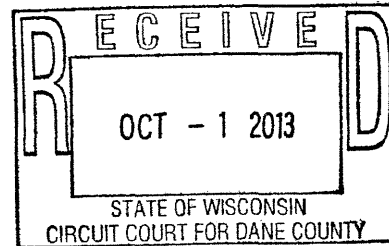

IN THE MATTER OF
JOHN DOE PROCEEDINGS

COLUMBIA Co. Case No. 13JD000011
DANE Co. Case No. 13JD000009
DODGE Co. Case No. 13JD000006
IOWA Co. Case No. 13JD000001
MILWAUKEE Co. Case No. 12JD000023



AFFIDAVIT IN SUPPORT OF A REQUEST FOR SUBPOENAS

ROBERT STELTER, being first duly sworn on oath, deposes and says that:

1. I am an Investigator in the Milwaukee County District Attorney's Office. I have 27 years of experience as a law enforcement officer. I have held the rank of Detective and Lieutenant of Detectives within the City of Milwaukee Police Department. For two years, I worked at the Milwaukee High Intensity Drug Trafficking Area Task Force, (hereafter HIDTA), a state/federal task force with law enforcement officers from the City of Milwaukee Police Department, Federal Bureau of Investigation, Drug Enforcement Administration, West Allis Police Department, Wisconsin Department of Justice, Wisconsin State Patrol, and other jurisdictions. That experience included the investigation and supervision of investigations of complex and large scale organized crime in the Metropolitan Milwaukee, Wisconsin area. Over these last 10 years, I have overseen multiple investigations and been involved in the supervision of investigations that involved federal court authorized wiretaps of wire and electronic communications as defined in the Federal Code. I also have participated in investigations involving individuals and organized group activity related to the distribution of drugs and controlled substances, and the laundering of drug proceeds and the concealment of assets purchased with drug proceeds. In the past two years I have been involved with the investigation of violations of Wisconsin election laws, campaign finance laws, use of government employees for the purpose of political service, and ethics violations. The investigations have resulted in prosecutions for theft, campaign finance violations, as

well as political service involving governmental employees. I submit this affidavit in support of a request for search warrants and subpoenas for documents related to this John Doe investigation.

A. INTRODUCTION

2. On September 5, 2012, Reserve Judge Barbara Kluka authorized the commencement of a John Doe proceeding in Milwaukee County, Wisconsin, (Case No. 12JD000023) related to violations of Wisconsin Statutes §946.12, 939.30, 939.31, and 939.05; *viz.* Misconduct in Public Office (PTAC), and Conspiracy and Solicitation to Commit Misconduct in Public Office, and other violations of Chapter 11 of the Wisconsin Statutes. As a result of evidence developed during the course of the investigation that identified potential targets residing in several counties throughout Wisconsin, related John Doe proceedings were commenced in Columbia County (Case no. 13JD000011); Dane County (Case no. 13JD000009); Dodge County (Case no. 13JD000006); and Iowa County (Case no. 13JD000001).¹ On August 23, 2013, Attorney Francis Schmitz was appointed as a special prosecutor to assist in the investigation of the subject matter of this John Doe investigation in each county captioned above.

3. I incorporate by reference the Applications, Affidavits and other papers, particularly those noted within, that have been submitted to the court in these John Doe proceedings, including any matters or testimony referenced in the paragraphs that follow. I base the following affidavit upon personal knowledge; information and belief based upon statements and information from law enforcement officers and citizen witnesses; review of documents, information and records obtained by subpoenas and search warrants; testimony taken during the course of the John Doe proceedings in 2010JD000007², and other information as described herein believed to be reliable. In particular, I incorporate by reference the affidavits and corresponding exhibits dated December 10, 2012.

¹ The pleadings filed in the respective counties describe the reasons for the commencement of the related John Doe proceedings in those jurisdictions.

² In an order dated August 10, 2012, the Honorable Neal Nettlesheim presiding over the proceedings in Milwaukee County John Doe case no. 2010JD000007 authorized the use of all information obtained in the course of those proceedings in the investigation of the matter that is the subject of this John Doe.

4. I also incorporate by reference the Affidavit of Dean Nickel dated September 28, 2013.

5. I use the terms "records" "documents" and/or "information" to include all items of evidence in whatever form and by whatever means they may have been created or stored, including any form of computer or electronic storage (such as hard disks, jump drives, thumb drives, CDs, DVDs, external USB drives, 3.5" disks or other media that can store data); any handmade form (such as writing, drawing, painting); any mechanical form (such as printing or typing); and any photographic form (such as microfilm, microfiche, prints, slides, negatives, videotapes, motion pictures, photocopies), consistent with Wisconsin Statutes §968.13(2).

6. For purposes of this document, I use the term **2011 Senate Recall Elections** to mean any one or more of the following **2011 Senate Recall Elections**, including both the general Recall Elections specified below and any primary elections leading up to the general Recall Elections as follows:

- a. July 19, 2011
 - i. District 30 - Dave Hansen (Democrat), David VanderLeest (Republican);
- b. August 9:
 - i. District 2 - Robert Cowles (Republican) and Nancy J. Nusbaum (Democrat);
 - ii. District 8 - Alberta Darling (Republican) and Sandy Pasch (Democrat);
 - iii. District 10 Sheila Harsdorf (Republican) and Shelly Moore (Democrat);
 - iv. District 14 - Luther Olsen (Republican) and Fred Clark (Democrat);
 - v. District 18) -Randy Hopper (Republican) and Jessica King (Democrat);
 - vi. District 32 Dan Kapanke (Republican) and Jennifer Shilling (Democrat).
- c. August 16:
 - i. District 12 - Kim Simac (Republican) and Jim Holperin (Democrat);

- ii. District 22 Robert Wirch (Democrat) and Jonathan Steitz (Republican)

