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**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA**

2011 JUL 18 PM 12:01

CLERK, US DISTRICT COURT
MIDDLE DISTRICT OF FL
JACKSONVILLE FLORIDA

FEDERAL ELECTION COMMISSION,
999 E STREET, N.W. WASHINGTON
D.C 20463,

Civ. No. 3:10-CV-1155-G-99 TGC-JRK

Plaintiff

Vs.

11-2001 LLC and SAM KAZRAN,
1531 HARRINGTONPARK DR.,
JACKSONVILLE, FL, 32225

Defendant

**DEFENDANTS RESPONSE TO PLAINTIFFS COMPLAINT AND REQUEST
FOR LEAVE TO JOIN THE PROPER PARTIES IN THIS ACTION**

COME NOW: Defendant Sam Kazran hereby files this motion in response to the Plaintiffs complaint. For reasons set forth below, the Defendant request that this honorable court allow the Defendant to Join Vern Buchanan for congress (VBFC), and Mr. Vern Buchanan as the proper parties in this action.

STATEMENT OF THE CASE

1. This Action was brought against the Defendants 11-2001 LLC, d/b/a Hyundai of North Jacksonville (HNJ) and Sam Kazran (collectively the Defendants) pursuant to certain alleged campaign contributions in excess of limits as set forth by FEC rules. Plaintiff asserts that, the Defendants "Knowingly" violated campaign

contribution policy by arranging to reimburse their employees for alleged illegal campaign contributions to VBFC in 2005-2007. In support of its allegations, the Plaintiff states that, on July 16, 2010, the commission concluded its investigation and based on all evidence available, the general counsel was prepared to recommend that the Defendants had violated the campaign contribution policies. The plaintiff further allege that, in august 19, 2009, the Defendants were provided with copies of factual and legal basis that formed the commission's findings and invited the Defendants to submit a brief with any factual or legal material that Defendants believed to be relevant to the subject matter and that, the Defendants failed to respond to FEC's investigation.

PRELIMINARY STATEMENT

2. Even though the Defendants were the one who initiated contact to inform FEC of certain material facts that gave rise to FEC's yearlong investigation in which the Defendants provided full cooperation and virtually all the evidence in this action. The FEC asserts that, the Defendants failed to respond to FEC's invitation to submit a brief with factual and legal materials relevant to FEC's investigation.

3. Moreover, even though the entire investigation of FEC evolved around Mr. Buchanan who was the managing member of the Defendants and the sole beneficiary of the alleged campaign contributions, the plaintiff has made no mention of VBFC and/or Mr. Buchanan's involvement.

4. Simply stated. the Plaintiff has ignored the findings of its investigations and the recommendation of its investigators by failing to acknowledge Mr. Buchanan's role in this action.

5. Finally, despite actual and constructive knowledge of Mr. Buchanan's direct involvement, the Plaintiff has opposed the Defendants request to join VBFC and Mr. Buchanan in this action so that this Honorable Court can adjudicate this action based on the evidence and the merits of this case.

FACTUAL ALLEGATIONS

6. The Defendants assert that, FEC's findings and conclusions overlook material factors deserving significant weight. In so doing, FEC fails to reveal the results of its investigation and the evidence gathered during its investigation.

7. The "clear and convincing evidence" provided to, and confirmed by FEC's field investigators include *inter alia*, (a) several affidavits of various non-parties;(b) names of witnesses with firsthand knowledge in the subject matter;(c) statements of facts under oath; (e) depositions;(f) communications and emails ;(g) conversations taken place in business meetings; (h) voice mail recordings and;(i) other relevant and material documents.

8. In short, pursuant to a yearlong investigation conducted by FEC's own investigators, the allegations of improper campaign contributions were planned by, and executed at the direction of Mr. Buchanan who was the managing member of the Defendants entities and the sole beneficiary of the alleged campaign contributions.

9. The undersigned Defendant allege that, this courts review of evidence will reveal *inter alia* , the following;

- a. That the Defendants had no involvement or knowledge of the law, limits, and or acts declared as violations of campaign laws.
- b. That absent of casting their votes, the Defendant had no prior involvement or knowledge in any type of political activities, contributions, rules and/or procedures.

