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FEDERAL ELECTION COMMISSION

JULY 25, 2023 9:09 AM

OFFICE OF GENERAL COUNSEL

**BEFORE THE FEDERAL ELECTION COMMISSION**

CAMPAIGN LEGAL CENTER  
1101 14th Street NW, Suite 400  
Washington, DC 20005

ROGER G. WIEAND  
1101 14th Street NW, Suite 400  
Washington, DC 20005

v.

MUR No. **8150**

PASSIONFOREST, LLC  
701 Brickell Ave., Ste. 3300  
Miami, FL 33131

ANY UNKNOWN PERSON(S)  
who made a contribution to  
SOS America PAC in the name of  
PassionForest, LLC

**COMPLAINT**

1. In October 2022, PassionForest, LLC (“PassionForest”), an obscure, eleven-month-old company whose only known activity involved selling artificial flowers online, purported to contribute \$500,000 to a super PAC, SOS America PAC (“SOS America”). As set forth in this complaint, there is reason to believe PassionForest was not the true source of the \$500,000 contributed in its name, but was instead used as a “straw donor” by unknown persons to funnel a half-a-million-dollar contribution to SOS America while concealing their identities as the true contributors. This straw donor contribution scheme violated federal campaign finance laws that uphold electoral transparency by requiring every contribution be made in the true contributor’s name, and the scheme may also have been used to conceal illegal contributions from foreign nationals, who are categorically prohibited from making political contributions.

2. The available information indicates that PassionForest did not have the financial means to contribute \$500,000 to a super PAC without another person providing it with funds for that purpose, and thus that one or more unidentified true contributors provided funds to PassionForest for the purpose of having it contribute \$500,000 to SOS America while concealing their identities.
3. Accordingly, there is reason to believe that PassionForest and the unknown true contributors violated 52 U.S.C. § 30122, which prohibits making or knowingly permitting one's name to be used to effect a contribution in the name of another.<sup>1</sup>
4. Moreover, while PassionForest was registered in Delaware and disclosed a Florida address in connection with its reported contribution to SOS America, other information indicates that the LLC's principal place of business is in China, and that it may be owned and operated by one or more persons living in China, suggesting that PassionForest may have been used to conceal illegal foreign national contributions.<sup>2</sup>
5. This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) and is based on information and belief that PassionForest, and any persons that created, operated, and made contributions in the name of PassionForest, violated the Federal Election Campaign Act ("FECA"), 52 U.S.C. § 30101, *et seq.* "If the Commission, upon receiving a complaint . . . has reason to believe that a person has committed, or is about to commit, a violation of [FECA] . . . [t]he Commission *shall make an investigation* of such alleged violation."<sup>3</sup>

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<sup>1</sup> See 52 U.S.C. § 30122.

<sup>2</sup> See 52 U.S.C. § 30121(a).

<sup>3</sup> 52 U.S.C. § 30109(a)(2) (emphasis added); *see also* 11 C.F.R. § 111.4(a).

## FACTS

6. SOS America registered with the Commission as an independent-expenditure only political committee (“IEOPC”) — commonly known as a “super PAC” — on January 20, 2022, under the name “America for Everyone,”<sup>4</sup> before changing its name to SOS America on June 2, 2023.<sup>5</sup> Gloria Maggiolo is the committee’s treasurer.<sup>6</sup>
7. SOS America reported receiving a \$500,000 contribution from PassionForest on October 28, 2022.<sup>7</sup> The address disclosed in connection with the contribution was “701 Brickell Ave, Ste 3300, Miami, FL, 33131” — which is also the location of the law firm Holland & Knight’s Miami office.<sup>8</sup> In the memo field for the contribution, the committee reported “flower wholesaler.”<sup>9</sup> In a miscellaneous text page, the committee reported that “Contributor info has been requested for PassionForest, LLC.”<sup>10</sup>
8. FEC disclosure records indicate that PassionForest has made no other federal political contributions.<sup>11</sup>
9. “PassionForest LLC” was organized in Delaware as a domestic limited liability company on November 30, 2021.<sup>12</sup> According to the Delaware Department of State, PassionForest’s registered agent is the Corporation Service Company, located at 251 Little Falls Drive, Wilmington, DE 19808.<sup>13</sup>

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<sup>4</sup> SOS America PAC, Statement of Org. at 1 (Jan. 20, 2022) (using original name “America for Everyone”).