7. For purposes of this document, I use the term **2012 Senate Recall Elections** to mean any one or more of the following **2012 Senate Recall Elections**, including both the general Recall Elections specified below and any primary elections leading up to the general Recall Elections as follows:

- a. June 5, 2012
 - i. District 21 - Van Wanggard (Republican) and John Lehman (Democrat);
 - ii. District 23 - Terry Moulton (Republican) and Kristen Dexter (Democrat);
 - iii. District 29 - Jerry Petrowski (Republican) and Donna Seidel (Democrat);
 - iv. District 13 - Scott Fitzgerald (Republican) and Lori Compass (Democrat)

8. For purposes of this Affidavit, I use the term **2012 Gubernatorial Recall Election** to mean the **2012 Gubernatorial Recall Election** between Scott Walker (Republican) and Tom Barrett (Democrat), and the term **2012 Gubernatorial Recall Election** includes any primary election leading up the general Gubernatorial Recall Election held June 5, 2012:

9. For purposes of this Affidavit, I use the phrase **Recall Related Information and Records** to mean documents relating to the **2011 Senate Recall Elections**, the **2012 Senate Recall Elections** and/or the **2012 Gubernatorial Recall Election**:

- a. All memoranda, email (including archived e-mail), correspondence, and communications between the person or the entity to be subpoenaed, its directors, officers, agents or employees, on the one hand, and on the other hand, the directors, officers, employees or agents of:
 - i. Coalition Partners, L.L.C.;
 - ii. R.J. Johnson and Associates, Inc., its employees, agents, officers or directors;
 - iii. Citizens for a Strong America, Inc.;

- iv. William Eisner & Associates, Inc.
- v. Nonbox, an enterprise operating as a d/b/a of William Eisner & Associates, Inc. (among others) and which utilizes an Internet domain identified as www.nonbox.com, including e-mail addresses ending in “@nonbox.com” and “@nonboxconsulting.com;”
- vi. Ten Capitol Inc. of Ashburn, Virginia;
- vii. Wisconsin Manufacturers and Commerce, Inc. (WMC);
- viii. WMC – Issues Mobilization Council, Inc. (IMC);
- ix. Metropolitan Milwaukee Association of Commerce, Inc.;
- x. American Federation for Children, Inc.;
- xi. Doner Fundraising, Inc.;
- xii. Americans for Prosperity, Inc.;
- xiii. Americans for Prosperity – Wisconsin
- xiv. American Crossroads;
- xv. League of American Voters;
- xvi. Republican Governors Association (RGA);
- xvii. Right Direction Wisconsin;
- xviii. Republican State Leadership Committee (RSLC);
- xix. Committee to Elect a Republican Senate (CERS);
- xx. Wisconsin Family Action, Inc.;
- xxi. Wisconsin Right to Life, Inc.
- xxii. Wisconsin Recall Action Fund;
- xxiii. The Jobs First Coalition, Inc.;
- xxiv. Ending Spending, Inc.;

- xxv. Club for Growth;
 - xxvi. Wisconsin Club for Growth;
 - xxvii. Republican Party of Wisconsin;
 - xxviii. United Sportsmen of Wisconsin, Inc.; or
 - xxix. Friends of Scott Walker.
- b. All memoranda, email (including archived e-mail), correspondence, and communications between the person or the entity to be subpoenaed, its directors, officers, agents or employees, on the one hand, and on the other hand:
- i. R. J. Johnson;
 - ii. Deborah Jordahl;
 - iii. Kate Doner; or
 - iv. William Eisner.
- c. All memoranda, email (including archived e-mail), correspondence, and communications between the person or the entity to be subpoenaed, its directors, officers, agents or employees, on the one hand, and on the other hand:
- i. The Friends of Scott Walker, the candidate Scott K. Walker, its Directors, Officers, Employees, and/or Agents;
 - ii. The candidates, campaign committees, officers, employees and/or agents associated with the **2011 Senate Recall Elections**.
 - iii. The candidates, campaign committees, officers, employees and/or agents associated with the **2012 Senate Recall Elections**.
 - iv. The candidates, campaign committees, officers, employees and/or agents associated with the **2012 Gubernatorial Recall Election**.
- d. Calendars or other records of meetings, phone calls, video conferencing and/or conference calls on Recall related topics and issues.

- e. All contracts, agreements, accords or understandings of any kind into which the subpoenaed part, entered for performance of services of any kind related to the **2011 Senate Recall Elections**, the **2012 Senate Recall Elections** and/or the **2012 Gubernatorial Recall Election**.
- f. All billing, invoices, receipts, financial documents and other records of expenditures, disbursements or transfers made in connection with the **2011 Senate Recall Elections**, the **2012 Senate Recall Elections** and/or the **2012 Gubernatorial Recall Election**.
- g. All bank records, credit card bills and other financial records evidencing a disbursement identified in subparagraph f immediately preceding this subparagraph;
- h. All correspondence, e-mail (including archived e-mail), communications, memos and/or notes related to the items identified in subparagraphs e and f above;
- i. All records of advertisements, public service announcements, broadcast scripts, mailings, flyers and other material published in connection with the **2011 Senate Recall Elections**, the **2012 Senate Recall Elections** and/or the **2012 Gubernatorial Recall Election**.
- j. All contracts, agreements and communications related to the items identified in subparagraph i immediately preceding this subparagraph.

