POLITICAL LAW GROUP, A CHALMERS LLC

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2014 JUN 16 PH 12: 34 OFFICE OF GENERAL COUNSED

MUR4824

June 05, 2014

Federal Election Commission Office of Complaints Examination And Legal Administration Attn: Frankie Hampton, Paralegal 999 E Street, NW Washington, DC 20436 Email: fhamption@fec.gov

Re: Response to allegations against Eugene Chin Yu, individually, and Eugene Yu for Congress, Inc. in the complaint filed by John E. Stone

Dear Ms. Hampton:

As you are aware from our previous conversation, this law firm represents Eugene Chin Yu, (hereinafter "Mr. Yu"), and the principal campaign committee, Eugene Yu for Congress, Inc. (hereinafter the "Committee"). While this law firm does not personally represent third-party Donnie Miller, all parties have agreed to be included in this response. (See Designation of Counsel Form). At this time the undersigned parties emphatically deny all allegations of wrongdoing implied or suggested in the complaint filed by John E. Stone (hereinafter the "Complaint") and request that this matter be dismissed. The parties involved take very seriously all matters related to campaign finance compliance and intends to fully cooperate with the Commission in settling this matter as quickly and efficiently as possible.

After speaking with all involved parties and conducting a thorough review of the underlying facts provided by Mr. Yu and the Committee, it is my understanding that at no time did Mr. Yu, the Committee, or any person associated with the Committee intend to purposefully or knowingly violate any Commission rule in the handling of the Committee's finances; neither has Mr. Yu failed to account for the source of the personal funds loaned to the Committee as required by statute.

The relevant facts are as follows:

• On or about February 24 2014, the committee, Eugene Yu for Congress, Inc. was established for the sole purpose of serving as the principal candidate committee for Mr. Yu.

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- Mr. Yu, Wayne Brown, and Donnie Miller were named officers of the incorporated committee. Wayne Brown was selected by the committee to serve as campaign chairman, and Donnie Miller was selected by the committee to serve as treasurer.
- On or about March 26, 2014, Mr. Yu filed his required financial disclosure report with the Clerk of the House of Representatives. (Exhibit A)
- Over the course of the campaign, and in accordance with applicable regulations, Mr. Yu made several loans from his personal funds to the Committee for the purpose of furthering his campaign. Those loans were documented in the quarterly reports filed with the Commission.
- On or about May 16, 2014, in a desperate last minute attempt to score political points against a primary opponent, a Complaint was filed against Mr. Yu regarding the source of the personal funds he loaned to the Committee. (Exhibit B)

As of this writing, no facts have been presented to show that Mr. Yu used funds other than personal funds in the loans made to his committee. With no more than two news articles filled with conjecture and innuendo, the Complaint filed by Mr. Stone fails to identify specific facts that would indicate Mr. Yu committed any wrongdoing. As documented in the financial disclosure report filed with Clerk of the House, Mr. Yu has personal assets valued at well over \$3,000,000. That amount is clearly greater than the \$736,000 the complaint identifies as the amount personally loaned to the committee.

The Complaint goes on to imply that Mr. Yu's refusal to answer media inquiries related to these false allegations is somehow tantamount to proof of "potential illegalities in the source(s)." That implication is beyond desperate. It is my understanding there is no statutory or regulatory requirement for committees or candidates to indulge every wild-eyed and sensational story the media deems news worthy. A refusal to talk to the media does not serve as an indication of unlawful activity. Furthermore, a contributor in one the articles attached to the Complaint, who is a well respected campaign finance lawyer, notes that based on the media reports and the disclosure report filed by Mr. Yu, he did not know of any facts that would indicate misconduct.

Finally, the Complaint attempts to impugn the integrity of Mr. Yu and the Committee by suggesting that a discrepancy involving an excessive contribution earlier in the election cycle was an indication of a "pattern of practice. . . of violating donation rules." This charge is clearly rebutted by the mere fact that earlier in the election cycle upon becoming aware of a reporting error, the Committee amended the necessary reports, made the appropriate refunds, took remedial action to prevent similar occurrences, and sent a sus susponte submission documenting the infraction to the Commission. (Exhibit C). That violation was the result of political novices who at the time of the violation were unaware of the requirements of the law. At no time did their actions amount to a willful, wanton or reckless disregard of the FECA or the rules of the Commission.

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In an effort to come to an amicable conclusion to this matter, the Committee and undersigned parties are willing to submit additional documentation to support the assertion that the Complaint should be dismissed.