<sup>5</sup> SOS America PAC, Amend. Statement of Org. at 1 (Jun. 2, 2023).

<sup>6</sup> SOS America PAC, Amend. Statement of Org. at 1 (Jun. 28, 2023).

<sup>7</sup> SOS America PAC, 2022 30-Day Post-Election Report at 8, 9 (Dec. 8, 2022).

<sup>8</sup> *Id.* See Holland & Knight, Miami, <https://www.hklaw.com/en/offices/miami> (last visited Jul. 24, 2023).

<sup>9</sup> SOS America PAC, 2022 30-Day Post-Election Report at 8, 9 (Dec. 8, 2022).

<sup>10</sup> *Id.*

<sup>11</sup> All Receipts, “PassionForest,” [https://www.fec.gov/data/receipts/?data\\_type=processed&contributor\\_name=passionforest&max\\_date=12%2F31%2F2024](https://www.fec.gov/data/receipts/?data_type=processed&contributor_name=passionforest&max_date=12%2F31%2F2024) (last visited Jul. 17, 2023).

<sup>12</sup> “PassionForest LLC,” Search Information, Delaware Dep’t of State, Div. of Corps. (attached as Exhibit A).

<sup>13</sup> *Id.*

10. A trademark application for the word “Passionforest” in connection with the sale of, among other things, “Artificial flower arrangements; Artificial flower wreaths; Artificial flowers” was filed with the U.S. Patent and Trademark Office (“USPTO”) on November 26, 2021 — *i.e.*, four days before the LLC was registered in Delaware — and lists as the applicant a “Rao Juhui” at “Room 404, Building 1, No.159 Xianlie East Road, Tianhe District Guangzhou CHINA 510599.”<sup>14</sup> According to the USPTO’s website, the trademark application was abandoned on November 4, 2022 — one week after the LLC’s purported contribution to SOS America.<sup>15</sup>
11. A “Passionforest” Amazon seller page displays the same stylized name and company logo — a graphic of a pine tree above the word “Passionforest” in stylized lettering — as appears on the USPTO trademark filing.
12. PassionForest’s seller page, which offers artificial flower products for sale, appears mostly defunct: as of July 19, 2023, only two of the twenty-one products listed are currently available for purchase, while the rest are “currently unavailable.”<sup>16</sup> Its front page advertises “2022 Spring Color Chic Floral Arrangement.”<sup>17</sup> Passionforest’s seller information lists an address in Shenzhen, China. It has received only nine reviews, the last of which was published in September 2022.<sup>18</sup>

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<sup>14</sup> U.S. Patent and Trademark Office, Trademark Electronic Search System (TESS) (Result for “Passionforest”), <https://tmsearch.uspto.gov/bin/showfield?f=doc&state=4805:98u07k.2.1> (last visited Jul. 18, 2023) (attached as Exhibit B) (listing “Rao Juhui INDIVIDUAL CHINA Room 404, Building 1, No.159 Xianlie East Road, Tianhe District Guangzhou CHINA 510599” as “Owner” of the mark).

<sup>15</sup> *Id.*

<sup>16</sup> See Amazon, “Amazon.com: Passionforest,” [https://www.amazon.com/stores/Passionforest/page/E2925D39-366A-4461-93D3-46260208D374?ref\\_=ast\\_bln](https://www.amazon.com/stores/Passionforest/page/E2925D39-366A-4461-93D3-46260208D374?ref_=ast_bln) (last visited Jul. 18, 2023) (excerpts attached as Exhibit C).

