

Agenda

Item #3



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

To: Commissioners

From: Jonathan Wayne, Executive Director
Paul Lavin, Assistant Director
Matthew Marett, PAC/Party/Lobbyist Registrar

Date: March 27, 2013

Re: Request to Investigate Defense of Liberty PAC

Introduction

On December 5, 2012, Commission staff received the attached complaint from Patrick Eisenhart of Augusta against the Defense of Liberty PAC (DOLPAC). The PAC registered in June 2012 and was active in organizing volunteers and other activities the 2012 legislative races. The Commission staff conducted preliminary fact-gathering that went beyond your last meeting (January 17, 2013), and we present the matter for your consideration whether to conduct any further investigation.

In summary, the complaint raises three issues: 1) DOLPAC was formed by certain individuals for self-interested purposes and misused funds by paying too large a percentage of its income (*i.e.*, contributions) for salary and payments to businesses, and too little in support of candidates; 2) DOLPAC made over-the-limit contributions by spending money in coordination with candidates; and 3) DOLPAC submitted false reports to the Commission. The complainant asks the Commission to undertake an investigation into these issues.

Standard for Initiating an Investigation in Response to a Complaint

Under the Commission's statute, "a person may apply in writing to the commission requesting an investigation" concerning "contributions by or to and expenditures by a . . . political action committee . . ." (21-A M.R.S.A. § 1003(2)) The Commission is required by statute to conduct

an investigation “if the reasons stated for the request show sufficient grounds for believing that a violation may have occurred.” (21-A M.R.S.A. § 1003(2))

Legal Requirements for PACs

The legal definition of a PAC is:

5. Political action committee. The term "political action committee:"

A. Includes:

- (1) Any separate or segregated fund established by any corporation, membership organization, cooperative or labor or other organization whose purpose is to initiate or influence a campaign;
- (2) **(REPEALED)**
- (3) **(REPEALED)**
- (4) Any organization, including any corporation or association, that has as its major purpose initiating or influencing a campaign and that receives contributions or makes expenditures aggregating more than \$1,500 in a calendar year for that purpose; and
- (5) Any organization that does not have as its major purpose influencing candidate elections but that receives contributions or makes expenditures aggregating more than \$5,000 in a calendar year for the purpose of influencing the nomination or election of any candidate to political office.

(21-A M.R.S.A. § 1052(5)(A)) Paragraph 5(A)(4) is for organizations that were established for the purpose of influencing elections, and Paragraph 5(A)(5) is for organizations with another “major purpose.”

With respect to compliance with campaign finance law, PACs have two primary responsibilities:

- registering certain information with the Commission, including a statement of the position of the PAC in candidate and ballot question elections; and a description of the form of the organization; a treasurer and other key personnel (21-A M.R.S.A. § 1053); and
- filing financial reports (21-A M.R.S.A. § 1060).

It is a violation for a PAC to submit false information to the Commission or to provide over-the-limit contributions to candidates, either through direct contributions or coordinated expenditures.

(21-A M.R.S.A. § 1004(1) & (2))

Issue #1: PAC Formed for Self-Interested Purposes

Mr. Eisenhart is concerned that the PAC has been formed for the benefit of its founders. This issue has not been brought up frequently with respect to PACs in recent years, and it is not one that the Commission staff has viewed as within the Commission's jurisdiction. Campaign finance law requires that PACs provide accurate information about money raised and spent in reports to the Commission. However, campaign finance law does not direct the Commission to assess or investigate whether political contributions were well-spent or whether donors received accurate description of how their contributions will be used.

Mr. Eisenhart does raise important issues regarding whether a PAC has some fiduciary responsibilities to its contributors. However, under current campaign finance law, there is no such standard. At present, these issues and concerns should perhaps be aired in other forums, such as news reporting, political bulletin boards or blogs, meetings and conventions of political party organizations, etc. From a practical point of view, the Commission may not be well positioned to make judgments concerning what is motivating paid political consultants. The staff would be pleased to follow up with any direction you would like to make on this issue, but we recommend no further action.

Issue #2: PAC Spent Money in Coordination with Candidates

Upon reviewing the complaint, the Commission staff did believe it would be appropriate to gather preliminary factual information on the issue of whether the PAC spent money on activities to promote candidates in consultation or at the suggestion of candidates. The staff reviewed comments on an online forum made by two candidates in the 2012 general election that seemed to indicate that DOLPAC may have made coordinated expenditures on their behalf. The candidates' online comments made reference to help they had received from DOLPAC with phone banking, mailings, literature drops and other campaign activities. In addition, these comments seemed to be confirmed by event listings and other comments on DOLPAC's website and Facebook page. At face value, the staff had some concern that the PAC had spent money in consultation with the candidates, thereby making potentially over-the-limit contributions to the candidates.

The Commission staff sent written questions to Eric Brakey, Chairman of DOLPAC, and conducted a follow-up interview with him. We also sent questionnaires and conducted follow-up interviews with two candidates who had made online comments. Mr. Brakey and the candidates were cooperative. Our conclusion was that many of the activities were performed by volunteers with no expenditure of money by DOLPAC. The candidates' campaigns picked up some of the costs of these activities (*e.g.*, campaign literature, providing food for volunteers). The candidates were able to identify in their campaign finance reports their expenditures for the mailings and literature in question.

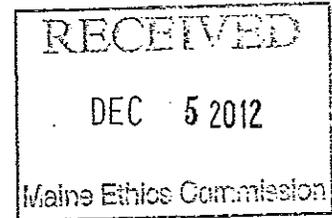
Issue #3 – Inaccurate Reporting

We do not believe the complaint shows sufficient grounds for believing that the PAC has misreporting its financial activity. The PAC did report income received at an August 20, 2012 fundraising event, which Mr. Eisenhart believes is missing from the reports (at page 4 of his complaint). Mr. Brakey paid \$1,194.60 to a website company, and reported that payment both as a loan from him to the PAC and as an in-kind contribution from him to the PAC. He probably should amend the report to clarify whether the PAC will be repaying him for this expense, and we will advise him on this. This is a minor ambiguity, however, that does not necessarily indicate a larger problem with the PAC's reporting.