Please feel free to contact me regarding the Commission's final position on this matter and the penalty, if any, that accompanies their decision.

Date

Sincerely,

Jennifer McNeely Attorney for Bugene Yu for Congress, Inc.

Eugene Yu for Congress, Inc. Date

Date **Eugene Chin Yu** 6-13-14

Donnie Miller, Treasurer

cc: Douglas Chalmers

Exhibit A





RECEIVED FEDERAL ELECTION COMMISSION

May 16, 2014

2014 HAY 19 PM 2: 45

OFFICE OF GENERAL

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

COU;ISEL MUR# 682

RE: Complaint of Federal Campaign Law Violations by Eugene Yu for U.S. Congress

Complainant:

John E. Stone Committee to Elect John Stone 2803 Wrightsboro Road Suite 15-351 Augusta, GA 30909

Complaint:

Eugene Yu has failed to account for the source of his \$736,000 loan to Eugene Yu for U.S. Congress as reported to the Federal Election Commission in his March 31, 2014 report, as evidenced by his Candidate Financial Disclosure Report filed on March 26, 2014 with the Clerk of the U.S. House of Representatives.

Facts of the Case:

According to reliable media reports, Mr. Yu has not reported financial assets of sufficient quantity to personally loan his campaign \$736,000, nor any source of secondary loans or personal gifts to allow this amount of contribution to his own campaign. He is also refusing to answer media inquiries on this matter, indicating potential illegalities in the source(s) of this massive injection of campaign funds in the closing weeks of the Georgia Republican Primary. This discrepancy follows two previous violations of Federal Election Law this election cycle, with both instances involving donation limit violations, indicating a pattern of practice of Eugene Yu for U.S. Congress of violating donation rules.

Summary: The infusion of \$240,000 in cash by Eugene Yu for U.S. Congress in the final weeks of the Georgia Republican Primary has resulted in a barrage of campaign activity by Eugene Yu for Congress that would otherwise have not been possible. If that infusion of cash is in violation of federal campaign law the certification of the May 20 Primary results could be in question.

TIME IS OF THE ESSENCE:

The magnitude of these violations are such that could alter the results of the May 20 Republican Primary Elections if allowed to stand. The Commission is urged to act on these matters with urgency.

> John Stone for Congress 2803 Wrightsboro Road, Suite 15-351, Augusta, Georgia 30909 (912) 335-3139



I look forward to your timely respon

John E. Stone Candidate Committee to Elect John Stone 2803 Wrightsboro Road, Suite 15-351 Augusta, GA 30909

Attachments:

Financial Disciosure Report, March 26, 2014 Federal Election Report, September 30, 2013 Federal Election Report, March 31, 2014 Federal Election Report, April 30, 2014 Associated Press, Russ Bynum, March 10, 2014 Morris News Service, Walter Jones, May 10, 2014

NOTE:

Original and three copies submitted May 16 via USPS certified next day mail, electronic copies submitted May 16.

I attest, under penalty of perjury, that Mr. John & Store personally appeared before me on May 16, 2014.

Brandy H Mcalexander Brandy H McAlexander Commission expires 2.4.2017

John Stone for Congress 2803 Wrightsboro Road, Suite 15-351, Augusta, Georgia 30909 (912) 335-3139

Filing ID #10000245



FINANCIAL DISCLOSURE REPORT

Clerk of the House of Representatives • Legislative Resource Center • B-106 Cannon Building • Washington, DC 20515

FILER INFORMATION

| Name: | Eugene Chin Yu |
|-----------------|--------------------------------|
| Status: | Congressional Candidate |
| State/District: | GA12 |

FILING INFORMATION

| Filing Type: | Candidate Report |
|--------------|------------------|
| Filing Year: | 2014 |
| Filing Date: | 03/26/2014 |