<sup>17</sup> *Id.*

<sup>18</sup> See Amazon, “Amazon.com Seller Profile: Passionforest,” <https://www.amazon.com/sp?ie=UTF8&seller=A2B0IPN9HH390U&asin=B09NN9NKT7> (last visited Jul. 18, 2023) (excerpt attached as Exhibit D.)

13. Apart from the Amazon storefront and the USPTO trademark filing, PassionForest does not appear to have any discernible public footprint:
- a. Searches on Google provide no results that originate from PassionForest itself or that detail any activity by PassionForest apart from the artificial flowers business; the other relevant results relate solely to the \$500,000 SOS America contribution at issue.
  - b. PassionForest does not appear to have a public website, or any account or page on Facebook, Instagram, or Twitter.
  - c. There is no record of PassionForest in searches with the Better Business Bureau,<sup>19</sup> Bloomberg,<sup>20</sup> EDGAR,<sup>21</sup> the Greater Miami Chamber of Commerce,<sup>22</sup> or the Miami-Dade Chamber of Commerce.<sup>23</sup>
  - d. The Miami-Dade Property Appraiser does not list any properties owned by PassionForest, and there is no indication in public documents that it owns any property elsewhere.<sup>24</sup>

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<sup>19</sup> See Better Business Bureau, Search Businesses and Charities, <https://www.bbb.org/search/> (last visited Jul. 17, 2023).

<sup>20</sup> See Bloomberg, Company Search, <https://www.bloomberg.com/> (last visited Jul. 17, 2023).

<sup>21</sup> U.S. Securities and Exchange Commission, EDGAR, <https://www.sec.gov/edgar/search/> (last visited Jul. 17, 2023).

<sup>22</sup> See Greater Miami Chamber of Commerce, Business Directory, <https://www.miamichamber.com/member-directory?jump=p> (last visited Jul. 18, 2023).

<sup>23</sup> See Miami-Dade Chamber of Commerce, Business Directory (search for “Passionforest”), <https://web.m-dcc.org/directory/results/results.aspx?keywords=passionforest&adkeyword=passionforest> (last visited Jul. 18, 2023).

<sup>24</sup> See Miami-Dade Property Appraiser Records Search, <https://www.miamidade.gov/Apps/PA/PropertySearch> (last visited Jul. 17, 2023).

## SUMMARY OF THE LAW

14. FECA provides that “[n]o person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution and no person shall knowingly accept a contribution made by one person in the name of another person.”<sup>25</sup>
15. The Commission regulation implementing the statutory prohibition provides the following examples of contributions in the name of another:
  - a. “Giving money or anything of value, all or part of which was provided to the contributor by another person (the true contributor) without disclosing the source of money or the thing of value to the recipient candidate or committee at the time the contribution is made.”
  - b. “Making a contribution of money or anything of value and attributing as the source of the money or thing of value another person when in fact the contributor is the source.”<sup>26</sup>
16. The requirement that a contribution be made in the name of its true source promotes Congress’s objective of ensuring the complete and accurate disclosure by candidates and committees of the political contributions they receive,<sup>27</sup> and ensures that the public and complainants are fully informed about the true sources of political contributions and expenditures. Such transparency also enables voters, including complainant Wieand, to

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<sup>25</sup> 52 U.S.C. § 30122.

<sup>26</sup> 11 C.F.R. § 110.4(b)(2)(i)-(ii).

