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FILED
Carbon County District Court
Rochelle Loyning, Clerk

APR 19 2024

By TH
Tiffany Howard, Deputy

MONTANA TWENTY-SECOND JUDICIAL DISTRICT COURT, CARBON COUNTY

MONTANA REPUBLICAN STATE
CENTRAL COMMITTEE, also known as
MONTANA REPUBLICAN PARTY,

Plaintiff,

v.

GOP MONTANA; MONTANA
ASSOCIATION OF REPUBLICAN
CENTRAL COMMITTEES, and LISA
BENNETT,

Defendants.

Cause No.: DV-24-33-1
Judge: Matthew J. Wald

**VERIFIED COMPLAINT
FOR INJUNCTIVE RELIEF**

For its Verified Complaint against Defendants, Plaintiff Montana Republican State Central Committee ("MTGOP") states as follows:

PARTIES, JURISDICTION, AND VENUE

1. Plaintiff MTGOP is a political party committee organized pursuant to Mont. Code Ann. § 13-38-101 et seq. with a principal place of business in Helena, Lewis and Clark County, Montana.

1 2. Defendant Lisa Bennett is an individual who, upon information and belief, resides
2 in Red Lodge, Carbon County, Montana.

3 3. Defendant GOP Montana is an unincorporated and unregistered political committee
4 operated by Defendant Lisa Bennett.

5 4. Defendant Montana Association of Republican Central Committees is registered as
6 an assumed business name with the Montana Secretary of State. However, it is not an incorporated
7 legal entity and is an unregistered political committee operated by Defendant Lisa Bennett.

8 5. This Court has jurisdiction over this matter pursuant to Mont. Code Ann. § 3-5-
9 302(1)(b).

10 6. Venue is proper in the Montana Twenty-Second Judicial District, Carbon County,
11 pursuant to Mont. Code Ann. § 25-2-118(1).

12 **FACTS COMMON TO ALL COUNTS**

13 7. Under Mont. Code Ann. § 13-38-101, each political party has the authority to make
14 its own rules and provide for and select its own offices. MTGOP has enacted its own rules and has
15 filed a current copy with the Montana Secretary of State. *See* Rules of the Montana Republican
16 Party, a true and correct copy of which is attached as **Exhibit 1**.

17 8. MTGOP is the governing body for the statewide Republican Party, “responsible for
18 establishing all State Rules, policies, and programs.” Ex. 1 at Rule C.I.

19 9. County central committees are, in a way, subsidiaries of MTGOP. County central
20 committees are governed by MTGOP Rules. Ex. 1 at Rule C.III. et seq.

21 10. The formation of a county central committee and election of officers must follow
22 state law and MTGOP’s Rules.

1 11. On March 7, 2024, residents of Carbon County, Montana, filed a complaint with
2 the Montana Commissioner of Political Practices (“COPP”), alleging that in the fall of 2023, Lisa
3 Bennett began undertaking certain activities to undermine the Carbon County Republican Central
4 Committee and its newly-elected leadership. *See* Ethics Complaint filed with COPP, a true and
5 correct copy of which is attached as **Exhibit 2**.

6 12. The COPP complaint further alleged that Lisa Bennett filed required forms with the
7 COPP on behalf of the Carbon County Republican Central Committee without authorization and
8 falsely held herself out as an officer of that organization. *See* Ex. 2 at 9.

9 13. Also in the fall of 2023, Lisa Bennett repeatedly falsely presented herself as an
10 official, representative, or employee of the MTGOP to the general public, as well as to COPP.

11 14. Lisa Bennett apparently had multiple phone calls and email correspondence with
12 COPP employees in which she led COPP to believe she was representing MTGOP as a
13 “compliance” officer.

14 15. Lisa Bennett corresponded with an email address of
15 “compliance@gopmontana.com” in an apparent effort to mislead COPP and others into thinking
16 she was affiliated with MTGOP.

17 16. Additionally, Lisa Bennett used the MTGOP’s name, images, logos, and marks to
18 mislead the general public.

19 17. The email address “compliance@gopmontana.com” and the website address
20 “gopmontana.com” are clearly meant to give the false impression that she is communicating on
21 behalf of MTGOP. The official domain for MTGOP is “mtgop.org.”

22 18. Lisa Bennett’s actions have caused confusion to third parties. For instance, the
23 COPP—believing the false information Lisa Bennett presented—stopped sending official
24

1 correspondence concerning MTGOP's County Central Committees to MTGOP and sent them to
2 her fake "GOP Montana" email address instead.

3 19. Lisa Bennett is not authorized to speak for or represent MTGOP in any matter
4 before COPP. She is neither an employee nor officer of MTGOP.

5 20. When MTGOP learned of Lisa Bennett's actions, it sent her a cease and desist letter
6 on October 5, 2023. A true and correct copy of that letter is attached as **Exhibit 3**.

7 21. MTGOP also sent a clarification letter to COPP on October 11, 2023. A true and
8 correct copy of that letter is attached as **Exhibit 4**.

9 22. MTGOP further requested that Lisa Bennett immediately remove the website
10 address "gopmontana.com" and all associated email domains with the same name. Although Lisa
11 Bennett did slightly alter the logos used on the website, she has not complied with MTGOP's
12 request.

13 23. Additionally, MTGOP recently became aware that Lisa Bennett is also holding
14 herself out as affiliated with the so-called "Montana Association of Republican Central
15 Committees." Again, Lisa Bennett is giving the false impression that she is acting on behalf of
16 MTGOP and/or its county central committees.

17 24. This group is co-hosting a town hall meeting titled "Politics & Pancakes" on April
18 27, 2024, at which it intends to raise money from donors. *See* Flier attached as **Exhibit 5**.

19 25. Lisa Bennett has not registered either of her political committees—GOP Montana
20 or the Montana Association of Republican Central Committees—with COPP or filed a
21 certification as required by Mont. Code Ann. § 13-37-201 et seq. *See* Screen Shots of searches
22 for both committees on the COPP CERS system, taken April 9, 2024, attached as **Exhibit 6** and
23 **Exhibit 7**.

26. Lisa Bennett has failed to keep detailed records of her political committees or to file any financial reports with COPP as required by Mont. Code Ann. § 13-37-208.

27. Lisa Bennett has failed to file any contribution or expenditure reports with COPP for the political committees as required by Mont. Code Ann. §§ 13-37-225 and 13-37-229 even though the GOP Montana website contains a “Donate” button and she is raising funds through the Montana Association of Republican Central Committees.

COUNT I—DECEIT

28. MTGOP re-alleges Paragraphs 1-27.

29. Defendants have willfully deceived MTGOP, the public, and COPP by repeatedly holding themselves out as acting on behalf of MTGOP and/or its central committees, falsely purporting to take official actions with MTGOP's authorization, and attempting to raise donations without properly registering and reporting as a political committee with COPP.

30. Defendants suggested facts to MTGOP, its county central committees, the public, and COPP knowing such facts were not true.

31. Moreover, Defendants suppressed the true facts and instead provided information likely to mislead.

32. Defendants' conduct has proximately damaged MTGOP by causing confusion among the public, causing COPP to stop sending communications directly to MTGOP, and by engaging in illegal fundraising activities under the auspices of the Republican party.

33. Defendants' conduct was done with actual fraud or actual malice as those terms are defined by Mont. Code Ann. § 27-1-221.

COUNT II—INJUNCTION

34. MTGOP re-alleges Paragraphs 1–33.

1 35. Pecuniary compensation would not afford adequate relief to MTGOP for
2 Defendants' conduct.

3 36. An injunction is necessary to prevent a multiplicity of judicial proceedings.

4 37. MTGOP is likely to succeed on the merits of its claims.