SCHEDULE A: ASSETS AND "UNEARNED" INCOME

| Asset | Owner | Value of Asset | Income Type(s) | Income Current Year to Filing | Income Preceding Year |
|---|-------------|------------------------------|-------------------|----------------------------------|--------------------------|
| Bartram Road Building/Land | Л | \$1,000,001 - \$5,000,000 | Rent | \$50,001 - \$100,000 | \$50,001 - \$100,000 |
| LOCKTON: Augusta/Richmond Con DESCRIPTION: 10,000 sq ft commer | •••• | | | | |
| Enspert Inc. | JT | \$100,001 - \$250,000 | None | | • |
| DESCRIPTION: Korean Public Compi | any Stock | | | | • |
| Green County Land | JT | \$250,001 - \$500,000 | None | | • |
| LOCATION: Greensboro/Greens Con | nty, GA, US | } | | | 1 |
| Insprit Inc. | Л | \$1,000,001 - \$5,000,000 | None | | |
| DESCRIPTION: Korean Public Comp | ny Stock | | | | |
| Peachtree St. Condo | JT | \$250,001 - \$500,000 | None | | |
| LOCATION: Atlanta/Fulton County, | ga, US | | | | 1 |
| Wells Fargo | JT | \$15,001 - \$50,000 | Interest | \$1 - \$200 | \$1 - \$200 |
| 4- ' | | | | 5 | |

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|-------|-------|----------------|--|--|--|
| Asset | Owner | Value of Asset | Income | Income | Income |
| 1 | | | Type(s) | Current Year to Filing | Preceding Year |
| l | | | | | |

SCHEDULE C: EARNED INCOME

None disclosed.

SCHEDULE D: LIABILITIES

| Owner | Creditor | Date Incurred | Туре | Amount of Liability |
|--------|------------------|---------------|------------------|------------------------|
| JТ | Suntrust Bank | Sept 2002 | Home Mortgage | \$15,001 - \$50,000 |
| Л | Suntrust Bank | Sept 2002 | Condo Mortgage | \$15,001 - \$50,000 |
| n - | Walls Fargo Bank | April 2013 | Home Equity Loan | \$15,001 - \$50,000 |

SCHEDULE E: POSITIONS

| Position | Name of Organization |
|---|---|
| a second a second se | المراجعين المراجعين المراجع الم |
| President | Federation of Korean Association USA |
| فيرجعهم البياد فبدائك بالمحمور ويوجعهم والمحمو | الوراب المحافظ المحافظ المحافظ والمحافظ والمحافظ والمحافظ والمحافظ والمحافظ والمحافظ والمحافظ المحافظ ا |

SCHEDULE F: AGREEMENTS

None disclosed.

SCHEDULE J: COMPENSATION IN EXCESS OF \$5,000 PAID BY ONE SOURCE

None disclosed.

EXCLUSIONS OF SPOUSE, DEPENDENT, OR TRUST INFORMATION

Trusts: Details regarding "Qualified Blind Trusts" approved by the Committee on Etlics and certain other "excepted trusts" need not be disclosed. Have you excluded from this report details of such a trust benafiting you, your spouse, or dependent child?

Exemption: Have you excluded from this report any other assets, "unearned" income, transactions, or liabilities of a spouse or dependent child because they meet all three tests for exemption?

COMMENTS

CERTIFICATION AND SIGNATURE

17: I CERTIFY that the statements I have made on the attached Financial Disclosure Report are true, complete, and correct to the best of my knowledge and belief.

Digitally Signed: Eugene Chin Yu, 03/26/2014

| 2014 COMMENTEEPINFORMATION | C00547158 | CANDIDATE INFORMATION | |
|---|-----------------------|-------------------------|------------------------|
| Name: EUGENE YU FOR US SENATE | | Yv. Eugene Chin | ID: <u>H4GA1205</u> |
| Address: PO BOX 2000, EVANS, GA 30809 | | Office: H - House | |
| Treasurer Name: Donnis Miller | | State: GA, District: 12 | |
| Type: H - House | | | |
| Designation: P+ Principal Campaign Committee Of A C | andidate | | |
| Party: Republican Party | | | |
| | ELMANGIAL SUPINARY OF | UGENEIVITHORIUSISENATE | |
| | From: 05/15/2013 | To: 04/30/2014 😨 | |
| I. RECEIPTS | | | |
| Remixed Individual Contributions | \$164,175 | | |
| Uniternized Individual Contributions | \$6,785 | | |
| Total Individual Contributions | \$150,951 | | |
| Party Committees Contributions | \$0 | | |
| Other Committees Contributions | \$ 0 | | |
| Cendidate Contributions | \$ 0 | | Receipts |
| TO TAL CONTRIBUTIONS | \$160,951 | | |
| Transfers from Authorized Committees | \$0 | | Remixed Individual |
| Cundidate Lorne | \$736,148 | 64. | en oituántno. |
| Other Loans | \$0 | | Expenditures |
| IOTAL LOANS | \$756,148 | | Unkemized Individual |
| Offsets to Operating Excenditures | \$7,200 | BD675 | Contributions |
| Other Receipte | \$0 | 19.03 | Candidate Loans |
| TOTAL RECEIPTS | \$904,309 | \sim | |
| II. DISBURSEMENTS | | | |
| Cogniting Expenditures | \$729,447 | | |
| Fransfers To Authorized Committees | \$0 | | |
| Candidate Loan Repayments | \$14,200 | | |
| Other Loan Repayments | \$ 0 | | |
| TOTAL LOAN REPAYMENTS | \$14,200 | | |
| individusi Refunde | \$51,000 | ni | sbursements |
| Political Party Refunds | \$0 | | |
| the Committee Refunds | \$550 | | 🖬 Individual Refunds |
| TOTAL CONTRIBUTION REFUNDS | \$51,550 | | Operating Expenditures |
| Other Disburgements | \$0 | | E Candidate Loan |
| POTAL DISBURSEMENTS | \$786,197 | | Repayments |
| II. CASH SUMMARY | | | Ø Other |
| Beginning Cash On Hand | \$0 | 90683 | |
| Ending Cash On Hand | \$89,414 | | |
| Net Contributions | \$109,412 | | |
| Net Operating Expenditures | \$713,247 | | • |
| Debts/Loans Owed By | \$281,358 | | |
| Debta/Loans Owed To | \$0 | | |