B. ENTITIES AND RECORDS SUBJECT TO REQUEST FOR SEARCH WARRANTS AND SUBPOENAS.

10. I respectfully submit that good cause exists to believe the documents specified in the subpoena accompanying this Application are related to the purposes of this John Doe investigation and will produce information relevant to this criminal inquiry. See *In re Doe Proceeding Commenced by Affidavit Dated July 25, 2001*, 2004 WI 149 at ¶¶54, 277 Wis.2d 75, 689 N.W.2d 908.³

³ Rewriting a portion of the original opinion (see 2004 WI 65, ¶¶53-54, 272 Wis.2d 208, 680 N.W.2d 792) that suggested a John Doe subpoena required a showing of probable cause, like that required by §968.135, the supreme court wrote:

1. I respectfully request that the following process issue for the following individuals and entities:

a. **CLUB FOR GROWTH** – I respectfully request that the court issue a subpoena to the Club for Growth, 2001 L. St. N.W., Suite 600, Washington D.C. 20036. I request that said subpoena be:

i. **For the timeframe of March 1, 2009 to the present** for all records and information related to the Wisconsin Club for Growth, including but not limited to:

1. All agreements, memorandum, email (including archived e-mail), correspondence, and/or communications with:

- a. The Wisconsin Club for Growth, its Directors, Officers, Employees, and/or Agents;
- b. The Friends of Scott Walker, the candidate Scott K. Walker, its Directors, Officers, Employees, and/or Agents;
- c. The candidates, campaign committees, officers, employees and/or agents associated with the **2011 Senate Recall Elections**.
- d. The candidates, campaign committees, officers, employees and/or agents associated with the **2012 Senate Recall Elections**.

In the case of a John Doe proceeding, the proceeding is lawfully authorized if the judge determines that the complainant makes a threshold showing sufficient to establish that the complainant has an objectively reasonable belief that a crime has been committed. With this judicial determination, any document requested, in order to be relevant to the inquiry, must focus on the factual assertions made to the judge at the commencement of the proceeding. The necessary link between the documents requested and the suspected criminal activity under investigation is thus shown, affording probable cause to believe that the documents sought will produce evidence relevant to potentially criminal activity, as required by Wis. Stat. § 968.135.

2004 WI 149, ¶54 (citations omitted)(emphasis added).

- e. The candidates, campaign committees, officers, employees and/or agents associated with the **2012 Gubernatorial Recall Election.**

I respectfully submit that I believe these records will produce information relevant to this investigation, based upon the information detailed in the Affidavit of Dean Nickel dated September 28, 2013 and Affidavit of Robert Stelter dated December 10, 2012. On March 29, 2009, the national Club for Growth sent an e-mail requesting that the Wisconsin Club for Growth (WiCFG) continue to advise the national Club for Growth of its activities and the legal propriety of those actions related to activities with FOSW. (See Exhibit 15, Affidavit of December 10, 2012) In the 2010 gubernatorial election, and in the 2012 gubernatorial recall election, WiCFG continued to involve itself in political activity in conjunction with the gubernatorial campaigns of the Friends of Scott Walker (FOSW), and other organizations. (See Affidavit of September 28, 2013, and specifically ¶¶21-¶27.) Communications and records between WiCFG and the national Club for Growth are relevant and may provide evidence of communications between the national Club for Growth and the WiCFG related to the potential illegality of that activity by WiCFG.

b. WISCONSIN CLUB FOR GROWTH (WiCFG) AND PERSONS

ASSOCIATED WITH WiCFG I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

- i. Wisconsin Club for Growth (WiCFG) in care of its registered agent, Godfrey and Kahn, One East Main Street, Suite 500, Madison, Wisconsin 53703.⁴
- ii. Eric O'Keefe – Director;⁵
- iii. Eleanore C. Hawley – Treasurer/Secretary/Director; and
- iv. Charles Talbot – President / Director;

⁴ The registered agent for Wisconsin Club for Growth Godfrey and Kahn, One East Main Street, Suite 500, Madison, Wisconsin 53703.

⁵ See ¶19 and related footnotes, Affidavit of 12/10/12.

I request that said subpoena be issued:

i. **For the timeframe of March 1, 2009 to the present**, for the production of all records and information of WICFG in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors as follows:

1. All corporate minutes and resolutions;
2. All communications between corporate directors, officers, employees and/or agents on the one hand and R.J. Johnson and/or Deborah Jordahl on the other hand;
3. All communications naming R.J. Johnson in the body of the communication;
4. All communications naming Deborah Jordahl in the body of the communication;
5. All contracts, agreements, accords or understandings of any kind which have been entered into with any of the following:
 - a. R.J. Johnson & Associates, Inc;
 - b. Citizens for a Strong America, Inc.;
 - c. Coalition Partners, L.L.C.;
 - d. Doner Fundraising Inc.;
 - e. Richard "R.J." Johnson;
 - f. Deborah Jordahl; or
 - g. Kate Donor.
6. All invoices and payment records relating to any item identified in the preceding subparagraph;

7. All records of income received, including fundraising information and the identity of persons contributing to the corporation;
8. All records of money spent, including expense and other disbursements data, invoices, payroll records, billing records and related memoranda; and
9. All **Recall Related Information and Records** as defined above in ¶9.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Dean Nickel dated September 28, 2013 and Affidavit of Robert Stelter dated December 10, 2012. As described therein, during 2011 and 2012, R.J. Johnson, Governor Scott Walker, Keith Gilkes, Kate Doner and others, used WiCFG to coordinate political activity in response to recall elections against Wisconsin state senators, as well as the recall of Governor Walker. R.J. Johnson substantially directed the activities of the WiCFG. Those activities included fundraising to support the activities of WiCFG and other organization funded directly and indirectly by WiCFG in coordination with the personal campaign committees of the recall candidates. (See Affidavit of September 28, 2013, and specifically ¶¶11-¶40.) Accordingly, WiCFG may have records and materials identified herein relevant to any illegal campaign coordination.

c. CITIZENS FOR A STRONG AMERICA (CFSA) AND PERSONS

ASSOCIATED WITH CFSA I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

- i. Citizens for a Strong America;⁶
- ii. John Connors – President, [REDACTED] Wisconsin
[REDACTED]

⁶ The registered agent for Citizens for a Strong America is Godfrey and Kahn, One East Main Street, Suite 500, Madison, Wisconsin 53703.