5 38. MTGOP is likely to suffer irreparable harm in the absence of preliminary relief;

6 39. The balance of equities tips in MTGOP's favor;

7 40. An injunction is in the public interest.

8 41. MTGOP is entitled to a temporary restraining order and a preliminary injunction to
9 prevent Defendants, during the pendency of this action, from continuing to hold themselves out as
10 representatives or affiliates of MTGOP and to prevent unregistered political committees from
11 fundraising.

12 42. MTGOP is entitled to a permanent or final injunction requiring Defendants to
13 permanently cease: 1) holding themselves out as authorized representatives or affiliates of any
14 official Republican central committee; 2) operating any unincorporated and unregistered political
15 committee; 3) raising any funds at the Politics & Pancakes town hall meeting scheduled for April
16 27, 2024 or any other gathering; or 4) engaging in any other deceptive activity designed to
17 undermine the MTGOP and its affiliates or deceive the public.

18 WHEREFORE, Plaintiff Montana Republican State Central Committee prays for the
19 following relief:

20 1. For judgment for MTGOP on all counts of its Verified Complaint;

21 2. For a temporary restraining order, preliminary injunction, and permanent injunction
22 preventing Defendants from 1) holding themselves out as authorized representatives or affiliates
23 of any official Republican central committee; 2) operating any unincorporated and unregistered
24

1 political committee; 3) raising any funds at the Politics & Pancakes town hall meeting scheduled
2 for April 27, 2024 or any other gathering; or 4) engaging in any other deceptive activity designed
3 to undermine the MTGOP and its affiliates or deceive the public.

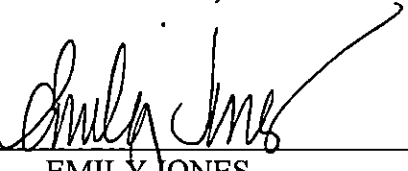
4 3. For compensatory damages and punitive damages as allowed by law;

5 4. For costs of suit and attorney's fees as allowed by law; and

6 5. For any other relief that the Court deems just and proper.

7 DATED this 17th day of April 2024.

8 JONES LAW FIRM, PLLC

9
10 By: 
11 EMILY JONES
12 115 N. Broadway, Suite 410
13 Billings, MT 59101

14 ATTORNEY FOR PLAINTIFF
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VERIFICATION

STATE OF MONTANA)
 :SS
County of Missoula)

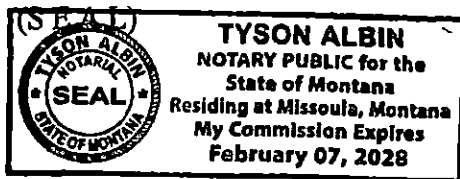
Danielle Bradley states under oath:

1. I am the Executive Director of the Montana Republican State Central Committee,
the Plaintiff in the above-captioned Verified Complaint.
2. I have read the foregoing Verified Complaint.
3. I have personal knowledge of the facts set forth in the Verified Complaint.
4. The facts set forth in the Verified Complaint are true and accurate to the best of my
knowledge, information, and belief.

DATED this 17th day of April, 2024.


DANIELLE BRADLEY

SUBSCRIBED AND SWORN TO before me this 17 day of April, 2024 by Danielle
Bradley.




Notary Public for the State of Montana

RULES OF THE MONTANA REPUBLICAN PARTY

Adopted by the Montana Republican State Central Committee
As Amended JUNE 10, 2023 in Missoula, Montana

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Section A: General Provisions

I. Authority

These rules are created for the governance of the Montana Republican Party. They shall govern when not in conflict with the Rules of the Republican National Committee. These rules shall govern the organization, the conduct of meetings and the business of the Montana Republican State Central Committee, its officers, executive board and committees, all Republican State Conventions, and all Republican County Central Committees, to the extent applicable thereto.

II. Effective Date

These rules, and any amendments thereto, shall be effective when adopted by the State Central Committee.

III. Amendments

- A) These rules may be amended or repealed or additional rules may be adopted at any regular or special meeting of the State Central Committee by a two-thirds (2/3) vote of those present.
- B) No rule can be amended or repealed nor any additional rules be adopted unless:
 - 1) The amendment, repeal, or additional rule is presented by the permanent Rules Committee; or
 - 2) When not presented by the permanent Rules Committee, a copy of the amendment, repeal, or additional rule must be delivered to each member of the State Central Committee at least ten (10) days prior to the meeting at which it shall be voted upon.

Section B: Conventions

I. General.

- A) **Convention Call - Fees.** All such meetings shall be called and notice of the call given and all such meetings shall be held as provided by these rules. Each delegate, proxy, or guest at such meetings shall pay a registration fee that shall be set by the Executive Board of the State Central Committee.
- B) **Conventions -Notice.** Notice to all meetings of the Montana Republican Party including Conventions and meetings of the State Central Committee shall be provided to all eligible attendees who have registered email addresses with the State Party Office by email read receipt requested and by postal mail to all eligible attendees who have not registered email addresses with same.

C) **Quorum.** A quorum for the transaction of any business at any Convention shall be a majority of the delegates entitled to vote thereat based on those registered for the Convention, present in person or by proxy. Weighted votes shall not be considered in determining whether a quorum is present.

D) **Proxies**

1) Except as provided by subsection (2), at all conventions, delegates shall be entitled to vote either in person or by written proxy. A person holding a proxy must be a resident of the same county as the delegate being represented by said proxy holder, or if the proxy is given by a Public Service Commissioner, the proxy holder must be a resident elector of the District the Public Service Commissioner represents. If the proxy is given by a Legislator, the proxy holder must be a resident elector of the county if it contains one or more districts or of the district if it contains all or parts of more than one county. A person holding a proxy for a Statewide Elected Official may be any registered elector. Delegates who vote in their own right may not hold and vote the proxies of an absent delegate. A proxy need not be held by a person of the same sex as the delegate represented by said proxy holder.

2) There shall be no proxies at any district or state convention held for the purpose of selecting delegates to the national convention. If alternate delegates to such convention are elected, the alternate delegate and no other shall vote in the absence of the delegate. An absent delegate may name in writing an alternate to serve and vote in his or her absence. However, if an absent delegate fails to name an alternate, the County Chairman may name the alternate to serve and vote in such absence.

E) **Voting.** In balloting on any motion or election, the voting shall be on an individual basis. Each person entitled to vote shall have the right to cast his or her individual ballot. In the event that any election has more than one person nominated as a candidate, voting must be by secret ballot. Unless a weighted vote is expressly provided for by these rules, each person entitled to vote at any meeting or convention shall be entitled to only one vote. When the chairman of the meeting or convention has determined that everyone is balloted, in his judgment, he shall declare the balloting closed and the election judges shall retire and count the votes. They shall then announce the results of the vote in open meeting.

F) **Parliamentary Practice.** Roberts' Rules of Order, as currently revised, shall govern all meetings and conventions, insofar as they are not inconsistent with these rules. The State Chairman shall appoint a parliamentarian for any State Central Committee meeting or convention.

G) Order of Business. The following order of business is adopted for all meetings and conventions, as applicable, of the Montana Republican Party:

- 1) Meeting called to order by Chairman.
- 2) Invocation.
- 3) Pledge of Allegiance of the Flag of the United States of America.
- 4) Call of the roll.
- 5) Announcement of appointment of credentials committee.
- 6) Announcement of appointment of rules committee.
- 7) Report of the credentials committee.
- 8) Acceptance of report of credentials committee and declaration by Chairman as to whether a quorum is present.
- 9) Report of Rules Committee.
- 10) Report of other committees.
- 11) Elections.
- 12) Other business of the meeting.
- 13) Adjournment.