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| FINANCIAL SUMMARY - 2004 Fre-Pridery | |
|--------------------------------------|--------------------|
| From: 04/01/2014 To: 04/30/2014 | |
| I. RECEIPTS | \$1,829 🛆 |
| Itemized Individual Contributions | \$1,009 |
| Uniternized Individual Contributions | \$829 |
| Total Individual Contributions | \$1,829 |
| Party Committees Contributions | \$Ø |
| Other Committees Contributions | \$0 |
| Candidate Contributions | \$0 |
| TOTAL CONTRIBUTIONS | \$1,829 |
| Transfers from Authorized Committees | \$ D |
| Candidate Loans | \$0 |
| Other Loans | \$0 |
| TOTAL LOANS | \$D |
| Offsets to Operating Expenditures | \$0 |
| Other Receipts | \$0 |
| TOTAL RECEIPTS | \$1,829 |
| II. DISBURSEMENTS | <u>\$148,311</u> a |
| Operating Expenditures | \$144,311 |
| Transfers To Authorized Committees | \$0 |
| Candidate Loan Repayments | \$4,000 |
| Other Loan Repayments | \$0 |
| TOTAL LOAN REPAYMENTS | \$4,000 |
| Individual Refunds | \$0 |
| Political Party Refunds | \$0 |
| Other Committee Refunds | \$0 |
| TOTAL CONTRIBUTION REFUNDS | \$0 |
| Other Disbursements | \$0 |
| TOTAL DISBURSEMENTS | \$148,311 |
| III. CASH SUMMARY | \$89,414 🛆 |
| Beginning Cash On Hand | \$235,896 |
| Ending Cash On Hand | \$89,414 |
| Net Contributions | \$1,829 |
| Net Operating Expenditures | \$144,311 |
| Debts/Loans Owed By | \$281,358 |
| Debts/Loans Owed To | \$0 |

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FINANCIAL SUMMARY - 2014 April Quarterly

From: 01/01/2014 To: 03/31/2014

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| I. RECEIPTS | \$326,015 🛆 |
|--------------------------------------|--------------------|
| temized Individual Contributions | \$36,027 |
| Initemized Individual Contributions | \$1,630 |
| Total Individual Contributions | \$37,657 |
| Party Committees Contributions | \$0 |
| Other Committees Contributions | \$0 |
| Candidate Contributions | \$D |
| TOTAL CONTRIBUTIONS | \$37,657 |
| Fransfers from Authorized Committees | \$0 |
| Candidate Loans | \$288,358 |
| Other Loans | \$0 |
| TOTAL LOANS | \$288,358 |
| Offsets to Operating Expenditures | \$0 |
| Other Receipts | \$0 |
| TOTAL RECEIPTS | \$326,015 |
| II. DISBURSEMENTS | <u>\$141,964</u> |
| Operating Expenditures | \$138,414 |
| Transfers To Authorized Committees | \$0 |
| Candidate Loan Repayments | \$3 <u>,</u> 000 |
| Other Loan Repayments | |
| TOTAL LOAN REPAYMENTS | \$3,000 |
| individual Refunds | \$0 |
| Political Party Refunds | \$0 |
| Other Committee Refunds | \$550 |
| TOTAL CONTRIBUTION REFUNDS | \$550 |
| Other Disbursements | \$0 |
| TOTAL DISBURSEMENTS | \$141,964 |
| III. CASH SUMMARY | \$235,896 △ |
| Beginning Cash On Hand | \$51,845 |
| Ending Cash On Hand | \$235,896 |
| Net Contributions | \$37,107 |
| Net Operating Expenditures | \$138,414 |
| Debts/Loans Owed By | \$285,358 |
| | 3/03.330 |