- iii. Valerie Johnson – Treasurer, [REDACTED]
Randolph, Wisconsin [REDACTED]
- iv. Jessika Stauffacher – Director, [REDACTED], Westfield,
Wisconsin [REDACTED]
- v. Virginia Marschmann – Director at [REDACTED]
Waukesha, Wisconsin [REDACTED]

I request that said subpoena be issued:

ii. **For the timeframe of February 16, 2010 to the present**, for the production of all records and information in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors, including but not limited to John Connors, Valerie Johnson, Jessika Stauffacher and Virginia Marschman, as follows:

1. All corporate minutes and resolutions;
2. All communications between corporate directors, officers, employees and/or agents on the one hand and R.J. Johnson and/or Deborah Jordahl on the other hand;
3. All communications naming R.J. Johnson in the body of the communication;
4. All communications naming Deborah Jordahl in the body of the communication;
5. All contracts, agreements, accords or understandings of any kind which have been entered into with any of the following:
 - a. R.J. Johnson and Associates, Inc.;
 - b. Coalition Partners, L.L.C.;
 - c. Doner Fundraising Inc.;
 - d. Richard "R.J." Johnson
 - e. Deborah Jordahl; or

f. Kate Donor.

6. All invoices and payment records relating to contracts, agreements, accords or understanding of any kind with Richard "R.J." Johnson and/or Deborah Jordahl;
7. All records of income received, including fundraising information and the identity of persons contributing to the corporation;
8. All records of money spent, including expense and other disbursements data, invoices, payroll records, billing records and related memoranda;
9. All contracts, agreements, accords or understanding of any kind relating to expenditures made in connection with the 2011 Senate Recall Elections, the 2012 Senate Recall Elections, and/or the 2012 Gubernatorial Recall Election; and
10. All **Recall Related Information and Records** as defined above in ¶9.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Dean Nickel dated September 28, 2013 and Affidavit of Robert Stelter dated December 10, 2012. CFSA was substantially funded by WiCFG. CFSA was also controlled by R.J. Johnson and Deb Jordahl, and was essentially a conduit used to fund other 501(c)4 organizations and groups in a coordination with the personal campaign committees in response to the 2011 to 2012 recall elections. See specifically, Affidavit of September 27, 2012, ¶¶16-20, ¶¶11-¶15. For this reason records and materials described herein are relevant to the investigation of any illegal campaign coordination.

- d. **WISCONSIN MANUFACTURERS AND COMMERCE (WMC) AND PERSONS ASSOCIATED THEREWITH** I respectfully request that the

court issue a subpoena for documents to the following entities and/or natural persons:

- i. WMC, 501 E. Washington Ave., Madison, Wi. 53703;⁷
- ii. James Buchen – Former Vice- President of Governmental Relations at WMC⁸ - 10 East Doty St., Suite 500, Madison, Wi. 53703

I request that said subpoena be:

i. For the timeframe of 2011-2012, for all records and information of WMC in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors as follows:

1. In connection with the 2011 Senate Recall Elections, the 2012 Senate Recall Elections, and/or the 2012 Gubernatorial Recall Election, all e-mails (including archived e-mails), memoranda, and correspondence with:
 - a. The Milwaukee Metropolitan Association of Commerce; or
 - b. The United States Chamber of Commerce;
2. All **Recall Related Information and Records** as defined above in ¶9.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Dean Nickel dated September 28, 2013 and Affidavit of Robert Stelter dated December 10, 2012. WMC operated in conjunction with WMC-IMC. WMC received \$2,500,000 from WiCFG, which it then passed to WMC-IMC. In turn WMC-IMC sponsored ads supporting

⁷ The registered agent for WMC and WMC-IMC is Kurt Bauer, 501 E. Washington Ave., Madison, WI. 53703.

⁸ James Buchen is presently employed as a lobbyist by WMC. Additionally, per the website of Hamilton Consulting Group, James Buchen is employed with the group as an affiliated consultant. Hamilton Consulting Group has an office at 10 E. Doty St., Suite 500, Madison, Wi. 53703. WMC is also referenced in the Affidavit of 12/10/12, ¶146, ¶167-68.

Governor Walker during the 2012 recall campaign as well as ads critical of potential Democratic opponents. Ten Capitol, an advertising agency, placed the ads for WMC. Ten Capitol also paid R.J. Johnson and Associates \$50,000 in June, 2012. See specifically, Affidavit of September 28, 2013, ¶¶41-¶44. For this reason records and materials described herein are relevant to the investigation of any illegal campaign coordination.

e. **WMC ISSUES MOBILIZATION COUNCIL, INC. AND PERSONS ASSOCIATED THEREWITH** I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

- i. WMC Issues Mobilization Council, Inc., 501 E. Washington Ave., Madison, Wi. 53703;⁹
- ii. James Buchen – Former Vice- President of Governmental Relations at WMC - 10 East Doty St., Suite 500, Madison, Wi. 53703

I request that said subpoena be:

- i. **For the timeframe of 2011-2012**, for all records and information of WMC Issues Mobilization Council, Inc. in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors as follows:
 - a. In connection with the 2011 Senate Recall Elections, the 2012 Senate Recall Elections, and/or the 2012 Gubernatorial Recall Election, all e-mails (including archived e-mails), memoranda, and correspondence with:
 - i. The Milwaukee Metropolitan Association of Commerce; or
 - ii. The United States Chamber of Commerce;

⁹ The registered agent for WMC and WMC-IMC is Kurt Bauer, 501 E. Washington Ave., Madison, WI. 53703.

