

# Friends of Jim Schneller for Congress Committee

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OFFICE OF GENERAL  
COUNSEL

Jeff S. Jordan, Kim Collins  
Federal Election Commission  
Department of Complaints and Legal Administration  
999 E Street NW  
Washington, DC 20463

Re: Complaint No. MUR 6433

To the Federal Election Commission:

Thank you for the extension of time granted to our campaign to submit a response to the complaint registered by Andy Reilly, apparently for the Delaware County, Pennsylvania Republican party, but filed on letterhead entitled "Delaware County Republican Finance Committee." This is our response, signed as an affidavit by me, the treasurer and candidate.

We have been continually saddened by the acts of the complainant during this campaign and apologize for your having to review this case. It appears to center on a \$100.00 cost of notarization of nominating petitions. Because of the negligible amount in question and the amorphous nature of the claim, and because our campaign had stated by way of responses to the media, that all the complainant had to do was view our latest report to the Commission, to see the stated charge for legal costs, therefore the complainant had a duty to check their facts and the law before burdening all concerned with their claims. If they did, then their complaint is a sham. I attach a copy of the complainant's letter that was released to the press before the election. I ask an explanation why a new letter was then registered with you after the election.

We deny the complaint in the entirety, other than some foundational statements regarding circulation of nomination papers (petitions for lesser candidates are called "papers" in Pennsylvania), and a notarizing party, depositions, and some degree of truth to purported democrat party infiltration of our signature gathering, although the motives of any such infiltration cannot be quantified in any way conclusive.

We pursue two different cases in Pennsylvania regarding the complainant, one seeking completion, resumption, and inter-cooperation between investigation the Pennsylvania Attorney General and Secretary of the Commonwealth, regarding debilitating fraud in the nominating petition of the complainant's candidate Patrick L. Meehan, 61 MAP 2010, and the second requesting recanvass of the voting machines in this election due to reports of illegal activities in

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City of Pittsburgh, 109 A. 616, 266 Pa. 97, Sup.1920. 88 of these pages were those pages collected by myself, the candidate, personally, and so I became concerned about the in-kind nature of the service, despite our inability to ascertain actual payment, nor the payor, and we reported the contribution as in-kind, as part of legal costs in the October 15, 2010 quarterly, since I personally obtained notarization at the notarization party, by producing these 88 pages and having them notarized, and this benefited the campaign. ( We maintain however that this was not a charge made on the committee's behalf, nor made in consultation or concert with, nor at the committee's or candidate's request or suggestion, and was, if paid, done in bad faith and malicious intent.) The disbursement is part of the \$ 1423.99 outlay for "Court Fees, Legal Printing, Legal Postage." That disbursement also includes notarization fees for 2 other pages and candidate's affidavit filed with the petition on the day after the notarization party. The campaign's legal fees are noticeably diminutive, and so have a much greater percentage of costs for printing and mailing. Because I, the committee treasurer and campaign manager, untrained in the law, handle all campaign legal work pro se, our not granting myself any hourly legal fees is in line with Pennsylvania law which permits no disbursements or other fees to pro se (untrained) litigants in any way, including in court awards of fees.

As to the other 30 pages notarized at the notary party, and 143 pages not notarized at the notary party, we reprint here our memo comment attached to our latest report of disbursements in the post-election report filed by us on December 14, 2010 :

" The committee wishes to informally report, as arguably in-kind contributions, the costs of notarization of all but two pages of candidate's nominating papers, which occurred between July 20, 2010 and August 1, 2010, totalling at \$ 672.00. Having not reimbursed these costs, the committee reserves the right to request treatment of these costs under the sections regarding questionable contributions and possibly illegal contributions. The committee believes moreover that the costs fall outside of the scope of in-kind contributions, because they are not a charge made on the committee's behalf or made by a person in cooperation, consultation or concert with, or at the committee's or candidate's request or suggestion. Also, existence of the costs in a report would have deeply affected the election in a way fraudulent and libelous, and in all likelihood irreversibly. The circumstances caused the costs to be contested between the committee and individuals who paid the charges, allegedly for surreptitious reasons. Declaration of the costs in a report also stood likely of affecting future litigation. "