Staff Recommendation

The Commission staff believes that Mr. Eisenhart's complaint is well-motivated, but we recommend no further investigation of DOLPAC by the Commission, based on the complaint he filed. With respect to allegations that the PAC's financial reports are inaccurate or that candidates received contributions through coordinating expenditure by the PAC, the staff does not believe Mr. Eisenhart has shown sufficient evidence that a violation may have occurred. If the Commission believes further investigation is necessary, the Commission staff would be pleased to follow any directions given at the April 5 meeting.

December 3, 2012



Jonathan Wayne
Executive Director
Maine Commission on Governmental Ethics
135 State House Station
Augusta, Maine 04333

Dear Mr. Wayne,

As a Maine citizen, I am concerned that there is a conspiracy on the part of a handful of former RP Paul staffers from out-of-state who have established residence in Maine to found a private, profit-making business calling itself the Defense of Liberty Political Action Committee (DOLPAC) www.dolpac.com.

DOLPAC owners attempt to make money by using the data, IT, and campaign skills learned in other parts of the country when serving as paid staffers during the Ron Paul national campaign. In so doing, the four individuals who got DOLPAC started attempt to disguise their business practices as that of volunteer, civic-minded, patriots dedicated to improving life in Maine.

In summary, I am very concerned that with DOLPAC's inception, the Maine political process is being undermined by four very artful and ambitious, young men from away.

It would be my desire that the Ethics Commission take a hard look at whether or not DOLPAC is a legitimate political action committee by definition or whether it is just a front playing upon the naïveté and passion of Maine citizens to further their own self-interests rather those of candidates or a specific cause.

And equally important, I would ask the committee to verify the accuracy of DOLPAC's financial reporting, especially as it relates to its accounting practices, oversight, unreported income, and bogus receipts to cover unreported payroll.

And last, I would ask that it take a look at DOLPAC's relationships with Maine senate candidate Mike Wallace, as well as House candidate John Jones, son of the DOLPAC board of advisor and roommate of DOLPAC executive director David Boyer. The property in which they recently resided was owned by David Jones and the same used as the DOLPAC headquarters.

The Principals

The principals involved in this enterprise are four: Business Consultant Reilly O'Neal of North Carolina, co-owner Eric Brakey from Ohio, co-owner David Boyer from Maryland, and IT Specialist Mike Wallace from Kentucky the latter three having established residences in Maine since the end of the Ron Paul campaign.

Brakey and Boyer entered into a \$24,000 contract with O'Neal to help them set up DOLPAC in Maine.

- o In a facebook message from Ryan O'Neal "Its a good thing. I saw a need for there to be an organization in these states where I worked to keep everything together and get stronger. How is me taking the initiative and setting up organizations to spread liberty in these states bad? Eric and David started DOLPAC while I was still on the campaign. I was actually in Lake Jackson spending time with Ron Paul for a month when they started it. They called me for advice but I can only spend so much time working on building an organization for free. They wanted to bring me on for a more formal role where I would have responsibilities to help grow the organization. I began work August 1st. I worked on this PAC every day. Building an organization. I am also doing similar work in other states except in those states I am not doing it as a consultant but I am actually starting the PACs myself. Well the whole point of doing these state PACs is to create a stand alone operation in each state that is owned and operated by the activists in that state.
- o In a facebook message from DOLPAC Chairman/Treasurer Eric Brakey "My plan remains to be (as always):

Step 1 - Have the Liberty Movement take over the Maine Republican Party

Step 2 - Have the Liberty Movement take over the State of Maine

Step 3 - Have the Liberty Movement take over the Nation

Step 4 - Enjoy our Liberty"

Their Activities

Since coming to Maine, they have had heavy influence upon the election of Maine delegates to the Republican National Convention, who gets elected to the Maine GOP state and county committees, and setting up former Ron Paul staffers from out of state as candidates to the Maine state senate and house of representatives.

DOLPAC made it possible for former colleagues in the Ron Paul national campaign to run for political offices by providing housing and/or money to the following people: Wallace for Senate in South Portland (money), John Logan Jones for House (money and housing), and Kevin Pierce for House (money).

In the past year, these folks have been able to appoint themselves as delegates to the GOP national convention and seats on the Maine GOP state committee. Brakey's stated intention is "to take over the Maine GOP".

Their Financing

The fruits of their efforts have already begun to payoff as noted in Brakey's recent financial report to the ethics commission indicates with most of the \$57,937.36 collected in-kind and cash contributions between May and October coming from Linda Bean, her family, and friends.

- Of the total amount of \$42,163.69 in cash expenditures by DOLPAC, Eric Brakey, Chairman/Treasurer reported that **55% (\$23,370) went to the four former Ron Paul staffers** named above and **less than 15% (\$6350) total went to be divided among 17 candidates.**

http://www.mainecampaignfinance.com/Public/entity_financial_transactions.asp?TYPE=PAC&ID=6256

- O'Neal states in the above quote they he **did not begin work for DOLPAC until August 1, 2012** yet **DOLPAC paid him \$4000 on July 1, 2012** according to Brakey's report to the Ethics Commission

http://www.mainecampaignfinance.com/Public/entity_financial_transactions.asp?TYPE=PAC&ID=6256

- **Wallace received \$2,020.48** for "Website and database development and consulting" from **Defense of Liberty PAC**. Received an **additional \$350 campaign contribution**. I am not sure whether or not he ran as a clean election candidate for the state Senate in hopes of representing South Portland.

- **Market Aces, LLC** was **also paid almost \$2000** for website development! (See entries under Market Aces)

http://www.mainecampaignfinance.com/Public/entity_financial_transactions.asp?TYPE=PAC&ID=6256 Question is who designed the web site Wallace or Market Aces?

- On 5/29/12 Brakey reported that **he donated \$1194.60 in-kind to DOLPAC** which was the **exact amount he reported he paid in cash to Market Aces, LLC** on 6/17/12. Question becomes do any of these four

individuals have an interest in Market Aces, LLC and use it to convert in-kind contributions to come back to them in cash?