2. All **Recall Related Information and Records** as defined above in ¶9.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Dean Nickel dated September 28, 2013 and Affidavit of Robert Stelter dated December 10, 2012. WMC-IMC received \$2,500,000 from WiCFG, and in turn sponsored ads supporting Governor Walker during the 2012 recall campaign as well as ads critical of potential Democratic opponents. Ten Capitol, an advertising agency, placed the ads for WMC. Ten Capitol also paid R.J. Johnson and Associates \$50,000 in June, 2012. See specifically, Affidavit of September 28, 2013, ¶¶41-¶44. For this reason records and materials described herein are relevant to the investigation of any illegal campaign coordination.

f. **METROPOLITAN MILWAUKEE ASSOCIATION OF COMMERCE (MMAC) AND PERSONS ASSOCIATED WITH MMAC** - I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

- i. Metropolitan Milwaukee Association of Commerce (MMAC), 756 N. Milwaukee St., Suite 400, Milwaukee, Wisconsin 53202.

I request that said subpoena be:

- i. **For the timeframe of 2011-2012**, for all records and information of MMAC in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors, including but not limited to Timothy Sheehy, as follows:
 1. In connection with the 2011 Senate Recall Elections, the 2012 Senate Recall Elections, and/or the 2012 Gubernatorial Recall Election, all e-mails (including archived e-mails), correspondence, memoranda, and correspondence with:
 - a. The Wisconsin Club for Growth

- b. The WMC-Issues Mobilization Council, Inc.; or
 - c. The United States Chamber of Commerce;
2. All **Recall Related Information and Records** as defined above in ¶9.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Dean Nickel dated September 28, 2013 and Affidavit of Robert Stelter dated December 10, 2012. MMAC contributed \$579,800 to WiCFG in 2011 and 2012. WiCFG in turn directly and indirectly sponsored ads supporting Governor Walker during the 2012 recall campaign as well as ads critical of potential Democratic opponents. See specifically, Affidavit of September 28, 2013, ¶27. Records of MMAC are relevant to contributions to WiCFG, funding the activities of WiCFG that supported potential illegal coordination with the campaign committees.

- g. **REPUBLICAN STATE LEADERSHIP COMMITTEE (RSLC) AND PERSONS ASSOCIATED WITH RSLC** - I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

- i. Republican State Leadership Committee (RSLC), 1201 F. St., NW #675, Washington D.C. 20004;

I request that said subpoena be:

- i. **For the timeframe of 2011 and 2012**, for all records and information of RSLC in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors, including but not limited to Ed Gillespie and Chris Jankowski, as follows:
 - 1. All Recall Related Information and Records as defined above in ¶9; and
 - 2. All recorded telephone calls, conference calls and/or videoconferencing sessions which relate to the 2011

Senate Recall Elections, the 2012 Senate Recall Elections, and/or the 2012 Gubernatorial Recall Election.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Robert Stelter dated December 10, 2012 and Affidavit of Dean Nickel dated September 28, 2013. As specifically detailed in the later affidavit, ¶¶53-55, RSLC and its president, Chris Jankowski, were in direct communication with R.J. Johnson at the onset about the need for “coordination.” This was evidence by communication between Chris Jankowski and R.J. Johnson (See the later affidavit, Exhibit 34.) Accordingly, records and communications between the RSLC related to the 2011-2012 recall elections are relevant to the potential illegal coordination with the campaign committees.

h. REPUBLICAN GOVERNORS ASSOCIATION AND PERSONS

ASSOCIATED WITH RGA - I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

- i. Republican Governor's Association (RGA)¹⁰, 1747 Pennsylvania Ave. N.W., Suite 250, Washington, D.C. 20006 ;

I request that said subpoena be:

- i. **For the timeframe of 2011 and 2012**, for all records and information of RGA in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors as follows:
 1. All Recall Related Information and Records as defined above in ¶¶9.
 2. All recorded telephone calls, conference calls and/or videoconferencing sessions which relate to the 2011 Senate Recall Elections, the 2012 Senate Recall Elections, and/or the 2012 Gubernatorial Recall Election.

¹⁰ RGA Wisconsin PAC filed a “GAB 6” related to its activities in the State of Wisconsin. See Exhibit 8.2.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Robert Stelter dated December 10, 2012 and Affidavit of Dean Nickel dated September 28, 2013. At the onset in March 2011, Governor Walker was involved in discussions with the RGA and R.J. Johnson about the need for “coordination” between the different organizations that included the RGA. (See the later affidavit, ¶28.) The RGA and FOSW conducted conference calls and meetings regarding the recall campaign. Through Right Direction – Wisconsin, the RGA spent over \$4,000,000 in the 2012 gubernatorial recall campaign. (See specifically, Affidavit of September 27, 2012, ¶28-40) Accordingly, records and communications between the RGA, Right Direction – Wisconsin and other entities described here related to the 2011-2012 recall elections are relevant to the potential illegal coordination with the campaign committees.

- i. **RIGHT DIRECTION – WISCONSIN (A/K/A RIGHT DIRECTION WISCONSIN PAC)**¹¹ - I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:
- i. Right Direction Wisconsin¹², located at 1747 Pennsylvania Ave. N.W., Suite 250, Washington, D.C. 20006;

I request that said subpoena be:

- ii. **For the timeframe of 2011 and 2012**, for all records and information of Right Direction - Wisconsin in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors as follows:
1. All Recall Related Information and Records as defined above in ¶9.

¹¹ This entity has modified it's name multiple times; in 2009 it was registered as RGA Wisconsin 2010 PAC; in 2011 an amended registration reflected the name RGA Wisconsin PAC; in 2012 an amended registration reflected the name Right Direction Wisconsin PAC.

¹² Right Direction Wisconsin PAC (affiliated with the RGA) filed a “GAB 6” related to its activities in the State of Wisconsin. See Exhibit 8.3.

2. All recorded telephone calls, conference calls and/or videoconferencing sessions which relate to the 2011 Senate Recall Elections, the 2012 Senate Recall Elections, and/or the 2012 Gubernatorial Recall Election.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the paragraph above.

