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COMMISSION

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BEFORE THE UNITED STATES
FEDERAL ELECTION COMMISSIONLt. Col. Buzz Patterson (Ret.)
P.O. Box 829
Folsom, CA 95763Buzz Patterson for Congress
P.O. Box 829
Folsom, CA 95763MUR # 7796Mr. Lou Baglietto
Treasurer
Buzz Paterson for Congress
4712 E. 2nd Street #431
Long Beach, CA 90803

Respondents.

COMPLAINT

This Complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) against Buzz Patterson, Buzz Patterson for Congress (the "Committee"), and Lou Baglietto, in his official capacity as the Treasurer of the Committee (collectively, the "Patterson Respondents"). In an apparent effort to conceal Mr. Patterson's sources of support and his campaign expenditures, the Patterson Respondents flagrantly violated the Act's reporting requirements by failing to file any required reports since October of 2019. In addition, according to Mr. Patterson's former political consultant, Mr. Patterson is using his campaign funds for personal use – specifically, by paying himself a salary to which he is not entitled.

I. FACTUAL BACKGROUND

Buzz Patterson is a candidate for Congress in California's 7th Congressional District. Buzz Patterson for Congress is Mr. Patterson's principal campaign committee. Despite repeatedly soliciting and raising funds for his Committee, Mr. Patterson failed to file any campaign reports since October of 2019. On at least six occasions, Mr. Patterson tweeted to his followers or posted on Facebook asking them for donations in connection with an FEC deadline. *See* Exhibit 1. The Committee is also actively soliciting donations through its website. *See* Exhibit 2. The Committee is clearly making expenditures as is evidenced by its slick website and the campaign staff it hired. *See* Exhibit 3. None of these expenditures have been reported to the FEC – nor have Respondents even filed zero activity reports. Despite leveraging the FEC's deadlines as motivation for Patterson's supporters to contribute, receiving contributions, and making expenditures, the Patterson Respondents have failed to file four legally required quarterly reports.

The FEC's Reports Analysis Division ("RAD") sent the Patterson Respondents at least four Requests For Additional Information ("RFAI") – reminding the Patterson Respondents of their failure to comply with the Act. *See* Exhibit 4. The Patterson Respondents declined to respond.

In addition, according to Mr. Patterson's former political consultant, John Thomas, Mr. Patterson paid himself a salary with campaign funds.¹ However, according to his 2019 financial disclosure report, filed under penalty of false statement, Mr. Patterson did not earn any income in 2018 or in 2019 through the date of filing. *See* Exhibit 5.

II. LEGAL BACKGROUND AND ANALYSIS

The Federal Election Campaign Act of 1971 (the "Act"), as amended, requires candidates, treasurers, and their committees to file reports of receipts and disbursements in accordance with the provisions of the Act.² All candidates for the U.S. House of Representatives must file quarterly reports publicly detailing the candidate's receipts and disbursements.³

The Patterson Respondents have flagrantly violated this requirement of the Act by failing to file four consecutive reports. They did this despite numerous warnings from RAD, making their violations knowing and willful. Mr. Patterson's utter disregard for transparency and the rule of law has deprived the people of California's 7th Congressional District of crucial information about his secret donors before the upcoming November election.

Perhaps, Mr. Patterson failed to file these reports, because he does not want the public to know that he may be enriching himself through his campaign Committee. The Act, as amended, prohibits the use of campaign funds for personal use.⁴ Campaign funds become personal use when such funds are "used to fulfill any commitment, obligation, or expense of a person that would exist irrespective of the candidate's election campaign or individual's duties as a holder of Federal office."⁵ Payment of a salary from campaign funds is prohibited if the compensation exceeds the *lesser* of "minimum salary paid to a Federal officeholder holding the Federal office that the candidate seeks; or the earned income that the candidate received during the year prior to becoming a candidate."⁶

According to Mr. Patterson's own former consultant, Mr. Patterson is paying himself with campaign funds. However, according to his financial disclosure report, filed under penalty of false statement with the Clerk of the House of Representatives, Mr. Patterson did not receive any income, either earned or unearned, in the period beginning January 1, 2018 and ending on July 30, 2019. Because Mr. Patterson did not receive any income in the year preceding his candidacy, any payment of salary from his campaign to himself is prohibited personal use.