- **Not included in \$42,163.69** as reported in Brakey's financial report to the ethics commission are the fund raising proceeds collected from the **70 participants who were asked to pay \$30/person** admission at an **August 20, 2012 fund raising event** held at the Stonehedge facilities in Gray, Maine.

There is also some disturbing evidence that the PAC business is being repeated in several other states (Iowa, North Dakota, etc). More on that further down under O'Neal's background information.

Their backgrounds:

1. Reilly O' Neal, aka Timothy Reilly O'Neal and T. Reilly O' Neal.

- The national Ron Paul 2012 campaign Director of Operations
- Runs an online company quoteretrever.com, established May 2007. The website touts that T. Reilly is licensed insurance broker in all of these states but upon review, one is only found and that has an expired license in Arkansas.
- Founder and President of **Tidewater Strategies**

PO BOX 20047, RALEIGH, NC 20047.

The website lists a 202 area code telephone number and describes the company as "one of the Nation's leading public strategy firms" yet there is no corporate license or corporate reports in the D.C 202 area code.

- O'Neal does have a listing for his former financial advising company, Provident Financial Group, LLC which was administratively dissolved, April 2012, by the state of NC for failure to report required information.

>

- O'Neal has a couple of liens; IRS 2011 and 2010 for \$8155 and \$145 respectively. A civil judgment for \$9500 through Durham County District court, June 2010, creditor is Capitol Radio Networks, Inc.
- Connections with Tidewater Strategies and former Ron Paul Staffers Eric Brakey, recent Maine Senate Candidate Mike Wallace and David Boyer is shown as Friends on its Face book page). It began when they were all paid staffers of the Ron Paul national headquarters.

The image shows a screenshot of the Tidewater Strategies website and its Facebook page. The website header includes the URL <http://www.tidewaterstrategies.com> and the text "TIDewater STRATEGIES". A large circle highlights a section of the website, possibly a contact or about page. To the right, a Facebook page is visible, with a circle around the profile picture and another around the name "Tidewater Strategies". Below the Facebook page, several small profile pictures of individuals are shown, with circles around them, likely representing the former staffers mentioned in the text: Eric Brakey, Mike Wallace, and David Boyer. The overall layout is a collage of these digital assets, illustrating the organization's online presence and its connections to political figures.



Reilly O'Neal

3rd

Founder & President at Tidewater Strategies

Raleigh-Durham, North Carolina Area Management Consulting

Current **Founder & President at Tidewater Strategies**

Founder & President at QuoteRetriever.com

Past **Regional Director of Operations at Ron Paul 2012 Presidential Campaign Committee**

Vice Chairman at NC House District 34 Republican Party

Financial Representative at Northwestern Mutual Financial Network

Education **North Carolina State University**

Recommendations **16 people have recommended Reilly**

Connections **254 connections**

Websites **QuoteRetriever.com**

Twitter **[Follow @reillyoneal](#)**

Public Profile **<http://www.linkedin.com/in/reillyoneal>**



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- It is not clear how many other former Ron Paul staffers have set up profit-making "PAC's" but there may be pause for concern because donors may be led to believe that these individuals are true patriots rather than entrepreneurs.

For example, a former Iowa Ron Paul campaign director founded a PAC in the state of Iowa, <http://www.libertyiowa.com/> but there is no Liberty Iowa PAC listed on the Iowa Ethics and Campaign Disclosure Board

<http://www.iowa.gov/ethics/viewreports/index.htm>.

The PAC could not be found on this link

https://webapp.iecdb.iowa.gov/publicview/ContributionSearch.aspx#ctl00_cph1_gvList

- How many others of the "Liberty PAC" O'Neal or other former staffers could be involved is anyone's guess. Among those would be the following:

1. NORTH DAKOTA

<http://www.libertyndpac.com/>

<http://sayanythingblog.com/entry/former-nd-governor-candidate-helps-launch-liberty-nd-pac/>

<http://www.facebook.com/LibertyNdPAC?filter=3>

2. TEXAS

LibertyPAC.com

3. VERMONT

EndorseLibertyPAC.com

4. OHIO

ClermontLibertyPAC.com

5. VIRGINIA

YalLiberty.org

6. NEW MEXICO

FreedomLibertyPAC.com

7. SOUTH CAROLINA

PalmettoLiberty.com

8. ALASKA

Restoringlibertyalaska.com

2. **Eric Brakey, aka, Tom Lucien, Chairman/Treasurer, Maine Defense of Liberty PAC**

- Former Ron Paul Campaign Staffer,
- Regional and State Director in Maine moved to Maine this past year. He listed 115 Deerfield Road, New Gloucester, ME 04260.
- According to Mr. O' Neal, Mr. Brakey and Mr. David Boyers agreed to pay Tidewater Strategies \$24000 to help use the Maine Ron Paul data base to set up the Defense of Liberty PAC (DOLPAC) in Maine.
- Brakey appointed himself Chairman/Treasurer and Boyers Executive Director.
- Brakey (23-years old) was an Off-Broadway actor in New York City just 8 months ago prior to founding , with "Love Creek Productions," no less: <http://www.linkedin.com/pub/eric-brakey/22/267/a45>
- Brakey went to high school in Ohio, and then college in Ohio, for the previous eight years (2002 - 2010) prior to his time in New York City.

3. David Boyer, Executive Director, Maine Defense of Liberty PAC

- Formerly 64A, UNIT 2, FORESIDE ROAD, FALMOUTH ME 04105 is a former national Ron Paul staffer who worked with Eric Brakey, Mike Wallace, John Jones, and Kevin Pierce on the Ron Paul campaign in Maine.
- Boyer, a 26-year old college dropout, has lived in Maryland and Missouri for at least the past three years (<http://www.linkedin.com/pub/david-boyer/50/407/59a>) taking classes at Towson U. (in Baltimore) for a year in 2009 and then Anne Arundel Community College (also in Maryland) afterward.
- Boyer is also lists himself on Facebook as the "Principal" of a "Free State Solutions, LLC" located in Baltimore.