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| FINANCIAL SUMMARY - 2013 Year-End | |
|--------------------------------------|------------------------|
| From: 10/01/2013 | To: 12/31/2013 |
| I. RECEIPTS | \$330,767 🛆 |
| Itemized Individual Contributions | \$36,250 |
| Uniternized Individual Contributions | \$3,727 |
| Total Individual Contributions | \$39 , 977 |
| Party Committees Contributions | \$0 |
| Other Committees Contributions | \$0 |
| Candidate Contributions | \$0 |
| TOTAL CONTRIBUTIONS | \$39,977 |
| Transfers from Authorized Committees | \$0 |
| Candidate Loans | \$290,790 |
| Other Loans | \$ 0 |
| TOTAL LOANS | \$290,790 |
| Offsets to Operating Expenditures | \$0 |
| Other Receipts | . \$0 |
| TOTAL RECEIPTS | \$330,7 6 7 |
| II. DISBURSEMENTS | <u>\$278,922</u> A |
| Operating Expenditures | \$228,922 |
| Transfers To Authorized Committees | \$0 |
| Candidate Loan Repayments | \$0 |
| Other Loan Repayments | .\$0 |
| TOTAL LOAN REPAYMENTS | \$ 0 |
| Indívídual Refunds | \$50,000 |
| Political Party Refunds | \$0 |
| Other Committee Refunds | \$0 |
| TOTAL CONTRIBUTION REFUNI | DS \$50,000 |
| Other Disbursements | \$0 |
| TOTAL DISBURSEMENTS | \$278,922 |
| III. CASH SUMMARY | \$51,845 △ |
| Beginning Cash On Hand | \$0 |
| Ending Cash On Hand | \$51,845 |
| Net Contributions | -\$10,022 |
| Net Operating Expenditures | \$228,922 |
| Debts/Loans Owed By | \$29 0,7 90 |
| Debts/Loans Owed To | \$0 |

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| From: 05/15/2013 To: 09/30/2013 I. RECEIPTS \$245,698 Itamized Individual Contributions \$60,898 Uniterrized Individual Contributions \$600 Total Individual Contributions \$81,498 Party Committees Contributions \$0 Other Committees Contributions \$0 Candidate Contributions \$0 ToTAL CONTRIBUTIONS \$81,498 Transfers from Authorized Committees \$0 Candidate Loans \$0 Cher Loans \$0 Offsets to Operating Expenditures \$157,000 Offsets to Operating Expenditures \$245,698 IL DISBURSEMENTS \$245,698 IL DISBURSEMENTS \$217,000 Candidate Loan Repayments \$7,200 Other Receipts \$0 Tortal RECEIPTS \$217,000 IL DISBURSEMENTS \$27,200 Candidate Loan Repayments \$0 Tortal LOAN REPAYMENTS \$7,200 Individual Refunds \$0 Tortal LOAN REPAYMENTS \$1,000 Polical Party Refunds \$0 Tortal CONTRIBUTION REFUNDS | FINANCIAL SUMMARY - 2013 October Quarterly | |
|--|--|------------------------|
| Itemized Individual Contributions\$80,898Uniterrized Individual Contributions\$600Total Individual Contributions\$0Perty Committees Contributions\$0Other Committees Contributions\$0Candidate Contributions\$0TorTAL CONTRIBUTIONS\$81,498Transfers from Authorized Committees\$0Cher Committees\$0Cher Committees\$0Candidate Loans\$157,000Other Loans\$157,000Offsets to Operating Expenditures\$7,200Offsets to Operating Expenditures\$0TOTAL RECEIPTS\$245,698IL DISBURSEMENTS\$217,000Other Loan Repayments\$0Tortal LOAN REPAYMENTS\$1,000Other Loan Repayments\$0Operating Expenditures\$208,800Transfers To Authorized Committees\$0Candidate Loan Repayments\$1,000Other Loan Repayments\$1,000Other Committee Repayments\$0TOTAL LOAN REPAYMENTS\$1,000Other Committee Refunds\$0TOTAL CONTRIBUTION REFUNDS\$1,000Other Disbursements\$0TOTAL DISBURSEMENTS\$217,000III. CASH SUMMARY\$28,697Beginning Cash On Hand\$28,697Reginning Cash On Hand\$28,697Net Contributions\$80,498Net Operating Expenditures\$201,600Debts/Loans Owed By\$149,600 | From: 05/15/2013 To: 09/30/2013 | |
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| Candidate Contributions\$0TOTAL CONTRIBUTIONS\$81,498Transfers from Authorized Committees\$0Candidate Loans\$157,000Other Loans\$0TOTAL LOANS\$157,000Offsets to Operating Expenditures\$7,200Other Receipts\$0TOTAL RECEIPTS\$245,698II. DISBURSEMENTS\$208,800Transfers To Authorized Committees\$0Candidate Loan Repayments\$7,200Other Loan Repayments\$7,200Other Loan Repayments\$10,000TotTAL IOAN REPAYMENTS\$7,200Other Committee Refunds\$0TOTAL LOAN REPAYMENTS\$1,000Political Party Refunds\$0Other Disbursements\$0TOTAL DISBURSEMENTS\$217,000III. CASH SUMMARY\$28,697Beginning Cash On Hand\$0Ending Cash On Hand\$20,498Net Operating Expenditures\$201,600Debts/Loans Owed By\$149,800 | Party Committees Contributions | \$0 |
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Augusta candidate Eugene Yu took \$50,000 in prohibited donations

