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October 24, 2022

Mr. Jeff Sigurdson
jeff.sigurdson@state.mn.us
Executive Director
Minnesota Campaign Finance and Public
Disclosure Board
190 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Re: Illegal Coordination between Dr. Scott Jensen for Governor Committee and
Heal Minnesota Independent Expenditure Political Committee.

Dear Jeff:

We represent the Minnesota DFL and submit this letter complaint on the Minnesota DFL's behalf pursuant to Minn. Stat. § 10A.022, subd. 3 and Minn. Stat. § 211B.32. As set forth below, the Dr. Scott Jensen for Governor Committee (Reg. No. 18690) ("Jensen Campaign") has engaged in illegal coordination with the newly formed Heal Minnesota independent expenditure political committee (Reg. No. 41322) ("Heal Minnesota"). These are flagrant violations of Minnesota campaign finance laws. We request that the Board investigate the violations identified in this letter pursuant to its authority under Minn. Stat. § 10A.022, subd. 3, and assess appropriate penalties for these violations of Minnesota law.

Heal Minnesota made a series of tweets expressly advocating for the defeat of incumbent Governor Tim Walz in the upcoming November 8, 2022 State general election. Exhibit A. The preparation and dissemination of these tweets were purportedly independent expenditures by Heal Minnesota.¹ On or about October 18, 2022, Angela Cooperman, campaign manager for the Jensen Campaign, retweeted two Heal Minnesota tweets. Exhibit B. That same day, candidates Scott Jensen and Matt Birk retweeted a Heal Minnesota tweet which included video expressly advocating for the defeat of Governor Walz and a fundraising link for Heal Minnesota. Exhibit C.

These actions undermine the independence of the expenditures and result in multiple violations of Minnesota campaign finance law. As you know, an "independent expenditure" is "an expenditure expressly advocating the election or defeat of a clearly identified candidate ... if the expenditure is made without the express or implied consent, authorization, or cooperation of, and not in concert with or at the request or suggestion of, any candidate or any candidate's

¹ The Heal Minnesota Twitter page does not include the disclaimer required by Minn. Stat. § 211B.04, subd. 4. However, the website linked to the social media profile stopthechaosmn.com includes the disclaimer for independent expenditures.

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principal campaign committee or agent or any local candidate or local candidate's agent." Minn. Stat. § 10A.01, subd. 18.

By retweeting the campaign material, the campaign and candidates have expressly consented to not only that specific expenditure but also to the subsequent publication of similar campaign materials affecting the race. The candidates and the campaign are saying to Heal Minnesota, "we like what you are doing, keep it up." This endorsement of the campaign material means that all subsequent campaign material distributed by Heal Minnesota supporting the election of Scott Jensen and Matt Birk or advocating for the defeat of Governor Tim Walz are "coordinated expenditures" and must be reported as contributions subject to the \$4,000 contribution limit.

The expenditure also must be treated as a coordinated expenditure pursuant to Minn. Stat. § 10A.176 because candidates Jensen and Birk have engaged in fundraising of money which is not general treasury money for Heal Minnesota. The retweets include a link to an online donation page for Heal Minnesota. *See* Exhibit C. There is no ambiguity here. Candidates Jensen and Birk, through their retweets, have solicited contributions to Heal Minnesota which renders all expenditures supporting their election or the defeat of Governor Walz made during this election "coordinated expenditures." Minn. Stat. § 10A.176, subd. 2.

Finally, Heal Minnesota's expenditures which were retweeted by candidates Jensen and Birk are "coordinated expenditures" due to the candidates' participation in the "distribution of the final product." Minn. Stat. § 10A.176, subd. 7. Jensen and Birk embraced the campaign material and took the affirmative step of retweeting them to their followers. This substantially increased the reach of the campaign material from the paltry 166 twitter followers of Heal Minnesota PAC to the 91,900 followers of Jensen and 39,600 followers of Matt Birk. Exhibit D.

These constitute clear *prima facie* violations of Minnesota campaign finance law, and we respectfully request the Board conduct a prompt investigation of the full extent of the coordination between Scott Jensen, Matt Birk, and the Jensen campaign on the one hand and Heal Minnesota and Freedom Club on the other and assess appropriate penalties for these serious violations.

Please feel free to contact me with any questions. Thank you.

Very truly yours,

LOCKRIDGE GRINDAL NAUEN P.L.L.P.



Charles N. Nauen

Enclosures

c: Minnesota DFL
David Zoll

EXHIBIT A


Pinned Tweet

Heal Minnesota PAC @HealMN
The state of Minnesota is in chaos because of failed Governor Tim Walz.

His soft-on-crime policies have let criminals, which is why violent crime in Minnesota is up 21%.