- c. That Defendant was instructed by Mr. Buchanan to make the alleged campaign contributions to VBFC.
- d. That, Mr. Buchanan personally told the undersigned that, moneys will be returned back to the corporation.
- e. That Mr. Buchanan was/is the Defendant in a class action lawsuit by former employees of unrelated entities under the control of Mr. Buchanan for identical allegations of illegal campaign contributions.
- f. That, Mr. Buchanan, at the presence of Mr. Steve Silverio, Mr. Jeff King, Mr. Dennis Slater, Mr. Kevin Brodsky, Mr. Scott Tomoso, Mr. David Long, Mr. Jim Glouski, Mr. Shelby Thomas, Mr. Tom Moore and Scott Davis along with no less than 9 other individuals represented that, **Quote” I need to raise one million dollars by end of quarter, it’s not going to have the same impact if it came from me.” Mr. Buchanan went on to describe how a colleague had invested several million dollars of personal funds only to received 11% of the votes.**
- g. That Citizens for ethics, the agency that investigates these types of activities declared Mr. Buchanan to be the the most corrupt politician in congress. (*Article that declaired Mr. Buchanan the most corrupt politician in the congress attached as EXHIBIT 1*).
- h. **That Mr. Buchanan in his voice mail warned the Defendant of the consequences should he chose to disclose his knowledge.**
- i. That Mr. Buchanan Delivered on his promise and promptly caused Bank of America (Defendants lender) to declare Default on the Defendants companies which gave rise to the destruction of Defendants businesses.
- j. That Mr. Buchanan’s actions caused the Defendants to initiate a suit against Mr. Buchanan in State court.
- k. That immediately after, Mr. Buchanan agreed to settle and parties agreed to discontinue their business relationships.

- l. That after Mr. Buchanan signed that agreement; the undersigned was asked to sign an affidavit prepared by Mr. Buchanan to make false representations under oath to assist Mr. Buchanan in his campaign contribution controversy.**
- m. That after the undersigned refused, he was told Quote “Sam you have five minutes to sign this affidavit or the contract is canceled”. (copy of Mr. Buchanan’s hand crafted affidavit is incorporated herein and referenced as **EXHIBIT 2**).
- n. That Mr. Buchanan delivered on his commitment and canceled an entirely unrelated business transaction solely because the undersigned Defendant refused to be the scapegoat for Mr. Buchanan.

10. The above represent documented facts supported by competent and substantial evidence in which the Defendants voluntary provided FEC. Despite actual and constructive knowledge of the foregoing, the commission has made no mention of Mr. Buchanan and his direct involvement in this matter.

CONCLUSION

11. The undersigned Defendant is caught in some political war to which he has no desire to be involved in. FEC knows that, the Defendants were simply following the instructions of their supervisor.

12. The undersigned has avoided countless requests from media and various individuals soliciting the underline facts in pursue of bad publicity against Mr. Buchanan only to become the subject of unfair and unsubstantiated accusations of actions carried out by Mr. Buchanan.

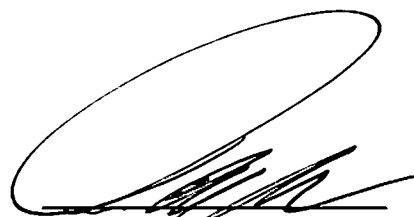
13. The decision to contact and subsequently provide unfettered cooperation to FEC has caused the Defendants irreparable harm including the loss of their business and the loss of no less than 497 employees.

14. The Defendants cannot understand why and how the commission has elected to ignore the monumental amount of evidence that points to Mr. Buchanan as the sole individual responsible for the alleged campaign contributions.

15. Finally, the Defendants cannot comprehend why members of commission would oppose and object to the Defendants efforts to join Mr. Buchanan in this action to allow this honorable Court to examine the evidence and adjudicate this action based on its merits.

WHEREFORE: For the foregoing reasons, the Defendants pray that this Honorable court would grant the Defendants leave to join VBFC and Mr. Buchanan as the proper parties in this action. The Defendants further pray that, this Honorable court would grant the Defendants leave to transfer their claims against Mr. Buchanan currently pending in state court, which is directly and expressly related to the allegations raised by FEC.

Dated this 15th day of July 2011.



Sam S. Kazran
1531 Harrington Park Dr.
Jacksonville, FL. 32225
(904) 874-0304
Kazran52@aol.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 15th day of July 2011, a true and correct copy of the foregoing was served via electronic mail to:

Erin Chlopak
Federal Election Commission
999 E Street NW
Washington, DC 20463
(202) 694-1384 | anoti@fec.gov

A handwritten signature in black ink, appearing to read 'SAM S. KAZRAN', with a large, sweeping loop at the top.

SAM S. KAZRAN