H) Election Policy. In the choice of officers or delegates, there shall be no discrimination because of sex, race, creed, color, or national origin. Those elected to represent the Montana Republican Party as officers or delegates should be only those persons who will actively support and campaign for the platform and nominees of the Republican Party, and who will work in harmony and cooperation with all Republican organizations. No person may be elected or appointed to more than one office of the Montana Republican Party and the Republican National Committee.

I) Ballot fairness. In any written ballot offered for any election at the State Republican Convention, or before the State Central Committee, all candidates must be treated equally on a ballot, including:

- 1) No candidate's name may appear more than once for any office on a ballot
- 2) The names of all candidates must appear either in alphabetical order by last name, or in truly random ordering by last name;
- 3) The print of candidate or slate of candidates must all be in the same color, type style, type size, font and formatting;
- 4) No opportunity may be provided for eligible voters to vote for a group or slate of candidates with less than one vote cast for each individual candidate;
- 5) Any candidate may designate one observer to witness the counting of votes from ballots. Designated observers shall be allowed to observe all phases of ballot counting.

II. State Platform Convention

- A) **Time.** The Republican State Platform Convention shall meet at the call of the State Chairman once every even-numbered year between the primary election day and the general election day.
- B) **Purpose.** The State Platform Conventions shall adopt a state platform and conduct such other business as may be properly brought before the Convention.
- C) **Convention Call - Notice.** Notice of the convention shall be posted on the party website and shall be sent by email and postal mail to all persons eligible to be delegates thereto at least sixty (60) days prior to such convention.
- D) **Convention Delegates.** The Republican State Platform Convention shall consist of the following:
 - 1) Republican incumbents of national and statewide offices and state Senators, and Public Service Commissioners whose terms of office extend beyond the first Monday in January of the next year.
 - 2) Republican candidates nominated at the most recent primary election for the national and statewide offices, including candidates for election to the Legislative Assembly and the Public Service Commission.
 - 3) The members of the State Central Committee.
- E) **Platform Committees.** The State Chairman shall appoint Platform Committees, consisting of persons eligible to be delegates to the Platform convention, to draft proposed planks of the State Platform. A copy of the most recent platform shall be posted online. Any proposed changes shall be presented to the appropriate committees at the convention committee meeting for discussion.
- F) When a committee recommends a change to a party platform, a time limit of 15 minutes per discussion with a 1 minute limit per speaker will be allowed.

III. State Delegate Convention

- A) **Time.** The State Delegate Convention shall meet at the call of the State Chairman every presidential election year prior to the Republican National Convention at a time which complies with the requirements of the Rules of the Republican Party. This convention date may precede the Montana primary election date.
- B) **Purpose.** Such convention shall elect the delegates and alternate delegates from this state to the Republican National Convention, and shall nominate Presidential Electors and alternates.
- C) **Convention Call - Notice.** Notice of the call of the Convention shall be posted on the party website and shall be mailed and sent by email and postal mail to each County

Chairman, Finance Chair, and State Committeeman and Committeewoman at least sixty (60) days prior to such convention.

- D) **Convention Delegates.** Delegates to the State Delegate Convention shall be elected from each county by the County Central Committee. The County Chairman must notify the State Chairman of the names of the county delegates at least thirty (30) days prior to the convention. All delegates must be registered for the convention. Those persons receiving the most number of votes so cast shall be elected as delegates to the State Delegate Convention
- E) **Weighted Voting.** Each county shall be entitled to a number of votes at the State Delegate Convention or district meeting equal to the total number of votes cast in the county for the Republican candidate for President at the most recent General election. The delegates from each county shall divide equally the number of votes to which their county is entitled on a decimal basis.
- F) **Selection of National Delegates/Alternates.**
 - 1) The convention shall elect the delegates and alternates to the Republican National Convention, as prescribed by these rules and the Rules of the Republican Party.
 - 2) National Delegate/Alternate application forms shall be mailed to each County Chairman with the convention call. County Chairmen shall be responsible for distributing forms to those interested in their county. Application forms shall also be available from the State Party Headquarters. People interested in attending the National Conventions as delegates or alternates must fill out the form and return it to Headquarters no later than sixty (60) days prior to the State Delegate Convention. The application form shall include two (2) signatures from duly elected or appointed precinct men or women or the signature of the chair in the County Central Committee in which the delegate or alternate resides in order to be eligible for consideration.
 - 3) **Binding of delegates and alternates to the Republican National Convention.** Montana's delegates and alternates shall be allocated and are bound to vote for the candidates receiving more than five percent (5%) of the vote in the Montana Republican Primary in proportion to the percentage of vote received at that primary election through the first ballot of the Republican National Convention, if that candidate's name is placed in nomination.
 - 4) **Conduct of Selection Process.** Each county shall be entitled to a number of votes at the state delegate convention equal to the total number of votes cast in the county for the republican candidate for President at the most recent General election. The delegates from each county shall divide equally the number of votes to which their county is entitled on a decimal basis, and each delegate shall cast his or her vote individually.

- 5) There shall be no proxies at any district or state convention held for the purpose of selecting delegates to the national convention. If alternate delegates to such convention are elected, the alternate delegate and no other shall vote in the absence of the delegate. An absent delegate may name in writing an alternate to serve and vote in his or her absence. However, if an absent delegate fails to name an alternate, the County Chairman may name the alternate to serve and vote in such absence.
 - 7) The provisions set forth in Section B(I)(H) do not apply to the selection process called for and set forth in this section.
- G) Nomination of Presidential Electors.** At the conclusions of balloting for delegates and alternates, the State Delegate Convention shall then proceed to nominate the Presidential Electors. In order to be eligible, each nominee for elector and alternate must gather ten (10) signatures from among the accredited voting members present at the current State Delegate Convention, prior to the start of the nomination of Presidential Electors agenda at the State Delegate Convention. The Chairman of the State Delegate Convention shall submit the signatures with the name and primary residence of each nominee to the convention for verification before the voting takes place. No more than one elector or alternate may be elected from any County. The four (4) persons each of which must be from different counties who receive the most number of votes cast shall be elected as the Presidential Electors and the four persons each of which must also be from different counties receiving the next highest number of votes shall be elected as alternates.
- H) Organization and Certification**
- 1) Immediately following their selection, the delegates and alternates to the National Convention shall meet at the convention at which they were selected. Alternates shall not have the right to vote at any organization meeting. At such meeting the elected delegates shall elect a chairman and vice chairman of the delegation and such committee members as might be required by the rules of the Republican National Convention or the Republican National Committee. Subsequent organization meetings can be called by the delegation chair be held by electronic means provided all participants can simultaneously hear each other and have the opportunity for recognition analogous to a regular in-person meeting.
 - 2) The State Chairman shall sign certificates of election, as credentials of the persons elected as delegates and alternates, and shall file them in a timely manner with the Republican National Committee. The State Chairman shall also sign certificates of nomination of the Presidential Electors and file them in a timely manner with the Montana Secretary of State.

- 3) The results of any presidential primary election held in the state shall be binding upon delegates and alternates in accordance with Part F 3) herein.