Stop the Chaos. Retire Tim Walz. Let our cities safe again.

secure.anedot.com/heal-mn




Heal Minnesota PAC @HealMN
Tim Walz has let anarchy cover our beautiful state.

Minnesota deserves a real leader like Ilhan Omar shill.

[#VoteScottJensen](#)

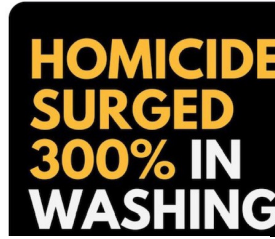
[#HealMN #HealMinnesota #America #LawAndOrder #SaveAmerica #Conservative #MNGov](#)



Heal Minnesota PAC @HealMN
Minnesota's surging crime is the result of Tim Walz's incompetent leadership.

He's trying to gaslit you into the "law and order" candidate.

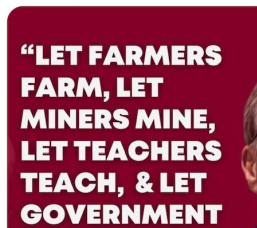
Take a look around your city like law and order to you?



Heal Minnesota PAC @HealMN
It's really that simple!

Take notes, [@mngovernor](#).

[#HealMN #MNStrong #MN #LawAndOrder #Conservative #MNPOLITICS #America #First #ScottJensen4Gov #Freedom](#)



Heal Minnesota PAC @HealMN
Crime hasn't only surged in Minnesota.

Everyone is feeling the heavy burden of Walz's failed leadership.

Vote Him OUT!

[#HealMN #HealMinnesota #America #LawAndOrder #SaveAmerica #Conservative #MNGov](#)



Heal Minnesota PAC @HealMN
Tim Walz has destroyed our state with his weak, soft-spine policies.

Who's running this state, Tim Walz and his criminal cronies?

[#HealMN #MNStrong #MN #LawAndOrder #Conservative #MNPOLITICS #America](#)



EXHIBIT B



Angela Retweeted

Heal Minnesota PAC @HealMN
Crime hasn't only surged in

Everyone is feeling the heav
Walz's failed leadership.

Vote Him OUT!

[#HealMN](#) [#HealMinnesota](#) :
[#America](#) [#LawAndOrder](#) #
[#SaveAmerica](#) [#Conservati](#)
[#MNGov](#)

VIOLENT **TIM**
CRIME HAS **ISN**



Angela Retweeted

Heal Minnesota PAC @HealMN
The state of Minnesota is in
because of failed Governor'

His soft-on-crime policies h
criminals, which is why viole
Minnesota is up 21%.

Stop the Chaos. Retire Tim
our cities safe again.

[secure.anedot.com/heal-m](https://secure.anedot.com/heal-mn)



EXHIBIT C

← **Scott Jensen**
3,658 Tweets

Tweets Tweets & replies M



Scott Jensen @drscottje
Governor candidate, MN
Wow!



Heal Minnesota PAC

The state of Minnesota is
it's because of failed Gov
Walz.

His soft-on-crime policies
emboldened criminals, wh
violent crime in Minnesota

Stop the Chaos. Retire Tir
make our cities safe again

secure.anedot.com/heal-

← **Matt Birk**
7,011 Tweets

Tweets Tweets & replies M

↻ Matt Birk Retweeted



Heal Minnesota PAC @Hea
The state of Minnesota is in
because of failed Governor

His soft-on-crime policies h
criminals, which is why viole
Minnesota is up 21%.

Stop the Chaos. Retire Tim
our cities safe again.

secure.anedot.com/heal-m

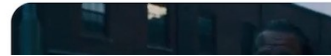


EXHIBIT D



Heal Minnesota PAC

@HealMNPAC

Dedicated to STOPPING Tim Walz's r
and restoring Law & Order to Minnes

📍 Minnesota stopthechaosmn.com

📅 Joined October 2022

94 Following 166 Followers

Not followed by anyone you're following

Tweets Tweets & replies M

Pinned Tweet

Heal Minnesota PAC @HealMNPAC



Scott Jensen ✓

@drscottjensen

Governor candidate, MN

Running to be the next Governor of M
husband, long-time family physician,
Minnesota State Senator for Carver C

📍 Chaska, MN drscottjensen.com

📅 Joined October 2015

504 Following 91.9K Followers



Followed by Melisa López Fr
Lahammer, Jennifer Br 🍌 🍌

Tweets Tweets & replies M



Matt Birk ✓

@BirkMatt

I am running to be the next Lt. Gover
Scott Jensen! JOIN OUR MOVEMEN'

📍 Minnesota mattbirk.com 📅 Join

453 Following 39.6K Followers



Followed by Cullen Sheehar
Julie Nelson, and 7 others

Tweets Tweets & replies M