<sup>27</sup> *United States v. O’Donnell*, 608 F.3d 546, 553 (9th Cir. 2010) (“[T]he congressional purpose behind [Section 30122]—to ensure the complete and accurate disclosure of the contributors who finance federal elections—is plain.”); *Mariani v. United States*, 212 F.3d 761, 775 (3d Cir. 2000) (rejecting constitutional challenge to section 30122 in light of the compelling governmental interest in disclosure).

have the information necessary to evaluate candidates for office, “make informed decisions[,] and give proper weight to different speakers and messages.”<sup>28</sup>

17. FECA and Commission regulations provide that a person who furnishes another with funds for the purpose of contributing to a candidate or committee “makes” the resulting contribution, whether funds are advanced to another person to make a contribution in that person’s name or promised as reimbursement of a solicited contribution.<sup>29</sup> Moreover, the “key issue . . . is the source of the funds” and, therefore, the legal status of the funds when conveyed from a conduit to the ultimate recipient is “irrelevant to a determination of who ‘made’ the contribution for the purposes of [Section 30122].”<sup>30</sup>
18. On April 1, 2016, then-Chair Petersen and then-Commissioners Hunter and Goodman issued a Statement of Reasons explaining their view regarding “the appropriate standard” to apply “in future matters” raising the allegation that an LLC was used to facilitate a contribution in the name of another.<sup>31</sup> The Commissioners explained that in their view, “the proper focus in these matters is whether the funds used to make a contribution were intentionally funneled through a closely held corporation or corporate LLC for the purpose of making a contribution that evades the Act’s reporting requirements, making

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<sup>28</sup> *Citizens United v. FEC*, 558 U.S. 310, 369-71 (2010).

<sup>29</sup> See *United States v. Boender*, 649 F.3d 650, 660 (7th Cir. 2011) (holding that to determine who made a contribution “we consider the giver to be the source of the gift, not any intermediary who simply conveys the gift from the donor to the donee.”); *O’Donnell*, 608 F.3d at 550, 555; *Goland v. United States*, 903 F.2d 1247, 1251 (9th Cir. 1990) (“[FECA] prohibits the use of ‘conduits’ to circumvent . . . [reporting] restrictions.”).

<sup>30</sup> *United States v. Whittemore*, 776 F.3d 1074, 1080 (9th Cir. 2015) (holding that defendant’s “unconditional gifts” to relatives and employees, along with the suggestion they contribute the funds to a specific political committee, violated Section 30122 because the source of the funds remained the individual who provided them to the putative contributors).

<sup>31</sup> Statement of Reasons of Chairman Matthew S. Petersen and Commissioners Caroline C. Hunter and Lee E. Goodman at 2, MURs 6485, 6487, 6488, 6711, 6930 (Apr. 1, 2016), <https://www.fec.gov/files/legal/murs/6487/16044391129.pdf>.

the individual, not the corporation or corporate LLC, the true source of the funds.”<sup>32</sup> The relevant factors that these Commissioners indicated they would consider included:

[whether] there is evidence indicating that the corporate entity did not have income from assets, investment earnings, business revenues, or bona fide capital investments, or was created and operated for the sole purpose of making political contributions. These facts would suggest the corporate entity is a straw donor and not the true source of the contribution.<sup>33</sup>

19. An April 15, 2022, Statement of Reasons by then-Chairman Allen Dickerson, then-Vice Chair Steven T. Walther, and Commissioners Shana M. Broussard and Ellen L.

Weintraub reiterated that the public is now on notice that FECA’s straw donor ban and Commission regulations implementing that provision — *i.e.*, the “conduit contribution rules” — apply when LLCs purport to make contributions to IEOPCs:

[T]he Commission [previously] did not agree whether, following *Citizens United* and *SpeechNow.org v. FEC*, respondent committees had received adequate notice that the Commission’s LLC reporting rules and conduit contribution rules applied to contributions made to the newly formed IEOPCs authorized by those judicial rulings. With the passage of time, IEOPCs have become a regular part of the campaign finance landscape, and adequate notice to the public now exists. Consequently, there is *no longer a lack of clarity* concerning the application of LLC reporting rules and conduit contribution rules in these circumstances.<sup>34</sup>

Accordingly, the FEC has made clear that the public is “on notice” that the straw donor ban applies in such circumstances, and thus prohibits any person from funneling a contribution to an IEOPC through an LLC.