- j. **UNITED SPORTSMEN OF WISCONSIN INC.** - I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

- i. United Sportsmen of Wisconsin Inc., 13201 Hostak Road, Maribel, Wisconsin 54227.

I request that said subpoena be:

- i. **For the timeframe of 2011 and 2012**, for all records and information of United Sportsmen of Wisconsin, Inc. in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors, including but not limited to Andy Pantzlaff, as follows:

1. All Recall Related Information and Records as defined above in ¶9.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Robert Stelter dated December 10, 2012 and Affidavit of Dean Nickel dated September 28, 2013. United Sportsmen of Wisconsin received funding from Citizens for a Strong America. In coordination with other groups, this organization was involved in absentee ballot application activity during the recall elections. For this reason, records held by United Sportsmen of Wisconsin are relevant to any coordination with CFSA (that in turn was funded by WiCFG) to the benefit of the Wisconsin state senate personal campaign committees, or FOSW.

k. **WISCONSIN RIGHT TO LIFE** - I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

i. Wisconsin Right to Life, located at 9730 W. Bluemound Rd., Suite 200, Milwaukee, Wisconsin 53226 (Milwaukee County)

I request that said subpoena be:

i. **For the timeframe of 2011 and 2012**, for all records and information of Wisconsin Right to Life in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors, including but not limited to Barbara Lyon, as follows:

1. All Recall Related Information and Records as defined above in ¶9.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Robert Stelter dated December 10, 2012 and Affidavit of Dean Nickel dated September 28, 2013. Wisconsin Right to Life (WRTL) received funding from Citizens for a Strong America. In coordination with other groups, this organization was involved in absentee ballot application activity during the recall elections. For this reason, records held by WRTL are relevant to any coordination with WICFG, CFSA (that in turn was funded by WICFG) to the benefit of the Wisconsin state senate personal campaign committees or FOSW.

i. **WISCONSIN FAMILY ACTION** - I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

i. Wisconsin Family Action, 222 S. Hamilton Street, Suite 23, Madison, Wisconsin 53703 (Dane County)

I request that said subpoena be:

i. **For the timeframe of 2011 and 2012**, for all records and information of Wisconsin Family Action in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors, including but not limited to Director Julaine Appling, as follows:

1. All Recall Related Information and Records as defined above in ¶9.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Robert Stelter dated December 10, 2012 and Affidavit of Dean Nickel dated September 28, 2013. In coordination with other groups, this organization was involved in absentee ballot application activity during the recall elections. (See the later affidavit, ¶13 and ¶17.) For this reason, records held by Wisconsin Family Action are relevant to any coordination with WICFG, CFSA (that in turn was funded by WICFG) to the benefit of the Wisconsin state senate personal campaign committees or FOSW.

m. **FRIENDS OF SCOTT WALKER** - I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

- i. Friends of Scott Walker, in care of Attorney Steven Biskupic, 1045 W. Glen Oaks Lane, Suite 106, Mequon, Wisconsin 53092

I request that said subpoena be:

i. **For the timeframe of 2011 and 2012**, for all records and information of Friends of Scott Walker in the possession of the campaign committee or any of its Employees, Agents, Officers and/or Directors as follows:

1. All Recall Related Information and Records as defined above in ¶9.

2. All contracts, agreements, accords or understandings of any kind between the campaign committee and any of the following:
 - a. Richard "R.J." Johnson;
 - b. Deborah Jordahl;
 - c. Kate Doner;
 - d. Mary Stitt;
 - e. Dan Morse;
 - f. Kelly Rindfleisch;
 - g. R.J. Johnson & Associates, Inc.;
 - h. Citizens for a Strong America, Inc.;
 - i. Coalition Partners, L.L.C.;
 - j. Doner Fundraising;
 - k. Mary Stitt & Associates, L.L.C.; and
 - l. JVS Consulting, L.L.C.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Robert Stelter dated December 10, 2012 and Affidavit of Dean Nickel dated September 28, 2013. As described in said affidavits, during 2011 and 2012, R.J. Johnson, Governor Scott Walker, Keith Gilkes, Kate Doner and others associated with FOSW used WiCFG to coordinate political activity in response to the 2012 gubernatorial recall election. FOSW was the personal campaign committee of Governor Scott Walker during the 2012 gubernatorial recall elections. R.J. Johnson had substantial involvement in the decisions of FOSW during the recall elections; he also directed the activities of WiCFG, and was involved in the activities of CFSA and other entities. Records maintained by FOSW will be relevant to any coordination with WiCFG, CFSA and other groups

to the benefit of the Wisconsin state senate personal campaign committees or FOSW.

n. **REPUBLICAN PARTY OF WISCONSIN** - I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

i. Republican Party of Wisconsin, 148 E. Johnson Street, Madison, Wisconsin 53703 (Dane County);

I request that said subpoena be:

i. **For the timeframe of 2011 and 2012**, for all records and information of Republican Party of Wisconsin in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors as follows:

1. All Recall Related Information and Records as defined above in ¶9.
2. All contracts, agreements, accords or understandings of any kind between the campaign committee and any of the following:
 - a. Richard "R.J." Johnson;
 - b. Deborah Jordahl;
 - c. Kate Doner;
 - d. Mary Stitt;
 - e. Dan Morse;
 - f. Kelly Rindfleisch;
 - g. R.J. Johnson & Associates, Inc.;
 - h. Citizens for a Strong America, Inc.;
 - i. Coalition Partners, L.L.C.;
 - j. Doner Fundraising;

k. Mary Stitt & Associates, L.L.C.; and

l. JVS Consulting, L.L.C.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Robert Stelter dated December 10, 2012 and Affidavit of Dean Nickel dated September 28, 2013. RPW was included among the groups to be involved in a coordinated response to the recall elections in 2011. (See Affidavit of December 10, 2012, ¶¶24-¶25) As described herein, during 2011 and 2012, R.J. Johnson, Governor Scott Walker, Keith Gilkes, Kate Doner and others, used WiCFG to coordinate media and political activity in response to recall elections against Wisconsin state senators, as well as Governor Walker. FOSW was the personal campaign committee of Governor Scott Walker during the recall elections. R.J. Johnson had substantial involvement in advising FOSW during the recall elections and directed the activities of WiCFG. Accordingly, RPW may have records and materials identified herein relevant to any illegal campaign coordination.