IV. State Officers' Convention

- A) **Time.** The Republican State Officers' Convention shall meet at the call of the State Chairman once every odd-numbered year between June 1 and August 1.
- B) **Purpose.** The State Officers' Convention shall elect a State Chairman and a State Vice Chairman, one of whom must be a woman, one of whom must be a man, a Secretary, a Treasurer, and an Assistant Treasurer of the State Central Committee.
- C) **Convention Call - Notice.** Notice of the convention shall be posted on the party website and shall be sent by email and postal mail to all persons eligible to be delegates thereto at least sixty (60) days prior to such convention.
- D) **Convention Delegates.** Those entitled to vote at the State Officers' Convention shall be the members of the State Central Committee, the Republican incumbents in national and statewide office, Republican incumbents on the Public Service Commission, and Republican members of the Legislative Assembly, or their duly appointed proxies. Each delegate shall have one vote.
- E) **Nominations and Elections.** Nominations and elections for the various offices shall be held in the order set forth above, with each office to be elected before balloting is conducted on the next office. Nominations shall be made from the floor, with such time allowed for nominating and seconding speeches as may be determined by the State Chairman.
 - 1) If there are four (4) or more candidates on the ballot, the half of the slate receiving the fewest votes shall be eliminated. If the number to be eliminated is fractional, the number to be eliminated shall be rounded up. This procedure shall be repeated until a candidate receives a majority or the number of candidates is reduced to three. If there are three candidates on the ballot, and no candidate receives a majority on the ballot, the candidate receiving the fewest votes shall be eliminated and a runoff between the top two candidates shall occur. A candidate must receive over fifty (50) percent of the votes cast to be elected.

Section C: Committees

I. State Central Committee

- A) **Membership.** The State Central Committee shall be composed of the County Chairman, State Committeeman, State Committeewoman, and Finance Chairman for each county, who have been elected or appointed in the manner provided by these rules.

- B) Rules.** The State Central Committee is the governing body of the Montana State Republican Party, responsible for establishing all State rules, policies, and programs for the Executive Board in accordance with these Rules.
- C) Quorum.** A quorum for the transaction of any business at any meeting of the State Central Committee shall be a majority of the members entitled to vote thereat, present in person or by proxy.
- D) Proxies.** At all meetings of the State Central Committee, members shall be entitled to vote either in person or by written proxy. A person holding a proxy must be a resident elector of the same county as the member being represented by said proxy holder. Members who vote in their own right may not hold and vote the proxies of an absent member. A proxy need not be held by a person of the same sex as the member being represented by said proxy.
- E) Election of National Committeeman and National Committeewoman.** The State Central Committee shall meet each presidential election year at a meeting called by the State Chairman at a time which shall comply with the Rules of the Republican National Committee. At such meeting, there shall be elected by majority vote one National Committeeman and one National Committeewoman. If there are four (4) or more candidates on the ballot, the half receiving the fewest votes shall be eliminated. If the number to be eliminated is fractional, the number to be eliminated shall be rounded up. This procedure shall be repeated until a candidate receives a majority or the number of candidates is reduced to three. If there are three candidates on the ballot, and no candidate receives a majority on the ballot, the candidate receiving the fewest votes shall be eliminated and a runoff between the top two candidates shall occur. A candidate must receive over fifty (50) percent of the votes cast to be elected. The State Chairman shall, in a timely manner, file the names of the National Committeeman and National Committeewoman, who have been elected, with the Republican National Committee. Such National Committeeman and National Committeewoman shall represent the State Central Committee as members of the Republican National Committee for a term of four years immediately following their election.
- F) Other Meetings.** Other meetings of the State Central Committee may be called by
- 1) the State Chairman,
 - 2) a petition of the majority of the members of the State Executive Board, or
 - 3) a petition of a majority of the members of the State Central Committee.
 - 4) the state chairman, in the event of a declared Federal or State Emergency encompassing the entire state, in the following fashion. The chairman may call a state central committee meeting to be conducted via electronic means or

combination of in-person participation in which all participants can simultaneously hear each other and have the opportunity for recognition analogous to a regular in-person meeting. Persons appearing electronically shall count towards the satisfaction of quorum requirements. Votes may be conducted via roll call vote, mail vote, or other electronic means as determined by the meeting. Any conflicting language in the rules shall defer to this rule. County Central Committees and County Delegate Conventions may meet under these same provisions under the same circumstances with special meetings being called by their County Chairman.

- G) **Notice.** Notice of all meetings of the State Central Committee shall be mailed, e-mailed, and posted online by the Chairman to all members at least ten (10) days prior to any such meeting.

II. State Executive Board

- A) **Membership.** The Executive Board of the State Central Committee shall consist of the following:

1. The State Chairman, who shall chair all meetings, the Vice chair, Secretary, Treasurer, Finance Chair (appointed by the Chairman), the National Committeeman and National Committeewoman and five Regional Chairs, each elected by the incumbent County Chairmen from their respective Regional Chair Districts (defined as the Public Service Commission districts as they existed on January 1, 2023).

2. The Regional Chair districts will be comprised of the following counties:

District 1 – Blaine, Cascade, Chouteau, Daniels, Dawson, Fergus, Garfield, Glacier, Hill, Judith Basin, Liberty, McCone, Musselshell, Petroleum, Philips, Pondera, Richland, Roosevelt, Sheridan, Toole, Valley, Wibaux;

District 2 – Bighorn, Carbon, Carter, Custer, Fallon, Powder River, Prairie, Rosebud, Treasure, Yellowstone;

District 3 – Beaverhead, Broadwater, Gallatin, Golden Valley, Jefferson, Madison, Meagher, Park, Silver Bow, Stillwater, Sweetgrass, Wheatland;

District 4 – Deer Lodge, Granite, Lincoln, Mineral, Missoula, Powell, Ravalli, Sanders;

District 5 – Flathead, Lake, Lewis & Clark, Teton.

Ex Officio Members representing affiliated groups of the Montana Republican Party as selected by the State Chairman may attend and participate in Executive Board meetings at the discretion of the Chair, but shall not have voting privileges.

- B) **Term of Office.** The terms of those members of the Executive Board who are appointed by the State Chairman shall expire at the conclusion of the term of office of the State Chairman or upon the resignation or removal of the State Chairman from office.
- C) **Resignations.** The resignation of any office of the State Executive Board or County Central Committee is effective immediately upon receipt by any officer of the State Executive Board or County Central Committee, or upon announcement through the media.
- D) **Function.** The Executive Board shall execute the policies and programs of the Montana Republican Party between meetings of the State Central Committee, and shall exercise those powers conferred upon the Executive Board by these rules.
- E) **Meetings-Notice.** Meetings of the Executive Board may be called by the Chairman or by petition of a majority of the members of the Executive Board. Board meeting notices shall be mailed or emailed by the Chairman to all members at least ten (10) days prior to any such meeting. Notice may be waived by attendance of members at such meeting or waiver in writing of notice of all members not attending the meeting. The presence of a majority of the members of the Executive Board at any meeting shall constitute a quorum.
- F) **Executive Board Regional Chairs Election.** Immediately following the election of State Party Officers at the State Officers Convention the Chairs of the counties contained in each Regional Chair district shall nominate and elect a Regional Chair to represent each respective district and only those Chairs in each respective district shall vote. If more than one candidate is nominated for one seat, the election shall be conducted by secret ballot and the candidate must receive over 50% of the votes cast to be elected or balloting shall continue. Item five (5) of the Ballot Fairness section shall apply to this section.