¹ Brooke Stags, The Orange Country Register, Medical importer launched by GOP consultants prompts complaints, federal investigation, <https://www.ocregister.com/2020/05/07/medical-importer-launched-by-gop-consultants-prompts-complaints-federal-investigation/> (May 7, 2020).

² 52 U.S.C. §30104(a).

³ *Id.* § 30104(b)(3)(A); 11 C.F.R. § 104.3(a)(4).

⁴ 2 U.S.C. § 439a(b)(1).

⁵ 2 U.S.C. § 439a(b)(2); see also 11 C.F.R. § 113.1(g).

⁶ *Id.* § 113.1(g)(1)(i)(I).

III. CONCLUSION

As described above, the Patterson Respondents repeatedly failed to file any campaign reports; failed disclose any information about its contributors; and failed to disclose its expenditures. In addition, there is reason to believe that Mr. Patterson is improperly enriching himself by converting campaign funds to personal use. The Commission should promptly investigate these matters; fine the Patterson Respondents for their repeated and blatant violations of the Act; require Mr. Patterson to disgorge any salary he improperly received from the his Committee; enjoin them from any future violations; and take whatever additional remedial steps the Commission deems appropriate.

Respectfully Submitted,

Daniel L. Schmitt

Daniel L. Schmitt

Elk Grove, CA 95624

SUBSCRIBED AND SWORN to before me this ___ day of September 2020.

Notary Public

My Commission Expires: _____

** See attached California Surat*

JURAT

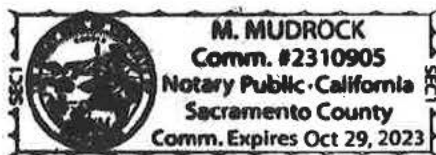
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Sacramento)

Subscribed and sworn to (or affirmed) before me on this 1 day of September, 2020, by Daniel Lee Schmitt

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Notary Public Seal)

M. Mudrock
Notary Public Signature

DESCRIPTION OF ATTACHED DOCUMENT:

Title or Type of Document: Federal Election Commission Complaint
Date of Document: N/A No. of Pages 3

Exhibit 1

 **Tweet**

 **Buzz Patterson for Congress (CA-7)** @BuzzPatters... · Dec 26, 2019

US House candidate, CA-7

Hey All,

We're approaching the end of the year and my campaign's FEC report. We need to get on the radar for donations. We're going to flip this seat back to the GOP but I need your help. Please consider giving at:

buzz4congress.com



Buzz Patterson CA Congressional Dist-7
Robert "Buzz" Patterson Candidate for California's Congressional District-7. Let's get Buzz into Congress!
buzz4congress.com

6 81 81

 **Tweet**

 **Buzz Patterson for Congress (CA-7)** @BuzzPatters... · Dec 30, 2019

US House candidate, CA-7

This quarter's FEC Donations Report closes tomorrow night at midnight. Currently we're \$9400 short of our goal.

Can you donate \$10, \$20 or any amount now? Thank you for carrying our campaign and efforts into 2020!

Please like & Share!...



Buzz Patterson CA Congressional Dist-7
Robert "Buzz" Patterson Candidate for California's Congressional District-7. Let's get Buzz into Congress!
buzz4congress.com

4 42 28

Tweet

Buzz Patterson for Congress (CA-7) @BuzzPatterson · Mar 28
 US House candidate, CA-7

The FEC's next quarterly reporting period ends this Tuesday night. We have to show our fundraising progress. In the midst of this madness, please consider supporting our campaign to win CA-7 and give the House back to @potus! Thank you! Stay safe!

Buzz Patterson
 Join me in supporting Buzz Patterson -
<https://secure.anedot.com/buzz-patterson/donate>
 secure.anedot.com

6 68 69

Tweet

Buzz Patterson for Congress (CA-7) @BuzzPatterson · Mar 29
 US House candidate, CA-7

We need to fire her. We do that by flipping the House. The FEC's next quarterly reporting period ends this Tuesday night. We have to show our fundraising progress. In spite of this madness, please consider supporting our campaign to win CA-7!

secure.anedot.com/buzz-patterson...