By Russ Bynum

Associated Press

Monday, March 10, 2014

SAVANNAH, Ga. — Running his first race for Congress, Eugene Yu found a generous supporter in his friend and fellow Augusta businessman Wayne B. Brown. Last summer and fall, Brown and his company gave the Republican candidate \$54,500 for his campaign.

The problem is that's far more cash than the \$5,200 limit one person can legally give a single candidate seeking federal office. Yu had to refund \$50,000 of the money given to his U.S. Senate campaign. He abandoned that race to run for a U.S. House seat in eastern Georgia.

"This is the first time I'm running in an election," Yu said in a phone interview Monday. "If anything, it was an honest mistake."

Fundraising reports filed with the Federal Election Commission show Yu's campaign waited three months to disclose the prohibited contributions. Instead, the campaign reported most of the cash as a \$45,000 personal loan.

"It looks more sketchy because it raises a question of whether or not the candidate was trying to conceal the contribution," said Sheila Krumholz, the executive director of the Center for Responsive Politics, a nonprofit and nonpartisan organization that tracks money in politics. "He took this large sum of money and passed it off as money from his own pocket."

Both the candidate and his donor said they weren't trying to deceive anybody. They said Brown owed Yu money for his share of a real-estate investment, and the money was deposited into the candidate's campaign account to help his largely self-funded race.

"Eugene had already paid for the property so I was reimbursing him for my share," Brown wrote in an e-mail Monday. "Since it was his money, it was deposited in the campaign account as a contribution from him which is correct but not transparent."

A political newcomer, the 58-year-old Yu of Evans remains an active player in the 2014 elections even after exiting his Senate campaign. Last week, Yu signed up for a five-way primary race for the GOP nomination to oppose Democratic Rep. John Barrow in Georgia's 12th District.

Yu's campaign could face fines if FEC auditors find there were fundraising violations. The FEC gives candidates grace periods of up to 60 days to refund or otherwise make right excessive or prohibited contributions.

Yu's campaign had most of its money from Brown for longer than that. The FEC doesn't disclose the status of investigations until they're resolved.

Yu came to the area as a teenager when his South Korean parents immigrated here. He's a former military policeman and ex-sheriff's deputy who's now retired from his now-defunct company that refurbished military trucks returning from overseas deployments. Yu also served as president of a major Korean-American lobbying association before launching his first political campaign last year.

Yu's newcomer status made him a longshot in the race for Georgia's open Senate seat, where the crowded Republican field includes three sitting congressmen. But Yu also poured more than \$447,000 of his own money into the Senate race. A continued willingness to self-finance could make him tough to ignore, even as a latecomer, in the GOP primary for Barrow's seat.

Still, Yu hasn't been terribly successful raising money from supporters. In the last six months of 2013, the

candidate raised just \$121,475 from outside donors. The \$50,000 Yu ended up returning, after reporting the money as prohibited contributions, equaled 41 cents of every dollar he raised.