III. County Central Committee

- A) **Membership.** In each county of the state there shall be a Republican Central Committee which shall consist of the duly elected or appointed Precinct Committeemen and Committeewomen of each precinct within the county. The Precinct Committeemen and Committeewomen shall hold such position for a term of two years from the date of their election or in the case of appointment, until the next regularly scheduled Primary election.
- B) **Selection of Precinct Committeemen and Committeewomen.**

- i. **Election.** Persons wishing to serve as Precinct Committeemen or Committeewomen may declare for nomination in a primary election pursuant to M.C.A. 13-38-201, the candidate winning this election shall be the Precinct Committeeman or Committeewoman for the term.
 - ii. **Appointment.** If no candidate is elected under (i), following the election the County Central Committee may appoint a person to that position. The person appointed must meet the same qualifications as required to run for election to that position, including geographic residence requirements.
 - iii. **Appointment.** If a precinct committee office has not been filled as provided above, and if the County has three or fewer precincts, the County Chairman, in conjunction with the County Central Committee may appoint four (4) additional “adjunct precinct representatives” who shall be entitled to vote at the county convention.
 - iv. **Appointment.** If no elected Precinct Committeemen or Committeewomen exist in a County, the State Chairman may, upon receiving a request in writing from 5 (five) duly registered electors of the County requesting organization of an acting Central Committee, appoint an acting Chairman who shall be empowered to call a special organizing meeting to appoint Interim Precinct Committeemen and Committeewomen to serve until the next primary election.
- C) **Election of County Officers.** Each County Central Committee must hold a convention for the purpose of organizing the Central Committee between August 1 and November 1 in each odd-numbered year. The State Chairman shall mail notice of this requirement at least ten (10) days prior to the period that elections may commence. Such conventions shall be called and notice of the call must be given as provided by state law. The County Chairman shall preside at the county convention and no person other than a duly elected or appointed Committeeman, Committeewoman or officer of the committee is entitled to participate in the convention. Only duly elected and appointed Precinct Committeemen and Committeewomen will be allowed to vote. Appointed Precinct Committeemen and Committeewomen shall have the same rights, privileges, duties, and responsibilities as elected Precinct Committeemen and Committeewomen.
- D) **Absence.** If a Committeeman or Committeewoman is absent, by not appearing either in person or by proxy, the convention may fill the vacancy by appointing some qualified elector of the party, resident in the precinct, to represent the precinct in the convention. A Committeeman or Committeewoman may appoint a proxy to represent him or her at the convention, but no proxy may be recognized unless held by an elector of the precinct of the Committeeman or Committeewoman executing it.

- E) **Elections.** At such convention, the Central Committee shall elect by majority vote the following officers, who need not be Precinct Committeemen or Committeewomen, but who must be registered electors of the county: 1) County Chairman and Vice Chairman, one of whom shall be a man and one of whom shall be a woman. 2) Secretary and Treasurer. 3) State Committeeman and State Committeewoman. 4) Congressional Committeeman and Congressional Committeewoman if the state has more than one (1) Congressional District. 5) Finance Chairman. 6) Such other officers as may be deemed appropriate.
- F) **Results.** No later than-thirty (30) days after the deadline for holding County Conventions in each odd numbered year, each County Central Committee will submit a report of the results of the convention to the State Central Committee. The Report shall include copies of the Convention notice, the approved minutes of the county convention, a roster of those eligible to vote that includes the elected and appointed precinct officers or their respective proxies, a record of who constituted a quorum, a list of those elected along with their contact information including address, email address, and phone number. Failure to file the report within the allotted time period may result in the county delegation not being seated at the next convention if the County does not file corrected reports within thirty (30) days after receiving notice from the State Party office of an incomplete filing.
- G) **County Executive Committee.** Each County Central Committee may adopt its own rules of the determination of membership on its Executive Committee and the function of such committee. In the absence of such rules, the duly elected officers, plus the President of the Republican Women's Club and the Chairman of the Republican Young Professionals in the county, shall constitute the Executive Committee. The Executive Committee is charged with the execution of the county party's policies and programs between meetings of the Central Committee, and the members thereof shall hold office until the next organizational convention. The members of the Executive Committee shall be entitled to participate in the proceedings of the County Central Committee, but such right to participate shall not include the right to vote unless such member is a Precinct Committeeman or Committeewoman. In the event of vacancy in any office which entitles the holder thereof to membership on Executive Committee, except for that of Precinct Committeeman or Committeewoman, due to death, resignation, failure to maintain status as an elector of the county, or removal from the county, the vacancy shall be filled by majority vote of the members of the County Central Committee present at a meeting called for that purpose.
- H) **Vacancy in Precinct Office.** Vacancies in the office of Precinct Committeeman or Precinct Committeewoman may be filled by majority vote of the members of the County Central Committee present at a meeting called and noticed for that purpose.

For the appointment to be effective, a quorum of duly elected and appointed Precinct Committeemen and Precinct Committeewomen must be present at the meeting where a vacancy can be filled. Written notification of the appointment must be made to the County Clerk and Recorder or County Election Administrator, and to the Chairman of the State Republican Party, before a Precinct Committeeman or Precinct Committeewoman can be considered duly appointed.

Precinct Committeeman and Committeewomen hold such position for a term of two years from the date of their election or in case of appointment, until the next regularly scheduled Primary election. Immediately after an appointment is made to fill a vacancy, notice of such appointment must be filed by the secretary of the meeting or the County Chairman with the County Clerk and Recorder and State Republican Headquarters.

- I) **Meetings.** Meetings of the County Central Committee may be called (1) by the County Chairman, (2) by a majority of members of the County Executive Committee, or (3) by a majority of the members of the County Central Committee.
- J) **Rules.** The County Central Committee may adopt rules for the government of the Party in its county, including rules governing the approval of campaign literature to be used for public distribution, which rules may not be inconsistent with any of the provision of the election laws of this state or with these rules. County Committee Rules or Bylaws will be effective only if adopted by a two thirds majority vote of all elected and appointed precinct committeemen and committeewomen present and voting at a properly noticed meeting of the Committee and then filed of record with the Executive Office of the Montana Republican Party within two weeks of adoption. Failure to properly file County Rules or Bylaws with the State Party shall render them null and void.

IV. Other Committees, Term, Reports

- A) **Rules Committee.** The Chairman shall appoint a standing Rules Committee, consisting of ten (10) members, to report at each meeting of the State Central Committee and to consider and/or recommend all proposed rule changes.
- B) **Regional Chair Committee.** The Regional Chair Committee will meet from time to time as directed by the State Chair and shall be chaired by one of the Members selected by the State Chair. The Regional Chair Committee is responsible for assisting the State Party Office in providing educational and training opportunities for County and State Central Committee members pertaining to State Party bylaws, and Montana law on party organization. Each Regional Chair shall endeavor to assist the Central Committees within the region in fundraising activities, in understanding and complying with the Montana Republican Party bylaws and state laws so that each County Republican Central Committee properly and legally operates within those

parameters and to provide input from County Central Committees to the State Republican Party.

- C) **Other Committees.** The Chairman shall have the power to appoint such special or standing committees as may be deemed necessary or desirable from time to time.
- D) **Term of Office.** The term of the members of all committees appointed by the Chairman shall automatically expire at the conclusion of each term of office of the Chairman, or upon the resignation or removal of the Chairman from office.
- E) **Committee Minutes, Reports.** The chairman of a committee shall report to the next State Central Committee or Convention as to the business conducted at each committee meeting. The chairman of a committee shall also have committee minutes prepared for distribution to each committee member and the State Chairman prior to presentation of the committee report.

Section D: Officers

I. Elected Officers

- A) **Chairman.** The Chairman shall be the recognized leader of the Republican Party organization in Montana and shall have the sole responsibility for the hiring and termination of employment of all paid employees of the State Central Committee, except as provided in Article II. He or she shall preside at all meetings of the State Central Committee, the Executive Board, and all Republican Conventions, except that he or she may appoint a Convention Chairman to preside over the business of a Convention. He or she shall appoint all committees, except the Executive Board, and shall be an ex- officio member of all committees. He or she shall represent the State Central Committee in an official capacity and shall have the usual powers of supervision and management as pertaining to the office of a chairman. The Chairman shall coordinate with the Treasurer to ensure all necessary resources are provided, and all necessary compliance is conducted, to meet the reporting and recording obligations required by Montana and federal law.
- B) **Vice Chairman.** The Vice Chairman shall perform such duties as may be assigned by the Chairman. In the absence of the Chairman, the Vice Chairman shall perform the duties of Chairman.
- C) **Secretary.** The Secretary shall keep the minutes of all meetings of the State Central Committee, the Executive Board, and all Republican conventions, keep the roll of membership and perform such other functions as may be incidental to the office or assigned by the Chairman.