James Woods @RealJamesWoods · Mar 28
 This gem from the #BoozeAndBotoxQueen

Nancy Pelosi @SpeakerPelosi

The Trump Admin's expansion of its un-American travel ban is a threat to our security, our values and the rule of law. Barring more than 350 million people from

9 100 173

facebook Sign Up

Lt Col Buzz Patterson
 June 29 · 🌐

Hey patriots, I'm back after Twitter shut me down for no reason for a week. Our campaign is up against our FEC reporting deadline in 24 hours. We're \$2200 short of meeting our goal. It matters to the White House, @GOPLeader, and the @GOPChairwoman. TY!
<https://secure.anedot.com/buzz-patterson/donate>

SECURE.ANEDOT.COM
Buzz Patterson

👍👍 14 4 Comments 3 Shares

Share

facebook Sign Up

Lt Col Buzz Patterson
 June 30 · 🌐

Hey patriots & CA-7! Thanks to you, we hit our fundraising goal of \$100K tonight. Just in time for our quarterly FEC report. I'm so heartened and thankful that you, across the nation, endorse us and flipping CA-7 back to RED! Stap in and enjoy the ride! Thank you and God Bless!

👍👍👍 46 3 Comments 2 Shares

Share

Exhibit 2

Support Buzz Patterson — Ar x +

secure.anedot.com/buzz-patterson/donate

CALIFORNIA, DISTRICT 7

BUZZ
PATTERSON

4 US Congress

Use Your DonorID (optional)

\$11,200 Double maximum contribution per couple

\$5,600 Maximum contribution per couple

\$2,800 Maximum individual contribution

\$1,000 **\$500** **\$250**

\$99 **\$50** **\$5**

Other

Email* Phone*

Name*

First Last

Address

Street Address*

Exhibit 3



[HOME](#) [THE CAMPAIGN](#) [MEDIA](#) [CONTACT BUZZ](#) [EVENTS](#)



[CONTRIBUTE](#)

Every Day Californian's Working to Restore Our Once Beautiful State



Buzz Patterson
CANDIDATE



Mimi
CAMPAIGN MANAGER



Ray Perez
MEDIA MANAGER



Exhibit 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

February 18, 2020

BAGLIETTO, LOU, TREASURER
BUZZ PATTERSON FOR CONGRESS
P.O. BOX 829
FOLSOM, CA 95763

IDENTIFICATION NUMBER: C00710624

REFERENCE: YEAR-END REPORT (10/01/2019 - 12/31/2019)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended. 52 U.S.C. §30104(a)

It is important that you file this report immediately. The report must be filed with the Federal Election Commission, 1050 First Street, NE, Washington, DC 20002. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.

The failure to timely file a complete report may result in civil money penalties, an audit or legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report. Due to heightened security screening measures, delivery of mail by the US Postal Service may be delayed. The Commission recommends that you submit your report via overnight delivery or courier service.

If you have any questions regarding this matter, please contact Christopher Ritchie in the Reports Analysis Division on our toll-free number (800)424-9530. The analyst's direct number is (202)694-1146.

BUZZ PATTERSON FOR CONGRESS

Page 2 of 2

Sincerely,

Debbie Chacona

Deborah Chacona
Assistant Staff Director
Reports Analysis Division

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

February 21, 2020

BAGLIETTO, LOU, TREASURER
BUZZ PATTERSON FOR CONGRESS
P.O. BOX 829
FOLSOM, CA 95763

IDENTIFICATION NUMBER: C00710624

REFERENCE: PRE-PRIMARY REPORT (01/01/2020 - 02/12/2020)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements as required by the Federal Election Campaign Act, as amended. 52 U.S.C. §30104(a)

You will be allowed until **5:00 pm est on the fourth (4th) business day** from the date of this notice to file this report to avoid publication. If you have already filed the report by express, certified or registered mail or are planning to file it within four (4) business days from the date of this notice, **please notify us immediately** of the certified, registered or express tracking number and the date that the report was sent.

The report must be filed with the Federal Election Commission, 1050 First Street, NE, Washington, DC 20002. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the state is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.

In addition, the failure to timely file this report may result in civil money penalties, an audit or other legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report.

If you have any questions regarding this matter, please contact Jamie Sikorsky in the Reports Analysis Division on our toll-free number (800)424-9530. The analyst's direct number is (202)694-1137.

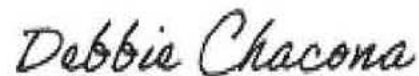
BUZZ PATTERSON FOR CONGRESS

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include a grace period and begins on the day following the due date for the report.

If you have any questions regarding this matter, please contact Ben Holly in the Reports Analysis Division on our toll-free number (800)424-9530. The analyst's direct number is (202)694-1129.

Sincerely,

A handwritten signature in cursive script that reads "Debbie Chacona".