Brown owns an Augusta company, WayneWorks, that manages a range of business ventures from real estate to custom embroidery services to exotic charter-boat vacations. Yu says he and Brown have been friends for 15 years or more. Spending reports show Brown is also the campaign's landlord, renting Yu space at his company's office park for \$100 a month.

Yu's fundraising reports show Brown gave his Senate campaign \$4,900 in July. Brown's wife chipped in another \$5,200. Both contributions were within legal limits. Yu's campaign disclosed them in its quarterly report filed Oct. 14.

The same fundraising report says Yu loaned the campaign \$202,000 of his own money during the same quarter from July through September. Three months later, his campaign filed an amended report that reduced the amount of Yu's personal loan by \$45,000.

What happened to that money? It showed up in the amended report as previously undisclosed contributions from Brown and his company. Brown gave the campaign \$30,000 in two different payments in August and September - putting him well past the legal donation limit. A \$15,000 contribution attributed to WayneWorks was received by Yu's campaign Aug. 19. Corporations are prohibited from giving money to individual candidates.

Yu's last Senate fundraising report, filed Jan. 30, shows Brown gave the campaign a final \$5,000 in October – bringing the total amount of prohibited money to \$50,000. The same report says Yu refunded the money on Nov. 18, nearly two months before any of the excessive donations were disclosed to federal regulators.

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Source of Yu funds remain a mystery

By Waiter C. Jones Mosris News Service Priday, May.9, 2014 8:07 PM Last updated Saturday, May 10, 2014 12:05 AM ATLANTA - The source of funds.

ATLANTA — The source of funds that U.S. House candidate Eugene Yu has funneled into his campaign remain a mystery, and his campaign is not returning requests for comment.

Yu, who is in second place in the Republican race in the 12th District according to the latest poll, had loaned his campaign more than \$736,000 as of April 30. But he did not list that much in liquid assets on his personal financial disclosure, and the income from his investments are a fraction of that amount.

After declaring bankruptcy in 2007, he might not be the model applicant for a bank, although he did list bank mortgages on his home and an Atlanta condo. The residence already had a second mortgage before he started his Senate campaign and later switched to the U.S. House race in the 12th District.

"I hope that Mr. Yu will operate with full disclosure and explain how he was able to loan his campaign over \$700,000," said William Perry, the executive director of the government-watchdog advocacy Common Cause of Georgia.

Yu, reached by phone Thursday, referred all financial questions to his campaign chairman, Wayne Brown. Brown has not returned messages left Thursday and Friday at the campaign; at his corporation, WayneWorks LLC; or at the telephone number Yu supplied for him.

WayneWorks gave \$15,000 to the campaign in August even though federal law prohibits congressional candidates from accepting corporate donations. The campaign cashed the check instead of refusing it, even though it is in the same building as the company.

Federal election rules say that if a corporate gift is received, the campaign must refund it within 30 days of discovery, but the Yu campaign exceeded that period and appeared to have used the funds based on expenditures and the cash on hand at the time.

"They should have known that it was an illegal, corporate contribution," said Bryan Tyson, a campaign attorney with Strickland, Brockington & Lewis.

The campaign lists its address as the corporate offices of WayneWorks but reported only token "rent and postage" for it, even though federal candidates must pay the fair-market rate to corporate landlords to avoid accepting discounted rent as a contribution.

Brown personally contributed more than the legal limit to the campaign, and the campaign was slow in refunding him, according to his campaign reports filed with the Federal Election Commission.

Yu's financial disclosure included no more than \$50,000 in cash in a money market account.

"I think it is reason to be skeptical. If you don't have liquid assets and all of a sudden you have liquid assets," Tyson said.

Campaign finance lawyer Stefan Passantino, the head of the political law team at McKenna Long & Aldridge, notes that Yu is not required to update his personal financial disclosure form because he filed it less than 12 months ago. So there is no reason for him to disclose any personal loans he might have gotten or the source until next year.

"I don't know any facts that would indicate there was wrongdoing here," he said.

Yu has an office building on Bertram Road that he rents for \$100,000 yearly at most. The value of the building

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is between \$1 million to \$5 million on the federal forms, which don't require more precise figures.

He lists stock in two companies, one of which has effectively folded. The other was listed at no more than \$250,000.