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<sup>32</sup> *Id.*

<sup>33</sup> *Id.* at 12.

<sup>34</sup> Statement of Reasons of Chairman Allen Dickerson, Vice Chair Steven T. Walther, Commissioner Shana M. Broussard, and Commissioner Ellen L. Weintraub at 2, MUR 7454 (Apr. 15, 2022) (emphases added), [https://www.fec.gov/files/legal/murs/7454/7454\\_36.pdf](https://www.fec.gov/files/legal/murs/7454/7454_36.pdf).



20. In MUR 7903, the Commission found reason to believe that “Tomfoolery LLC” and its single member, Thomas Chavez, violated Section 30122 when Chavez provided funds to the LLC for it to make contributions in its name to a super PAC; the Commission found that “Tomfoolery was not the true source of the combined \$75,000 that it facially appeared to give to [the super PAC], but instead served as an instrument to convey Chavez’s funds to [the super PAC] without publicly disclosing his identity.”<sup>35</sup> The Commission subsequently entered into a conciliation agreement with Tomfoolery LLC and Chavez, which included a \$25,000 civil penalty.<sup>36</sup>
21. Straw donor contributions like those alleged here are serious violations of federal campaign finance law that have led to criminal indictments and convictions in recent years.<sup>37</sup> As explained in one such indictment, the straw donor ban works in tandem with other campaign finance laws to protect the integrity of our electoral system and to ensure that all candidates, campaign committees, federal regulators, and the public are informed of the true sources of money spent to influence federal elections.<sup>38</sup> Another recent

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<sup>35</sup> Factual and Legal Analysis at 7, MUR 7903 (Tomfoolery LLC, *et al.*), [https://www.fec.gov/files/legal/murs/7903/7903\\_13.pdf](https://www.fec.gov/files/legal/murs/7903/7903_13.pdf).

<sup>36</sup> See Conciliation Agreement ¶ VI, MUR 7903 (Tomfoolery LLC, *et al.*), [https://www.fec.gov/files/legal/murs/7903/7903\\_16.pdf](https://www.fec.gov/files/legal/murs/7903/7903_16.pdf).

<sup>37</sup> See Colin Moynihan, *Lev Parnas, Ex-Giuliani Ally, Is Convicted of Campaign Finance Charges*, N.Y. Times (Oct. 22, 2021), <https://www.nytimes.com/2021/10/22/nyregion/lev-parnas-guilty-giuliani.html>; Dep’t of Justice, *Lev Parnas and Igor Fruman Charged with Conspiring to Violate Straw and Foreign Donor Bans* (Oct. 10, 2019), <https://www.justice.gov/usao-sdny/pr/lev-parnas-and-igor-fruman-charged-conspiring-violate-straw-and-foreign-donor-bans>; Dep’t of Justice, *Entertainer/Businessman and Malaysian Financier Indicted for Conspiring to Make and Conceal Foreign and Conduit Contributions During 2012 U.S. Presidential Election* (May 10, 2019), <https://www.justice.gov/opa/pr/entertainerbusinessman-and-malaysian-financier-indicted-conspiring-make-and-conceal-foreign>.

<sup>38</sup> Grand Jury Indictment, *United States v. Lev Parnas, et al.*, Cr. No. 19-725 (S.D.N.Y. Oct. 10, 2019), <https://www.justice.gov/usao-sdny/press-release/file/1208281/download>.

indictment highlighted how straw donor schemes have been used to skirt FECA's source prohibitions, such as the ban on contributions by government contractors.<sup>39</sup>

22. Even for contributions that would otherwise be legal — *i.e.*, contributions that would not be prohibited or excessive, if made in the true contributor's own name — the prohibition of contributions in the name of another serves FECA's core transparency purposes by ensuring that voters have access to complete and accurate information regarding the sources of electoral contributions.