- D) **Treasurer.** The Treasurer shall serve as the controller and oversight person for financial record keeping and practices, and shall require an accounting, at least monthly, for all receipts and disbursements of the State Central Committee and insure the timely filing of all reports required to be made to any governmental body or agency by the State Central Committee. The State Treasurer or his or her designee, namely the person appointed by the Chairman as accountant or bookkeeper, shall record all receipts and disbursements as required by the Federal Election Commission (FEC). All disbursements, excepting petty cash, shall be made only upon check countersigned by the two persons, one of whom will be the State Treasurer or assistant Treasurer and one of whom has been authorized to do so by the State Executive Board. The Treasurer shall present a report to the State Central Committee of the financial affairs of the State Central Committee upon request by the Chairman or by written request to both the Treasurer and the Chairman by at least five (5) members of the State Central Committee, and, at a minimum, shall report the financial affairs of the State Central Committee to the Executive Board quarterly. The State Treasurer or his designee shall present a report to the Executive Board of the financial affairs of the State Central Committee at every properly noticed and called meeting of the Executive Board. The Treasurer shall ensure the Party fully complies with all Montana and federal statutes and regulations regarding political party finances.
- E) **Assistant Treasurer.** The Assistant Treasurer shall become familiar with the responsibilities of the office of the Treasurer, and perform such duties as may be assigned by the Chairman or Treasurer.
- F) **Vacancies.** In the event of vacancy in the office of State Vice Chairman, the Chairman may appoint a person to fill such vacancy, with the approval of the Executive Board. In the event of vacancy in the office of State Chairman, the Vice Chairman shall automatically succeed to the office of Chairman. In the event of a vacancy in the office of Treasurer, the Assistant Treasurer will automatically succeed to that office. In all other cases, in the event that a vacancy shall occur in any elected office, the vacancy shall be filled by appointment by the State Executive Board at a meeting held no less than ten (10) days and no more than thirty (30) days after notice is given by the Secretary or the Chairman's designee that there is a vacancy. Any person who succeeds to his or her office under the provisions of this Paragraph F shall serve only until the next State Convention at which time the delegates shall elect a permanent replacement to complete the term.
- G) **Compensation.** No elected official of the Montana Republican Party shall be a paid employee of the Party, nor shall they be entitled to financial compensation other than reimbursement for expenses directly related to business on behalf of the Montana Republican Party.

- H) State party officers may be removed from office for cause by a 2/3 vote of the total membership of the Montana Republican State Central Committee at a special meeting called for that purpose on 15 days advance written notice. The notice shall contain the charge or charges against the State party officer(s) sought to be removed and be signed by not less than 25 percent of the members of the Committee. Prior to the vote on the charges, the officer(s) sought to be removed shall be given a full hearing and the opportunity to address the charge or charges and to present evidence refuting the charge or charges. This hearing shall be a closed hearing.
- I) County Central Committee officers may be removed from office according to rules established by each County Central Committee so long as those rules are not in conflict with these rules or state law or regulation. In the absence of county rules, County Central Committee officers may be removed from office by a two-thirds vote of the total number of Precinct Committeemen and Committeewomen.

II. Appointed Officers

- A) **Executive Director.** The Executive Director shall be appointed by the Chairman, subject to the prior approval of the Executive Board. The Executive Director shall be a paid employee who shall serve at the pleasure of the Chairman. All terms of employment of the Executive Director must be set out in detail in the minutes of the Executive Board. The Executive Director shall preserve all permanent records of the State Central Committee and upon termination of employment shall relinquish them to the successor Executive Director. The Executive Director shall also perform such duties as may be assigned from time to time by the Chairman.
- B) **Finance Chairman.** The Chairman, subject to the prior approval of the Executive Board, shall appoint a Finance Chairman. The Finance Chairman shall raise funds for the use of the Republican Party.
- C) **Legal Counsel.** The Chairman, subject to the prior approval of the Executive Board, shall retain legal counsel, who shall be licensed to practice law in this state. The legal counsel shall advise the Chairman, the State Central Committee, the Executive Board, and all officers and committees on all legal matters relative to their duties, under circumstances approved by the Executive Board.
- D) **Accountant/bookkeeper.** The Chairman may appoint a person to serve as accountant or bookkeeper for the party. The person so appointed will work with the Treasurer on record keeping and campaign finance filings. The person so appointed may be a paid employee who shall serve at the pleasure of the Chairman. The person so appointed shall also perform such duties as may be assigned from time to time by the Chairman.
- E) **Other Officers.** The Chairman may appoint such other and further officers as may be authorized by the Executive Board.

- F) **Term of Office.** All officers appointed by the Chairman shall serve at the pleasure of the Chairman and their appointment may be terminated by the Chairman at any time. The appointment of all officers appointed by the Chairman shall terminate automatically at the expiration of the Chairman's term of office, or upon the resignation or removal of the Chairman from office.
- G) **Communications of the Montana Republican Party.** (a) All official political communications and electioneering documents of the State Party shall be transmitted through the State Chairman and the General Counsel or their designees to ensure their compliance with state and local laws and regulations. (b) The State Chairman, subject to State Executive Board direction, shall be the only official State Party spokesman. However, the State Chairman may delegate his communications duties to other Republicans or to State Party officers or employees as the Chairman deems necessary.

Section E: Candidate Nominations

I. Nominations

- A) In the event that a party candidate for a state office to be filled by the state at large dies or withdraws after the primary and before the general election, the State Central Committee shall appoint a nominee to fill such vacancy at a meeting of such Committee called for this purpose, within the time provided by State law. The person receiving the majority of the votes at such meeting shall be the nominee, pursuant to E.2 below.
- B) In the event that a vacancy occurs in the office of United States Representative, requiring an election to fill the vacancy, or in the event that the party nominee shall die or withdraw after the primary and before the general election, the nominee of the party shall be chosen by the State Central Committee, at a meeting called by the Chairman of the party for that purpose, within the time provided by law. The person receiving the majority of the votes at such meeting shall be the nominee, pursuant to E.2 below.1) If a candidate for United States Representative withdraws or dies forty (40) days or more before the primary election, the State Central Committee may appoint someone to replace that candidate at a meeting called by the State Chairman for that purpose.
- C) If a candidate for nomination for office to be filled by the state at large, either state or federal, withdraws or dies forty (40) days or more before the primary election, the State Central Committee may appoint someone to replace the candidate at a meeting called by the State Chairman for that purpose. If such candidate withdraws or dies less than forty (40) days before the primary election, the State Central Committee

shall appoint by majority vote someone to replace the candidate, if no other candidate was nominated at such election, at a meeting called for that purpose by the State Chairman after the primary election.