o. **COMMITTEE TO ELECT A REPUBLICAN SENATE (CERS) AND PERSONS ASSOCIATED WITH CERS-** I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

i. Committee to Elect a Republican Senate (CERS), P.O. Box 2741, Madison, Wisconsin 53701.

I request that said subpoena be:

i. **For the timeframe of 2011 and 2012**, for all records and information of CERS in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors, including but not limited to Scott Fitzgerald, John Hogan and Judi Rhodes, as follows:

1. All Recall Related Information and Records as defined above in ¶9.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Robert Stelter dated December 10, 2012 and Affidavit of Dean Nickel dated September 28, 2013. CERS was included among the groups to be involved in a coordinated response to the recall elections in 2011 with other groups. (See Affidavit of December 10, 2012, ¶26-¶28) CERS is in possession of records and materials relating to the activities of CERS in conjunction with the above described groups, relevant to any coordination with WiCFG, CFSA and the RSLC and to the benefit of the Wisconsin state senate personal campaign committees. (see Affidavit of September 28, 2013, ¶55)

- p. **WILLIAM EISNER AND ASSOCIATES, INC. D.B.A. NONBOX - I** respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

- i. William Eisner and Associates, Inc. d.b.a. NONBOX, 5307 South 92nd Street., Hales Corners, Wisconsin 53130 (Milwaukee County).

I request that said subpoena be:

- i. **For the timeframe of 2011 and 2012**, for all records and information of William Eisner and Associates, Inc. d.b.a. NONBOX in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors, including but not limited to William Eisner, as follows:

1. All Recall Related Information and Records as defined above in ¶9, specifically to include:
 - a. All agreements, contracts, correspondence, e-mails (including archived e-mail), memoranda, invoices, and other financial records, involving:

- i. Richard "RJ" Johnson;
- ii. Deborah Jordahl;
- iii. Valerie Johnson;
- iv. Wisconsin Club for Growth;
- v. R.J. Johnson & Associates, Inc.
- vi. Citizens for a Strong America;
- vii. Coalition Partners, L.L.C.;
- viii. Wisconsin Manufacturers and Commerce;
- ix. WMC – Issues Mobilization Council;
- x. Wisconsin Family Action, Inc.;
- xi. Wisconsin Right to Life, Inc.; or
- xii. Wisconsin Federation for Children.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Robert Stelter dated December 10, 2012 and Affidavit of Dean Nickel dated September 28, 2013. Specifically, Nonbox (with the involvement of managing partner, William Eisner) was involved in the production of media ads several of the entities that are the subject of this investigation including Wisconsin Club for Growth, American Federation of Children, Citizens for a Strong America, Wisconsin Family Action Committee and Wisconsin Manufacturers and Commerce during the recall campaigns. R.J. Johnson also worked with Nonbox in the production of media ads during the 2012 gubernatorial recall campaign for FOSW. Nonbox also paid entities controlled by R.J. Johnson, such as R.J. Johnson and Associates and Coalition Partners. Nonbox is in possession of records and materials relating to the activities of Nonbox with the above described groups, including media ads, relevant to any coordination with WiCFG, CFSA (that in turn was funded by WiCFG) and

Coalition Partners to the benefit of the Wisconsin state senate personal campaign committees or FOSW. (See Affidavit of September 28, 2013, ¶¶12, ¶15, ¶17, and ¶45-¶49)

q. **DONER FUNDRAISING, INC. AND PERSONS ASSOCIATED**

THEREWITH - I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

- i. Doner Fundraising, Inc., 815 Brazos St., Austin, Texas 78701.

I request that said subpoena be:

- i. **For the timeframe of 2011 and 2012**, for all records and information of Doner Fundraising, Inc. in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors, including but not limited to Kate Doner, Jennifer Bannister and Camille Moughton, as follows:

1. All Recall Related Information and Records as defined above in ¶9.
2. All recorded telephone calls, conference calls and/or videoconferencing sessions which relate to the 2011 Senate Recall Elections, the 2012 Senate Recall Elections, and/or the 2012 Gubernatorial Recall Election.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Robert Stelter dated December 10, 2012 and Affidavit of Dean Nickel dated September 28, 2013. As described therein, Doner Fundraising (through the involvement of Kate Doner and her staff) was directly involved in coordinating activity with FOSW, WiCFG, the RGA, and others. (See Affidavit of December 10, 2012, ¶41, ¶48, ¶52-¶56; Affidavit of September 28, 2013, ¶30, ¶34, ¶50-¶52) Accordingly, records in possession of Doner Fundraising and its employees related to any coordination with WiCFG, FOSW and other groups of entities to the

benefit of the Wisconsin state senate personal campaign committees or FOSW will be relevant to this investigation.

r. **MARY STITT AND ASSOCIATES, L.L.C. AND PERSONS**

ASSOCIATED THEREWITH - I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

- i. Mary Stitt and Associates, L.L.C., 1478 Noridge Trail, Port Washington, Wisconsin 53074 (Ozaukee County).