### CAUSES OF ACTION

#### **COUNT I:**

#### **PASSIONFOREST, LLC AND THE UNKNOWN PERSON(S) WHO CONTRIBUTED TO SOS AMERICA PAC IN THE NAME OF PASSIONFOREST, LLC VIOLATED 52 U.S.C. § 30122**

23. The available information indicates that PassionForest did not have the means to contribute \$500,000 to SOS America without other persons providing funds to the LLC for that purpose, such that these unknown other persons were, in fact, the true source of the \$500,000 contribution.
24. PassionForest was registered as a Delaware limited liability company on November 30, 2021,<sup>40</sup> four days after an individual named Rao Juhui applied for a trademark registration for "Passionforest."<sup>41</sup> The LLC purported to contribute \$500,000 to SOS America approximately eleven months later, on October 28, 2022.

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<sup>39</sup> Dep't of Justice, *Former Government Contractor Executives Indicted for Unlawful Campaign Contributions* (Feb. 10, 2022), <https://www.justice.gov/opa/pr/former-government-contractor-executives-indicted-unlawful-campaign-contributions>; see Dep't of Justice, *Former Government Contractor Executive Pleads Guilty to Unlawful Campaign Contributions* (Sept. 27, 2022), <https://www.justice.gov/opa/pr/former-government-contractor-executive-pleads-guilty-unlawful-campaign-contributions>.

<sup>40</sup> See *supra* note 12.

<sup>41</sup> See *supra* note 14.

25. PassionForest’s only known activity during the eleven-month period between its formation and the contribution at issue was selling artificial flowers on Amazon.com,<sup>42</sup> as evidenced by its now-mostly-defunct Amazon storefront.<sup>43</sup> This is consistent with its trademark application, which features the same company logo — a graphic of a pine tree above the word “Passionforest” in stylized lettering — that appears on the Amazon storefront, and which indicates that the trademark would be used in connection with the sale of “Artificial flower arrangements; Artificial flower wreaths; Artificial flowers.”<sup>44</sup> SOS America’s disclosure report for the \$500,000 contribution made in PassionForest’s name likewise notes that the purported contributor is a “flower wholesaler.”<sup>45</sup>
26. It is highly improbable that PassionForest garnered sufficient funds from selling artificial flowers online, in its first eleven months of operations, to make a \$500,000 political contribution. It is noteworthy, moreover, that its artificial flower business appears to have shuttered around the time of the contribution. The LLC’s Amazon page is almost entirely defunct, and its trademark application was abandoned as of November 4, 2022 — just days after the \$500,000 contribution to SOS America.
27. Even if PassionForest was at one point a bona fide business, an LLC can be used to illegally funnel a straw donor contribution while also being used to engage in other activity; the two are not mutually exclusive.<sup>46</sup> Indeed, as a relatively recent case

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<sup>42</sup> See *supra* notes 19–24.

<sup>43</sup> See *supra* note 16.

<sup>44</sup> See *supra* note 14.

<sup>45</sup> See *supra* note 7.

<sup>46</sup> See First Gen. Counsel’s Report at 16, MUR 6711 (Specialty Investment Group, *et al.*) (“Even if [the alleged conduit companies] may have engaged in legitimate real estate transactions before their dissolution, that fact does not answer the allegation that the organizations were mere intermediaries for these particular contributions.”).

illustrates, a veneer of legitimacy through other activity can be used to cover up an illegal straw donor scheme.

