

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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PETER BERNEGGER  
1806 Brynnwood Trace  
New London, WI 54961

Angela D. Caesar, Clerk of Clerk  
U.S. District Court District of Columbia

Plaintiff,

v.

Civil Action No. \_\_\_\_\_

FEDERAL ELECTION COMMISSION  
1050 First Street, NE  
Washington, DC 20002

Defendant.

**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

Plaintiff Peter Bernegger brings this action against the Federal Election Commission ("FEC" or "Commission") pursuant to 52 U.S.C. § 30109(a)(8)(A) for its failure to act on his administrative complaint within the 120-day statutory period. In support thereof, Plaintiff states as follows:

**NATURE OF ACTION**

1. This is an action for declaratory and injunctive relief arising from the FEC's failure to act on Plaintiff's administrative complaint, designated as Matter Under Review 8378 ("MUR 8378"), within the 120-day period prescribed by 52 U.S.C. § 30109(a)(8)(A).
2. Plaintiff filed MUR 8378 on May 21, 2025, alleging that Tammy Baldwin for Senate (FEC ID: C00830687) and sixteen related campaign committees violated the Federal Election Campaign Act of 1971, as amended ("FECA"), by accepting approximately \$36,820,755 in unlawful contributions through a scheme commonly known as

"smurfing" - the structuring of large contributions into thousands of small transactions using the stolen identities of elderly citizens.

3. More than 120 days have passed since Plaintiff filed MUR 8378. The FEC has taken no action on the complaint. The Commission has not found reason to believe a violation occurred, has not dismissed the complaint, and has not otherwise acted. Plaintiff's attempt to communicate with the Commission in October 2025 via FedEx was returned unopened, possibly due to the government shutdown.
4. Plaintiff seeks a declaration that the FEC's failure to act on MUR 8378 is contrary to law and an order directing the Commission to conform with such declaration within 30 days, failing which Plaintiff may bring a civil action in his own name to remedy the violations alleged in MUR 8378.

#### JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction pursuant to 52 U.S.C. § 30109(a)(8)(A), which provides that "[a]ny party aggrieved by an order of the Commission dismissing a complaint filed by such party under paragraph (1), or by a failure of the Commission to act on such complaint during the 120-day period beginning on the date the complaint is filed, may file a petition with the United States District Court for the District of Columbia."
6. This Court also has jurisdiction pursuant to 28 U.S.C. § 1331 (federal question jurisdiction) and 28 U.S.C. § 2201 (Declaratory Judgment Act).
7. Venue is proper in this district pursuant to 52 U.S.C. § 30109(a)(8)(A), which exclusively vests jurisdiction over challenges to FEC inaction in the United States

District Court for the District of Columbia. Venue is also proper under 28 U.S.C. § 1391(e)(1) because the Defendant is an agency of the United States.

## PARTIES

8. Plaintiff Peter Bernegger is an individual citizen of the United States and a resident of New London, Wisconsin. He is an elector, votes in federal elections and a taxpayer. Plaintiff is the President of Election Watch, Inc., a nonpartisan election integrity organization. Plaintiff filed administrative complaint MUR 8378 with the FEC and is aggrieved by the Commission's failure to act on that complaint within the statutory period.
9. Defendant Federal Election Commission is an independent regulatory agency of the United States government, established by the Federal Election Campaign Act of 1971, 52 U.S.C. § 30106. The FEC is responsible for administering and enforcing FECA, including the investigation and resolution of administrative complaints alleging violations of federal campaign finance law. The FEC's principal place of business is 1050 First Street, NE, Washington, D.C. 20463.

## FACTUAL BACKGROUND

### A. The Administrative Complaint (MUR 8378)

10. On May 16, 2025, Plaintiff prepared a sworn, notarized administrative complaint pursuant to 52 U.S.C. § 30109(a)(1) and 11 C.F.R. § 111.4, alleging violations of FECA by Tammy Baldwin for Senate and sixteen related campaign committees.

11. On May 19, 2025, Plaintiff transmitted the complaint to the FEC's Office of General Counsel via FedEx Standard Overnight delivery (tracking number 8813 4268 0770).
12. On May 21, 2025, the FEC received Plaintiff's administrative complaint. This date is confirmed by the FEC's acknowledgment letter dated May 28, 2025.
13. On May 28, 2025, the FEC's Office of General Counsel, Complaints Examination & Legal Administration, sent Plaintiff a letter acknowledging receipt of the complaint, assigning it MUR number 8378, and stating that "[t]he respondents will be notified of this complaint within five business days." A true and correct copy of the acknowledgment letter is attached as Exhibit A.

#### B. Summary of Allegations in MUR 8378

14. MUR 8378 alleges that Tammy Baldwin for Senate and related committees violated multiple provisions of FECA, including but not limited to:
  - (a) 52 U.S.C. § 30122 (contributions in the name of another);
  - (b) 52 U.S.C. § 30104 (failure to accurately report contributions);
  - (c) 52 U.S.C. § 30116 (acceptance of excessive contributions);
  - (d) 11 C.F.R. § 110.4(b) (prohibition on contributions in name of another); and
  - (e) 52 U.S.C. § 30102(c) (failure to maintain contributor records).
15. The complaint alleges that the Baldwin committees received approximately \$36,820,755 in unlawful contributions between 2017 and 2024 through a campaign finance laundering technique known as "smurfing" - the deliberate fragmentation of large contributions into thousands of small transactions using the names and addresses of elderly or unemployed individuals without their knowledge or consent. Exhibit B.