4. Mike Wallace, Data Miner, IT Specialist, Endorsed By DOLPAC for Maine Senate Candidate 2012

- 212 MUSSEY STREET, SOUTH PORTLAND, ME 04106 highly skilled in data mining and IT technologies.
- Advisor at Ron Paul for President 2012
- Coordinator at Rand Paul for US Senate
- Infrastructure Solutions Architect at ACS
- Network Engineer at Intercom Federal Systems
- Technical Controller at United States Air Force
- Appointed by DOLPAC as a Maine delegate to the Republican National Convention and
- Endorsed by DOLPAC to run in the 2012 Maine Senate race representing South Portland. 06/14/2012.
- Paid by DOLPAC as a consultant and also received campaign funds from same.

For me, DOLPAC just does not pass the smell test of being what it purports to be. It is my hope that you found the information provided above interesting enough to help shed some light on this matter.

Sincerely,



Patrick Eisenhart, CDR, USCG (ret)

49 Eight Rod Road

Augusta, ME 04330

Tel: 632-3807

Email: pat@theopcenter.com

Cc: William J. Schneider,
Attorney General, State of Maine
6 State House Station, Augusta, ME 04333

Top

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Thu, 10/25/2012 - 7:40pm

#38

Apollo

 Offline

Joined: 08/19/2004

More Info on Provident Financial - Website

What is a small retirement planning investment company doing setting up PACS ?

Top

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Thu, 10/25/2012 - 10:04pm

#39

Beth O'Connor

 Offline

Joined: 04/28/2005

I am more than dismayed to read some of the stuff here. I am a Ron Paul Supporter and always will be. For two plus decades he has spoken about things we should have been paying attention to long ago...to many had their heads in the sand or just plain refused to listen...refused to acknowledge that we had a serious diminishing liberty problem. In 2008 the Ron Paul movement was a blessing...it was part of the silent majority that put people like Heather and I in office.

Now in this election I know that Heather and I have been doing the right thing in Augusta...why...we are being crucified....thousands of dollars are being spent to defeat us...guess who has stepped up to the plate to help us...It drops, phone calls, money, tech support...that same Ron Paul team you guys are so hell bent on giving the bums rush out the door. Oh and by the way they know that I will cast my vote for Mitt Romney. They are also working for multiple other candidates like Deb Sanderson, Lois Snowe Mello, Ellie Epsling to name a few...

I am not sure what is going on behind the scenes every where, I know that I am glad to have this vibrant new group of individuals...and there is a key word..Individuals on my team...they have a lot to offer. There have been many great things that have been built on the rocky shores of Maine and it was never easy...how about we start working together. United we stand, divided we fall.

I can assure you my goals are purely selfish. I want my children to enjoy the blessings of liberty.

Top

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Thu, 10/25/2012 - 10:20pm

#40

roxy04009

 Offline

Joined: 02/04/2008

Beth is 100% right on. DOLPAC has been in constant contact with me during my campaign, they've organized a lit drop, mailer, financial and moral support for which I am deeply grateful.



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

December 19, 2012

Mr. Eric Brakey, Chairman
Defense of Liberty PAC
115 Deerfield Road
New Gloucester, ME 04260

RE: Notice of Complaint

Dear Mr. Brakey,

On December 5, 2012, the Ethics Commission received a complaint (attached) from Patrick Eisenhart against the Defense of Liberty PAC (DOLPAC). After its initial review, the Commission staff does not believe the complaint contains sufficient information to warrant an investigation by the Commission. In accordance with statute, however, the complaint will be placed on the agenda for an upcoming Commission meeting. You do not need to respond to the complaint at this time. I will contact you if the staff requires additional information from DOLPAC regarding the issues raised in the complaint.

As a part of the staff's review of DOLPAC's campaign finance reports, several questions were raised regarding whether certain transactions were reported correctly. Due to the upcoming holidays, I will pursue these questions with you further at the start of next year.

I will be out of the office until December 27. If you have questions before then, please contact Paul Lavin at (207) 287-4179.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew W. Marett'.

Matthew Marett
PAC, Party & Lobbyist Registrar

Enclosure: Complaint by Patrick Eisenhart

OFFICE LOCATED AT: 45 MEMORIAL CIRCLE, AUGUSTA, MAINE
WEBSITE: WWW.MAINE.GOV/ETHICS

PHONE: (207) 287-4179

FAX: (207) 287-6775



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

January 22, 2013

Mr. Eric Brakey, Chairman
Defense of Liberty PAC
115 Deerfield Road
New Gloucester, ME 04260

RE: Request for Information

Dear Mr. Brakey,

In a letter on December 19, 2012, the Commission staff informed DOLPAC that a complaint had been filed against it by Patrick Eisenhart. A review of the complaint, DOLPAC's campaign finance reports and website raised some questions about potential misreporting and coordinated expenditures with candidates.¹

The purpose of this letter is to provide DOLPAC with an opportunity to respond to the Commission staff's concerns. Please submit written responses to the questions below by February 5. The complaint has been placed on the agenda for the next Commission.

Please respond to the following questions:

1. DOLPAC reported a payment of \$2,020.48 for "services" to Mike Wallace? What services were provided and how was the payment amount determined? If there is a contract or invoice that documents the expenditure and services purchased, please provide a copy with your response.
2. Other than contributions to candidates, DOLPAC did not report any other expenditures to support or oppose any candidate in the 2012 general election. DOLPAC reported several expenditures for campaign literature and phone banks (see table on the next page) as operating expenditures on schedule B-1. What was the purpose of these expenditures? Were any of these expenditures made to support or oppose candidates? If so, please identify the candidates that were supported or opposed by the expenditures.