Simply put, since 170 or so of said petition ("paper's") pages were collected by interlopers, these pages cannot be in-kind contributions because they were not collected on behalf of the campaign nor in cooperation, consultation, nor concert with it. Rather they were collected by "volunteers" not allied with the campaign, but rather working for ulterior motives, and none of those volunteers signed any agreement nor even a sign up sheet of any kind with this campaign. Fewer than five pages stand as collected by circulators who collected on behalf or in concert with the campaign, and notarization fees for these fall under the \$100.00 in-kind reported in October.

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It is a fact that this matter remains under this committee's careful consideration, and that we have found it necessary to add said memo text in support of this response now delivered, where otherwise we may have left the matter unreported in any way, for the reasons stated. We missed the time sequence intended for reporting questionable contributions but moreso, when the facts became apparent, any "questionable" aspect rapidly became, without question, a conspiratorial aspect, one which has caused the notarization costs for the unwanted pages to remain unreported because the acts were not performed in an operation, nor with the knowledge, of the treasurer, the manager, nor anyone in any leadership position with the campaign. No formal rejection of a nebulously in-kind service is intended by the law, although the campaign is willing to do so.

The notary whose charges have been reported as in-kind is not a campaign supporter, nor contributor.

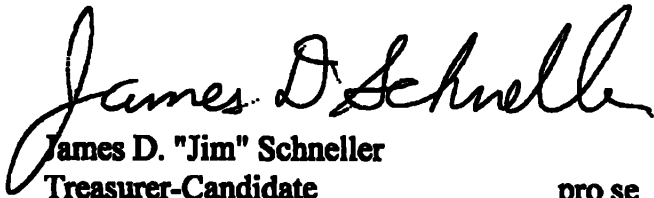
As stated in part in the memo text, existence of the costs in question, in a report, would have deeply affected the election in a way fraudulent and libelous, and in all likelihood irreversibly. The circumstances caused the costs to remain concealed between the committee and individuals who paid the charges. Reporting of the costs of notarizing (which are synonymous with the costs of preparing nomination papers, in this case) would for the indefinite future open this and future campaigns of the candidate's to accusations of collaboration with another, opposing party and biased collaboration against the third party, neither of which are true.

We request any alleviation available pursuant to my proceeding for the duration as an untrained pro se, and pursuant to the fact that this campaign is financially at the lower end of the scale of fund availability.

We welcome, and informally request, the Commission's Advisory Opinion on any issue suited herein, and would request leave to file a memorandum of law regarding any issue deemed not sufficiently discussed.

To the extent that the complaint attempts to address torts and allegations of collusion or conspiracy, these are immaterial. We are amazed that, despite the fact that this sort of activity often occurs in cooperation between political parties, in this case, where it was inflicted on a campaign in a concealed manner, complainants' roar, now extending even to your office, has resounded unceasingly.

I, James D. Schneller, solemnly affirm and attest that the statements made in this motion are true and correct. I understand that false statements herein are made subject to penalty of perjury. Sworn to this the 20<sup>th</sup> day of January, 2011.



James D. "Jim" Schneller  
Treasurer-Candidate  
610-688-9471

pro se

cc: Delaware County G.O.P. , Patrick Meehan, Bryan Lentz

500 East Lancaster Avenue 111d Radnor, PA 19087 [info@jim4us.com](mailto:info@jim4us.com)

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# Delaware County Republican Finance Committee

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610-566-9375

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Andrew J. Reilly  
Chairman

Cynthia Peter Letzell  
Treasurer

Carol J. Miller  
Vice Chair

October 27, 2010

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

To the Office of General Counsel:

I am writing to formally request that the Federal Elections Commission open an investigation into 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 7<sup>th</sup> 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.<sup>1</sup> 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.

<sup>1</sup> 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://dctcampaign10.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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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

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