16. The complaint presents detailed statistical evidence of donation patterns that are beyond human possibility, including:

(a) Multiple donor profiles with the first name "ROBERT" each contributing exactly \$200,963.87 at the same timestamp from different states; each contributing (real example: \$10) on the same day, at the same time, to the same campaign, from multiple different states.

(b) At least 29 donor profiles with the first name "MARY" each contributing approximately \$196,564.78 with identical transaction counts; carried out on the same day, at the same time, to the same Baldwin committee, from multiple different states.

(c) Individual donors making tens of thousands of contributions over a single election cycle, such as Sonia Immasche (59,847 contributions) and Richard Goldstein (42,336 contributions); with some of these transactions going into the Baldwin committee(s); with Ms. Immasche on video stating she only makes \$5 to \$10 per month in political contributions.

(d) Unemployed or retired elderly individuals exceeding the federal contribution limit of \$6,600 per cycle by more than 500%.

17. The complaint is supported by extensive data analysis of FEC records, structured spreadsheets, and private investigator interviews with individuals who denied making the contributions attributed to them. Including IT expert Keith Schneider with over 35 years of experience.

18. The complaint requested that the FEC find reason to believe that violations occurred, conduct a full investigation, impose civil penalties, order correction of reports, and refer the matter to the Department of Justice for criminal investigation.

C. The FEC's Failure to Act

19. The 120-day statutory period for FEC action on MUR 8378 began on May 21, 2025 - the date the FEC received Plaintiff's complaint - and expired on September 18, 2025.

20. As of the date of this Complaint, more than 120 days have passed since Plaintiff filed MUR 8378.

21. The FEC has not taken any action on MUR 8378. The Commission has not:

- (a) Found reason to believe that respondents violated FECA;
- (b) Found no reason to believe and dismissed the complaint;
- (c) Opened an investigation;
- (d) Entered into conciliation with any respondent; or
- (e) Taken any other official action to resolve MUR 8378.

22. In October 2025, Plaintiff attempted to communicate with the FEC regarding the status of MUR 8378 by sending a letter via FedEx. The letter was returned to Plaintiff unopened. On information and belief, the letter was returned due to a government shutdown that affected FEC operations.

23. Plaintiff has received no communication from the FEC regarding MUR 8378 since the initial acknowledgment letter dated May 28, 2025.

24. The FEC's complete failure to act on MUR 8378 for more than 120 days constitutes an unreasonable delay that is contrary to law.

CLAIM FOR RELIEF  
Failure to Act Contrary to Law  
(52 U.S.C. § 30109(a)(8))

25. Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

26. Under 52 U.S.C. § 30109(a)(8)(A), any party aggrieved by a failure of the Commission to act on a complaint during the 120-day period beginning on the date the complaint is filed may file a petition with this Court.

27. Under 52 U.S.C. § 30109(a)(8)(C), the Court may declare that the failure to act is contrary to law and may direct the Commission to conform with such declaration within 30 days.

28. Plaintiff filed MUR 8378 on May 21, 2025. More than 120 days have passed. The FEC has taken no action on MUR 8378.

29. Plaintiff is aggrieved by the FEC's failure to act. As the complainant in MUR 8378, Plaintiff has a direct interest in the Commission's enforcement of FECA against the respondents named in the administrative complaint.

30. The FEC's failure to act on MUR 8378 for more than 120 days is contrary to law. The Commission has a statutory obligation to process administrative complaints in a timely manner. See *Giffords v. FEC*, No. 1:19-cv-01192 (D.D.C. Sept. 30, 2021) (finding that the Commission "unreasonably delayed its consideration" of administrative complaints when it failed to act within 120 days).

31. The allegations in MUR 8378 are serious and well-documented. They describe a systematic scheme to launder tens of millions of dollars in unlawful contributions using the stolen identities of elderly Americans. The FEC's failure to act on these allegations harms the integrity of the federal campaign finance system and the interests of all citizens in transparent, lawful elections.
32. If the FEC fails to conform with a declaration that its inaction is contrary to law within 30 days, Plaintiff is entitled under 52 U.S.C. § 30109(a)(8)(C) to bring a civil action in his own name to remedy the violations alleged in MUR 8378.

#### PRAYER FOR RELIEF

WHEREFORE, Plaintiff Peter Bernegger respectfully requests that this Court:

- A. Declare that the FEC's failure to act on MUR 8378 within the 120-day period prescribed by 52 U.S.C. § 30109(a)(8)(A) is contrary to law;
- B. Order the FEC to conform with such declaration within 30 days by taking one of the actions FECA provides with respect to MUR 8378 and by issuing any controlling Statement of Reasons sufficient to permit judicial review;
- C. Retain jurisdiction over this matter to ensure compliance with any order issued;
- D. Award Plaintiff his reasonable costs and attorney's fees to the extent permitted by law; and



E. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,

November 19, 2025




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Peter Bernegger - Plaintiff  
1806 Brynnwood Trace  
New London, WI 54961  
Telephone: (920) 551-0510  
Email: [peter@electionwatch.info](mailto:peter@electionwatch.info)

**VERIFICATION**

I, Peter Bernegger, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief. Pursuant to 28 U.S.C. § 1746.

Executed on November 19, 2025

  
\_\_\_\_\_  
Peter Bernegger - Plaintiff