- D) In all other cases where the Party may or is required to nominate a candidate, such nomination shall be made as follows:
- 1) For offices to be filled by the state at large, the State Central Committee shall make the appointment at a meeting called for that purpose. The person receiving the majority of the votes at that meeting shall be the nominee, pursuant to E.2 below.
 - 2) For offices to be filled in districts including more than one county (e.g., Public Service Commission, multi-county legislative districts), a committee appointed by the County Central Committee of all counties in the district shall make the appointment at a meeting called by the State Chairman for that purpose. Such committee shall consist of three persons from each county, who shall be selected by the Central Committee in such county. If a county has no Central Committee, the State Chairman shall select that county's members of the committee. The person receiving the majority of votes at the meeting of the committee shall be the nominee, pursuant to E.2 below.
- E) In all cases provided above:
- 1) The votes of the person entitled to vote at such meeting shall be weighted according to the following formula: Votes shall be determined by comparing the Republican primary vote in each county in the most recent primary election for the office involved to the total Republican primary vote for that office. For each two percent (2%) or less of the total Republican vote, four (4) votes will be awarded to the county. For each additional full percentage point over two percent (2%) of the total Republican vote, an additional vote will be awarded to that county. The delegate to the meeting from each county shall equally divide the number of votes to which their county is entitled, under the foregoing formula, on a decimal basis, and each delegate shall cast his or her vote individually.
 - 2) If there are four (4) or more candidates on the ballot, the half of the slate receiving the fewest votes shall be eliminated. If the number to be eliminated is fractional, the number to be eliminated shall be rounded up. This procedure shall be repeated until a candidate receives a majority or the number of candidates is reduced to three. If there are three candidates on the ballot, and no candidate receives a majority on the ballot, the candidate receiving the fewest votes shall be eliminated and a runoff between the top two candidates shall occur. A candidate must receive over fifty (50) percent of the votes cast to be elected.

- F) The state Republican Party of Montana supports a closed primary voting system in Montana. This is because the Party asserts that the State of Montana's use of an open primary system to determine the Party's nominees for the general election violates the Party's first Amendment rights to associate as the present voting system allows substantial numbers of voters associate with other political parties to cross over to, to participate in, and impact the outcome of the selection of this Party's nominees. Montana law does not presently require a Montana voter to declare a party affiliation to register or vote in primary or general elections. In the event that Montana law is changed to allow for closed primary elections to be held in the State, the following closed Republican Party Primary Rule will immediately go into effect and be controlling: "Only persons who have registered as a Republican prior to the Primary Election will be allowed to vote on a Montana Republican party ballot in that Primary Election."

Section F: Appeals

In all instances where application of these rules is contested, the aggrieved party must file a written protest with the state chair within ten (10) days. The state chair may designate a subcommittee of the State Rules Committee to investigate and make a determination of the conflict or the state chair may refer the matter to the General Counsel for an opinion. The decision by the subcommittee or the General Counsel, as the case may be, is final unless appealed to and overruled by the Rules Committee.

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

2024 MAR 07

PN2154

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SIGNED/NOTARIZED ☐

Ethics

Complaint Form (10/17)

Person bringing complaint (Complainant):

Type or print in ink all information on this form except for verification signature

Complete Name

Mary Moser

Complete Mailing Address

18 Ridgeway Rd

Bridge MT 59014

Phone Numbers:

Work

406 861 3715

Home

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

Complete Name

Lisa Bennett

Complete Mailing Address

110 Barlow Cr. Rd

Red Lodge MT 59068

Phone Numbers:

Work

970-924-0216

Home

406 446 9823

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 Carbon

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



AUSTIN TUSS
NOTARY PUBLIC for the
State of Montana
Residing at Belfry, Montana
My Commission Expires
January 20, 2027

Signature of Complainant

Subscribed and sworn to before me this 4th day of
March, 2024.

Notary Public

My Commission Expires: January 20th 2027

EXHIBIT 2

**Ethics
Complaint Form**

Page 2

Statement of facts:

Describe in detail the alleged violation(s), including pertinent dates, 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.

Please see attached letter

Please see attached letter

Complaints must be:

- signed
- notarized
- delivered to the Commissioner in person or by mail.

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Political Practices

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Ethics

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Type or print in ink all information on this form except for verification signature

Complete Name

Mary Moser

Complete Mailing Address

18 Ridgeway Rd

Bridger MT 59014

Phone Numbers:

Work

406 861 8715

Home

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

Complete Name

John Franish

Complete Mailing Address

913 Courts Ave

Red Lodge, MT 59068

Phone Numbers:

Work

Home

971-222-4376

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 Carbon

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



AUSTIN TUSS
NOTARY PUBLIC for the
State of Montana
Residing at Beltry, Montana
My Commission Expires
January 20, 2027

Signature of Complainant

Subscribed and sworn to before me this 4th day of
March, 2024

Notary Public

My Commission Expires: January 20th 2027

**Ethics
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2024 MAR 27

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Ethics

Complaint Form (10/17)

Person bringing complaint (Complainant):

Type or print in ink all information on this form except for verification signature

Complete Name

Rick Moser

Complete Mailing Address

18 Ridgeway Rd

Bridger MT 59014

Phone Numbers:

Work

406-861-3710

Home

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

Complete Name

Lisa Bennett

Complete Mailing Address

110 Barlowe Cr Rd

Red Lodge MT 59068

Phone Numbers:

Work

970-926-0216

Home

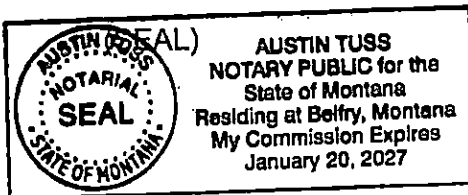
406-446-9823

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and describe in detail the facts of the alleged violation.

Verification by oath or affirmation

State of Montana, County of Carbon

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



[Signature]
Signature of Complainant

Subscribed and sworn to before me this 4th day of
March, 2024.

[Signature]
Notary Public

My Commission Expires: January 20th 2027

**Ethics
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Rick Moser

Complete Mailing Address

18 Ridgeway Rd

Bridger MT 59014

Phone Numbers:

Work

406 861 3710

Home

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

Complete Name

John Franch

Complete Mailing Address

913 Courts Ave

Red Lodge MT 59068

Phone Numbers:

Work

Home

971-222-4376

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and describe in detail the facts of the alleged violation.

Verification by oath or affirmation

State of Montana, County of Carbon

I, Rick Moser

, being duly sworn, state that the information in this
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Rick Moser



AUSTIN TUSS
NOTARY PUBLIC for the
State of Montana
Residing at Belfry, Montana
My Commission Expires
January 20, 2027

[Signature]
Signature of Complainant

Subscribed and sworn to before me this 4th day of
March, 2024.

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Complaints must be:

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- delivered to the Commissioner in person or by mail.

Rick and Mary Moser
18 Ridgeway Rd
Bridger, MT 59014
greatplainsfence@gmail.com
406-861-3715

March 4, 2024

To Whom it may concern,

Rick and I have lived in Carbon County for 20 years and have operated a successful Fencing Company here for 17 years. We joined the Central Committee in March of 2022. I was elected as vice chair on September 21, 2023 and Rick as State committeeman on January 18, 2024.

On September 21, 2023, when we had the elections supervised by GOP Debbie Churchill and Ron Tibbets, Dan Horman was elected as Chair. The very next day he resigned and the GOP said that I was now acting chair. At this same meeting John Franish was elected as treasurer. On September 24, 2023 Pat Plowman, Secretary, gave me the treasurer books that she received from Cherie Mondragon, the previous treasurer on September 23, 2023. I soon afterwards called John Franish to get together with him to give him the books. He said he would be at the next meeting. He was not present at that meeting which was October 19, 2023. I attempted to call him several times and left messages. He never answered or returned calls. I attempted to call him using Rick's phone and John immediately answered. He said "I can't talk to you, I have to talk to Lisa (Lisa Bennett) first!" and hung up on me. That was the last time I talked to him. Other officers tried to get a hold of him as well with no results. We had no idea what was going on so I kept the books. He was not present at any meeting from his initial election on September 12, 2023 till February 15, 2024. He missed a meeting in October 2023 and in January 2024, no meetings in November or December 2023.