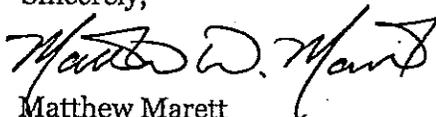
¹ Under Maine law a PAC must file complete and accurate reports of all contributions and expenditures. (21-A M.R.S.A. § 1060) Maine PACs must adhere to contribution limits to candidates. (21-A M.R.S.A. § 1056(1)) Expenditures by a PAC that are coordinated with a candidate are contributions to the candidate. (21-A M.R.S.A. § 1015(5))

Date	Payee	Amount	Purpose
11/29/2012	Dreamstime LLC	\$9.99	Campaign Literature
10/19/2012	CallFire.com	\$100.00	Phone Banks
9/26/2012	CallFire.com	\$100.00	Phone Banks
9/12/2012	SymQuest Group, Inc.	\$148.00	Campaign Literature
8/24/2012	Low Fat Designs, LLC	\$440.00	Campaign Literature

- a. Did DOLPAC make any other expenditures for communications supporting or opposing candidates?
3. Did any candidate, candidate committee or agent of the candidate participate in any way in the creation or distribution of the communications mentioned above? If so, identify those candidates.
4. Did DOLPAC expend any money on literature, travel, or other activities in connection with literature drops to benefit any candidate? If so, how much was spent and on which candidates?
5. Did DOLPAC spend any money to distribute a candidate's literature or copies of a candidate's literature? If so, identify those candidates and the amounts spent.
6. Did DOLPAC compensate any staff for organizing or participating in the literature drops? If so, please list the staff, compensation amounts and the candidates who benefitted from the literature drops.
7. Did DOLPAC provide any other services to candidates, including but not limited to consulting services, web site or other tech support, or outreach or organizing services? If so, identify all candidates who benefitted from a service and the type and value of the service provided.
8. DOLPAC reported expenditures for fundraising events and its website indicated that it held fundraisers for candidates. List the candidates benefiting from each fundraiser, where each fundraiser was held and the amount of money DOLPAC spent on each fundraiser.

Please submit written responses no later than February 5, 2013 along with any other information you would like the staff to consider. Please contact me with any questions. I can be reached at (207) 287-6221 or Matthew.Marett@Maine.gov.

Sincerely,



Matthew Marett
PAC Registrar

Defense of Liberty PAC Responses

1. DOLPAC contracted with Mike Wallace (through Freedom Applications, LLC) for the development of a website and a CRM database (see attached invoice). When Mr. Wallace decided that he was going to declare a run for State Senate, we ended our contract with him.

2. The categories of "LIT - Print and Graphics" and "PHO- Phone Banks, automated telephone calls" were selected because they most closely approximated the nature of the expense. None of these expenditures were in support of candidates.

- 8/24/2012 Low Fat Designs, LLC \$440.00 "LIT - Print and Graphics"

We paid Low Fat Designs, LLC to design business cards, stationery, membership cards, and bumper stickers. This expense did not support any campaigns. (See attached invoice.)

- 9/12/2012 SymQuest Group, LLC \$148.00 "LIT - Print and Graphics"

We noted in our remarks that this payment was for "Printing Legislative Surveys." To give greater detail, this payment was for the printing of our legislative candidate survey, which we mailed out to every Republican candidate running for State Legislature in the State of Maine. This expense did not support any campaigns. (See attached invoice.)

- 9/26/2012 CallFire.com \$100.00 "PHO- Phone Banks"

We placed \$100.00 on our account with CallFire.com. This amount was used to send out a general information robocall to our supporter lists, informing them about DOLPAC and urging them to sign-up for e-mails on the website. (See attached receipt.)

- 10/19/2012 CallFire.com \$100.00 "PHO- Phone Banks"

We placed \$100.00 on our account with CallFire.com for future purposes. This amount was eventually used to send out a robocall promoting the Maine Liberty Summit, which took place after the elections and did not support any campaigns. This expense did not support any campaigns. (See attached receipt.)

- 11/29/2012 Dreamstime, LLC \$9.99 "LIT - Print and Graphics"

We purchased a stock photograph from Dreamstime, LLC for use in a presentation. This expense did not support any campaigns. (See attached receipt.)

2.a. DOLPAC did not make any other expenses for communications supporting or opposing candidates. All such expenses were properly listed as "Expenditures to

Support or Oppose.”

3. As we clarified in question 2, the communications mentioned did not support any candidates. Therefore, any candidates would be free to participate in these communications. That being the case, however, no candidates were involved in the creation or distribution of these communications.
4. Before participating in any lit drops, DOLPAC spoke with Matthew Marett of the Ethics Commission to clarify what activities were proper. Taking his advice, DOLPAC did not spend any money on literature, travel, or other activities in connection with literature drops to benefit any candidates.
5. Continuing to follow the advice of Matthew Marett, DOLPAC did not spend any money to distribute a candidate's literature or copies of a candidate's literature.
6. DOLPAC did not compensate any staff for organizing or participating in literature drops. Our only paid staff member during the campaigns was our Executive Director, David Boyer. He was paid for administering the PAC and attending to member services. Any involvement in literature drops by our Executive Director would have been performed as a volunteer, not a paid staff member of DOLPAC.
7. DOLPAC did not provide any other services to candidates.
8. DOLPAC did not host any fundraisers to benefit candidates. DOLPAC only hosted one fundraiser, a "Liberty Kickoff BBQ" on August 4, 2012. The fundraiser was for the purpose of celebrating the launch of DOLPAC. All proceeds went directly to the PAC and did not support any candidates.

