email addresses, physical addresses, phone numbers and any other information, plus any lists that were distributed to staff, vendors, and volunteers.

If you do not return a list(s) showing the data has been enhanced, you must destroy all the data you downloaded from Data Center this includes any information you uploaded into voter contact tools or shared with vendors.

If you do not confirm with us in writing that you have complied, we will be forced to issue you an invoice for the data you've received to remain compliant with campaign finance law. Since you downloaded 20,467 records from our database, we will be forced to bill you for the information provided at the rate of 13 cents per record, for a total price of \$2,660.71.

As an endorsed candidate, we are committed to helping you win both the primary and the general election and we'd like to continue to encourage you to have your access restored by contacting us to get a new user agreement and submit reporting on activity and enhancements.

Sincerely,

Mike Loneragan

Executive Director

Republican Party of

Screenshot

Exhibit 4