



Delaware County Republican Finance Committee

323 West Front Street, Media, Pennsylvania 19063

610-566-9375

Fax: 610-566-9377

**FEDERAL ELECTION
COMMISSION**



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Carol J. Miller
Vice Chair

**OFFICE OF GENERAL
COUNSEL**

November 15, 2010

Andrew J. Reilly
Chairman

Cynthia Felner Leitzell
Treasurer

Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

MUR # 6433

To the Office of General Counsel:

I am writing to formally request that the Federal Elections Commission open an investigation into potential illegal campaign coordination and unreported campaign contributions related to the campaigns of Democrat Bryan R. Lentz, operating under the committee name of Lentz for Congress, and American Congress Party candidate James Schneller, operating under the Jim Schneller for Congress Campaign Committee. Both candidates are running for Congress in Pennsylvania's 7th Congressional District against Republican Patrick Meehan.

In public comments on October 19, Democratic candidate Bryan Lentz stated that his campaign workers and volunteers knowingly and intentionally provided assistance to the campaign of Jim Schneller for purposes of furthering Lentz' own campaign for Congress. Specifically, individuals associated with the Lentz campaign – including a number of prominent Democratic Party officials, as well as Lentz campaign volunteers, circulated nominating papers on behalf of Schneller's third party candidacy.

When Lentz was asked about his thought process in helping Schneller to get on the ballot, he specifically stated: "I did not think it was a bad thing for the process of my candidacy" while acknowledging he wanted to have someone running to Meehan's "right" on the ballot.

Had it not been for the assistance of these Democratic Party officials and Lentz supporters – who collected 4,814 signatures -- Schneller – who collected roughly 3,200 signatures -- would have fallen far short of the 4,200 statutorily required signatures to be placed on the ballot in the general election.

"Lentz' comments occurred in an editorial board meeting with the Delaware County Daily Times, the video of which can be viewed at the newspaper's website at <http://dtcampaign10.blogspot.com/2010/10/lentz-admits-to-assisting-schneller.html>. Lentz' comments were also widely reported by the Philadelphia Inquirer, Politico, The Hill newspaper, the Associated Press, and other media outlets.

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These individuals include Colleen Guiney, the Chair of the Swarthmore Democratic Party², who Lentz called "the hardest worker on my campaign"³; Abu Rahman, an official with the Delaware County Democratic Party and President of the Delaware County Asian American Democratic Association⁴; Matt Silva, District Leader of the Upper Darby Democratic Committee.⁵

Five Schneller petition circulators also circulated nominating papers on behalf of Bryan Lentz to be placed on the primary ballot. These petition circulators include the aforementioned Colleen Guiney and Matt Silva, as well as Richard Cairns, who according to press reports is Lentz' neighbor and served as a petitioner in a civil action on behalf of the Lentz campaign to have Lentz' opponents Democrats Teresa Touey and Gail Conner removed from the Democrat primary ballot; Joseph Gallagher, a Delaware County Democratic Party Committeeman in Aston Township; and David Merle Lewis, another Delaware County Democratic Party Committeeman in Aston Township.

Other circulators of Schneller's petition papers who are active in both the local Democratic Party and/or work on the Lentz campaign include: Julie Klein an active Lentz fundraiser on Act Blue who was also photographed at the opening of Bryan Lentz' campaign office; Arthur Manos, a Delaware County Democratic Party Committeeman in Folcroft and a labor organizer with the United Food and Commercial Workers union; Timothy Willard, a former Pennsylvania House Democratic Campaign Committee employee who served as a volunteer coordinator on Lentz' 2006 campaign for state legislature; Caroline Picher, the daughter of Helen Picher, a Democrat Committeewoman from Nether Providence; Nicholas Allred, a Lentz intern and the Internet Director for the Swarthmore College Democrats⁶; and Rocco Polidoro, a former Democratic Party candidate for Delaware County Council and Lentz supporter who has admitted to hosting a "notary party" in his insurance office for individuals who circulated Schneller's petitions.^{7,8}

According to a deposition by Kristen Kepics, a notary who notarized a number of petition papers at the "notary party," her services were procured by Colleen G., who Polidoro later confirmed was Colleen Guiney. Guiney, again, was called the "hardest worker on my campaign" by Lentz. Kepics also stated in her deposition that she was paid \$100 cash in an envelope for her notary services that day.

However, in Schneller's deposition he stated that he did not pay the notary for her services nor did he ever receive a receipt. Most certainly, Schneller's campaign

² <http://www.swarthmoredemocrats.org/pages/about.html>

³ <http://www.delcotimes.com/articles/2010/04/01/news/doc4bb4d69b14e03408179719.txt>

⁴ <http://www.delcodems.com/aboutus.htm#Party%20Officials>

⁵ <http://www.upperdarbydemocrats.com/leaders.htm>

⁶ <http://www.swarthmorephoenix.com/2010/09/16/news/lentzs-campaign-uses-controversial-methods>

⁷ Oral deposition of Kristen Kepics, notary public, on August 23, 2010.

⁸ In the interest of full disclosure, I should note that there was one lone individual, aside from Schneller himself, who circulated petitions on Schneller's behalf who had no clear ties to the Lentz campaign or the Democratic Party. That individual, David Altamare, collected 13 signatures.

benefitted from the notary's services that day as it was a requirement to be placed on the ballot. Lentz, by his own admission, has also benefitted from Schneller being placed on the ballot. Yet neither Schneller nor Lentz report the \$100 payment to the notary as an in-kind contribution or as a disbursement from their campaign.

Furthermore, given the extent of the Democratic Party officials and the Lentz campaign's involvement in and coordination of the petition process for Schneller, I am concerned that both the party and the Lentz campaign have made in-kind contributions to Schneller in excess of the reporting requirements.

Lentz is fond of pointing out that his efforts to place a third party candidate to further his own political career, although perhaps unethical are not illegal. However, it is illegal to fail to report in-kind contributions in excess of the required reporting thresholds in an attempt conceal coordination and evade open records requirements. I believe both the Lentz and Schneller campaigns failed to meet these requirements and would like the FEC to open a formal investigation into the matter.

Sincerely,

Andrew J. Reilly

Andrew J. Reilly
Chairman, Delaware County Republican Party

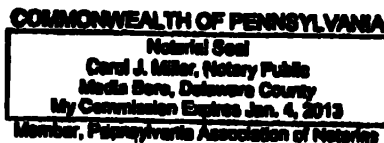
Subscribed and sworn to before

me on this 15th day of

November, 2010.

Carol J. Miller

NOTARY



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