Signed Eric L. Brakey
Eric Brakey, Chairman and Treasurer

Date 2/5/2013

Freedom Applications LLC
 212 Mussey St
 Falmouth ME 04106
 Phone: 2072394104

Defense of Liberty LLC
 Eric Brakey
 Falmouth ME 04105

Invoice #:	0000017
Date:	June 14, 2012
Amount Due USD:	\$2,020.48

To View Your Invoice Online » 1. Go to: <https://freedomapplications.freshbooks.com/code>
 2. Enter this code: GJLxjaJnLMzJMj

Task	Time Entry Notes	Rate (\$)	Hours	Line Total (\$)
Consulting		40.00	12	480.00
Rate - Organizational	Hourly Rate/Fee for Expert Services - Organizational			
Consulting		59.00	16	944.00
Rate - Technology Solutions	Hourly Rate/Fee for Expert Services - Technology			
Research	Requirement Analysis - CRM Data Import	31.00	12	372.00
Item	Description	Unit Cost (\$)	Quantity	Price (\$)
Technology Provisioning	Web Services - Basic	500.00	1	500.00
NOTES: Movement discount per Michael Wallace				
Subtotal:				2,286.00
Discount - 12%:				-275.52
Total:				2,020.48
Amount Paid:				-0.00
Balance Due USD:				\$2,020.48

This invoice was sent using FreshBooks

2/4/13

Invoice: David Boyer

Low Fat Designs, LLC
PO Box 6532
Raleigh NC 27628



Our Tax ID: 27-3846554

Defense of Liberty PAC
David Boyer
PMB 360
190 US Route 1
Falmouth ME 04105

INVOICE # 11-10-0978
INVOICE Date July 30, 2012
Amount Due \$0.00 USD

Task	Time Entry Notes	Rate	Hours	Line Total
Graphic Design	Designed business cards, stationery, membership card, and bumper stickers. [15457]	80.00	5.5	440.00
Total				440.00
Amount Paid				-440.00
Amount Due				\$0.00 USD

Terms

Payment is due upon receipt. Please pay as soon as you can. If you need a little more time, just ask. Unpaid invoices are subject to a 5% monthly late fee. Thanks for understanding.



CONTRACT INVOICE

Invoice Number: 122475
Invoice Date: 08/29/2012

Bill To: Jones Building and Developing, LLC
David J Jones
183 US Route 1
Falmouth, ME 04105

Customer: Jones Building and Developing, LLC
183 US Route 1
Falmouth, ME 04105

Table with columns: Account No., Payment Terms, Due Date, Invoice Total, Balance Due, Contract Number, Contact, P.O. Number, Start Date, Exp. Date, Contract Amount, Notes.

Summary:

Contract base rate charge for the 08/30/2012 to 09/29/2012 billing period \$20.10 *
Contract overage charge for the 07/30/2012 to 08/29/2012 overage period \$127.90 **
*sum of equipment base charges **see overage details below \$148.00

Detail:

Equipment included under this contract

Kyocera Machine/TA-5550ci

Table with columns: Number, Serial Number, Base Charge, Location, Meter Type, Meter Group, Begin Meter, End Meter, Total, Covered, Billable, Rate, Overage.

DEPENSE OF LIBERTY, LLC
PMB 360
190 US ROUTE ONE
FALMOUTH, ME 04105

62-7457/2112

113

DATE 9/12/2012

PAY TO THE ORDER OF SymQuest Group, Inc. \$ 148.00
One-hundred forty-eight and 00/100 ~ DOLLARS



MEMO Printing

Eric S. Brakey

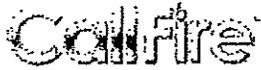
PLEASE REMIT TO
SymQuest Group, Inc
PO Box 719
Westbrook, ME 04098

Summary table: Invoice SubTotal \$148.00, Tax \$0.00, Invoice Total \$148.00, Balance Due \$148.00

2/5/13

Payment Receipt

CallFire.com Payment Receipt

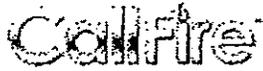


Account ID: 59327
Payment To: CallFire.com
Description: CallFire Minutes. Online Payment
Confirmation Number: 1195526
Date: 2012-09-25 15:20:53.0
Payment Type:
Details:
Name: David Boyer
Address: 190 US Route 1
PMB 360
Falmouth, ME 04105
Amount: 100.0 USD

2/5/13

Payment Receipt

CallFire.com Payment Receipt

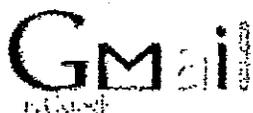


Account ID: 59327
Payment To: CallFire.com
Description: CallFire Minutes, Quick Add Online Payment
Confirmation Number: 1257220
Date: 2012-10-18 11:22:00.0
Payment Type:
Details:
Name: David Boyer
Address:

Amount: 100.0 USD

2/5/13

Defense of Liberty PAC Mail - Receipt for Your Payment to Dreamstime.com, LLC



Receipt for Your Payment to Dreamstime.com, LLC

service@paypal.com <service@paypal.com>
To: Defense of Liberty LLC <eric@defenseoffibertypac.com>

Thu, Nov 29, 2012 at 6:26 PM



Nov 29, 2012 15:26:03 PST
Transaction ID: 8A915914MG705014X

Hello Defense of Liberty LLC,

You sent a payment of \$9.99 USD to Dreamstime.com, LLC
(support@dreamstime.com)

It may take a few moments for this transaction to appear in your account.

Merchant
Dreamstime.com, LLC
support@dreamstime.com
615-771-5611

Instructions to merchant
You haven't entered any instructions.

Shipping address - confirmed
Defense of Liberty LLC
115 Deerfield Road
New Gloucester, ME 04260
United States

Shipping details
The seller hasn't provided any shipping details yet.

Description	Unit price	Qty	Amount
	\$9.99 USD	1	\$9.99 USD
		Subtotal	\$9.99 USD
		Total	\$9.99 USD
		Payment	\$9.99 USD

Payment sent to support@dreamstime.com

Issues with this transaction?

You have 45 days from the date of the transaction to open a dispute in the Resolution Center.

? Questions? Go to the Help Center at www.paypal.com/help.

Please do not reply to this email. This mailbox is not monitored and you will not receive a response. For assistance, log in to your PayPal account and click **Help** in the top right corner of any PayPal page.



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

February 7, 2013

Hon. Beth O'Connor
92 Sullivan Street
Berwick, ME 03901

RE: Request for Information

Dear Ms. O'Connor,

A complaint was recently filed with the Ethics Commission against the Defense of Liberty PAC (DOLPAC) by Patrick Eisenhart. The complaint does not contain any allegations against you and does not mention you or your campaign. However, in the course of its review of the issues raised in the complaint, the Commission staff found a posting from you (enclosed) on AsMaineGoes.com that suggests your campaign and DOLPAC may have coordinated with each other on expenditures by DOLPAC to benefit your campaign. If that is the case, those expenditures could be considered a contribution to your campaign.¹

The Commission staff seeks information from you in order to understand the way in which DOLPAC supported your campaign. Please submit a written response to the following questions to the Commission no later than February 22, 2013.