"I don't really consider that a lot of assets," said Kent Balch, a veteran financial planner with First Fidelity Financial Group. "His ace in the hole could be that building. If he could sell it at any given moment, somebody might lend on that."

Repaying it could be difficult because a 5-year loan at current rates on that amount would total 60 percent more than he lists as income from the rent and his other investments.

If Yu got a loan, it could only be for personal reasons and not simply to fuel the campaign through the back door, according to Tyson. The same with anyone making an outright gift to him personally, although there is no limit on what a candidate can lend or give to his or her own campaign.

The motives for making a loan or gift directly to a candidate could spur the curiosity the Department of Justice's Public Integrity Section, which is charged with policing what are known as straw donors. Those could be put to rest if Yu has written arrangements or documentation of long-standing personal connections to his funding source.

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Exhibit B

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FINANCIAL DISCLOSURE REPORT

Clerk of the House of Representatives • Legislative Resource Center • B-106 Cannon Building • Washington, DC 20515

FILER INFORMATION

| Name: | Eugene Chin Yu |
|----------------|--------------------------------|
| Status: | Congressional Candidate |
| State/District | GA12 |

FILING INFORMATION

| Filing Type: | Candidate Report |
|--------------|-------------------------|
| Filing Year: | 2014 |
| Filing Date: | 03/26/2014 |

SCHEDULE A: ASSETS AND "UNEARNED" INCOME

| Asset | Owner | Value of Asset | Income Type(s) | Income Current Year to Filing | Income Preceding Year |
|--|-------|------------------------------|-------------------|----------------------------------|--------------------------|
| Bertram Road Building/Land | JT | \$1,000,001 ~ \$5,000,000 | Rent | \$50,001 - \$100,000 | \$50,001 - \$100,000 |
| LOCATION: Augusta/Richmond Court DESCRIPTION: 10,000 sq ft commerce | | | | | 1 : : |
| Enspert Inc. | JT | \$100,001 - \$250,000 | None | | |
| Description: Korean Public Company Stock | | | | | |
| Green County Land | ŢŢ | \$250,001 - \$500,000 | Noņe | | |
| LOCATION: Greensboro/Greene County, GA, US | | | | | |
| Insprit Inc. | JT | \$1,000,001 - \$5,000,000 | None | | |
| DESCRIPTION: Korean Public Company Stock | | | | | |
| Peachtree St. Condo | ŢТ | \$250,001 - \$500,000 | None | | |
| LOCATION: Atlanta/Fulton County, GA, US | | | | | |
| Wells Fargo | JT | \$15,001 - \$50,000 | Interest | \$1 - \$200 | \$1 - \$200 |

| Asset | Owner Value of Asset | Income Type(s) | Income Current Year to Filing |
|-------|-----------------------------|-------------------|----------------------------------|
| · . | · | 1240(9) | |

SCHEDULE C: EARNED INCOME

None disclosed.

SCHEDULE D: LIABILITIES

| Owner | Creditor | Date Incurred | Туре | Amount of Liability |
|-------|------------------|---------------|------------------|------------------------|
| JT | Suntrust Bank | Sept 2002 | Home Mortgage | \$15,001 - \$50,000 |
| JT | Suntrust Bank | Sept 2002 | Condo Mortgage | \$15,001 - \$50,000 |
| 'JT | Wells Fargo Bank | April 2013 | Home Equity Loan | \$15,001 - \$50,000 |

Income

Preceding Year

SCHEDULE E: POSITIONS

| Position | Name of Organization |
|-----------|--------------------------------------|
| President | Federation of Korean Association USA |

SCHEDULE F: AGREEMENTS

None disclosed.

SCHEDULE J: COMPENSATION IN EXCESS OF \$5,000 PAID BY ONE SOURCE

None disclosed.

EXCLUSIONS OF SPOUSE, DEPENDENT, OR TRUST INFORMATION

Trusts: Details regarding "Qualified Blind Trusts" approved by the Committee on Ethics and certain other "excepted trusts" need not be disclosed. Have you excluded from this report details of such a trust benefiting you, your spouse, or dependent child? Yes
No

Exemption: Have you excluded from this report any other assets, "unearned" income, transactions, or liabilities of a spouse or dependent child because they meet all three tests for exemption?

COMMENTS

CERTIFICATION AND SIGNATURE

F I CERTIFY that the statements I have made on the attached Financial Disclosure Report are true, complete, and correct to the best of my knowledge and belief.

Digitally Signed: Eugene Chin Yu, 03/26/2014