28. In a recent criminal matter prosecuted by the Department of Justice, Martin Kao, the chief executive of Navatek, a federal contractor, was convicted of orchestrating a straw donor scheme in which Kao funneled \$150,000 to a super PAC using a straw donor company — the Society of Young Women Scientists and Engineers LLC (“SYWSE”) — that he organized and later used to provide educational grants at several universities.<sup>47</sup> Kao reportedly used SYWSE to issue these educational grants to make the LLC look like a bona fide charitable organization, in an attempt to conceal the fact that SYWSE was also used as a straw donor to conceal the true source of the \$150,000 super PAC contribution.<sup>48</sup>
29. Accordingly, while PassionForest, like SYWSE, appears to have engaged in some non-election-related commercial activity, the evidence indicates PassionForest, like SYWSE, was also used as a straw donor to conceal the true source of the \$500,000 contributed to SOS America in its name. The available information supports the conclusion that PassionForest could not have generated sufficient income from real property holdings, assets, investment earnings, business revenues, or bona fide capital investments to make a \$500,000 contribution. As such, there is reason to believe Passionforest “was not the true

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<sup>47</sup> Dep’t of Justice, *Former Government Contractor Executive Pleads Guilty to Unlawful Campaign Contributions* (Sept. 27, 2022), <https://www.justice.gov/opa/pr/former-government-contractor-executive-pleads-guilty-unlawful-campaign-contributions>.

<sup>48</sup> See Nick Grube, *Rigging The System: The Martin Kao Case Offers An Inside View Of Pay-To-Play Politics*, Honolulu Civil Beat (June 20, 2023), <https://www.civilbeat.org/2023/06/rigging-the-system-the-martin-kao-case-offers-an-inside-view-of-pay-to-play-politics/> (“According to [a recent civil] lawsuit, the CLC complaint [regarding the \$150,000 contribution] spooked Kao and others at Navatek, and they “immediately hatched a plan to cover up the unlawful conduct and obstruct the federal investigation.” The new course, which they later discussed with their lawyers and other hired political consultants, was to turn the SYWSE into a legitimate charity organization that gave scholarships to women pursuing careers in engineering and science.”).

source” of the \$500,000 that it “facially appeared to give” to SOS America, “but instead served as an instrument to convey” those funds to the super PAC “without publicly disclosing [the true contributor’s] identity.”<sup>49</sup>

30. Accordingly, there is reason to believe that the unidentified person(s) who contributed \$500,000 to SOS America through PassionForest violated 52 U.S.C. § 30122 by making a contribution in the name of another, and that PassionForest violated 52 U.S.C. § 30122 when it knowingly permitted its name to be used to effect a contribution of one or more other persons in its own name.
31. Violations of Section 30122 directly undermine electoral transparency and, further, hinder the Commission’s ability to ensure compliance with FECA’s contribution limits and source prohibitions, including the statutory prohibition of foreign national contributions. In regard to the latter, PassionForest’s Amazon storefront sales page indicates that it is based in China, and Juhui’s address, as disclosed on the trademark application, is also in Guangzhou, China.<sup>50</sup> Although PassionForest is registered in Delaware and provided an address in Florida in connection with the contribution made in its name, that address is the location of a large international law firm and therefore is unlikely to be PassionForest’s true business address. PassionForest’s Amazon.com sales information indicates that its “principal place of business” is in China, which would render it a foreign national for FECA’s purposes.<sup>51</sup>

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<sup>49</sup> Factual and Legal Analysis at 7, MUR 7903 (Tomfoolery LLC, *et al.*).

<sup>50</sup> *See supra* notes 14, 16, 18.

<sup>51</sup> FECA defines “foreign national” to include both “an individual who is not a citizen of the United States or a national of the United States . . . and who is not lawfully admitted for permanent residence” as well as “a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.” 52 U.S.C. § 30121(b); *see* 22 U.S.C. § 611(b).

32. These facts suggest that PassionForest and/or the true contributor using PassionForest as a straw donor to funnel \$500,000 to a super PAC may be foreign nationals, and thus categorically prohibited from making political contributions or otherwise spending money to influence federal elections.<sup>52</sup> In light of this serious potential FECA violation, it is incumbent on the Commission to investigate this straw donor scheme and hold those responsible for violating federal campaign finance laws accountable.

