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FEDERAL ELECTION COMMISSION

JULY 29, 2022 10:59 AM

OFFICE OF GENERAL COUNSEL

MUR 8041**AFFIDAVIT OF PAUL BERRY, III**

The undersigned, having first been duly sworn upon his oath, does hereby state and aver to the best of his knowledge, information and belief, the following as part and in support of a Complaint filed by the undersigned with the U.S. Federal Election Commission ("FEC") regarding Heartland Resurgence, a registered Super Political Action Committee:

1. My name is Paul Berry III, residing at 11932 Barbara Drive, Maryland Heights, MO 63043, and I am a United States congressional candidate seeking the Republican nomination for Missouri Congressional District 2, effective since January 2022;
2. Heartland Resurgence is an independent expenditure "Federal Super PAC" registered as such with the FEC and, as such, is understood to be required to register and file independent expenditure reports related to expending any political contributions to support, oppose or otherwise influence the results of any Federal election, including Paul Berry III's Federal congressional election campaign waged against Ann Wagner during the 2022 Federal election cycle;
3. Heartland Resurgence is further understood to be required by FEC law to report any expenditure made by Heartland Resurgence to influence the outcome of Paul Berry III's Federal congressional election campaign against Ann Wagner during the 2022 Federal election cycle, by filing a Schedule E form attached to the quarterly independent expenditure report required by FEC law for the temporal period when such independent expenditure was made to influence the outcome of Paul Berry III's Federal congressional election campaign against Ann Wagner during the 2022 Federal election cycle;
4. On or before June 27, 2022, Heartland Resurgence is understood to have purchased, developed, curated and maintained a website ("Berry Opposition Website") with the purpose of opposing Paul Berry III's Federal congressional election campaign against Ann Wagner during the 2022 Federal election cycle;
5. The Berry Opposition Website is understood to constitute an independent expenditure by Heartland Resurgence for the purpose of opposing Paul Berry III's Federal congressional election campaign against Ann Wagner during the 2022 Federal election cycle;

6. The Berry Opposition Website is further understood to have been purchased, developed, curated and maintained by Heartland Resurgence to distribute false statements with the intended purpose to oppose Paul Berry III's Federal congressional election campaign against Ann Wagner during the 2022 Federal election cycle and to distribute false and tortious statements with the intended purpose to oppose Paul Berry III's Federal congressional election campaign against Ann Wagner during the 2022 Federal election cycle;
7. At all relevant temporal periods, Heartland Resurgence was aware that Paul Berry III is a Federal congressional candidate against Ann Wagner during the 2022 Federal election cycle in that the subject matter and contents of the Berry Opposition Website patently reflect same and the undersigned's campaign has, at all times pertinent hereto, been a matter of public record;
8. As recently as the 2020 Federal congressional election cycle, public record reflects Heartland Resurgence paid expenditures in excess \$750,000.00 towards supporting the congressional election of Ann Wagner, Paul Berry III's congressional election opponent during the 2022 Federal election cycle;
9. At all relevant temporal periods, Christian Morgan, the registered Treasurer of Heartland Resurgence, is understood to have been personally aware of the existence and distribution of Berry Opposition Website, because Christian Morgan personally distributed Berry Opposition Website utilizing his personal social media account in an effort to influence Paul Berry III's Federal congressional election campaign against Ann Wagner during the 2022 Federal election cycle;
10. Under information and belief, Christian Morgan is compensated by Heartland Resurgence for performing services on behalf of Heartland Resurgence, including specifically, any function performed on behalf of Heartland Resurgence, including Heartland Resurgence's opposition to Paul Berry III's Federal congressional election campaign against Ann Wagner during the 2022 Federal election cycle;
11. Heartland Resurgence identifies itself as responsible for the Berry Opposition Website by written declaration made by Heartland Resurgence on the Berry Opposition website;
12. At all relevant temporal periods, public record reflects Heartland Resurgence failed to abide by FEC law, specifically, Heartland Resurgence failed to file no later than July 15, 2022, any Schedule E form attached to the quarterly independent expenditure report for the temporal period

when independent expenditures were made by Heartland Resurgence to influence the outcome of Paul Berry III's Federal congressional election campaign against Ann Wagner during the 2022 Federal election cycle;

13. Heartland Resurgence is understood from public record to currently be under inquiry by the FEC regarding failure to properly file Schedule E forms to quarterly independent expenditure reports for the temporal period when independent expenditures were made by Heartland Resurgence to influence the outcome of Federal elections, in excess of, the underlying Federal Elections Commission complaint; and

14. The FEC is understood to maintain lawful jurisdiction to investigate and discipline Heartland Resurgence for non-compliance with FEC laws as more fully set forth above and in the complaint filed by the undersigned with the FEC.

FURTHER, AFFIANT SAYETH NOT.

IN WITNESS WHEREOF, I have hereunto set my hand and Seal in the County of St. Louis, State of Missouri, this 29th day of July, 2022.



PAUL BERRY, III, AFFIANT
11932 Barbara Drive
Maryland Heights, MO 63043

STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)

Before me personally appeared PAUL BERRY III, being first duly sworn upon his oath and states that the facts contained in the foregoing AFFIDAVIT are true and correct to the best of his knowledge, information, and belief.

IN TESTIMONY WHEREOF I have hereunto set my hand and Seal this 29th
day of July, 2022.



Notary Public

My commission expires: 05/27/2024



KIRA MICHELE WULFF
My Commission Expires
May 27, 2024
St. Louis County
Commission #20875292