On January 18, 2024 scheduled committee meeting the new chair Cody Mitchell was elected. John Franish was not present at that meeting. Cody immediately after his election said he was and would continue to work with John on the books. He also said he had someone from another county to help him and John with the books to get back in compliance. Cody also told Rick and I the same thing on the phone.

On February 15, 2024 we had our scheduled committee meeting. Earlier before the meeting I contacted Cheyl Wilson and she told me the reports had been filed on February 14, 2024. The C2 report had Lisa Bennett listed as Deputy Treasurer. Lisa was never officially appointed or elected as deputy treasurer. The meeting started and John Franish was present. When Cody asked John for a treasurer report, John said everything is up to date. I stood up and handed John the C2 report. I said "John who filed this report?" John seemed confused and stood up and handed it to Lisa Bennett. Then John said "what is wrong with asking for some help, I have been

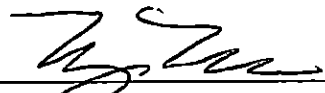
in the emergency room 3 times". I then said "why is Lisa Bennett listed as Deputy Treasurer?" No one answered me.

I then motioned that we have an investigation into the matter and Rick second it and it passed. The committee wants an investigation into what happened. Cody said he will follow through with this. After the meeting several of the committee people asked Cody if he knew or authorized Lisa Bennett to be Deputy Treasurer. He said no.

On February 17, 2024 I gave Lonna (Peach) Weiss, the new secretary, the treasurer books. She gave them to Cody Mitchell shortly after.

I spoke to Cody after the meeting on February 22, 2024 and he said that everything is up to date and that Lisa Bennett's name was taken off the C2 report. He never explained what happened and who authorized Lisa Bennett's name to be on the C2 report as Deputy Treasurer. Nothing more has been said to anyone on the matter. It appears no investigation will be conducted.

Rick Moser and I were witness to everything in this letter.



Mary Moser



Rick Moser



MONTANA, WYOMING, ARIZONA, KENTUCKY

WILLIS B. JONES
(1918 – 2007)

EMILY JONES
EMILY@JONESLAWMT.COM

RYAN LAWSON
RYAN@JONESLAWMT.COM

October 5, 2023

Lisa Bennett
110 Barlow Creek Road
Red Lodge, MT 59068
lisa@wildskies.com

VIA E-MAIL AND CERTIFIED MAIL

Re: Cease and Desist All Use of MTGOP's Name, Image, and Marks / Fraudulently Holding Yourself Out as a Representative of MTGOP

Dear Ms. Bennett:

This law firm represents the Montana Republican State Central Committee ("MTGOP"). This letter follows our recent discovery that you fraudulently presented yourself as a MTGOP official and/or employee to the Montana Commissioner of Political Practices ("Commissioner") and to the general public. Your actions are fraudulent and have harmed the MTGOP. You have no authority to act on behalf of the MTGOP to the Commissioner, the general public, or any other person or entity. Similarly, you have no permission to use the MTGOP's name, images, marks, etc. Your use of the email domain "compliance@gopmontana.com" and the website address "gopmontana.com" violates state law.

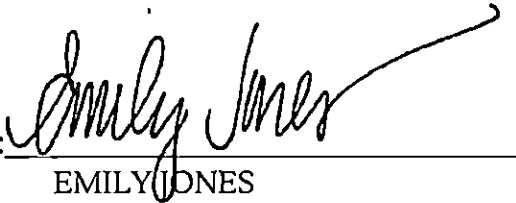
Recently, you contacted the Commissioner's office using the email address "compliance@gopmontana.com" and misrepresented yourself as an employee and/or official representative of MTGOP. Your domain name is clearly meant to give the false impression that you are communicating on behalf of MTGOP. The official domain for MTGOP is "mtgop.org". The domain you created is nearly identical to the actual MTGOP domain except that you used "Montana" in place of the abbreviation "MT". This will and clearly has caused confusion to third parties in that you successfully convinced the Commissioner's office that you represent the MTGOP. This harmed our client as the Commissioner's office—believing the false information you presented—stopped sending official correspondence concerning MTGOP's County Central Committees to MTGOP and sent them to your fraudulent "GOP Montana" email address instead. The Commissioner's office has reported that it was unaware you did not actually work for MTGOP, and you made no effort to correct

their view. Instead, you continued contacting the Commissioner's office presenting yourself as some sort of "compliance" specialist for MTGOP. Together, these actions amount to actionable fraud.

By this letter, MTGOP demands that you immediately cease all use of MTGOP's name, images, marks, etc., and cease representing yourself as an official and/or employee of MTGOP. Moreover, MTGOP demands that you immediately remove the website address "gopmontana.com" and all associated email domains with the same name. If this website and email domain are not taken down within 48 hours, MTGOP will be forced to take legal action and will report your actions to law enforcement.

Sincerely,

JONES LAW FIRM, PLLC

By: 
EMILY JONES



MONTANA, WYOMING, ARIZONA, KENTUCKY

WILLIS B. JONES
(1918 – 2007)

EMILY JONES
EMILY@JONESLAWMT.COM

RYAN LAWSON
RYAN@JONESLAWMT.COM

October 11, 2023

Montana Commissioner of Political Practices
1209 8th Ave
Helena, Montana 59601
cheryl.wilson@mt.gov

VIA E-MAIL ONLY

Re: Montana Republican Party / Lisa Bennett

Dear Commissioner:

This law firm represents the Montana Republican Party (“the Party”). It has come to our attention that an individual from Carbon County, Montana—Lisa Bennett—has been holding herself out as an employee/officer of the Party in communications with the Office of Commissioner of Political Practices (“COPP”). Ms. Bennett has apparently had multiple phone calls and email correspondence with COPP employees in which she led COPP to believe she was representing the Party as a “compliance” officer. Ms. Bennett created and corresponded with an email address with the name “compliance@gopmontana.com” in an apparent effort to mislead COPP and others into thinking she is affiliated with the Party.

Lisa Bennett has no affiliation with the Party and is not authorized to speak for or represent the Party in any matter before COPP. She is neither an employee nor officer of the Party and does not represent the Party for any compliance/legal issues. We have written to Ms. Bennett requesting that she cease holding herself out as a representative of the Party. By this letter, the Party requests that COPP update its records to note that Lisa Bennett is not an employee, officer, or representative of the Party and that COPP should not engage in any communications concerning the Party with Ms. Bennett. Should Ms. Bennett contact COPP again and attempt to impersonate a representative of the Party, please contact us immediately. Should you have any questions, please do not hesitate to contact us.

Sincerely,

JONES LAW FIRM, PLLC

By: 

EMILY JONES

c: Danielle Tribble

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Done

Politics & Pancakes

Saturday, April 27th, 9am**Roscoe Community Center****1991 Montana Hwy 78, Roscoe, Montana**

The Montana Association of Republican Central Committees and the Stillwater Republican Women are Hosting a Tri-County Politics and Pancakes Fundraiser

Come meet and greet and get to know the candidates running for office in Non-partisan and Republican Primary races.
Town Hall format with questions from the audience

Attending

Local, State and Federal Candidates

Confirmed: Tanner Smith for Governor, Stacy Zinn, Ric Holden and Ken Bogner for 2nd Congressional Seat, Brad Johnson for Senator, Jerry O'Neill for Supreme Court Justice #3, Norma Shultz for County Commissioner, Bowen Greenwood for Clerk of Supreme Court, Tim Sheehy for Senate, Lisa Bennett House District 55, and more.

Live Auction & Silent Auction Items

Recommended Minimum Donation \$25



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Montana Association of Republican Central Committees

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- Please Select -

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