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<sup>52</sup> 52 U.S.C. § 30121(a).

**PRAYER FOR RELIEF**

33. Wherefore, the Commission should find reason to believe that PassionForest, LLC, and any person(s) who created, operated, and made contributions to or in the name of this entity have violated 52 U.S.C. § 30101 *et seq.*, and conduct an immediate investigation under 52 U.S.C. § 30109(a)(2).
34. Further, the Commission should seek appropriate sanctions for any and all violations, including civil penalties sufficient to deter future violations and an injunction prohibiting the respondents from any and all violations in the future, and should seek such additional remedies as are necessary and appropriate to ensure compliance with FECA.

Respectfully submitted,

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 Washington, DC 20005  
 Counsel to the Campaign Legal Center,  
 Roger G. Wieand

July 25, 2024

**VERIFICATION**

The complainants listed below hereby verify that the statements made in the attached Complaint are, upon their information and belief, true.

Sworn pursuant to 18 U.S.C. § 1001.

For Complainant Roger G. Wieand



Roger G. Wieand

Sworn to and subscribed before me this 24<sup>th</sup> day of July 2023.



Notary Public





**VERIFICATION**

The complainants listed below hereby verify that the statements made in the attached Complaint are, upon their information and belief, true.

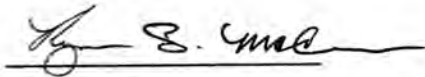
Sworn pursuant to 18 U.S.C. § 1001.

For Complainant Campaign Legal Center



Saurav Ghosh, Esq.

Sworn to and subscribed before me this 23 day of July 2023.



Notary Public



# EXHIBIT A

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Entity Details

**THIS IS NOT A STATEMENT OF GOOD STANDING**

File Number: **6430618** Incorporation Date / Formation Date: **11/30/2021**  
(mm/dd/yyyy)

Entity Name: **PASSIONFOREST, LLC**

Entity Kind: **Limited Liability Company** Entity Type: **General**

Residency: **Domestic** State: **DELAWARE**

**REGISTERED AGENT INFORMATION**

Name: **CORPORATION SERVICE COMPANY**

Address: **251 LITTLE FALLS DRIVE**

City: **WILMINGTON** County: **New Castle**

State: **DE** Postal Code: **19808**

Phone: **302-636-5401**

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

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# EXHIBIT B



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**Word Mark** F PASSIONFOREST

**Goods and Services** (ABANDONED) IC 026. US 037 039 040 042 050. G & S: Artificial Christmas garlands incorporating lights; Artificial flower arrangements; Artificial flower wreaths; Artificial flowers; Artificial flowers, namely, roses, tulips; Artificial garlands; Artificial plants, other than Christmas trees, namely, orchids, ferns; Arts and crafts findings, namely, plastic wiggly eyes; Bridal headpieces in the nature of ornamental hair combs; Silk flowers. FIRST USE: 20210718. FIRST USE IN COMMERCE: 20210718

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design** 05.01.01 - Evergreens and other trees or bushes of triangular or conical shape ; Pine tree

**Search Code** 27.01.03 - Letters forming plants ; Numbers forming plants ; Plants composed of letters or numerals ; Punctuation forming plants

**Serial Number** 97143657

**Filing Date** November 26, 2021

**Current Basis** 1A

**Original Filing Basis** 1A

**Owner** (APPLICANT) Rao Juhui INDIVIDUAL CHINA Room 404, Building 1, No.159 Xianlie East Road, Tianhe District Guangzhou CHINA 510599

**Attorney of Record** Angus Ni

**Description of Mark** The color(s) green and black is/are claimed as a feature of the mark. The mark consists of the wording "PASSIONFOREST" in stylized format.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL  
**Live/Dead Indicator** DEAD  
**Abandonment Date** November 4, 2022


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