I request that said subpoena be:

- i. **For the timeframe of 2011 and 2012**, for all records and information of Mary Stitt and Associates, L.L.C. in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors as follows:

1. All Recall Related Information and Records as defined above in ¶9, specifically to include:

- a. All agreements, contracts, correspondence, e-mails (including archived e-mail), memoranda, invoices, and other financial records involving the Friends of Scott Walker and/or Wisconsin Club for Growth and relating to fundraising tasks, including but not limited to fundraising events, donor meetings, donor calls, donor conferences and thank you correspondence.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Robert Stelter dated December 10, 2012 and Affidavit of Dean Nickel dated September 28, 2013. As described therein, Mary Stitt and Kelly Rindfleisch were involved with fundraising on behalf of FOSW and WiCFG. (See Affidavit of September 27, 2012, ¶58 and Affidavit of December 10, 2012, ¶30-¶35) Records maintained by Mary Stitt will be

relevant to any coordination with WiCFG and FOSW to the benefit of the Wisconsin state senate personal campaign committees or FOSW.

s. **JED SANBORN, CPA LLC** - I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

- i. Jed Sanborn, CPA, L.L.C., 8426 Red Granite Rd., Madison, Wisconsin 53719 (Dane County);

I request that said subpoena be:

- i. **For tax years 2009, 2010, 2011 and 2012 ending with the date the last return was filed for each year regardless of date**, for all records and information of Jed Sanborn, CPA, L.L.C. in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors as follows:

1. All tax returns and schedules, together with supporting notes, records and other documentation, for the following entities:
 - a. Wisconsin Club for Growth; and
 - b. Citizens for a Strong America.
2. All e-mail (including archived e-mail), letters, correspondence and memorandum related to the following entities, their directors, officers, employees and/or agents:
 - a. Wisconsin Club for Growth; and
 - b. Citizens for a Strong America.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Robert Stelter dated December 10, 2012 and Affidavit of Dean Nickel dated September 28, 2013. Specifically, Jed Sanborn CPA L.L.C., received payments and is disclosed as preparing periodic tax returns for CFSA and WiCFG in 2010 and 2011. Records necessary to the preparation of said returns maintained by Jed Sanborn CPA L.L.C.

related to WiCFG and CFSA, such as information related to income and expenses, are relevant to the activities of WiCFG in coordination with CFSA and other entities receiving funding from those entities (See Affidavit of September 28, 2013, ¶18 and ¶24)

- t. **CAROL A. VALLEY, CPA S.C.** - I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

Carol A. Valley, CPA, S.C., 159 S. Dickason Blvd., Flr 2nd,
Columbus, Wisconsin 53925 (Columbia County);

I request that said subpoena be:

For tax years 2009, 2010, 2011 and 2012 ending with the date the last return was filed for each year regardless of date, for all records and information of Carol Valley, CPA, S.C. in the possession of the corporation or any of its Employees, Agents, Officers and/or Directors as follows:

All tax returns and schedules, together with supporting notes, records and other documentation, for the following entities:

Coalition Partners, L.L.C.

All e-mail (including archived e-mail), letters, correspondence and memorandum related to the following entities, their directors, officers, employees and/or agents:

Coalition Partners, L.L.C.

I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Robert Stelter dated December 10, 2012 and Affidavit of Dean Nickel dated September 28, 2013. Specifically, Carol Valley CPA received payments from Coalition Partners, consistent with payments for the preparation of periodic tax returns. Records necessary to the preparation of said returns maintained by Carol Valley relating to

Coalition Partners, L.L.C., such as information related to income and expenses, are relevant to the activities of Coalition Partners (i.e. R.J. Johnson and Deborah Jordahl) in coordination with WiCFG, CFSA, and other entities receiving funding from those entities (See Affidavit of September 28, 2013, ¶15)

u. **AMERICANS FOR PROSPERITY – WISCONSIN AND PERSONS ASSOCIATED THEREWITH** - I respectfully request that the court issue a subpoena for documents to the following entities and/or natural persons:

- i. Americans for Prosperity – Wisconsin 10 East Doty Street, Suite 800, Madison, Wisconsin (Dane County).

I request that said subpoena be:

i. **For the timeframe of 2011 and 2012**, for all records and information of Americans for Prosperity - Wisconsin in the possession of Americans for Prosperity – Wisconsin or any of its Employees, Agents, Officers and/or Directors, including but not limited to Matt Seaholm, as follows:

1. All Recall Related Information and Records as defined above in ¶9, specifically to include.

- a. All agreements, contracts, correspondence, e-mails (including archived e-mail), memoranda, invoices, and other financial records, involving:

- i. Richard “RJ” Johnson;
- ii. Deborah Jordahl;
- iii. Valerie Johnson;
- iv. Wisconsin Club for Growth;
- v. Citizens for a Strong America;
- vi. Coalition Partners, L.L.C.; and

vii. R.J. Johnson & Associates, Inc.


I respectfully submit that I believe these records will produce information relevant to this investigation based upon the information detailed in the Affidavit of Robert Stelter dated December 10, 2012 and Affidavit of Dean Nickel dated September 28, 2013. AFP-Wi was included among the groups to be involved in a coordinated response to the recall elections in 2011 (See Affidavit of December 10, 2012, ¶¶24-¶25) During the 2011 recall elections, AFP-Wi led the 2011 absentee application mailing effort that also involved other organizations, such as United Sportsmen of Wisconsin and Wisconsin Family Action. (Affidavit of September 28, 2013, ¶¶56-¶57) Accordingly, records and materials possessed by AFP-Wi are relevant to coordination with other entities, such as WiCFG, CFSA, RGA, CERS, RSLC, FOSW, RPW during the 2011-2012 Wisconsin recall elections.

Dated at Madison, Wisconsin on this 30 day of September 2013.



Robert Stelter
Investigator

Subscribed and sworn to before me
at Milwaukee, Wisconsin on
this 30th day of September, 2013.



Notary Public, Milwaukee County LES
State of Wisconsin
My commission is permanent.