1. Literature drops:
 - a. Did DOLPAC sponsor or organize any literature drops in support of your campaign? If so, how many literature drops did it sponsor or organize?
 - b. To your knowledge, was David Boyer or Eric Brakey involved in organizing any literature drops to support your campaign?
 - c. Did DOLPAC distribute your campaign's literature or a copy of your campaign's literature? If so, did your campaign provide the literature to DOLPAC?
 - d. To your knowledge, did DOLPAC spend money on travel, staff or materials in connection with the literature drops?

¹ "Any expenditure made by any person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a candidate's political committee or committees or their authorized agents is considered to be a contribution to the candidate." (21-A M.R.S.A. § 1015(5))

2. Phone calls:

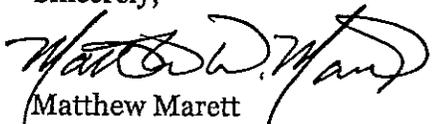
- a. Please describe the phone calls DOLPAC made on your behalf. If you have a copy of the script, please provide it.
- b. Other than phone calls, are you aware of any mailers, flyers, palm cards or similar communications that DOLPAC created or distributed on your behalf?
- c. Did you have any discussions with DOLPAC about any aspect of the communications, including their creation, content or distribution?

3. Financial support:

- a. What type of financial support did DOLPAC provide your campaign?
- b. Did DOLPAC pay for any goods or services used by your campaign? If so, what were the payments for, when did they occur, and what was the value of the goods or services (estimate values if unknown)?
- c. Did DOLPAC organize any fundraisers to support your campaign?
 - i. If so, please identify how many there were and when and where they were held.
 - ii. Were any other candidates involved in the fundraisers?

The staff requests that you submit answers to these questions no later than February 22, 2013 along with any other information you would like the staff to consider. If you have any questions, please contact me at (207) 287-6221 or Matthew.Marett@Maine.gov.

Sincerely,

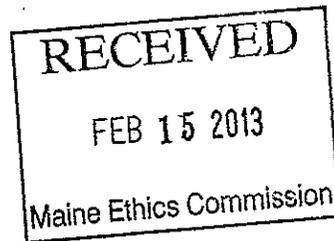

Matthew Marett
PAC, Party & Lobbyist Registrar

Enclosure: *As Maine Goes* statement

February 9th 2013,

Re: Request for information

Dear Mr. Maret,



In responding to your request for information regarding the Defense of Liberty PAC by Patrick Eisenhart

- 1.) Literature drops.
 - a. No
 - b. No
 - c. No
 - d. No
- 2.) Phone Calls
 - a. They made no calls that I am aware of.
 - b. I am not aware of any communications distributed on my behalf.
 - c. No
- 3.) Financial Support
 - a. DOLPAC donated \$350.00 on June 9th 2012 to my campaign as recorded July 24th 2012
 - b. No
 - c. No

If I can be of any further assistance do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Beth A. O'Connor".

Hon. Beth A. O'Connor

92 Sullivan Street, Berwick, Maine 03901

Libertymom1@msn.com

1-207-698-7899

Rachel Gertach is going.
 Like · Comment · Follow Post · October 13, 2012 at 10:10pm
 Chris Putnam likes this.
 Write a comment...

Andrew Benjamin Alton Rackdoff is going.
 Like · Comment · Follow Post · October 12, 2012 at 8:56pm
 Chris Putnam likes this.
 Write a comment...

Beth O'Connor
 I will be there with bells on! When we are done in my district I bet everyone will be hungry...I have been know to whip up some really good chow...did I mention my husband drives a beer truck (;
 Like · Comment · Follow Post · October 12, 2012 at 11:47am
 5 people like this.
 Write a comment...

Beth O'Connor is going.
 Like · Comment · Follow Post · October 12, 2012 at 11:46am
 Chris Putnam is going.
 Like · Comment · Follow Post · October 12, 2012 at 6:55pm

Ann-Marie Grimes Grenier is going.
 Like · Comment · Follow Post · October 11, 2012 at 11:55am
 Chris Putnam likes this.
 Write a comment...

Paul Schlecter is listening to **Them Eyes by The Black Keys on Rdio.**
 Andrew West likes Richtown's photo.
 Theodore Blair Fetter commented on Daniel Kobzman's post in **Fool's Feast Tournament - 3 day tournament 'any word?'**
 Meredith Johnson likes Maine Historical Society.
 Shay Atkinson Cross your fingers everyone, I applied for two jobs. Would love to get a full time job before Im 40.
 Shay Atkinson likes Health Benefits link.
FAVORITES
 Chris Marshall
 Dan Faust
 Ethan Paul
 Holly Yetter
 Jas Hail
 John P. Stout
 Kevin Charles Perley
 Nikki Flannery
 Parker Collins
 Robert Lombard
 Sean Gallagher
 Shay Atkinson
 Ty Benefiel
 Search



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

February 7, 2013

Ms. Roxanna Hagerman
13 Main Street
Bridgton, ME 04009

RE: Request for Information

Dear Ms. Hagerman,

A complaint was recently filed with the Ethics Commission against the Defense of Liberty PAC (DOLPAC) by Patrick Eisenhart. The complaint does not contain any allegations against you and does not mention you or your campaign. However, in the course of its review of the issues raised in the complaint, the Commission staff found a posting from you (enclosed) on AsMaineGoes.com that suggests your campaign and DOLPAC may have coordinated with each other on expenditures by DOLPAC to benefit your campaign. If that is the case, those expenditures could be considered a contribution to your campaign.¹

The Commission staff seeks information from you in order to understand the way in which DOLPAC supported your campaign. Please submit a written response to the following questions to the Commission no later than February 22, 2013.