Deborah Chacona
Assistant Staff Director
Reports Analysis Division



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

April 30, 2020

BAGLIETTO, LOU, TREASURER
BUZZ PATTERSON FOR CONGRESS
P.O. BOX 829
FOLSOM, CA 95763

IDENTIFICATION NUMBER: C00710624

REFERENCE: APRIL QUARTERLY REPORT (02/13/2020 - 03/31/2020)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended. 52 U.S.C. §30104(a)

It is important that you file this report immediately. The report must be filed with the Federal Election Commission, 1050 First Street, NE, Washington, DC 20002. Please note, the Federal Election Commission has suspended its mail operations in an effort to limit the spread of coronavirus (COVID-19). While most agency operations are unaffected, the Commission will not process any documents submitted on paper, including non-electronically filed reports. We will process the reports once normal operations have resumed. Reports sent by registered mail, overnight delivery, or certified mail, are considered filed with the FEC as of the date of the postmark. Reports submitted by first-class mail or delivery service will be considered filed within 24 hours after the Commission resumes normal mail operations. The FEC does not have statutory authority to extend filing deadlines, but it may choose not to pursue administrative fines against filers prevented from filing by reasonably unforeseen circumstances beyond their control. If you have already filed the report by express, certified or registered mail, please notify us immediately of the certified, registered or express tracking number and the date that the report was sent.

Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.

The failure to timely file a complete report may result in civil money penalties, an audit or legal enforcement action. The civil money penalty calculation for late reports does not

BUZZ PATTERSON FOR CONGRESS

Page 2 of 2

Sincerely,

Debbie Chacona

Deborah Chacona
Assistant Staff Director
Reports Analysis Division

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

July 30, 2020

BAGLIETTO, LOU, TREASURER
BUZZ PATTERSON FOR CONGRESS
P.O. BOX 829
FOLSOM, CA 95763

IDENTIFICATION NUMBER: C00710624

REFERENCE: JULY QUARTERLY REPORT (04/01/2020 - 06/30/2020)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended. 52 U.S.C. §30104(a)

It is important that you file this report immediately. The report must be filed with the Federal Election Commission, 1050 First Street, NE, Washington, DC 20002. Please note, on June 18, 2020, the Federal Election Commission began the initial phase (Phase I) of its return to normal operations. At this stage, the agency's offices will remain closed to visitors and most of its employees will continue to telework in an effort to limit the spread of coronavirus (COVID-19). The Commission is processing some documents submitted by mail, though processing will not occur on a daily basis until the agency resumes normal mail operations. Reports sent by registered mail, overnight delivery, or certified mail, are considered filed with the FEC as of the date of the postmark. Reports submitted by first-class mail will be considered filed when actually received by Commission staff, subject to delays resulting from the agency's limited mail processing. The Commission will not be able to receive, or process reports filed by courier service during Phase I. The FEC does not have statutory authority to extend filing deadlines, but it may choose not to pursue administrative fines against filers prevented from filing by reasonably unforeseen circumstances beyond their control. If you have already filed the report by express, certified or registered mail, please notify us immediately of the certified, registered or express tracking number and the date that the report was sent.

Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.


BUZZ PATTERSON FOR CONGRESS

Page 2 of 2

The failure to timely file a complete report may result in civil money penalties, an audit or legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report.

If you have any questions regarding this matter, please contact Christopher Ritchie in the Reports Analysis Division on our toll-free number (800)424-9530. The analyst's direct number is (202)694-1146.

Sincerely,



Deborah Chacona
Assistant Staff Director
Reports Analysis Division

Exhibit 5



Filing ID #10028889

FINANCIAL DISCLOSURE REPORT

Clerk of the House of Representatives • Legislative Resource Center • 135 Cannon Building • Washington, DC 20515

FILER INFORMATION

Name: Robert Buzz Patterson
Status: Congressional Candidate
State/District: CA07

FILING INFORMATION

Filing Type: Candidate Report
Filing Year: 2019
Filing Date: 07/30/2019

SCHEDULE A: ASSETS AND "UNEARNED" INCOME

None disclosed.

SCHEDULE C: EARNED INCOME

None disclosed.

SCHEDULE D: LIABILITIES

None disclosed.

SCHEDULE E: POSITIONS

None disclosed.

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?

Yes No

CERTIFICATION AND SIGNATURE

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: Robert Buzz Patterson , 07/30/2019