1. Literature drops:

- a. Did DOLPAC sponsor or organize any literature drops in support of your campaign? If so, how many literature drops did it sponsor or organize?
- b. To your knowledge, was David Boyer or Eric Brakey involved in organizing any literature drops to support your campaign?
- c. Did DOLPAC distribute your campaign's literature or a copy of your campaign's literature? If so, did your campaign provide the literature to DOLPAC?
- d. To your knowledge, did DOLPAC spend money on travel, staff or materials in connection with the literature drops?

¹ "Any expenditure made by any person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a candidate's political committee or committees or their authorized agents is considered to be a contribution to the candidate." (21-A M.R.S.A. § 1015(5))

2. Mailers:

- a. Please describe the mailers DOLPAC sent on your behalf. If you have a copy of the mailer, please provide it.
- b. Other than mailers, are you aware of any flyers, palm cards or similar communications that DOLPAC created or distributed on your behalf?
- c. Did you have any discussions with DOLPAC about any aspect of the communications, including their creation, content or distribution?

3. Financial support:

- a. What type of financial support did DOLPAC provide your campaign?
- b. Did DOLPAC pay for any goods or services used by your campaign? If so, what were the payments for, when did they occur, and what was the value of the goods or services (estimate values if unknown)?
- c. Did DOLPAC organize any fundraisers to support your campaign?
 - i. If so, please identify how many there were and when and where they were held.
 - ii. Were any other candidates involved in the fundraisers?

The staff requests that you submit answers to these questions no later than February 22, 2013 along with any other information you would like the staff to consider. If you have any questions, please contact me at (207) 287-6221 or Matthew.Marett@Maine.gov.

Sincerely,

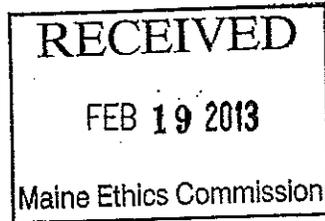


Matthew Marett
PAC, Party & Lobbyist Registrar

Enclosure: *As Maine Goes* statement

February 19, 2013

Re: Request for Information



Dear Mr. Maret,

Please see answers below to your Request for Information.

1.
 - a. No
 - b. Yes
 - c. No
 - d. No

2.
 - a. RTW sent mailers, not DOLPAC
 - b. No
 - c. No

3.
 - a. Roxy for House received a check from DOLPAC in the amount of \$350.
 - b. No
 - c. No

I hope this helps, please let me know if I can be of further assistance.

Best,

Roxanna R. Hagerman

LitDrop for Roxy Hagerman
Public · By Defense of Liberty PAC

[Going \(6\)](#)
[Maybe \(3\)](#)
[Invited \(158\)](#)

[Saturday, October 13, 2012](#) 10:00am
 118 Main St Bridgton Maine

Our other litdrop for THIS weekend is for Roxy Hagerman
 Aaron's second batch of lit isn't here yet so we are going to be helping out Roxy in Bridgton

[Page Events](#)
[Join](#)
[Maybe](#)

RECENT POSTS

Roxy Hagerman is going.
 Like · Comment · Follow Post · October 13, 2012 at 6:22pm

Defense of Liberty PAC changed the location to 118 Main St Bridgton Maine.
 Like · Comment · Follow Post · October 12, 2012 at 3:12pm

Defense of Liberty PAC changed the location to Bridgton.
 Like · Comment · Follow Post · October 12, 2012 at 1:50pm

Defense of Liberty PAC changed the name of the event to "LitDrop for Roxy Hagerman."
 Like · Comment · Follow Post · October 12, 2012 at 1:49pm

Eric Brakey is going.
 Like · Comment · Follow Post · October 11, 2012 at 1:39pm

Defense of Liberty PAC changed the location to Libby & Son U-Pick.
 Like · Comment · Follow Post · October 11, 2012 at 1:25pm

SPONSORED

Cole Nadeau likes Portland Public Library.

Sarita Panella, Pabessa Spilko, and Cole Nadeau like Love, Portland, More. (Portland's Downtown District).

Tom Summers likes Dr Pepper.

John Essex, Nikki Flannery, and Stephen Dewart like Amazon.com.

"Weights 99 Benches 297"
 muscle-queen.info

Hot Girls, Funny Pictures
 BroLOL is the best page on Facebook. Like us to see more.

What's In Your Wallet?
 Find your new credit card, risk free, in only 60 seconds.



COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES
Mail: 135 State House Station, Augusta, Maine 04333
Office: 45 Memorial Circle, Augusta, Maine
Website: www.maine.gov/ethics
Phone: 207-287-4179
Fax: 207-287-6775

2012 REGISTRATION: POLITICAL COMMITTEES

COMMITTEE INFORMATION	
DEFENSE OF LIBERTY PMB 360, 190 U.S. ROUTE 1 FALMOUTH, ME 04105	TEL: (207)370-1713 FAX: EMAIL: info@defenseoflibertypac.com www.defenseoflibertypac.com
TREASURER INFORMATION	
ERIC BRAKEY 115 DEERFIELD ROAD NEW GLOUCESTER, ME 04260	TEL: (207)406-0897 FAX: EMAIL: eric@defenseoflibertypac.com
PRINCIPAL OFFICER INFORMATION	
BRAKEY, ERIC CHAIRMAN 115 DEERFIELD ROAD NEW GLOUCESTER, ME 04260 (207)406-0897	BOYER, DAVID EXECUTIVE DIRECTOR PMB 360, 190 U.S. ROUTE 1 FALMOUTH, ME 04105 (207)694-4275
PRIMARY FUNDRAISERS AND DECISION MAKERS	
BOYER, DAVID	BRAKEY, ERIC
FORM OF ORGANIZATION	
Form of organization LLC	Date of origin/incorporation 5/15/2012
STATEMENT OF SUPPORT OR OPPOSITION	
THIS COMMITTEE IS FORMED TO SUPPORT OR OPPOSE CANDIDATES.	
We support liberty-minded candidates who are running for the Maine State Legislature.	
CERTIFICATION	
I, ERIC BRAKEY, CERTIFY THAT THE INFORMATION IN THIS REGISTRATION IS TRUE, ACCURATE AND COMPLETE.	
SIGNATURE ON FILE	DATE: 12/31/2012