

IN THE COURT OF COMMON PLEAS FRANKLIN COUNTY OHIO  
CIVIL DIVISION

JOSEPH K. BLYSTONE :  
8677 Oregon Road : ORAL ARGUMENT REQUESTED  
Canal Winchester, OH 43110, :  
*Relator,* :

M. JANE BLYSTONE, TREASURER :  
FRIENDS OF JOE BLYSTONE :  
CAMPAIGN COMMITTEE :  
8677 Oregon Road :  
Canal Winchester, OH 43110, :  
*Relator,* :

v. :

OHIO ELECTIONS COMMISSION :  
77 South High Street, 19th Floor :  
Columbus, OH 43215, :  
*Respondent.* :

Also Serve: :  
OHIO ATTORNEY GENERAL :  
30 East Broad Street, Floor 16 :  
Columbus, OH 43215. :

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COMPLAINT IN MANDAMUS

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For their Complaint against Respondents Ohio Elections Commission, Relator M. Jane Blystone, Treasurer for Friends of Joe Blystone and Relator Joseph K. Blystone, state as follows:

#### PARTIES

1. Joseph K. Blystone (Blystone or the "Candidate") is the candidate for Governor of the State of Ohio.

2. M. Jane Blystone ("Treasurer") is the Treasurer for the Friends of Joe Blystone, a campaign committee.

3. The Ohio Elections Commission ("OEC") is an Ohio state agency created by R.C. 3517.152(A)(1). The OEC is comprised of seven members, nominated by the leaders of the Ohio General Assembly and appointed by the Governor of Ohio. R.C. 3517.152(A)(1).

#### JURISDICTION AND VENUE

4. R.C. 2731.01 grants this Court original jurisdiction to issue a writ of mandamus to the OEC.

#### OVERVIEW

5. This matter is before the Court because the OEC abused its discretion when it voted to hold a hearing for an OEC Complaint, even though the OEC was required by law to dismiss that Complaint.

The OEC lacks jurisdiction over at least part of the Complaint. Chambers' affidavit misrepresents the affidavits of other witnesses whose statements are attached to the

Complaint. The Complaint fails to identify witnesses. It fails to notify Relators what laws were allegedly violated. It names parties not liable by law. It unconstitutionally shifts the burden of proof from a complainant to a respondent, asking Relators to prove negatives. It relies on vague innuendo, reading like negative campaign literature. Substantial parts of the Complaint lack the affirmation required by law. The Complaint alleges fraud generally, without stating particular facts establishing fraud.

The OEC broadcasts its hearings to the world through the internet. The OEC must respect the discipline imposed on accusers by law, to prevent abuse of that platform and protect the rights of the accused.

Although Relators desire a hearing to prove their case (they specifically reserved their right to a hearing) they are entitled to a *fair* hearing. A hearing on this Complaint—in its current form—is unfair and prejudicial to Relators because it would force Relators to publicly defend against illegal, disorderly, and vague Complaint.

Relators ask the Court to order the OEC to meet its legal requirements.

#### FACTS COMMON TO ALL COUNTS

6. Pursuant to R.C. 3517.153(A) a “person” may submit a complaint to the OEC.
7. O.A.C. 3517-1 sets forth the OEC’s procedure for complaints.
8. On October 28, 2021, the OEC received an allegedly, but not agreeably “Verified” Complaint (the “Complaint”).
9. The Complaint seeks to harm a political candidate for Governor of Ohio. In

fact, the Complaint asked the OEC to order that “Respondents be forever disqualified to serve as public officials.”

10. OEC assigned the Complaint case number 2021G-022.

11. The Complaint identified the Complainant as: Sarah Chambers of 6593 Meadow Glen Drive S Westerville, OH 43082. Exhibit A.

12. The Complaint identified Respondents in the OEC Complaint as “M. Jane Blystone, Treasurer, and Joseph K. Blystone, and Friends of Joe Blystone.”

13. After the Complaint was served, in November 2021, Respondents (Relators herein) hired legal counsel, who discussed the matter with the OEC’s Legal Counsel Phil Richter.

14. Legal Counsel Richter said something to the effect that the OEC would accept a response from the Respondents when the respondents in the OEC case were ready to submit it. On December 3, 2021, the OEC requested a response in writing.

15. Relators submitted a written request for a hearing in the matter on November 26, 2021, which was close to the deadline for requesting a hearing. The effect of not requesting a hearing is waiver of a right to a hearing. *Edmands v. State Med. Bd. of Ohio*, 10th Dist. Franklin No. 14AP-778, 2015-Ohio-2658.

16. Relators requested a hearing because they desire to prove their case. However, under Ohio law, the right to a “hearing” is a right to a “fair” hearing. *In re Application of Milton Hardware Co.*, 19 Ohio App.2d 157, 163 (10th Dist.1969).

17. Because Relators felt they could not receive a “fair” hearing under the Complaint, as submitted, Relators submitted a Motion to Dismiss on December 13, 2021, which included several different bases for dismissal, including jurisdictional. Exhibit B.

18. Next, Complainant’s attorney Scott Pullins submitted a “Complainant’s Motion to Deem Allegations as Admitted” on December 13, 2021. It appeared Complainant’s attorney was not apprised of the prior conversations in paragraph 14.

19. On December 16, 2021, the OEC held a preliminary hearing on the Complaint.

20. Attorneys for the Complainant and the Respondent (Relators) presented orally to the OEC Commissioners. The entire presentation can be viewed publicly on the OEC’s youtube.com page at: [https://www.youtube.com/watch?v=UQL8-c\\_ifOw&t=1128](https://www.youtube.com/watch?v=UQL8-c_ifOw&t=1128).

21. During the oral presentations, Attorney for the Respondents (Relators herein) argued that the OEC is required to dismiss the Complaint or strike significant parts of it due to the reasons stated in the December 13, 2021 Motion to Dismiss. Respondent’s (Relator’s) Counsel provided a brief summary of those reasons.

22. On the record, after Respondent’s (Relator’s) presentation, an OEC Commissioner asked the OEC’s Legal Counsel Phil Richter whether Richter “changed his mind” about scheduling a full hearing on the matter.

23. Legal Counsel Richter responded “no.”

24. Next, an OEC member motioned to schedule a hearing on the matter. Another member seconded that motion. The full OEC panel then voted affirmatively to

schedule a full hearing on the matter.

25. The OEC was and is required by law to dismiss the Complaint, or strike significant parts of it, because the Complaint and several of its components violate Ohio law, administrative rules, and fundamental standards of fairness.

26. Relators ask for a writ of mandamus in the name of the State of Ohio ordering the OEC to dismiss the Complaint because it fails to comply with legal requirements, as described in detail in the counts below.

#### LAW APPLICABLE TO ALL COUNTS BELOW

27. When an administrative agency enacts rules as to the standards of admissibility of evidence to be followed in its hearings, such rules must be consistent with the guaranty that such hearings shall be fair in all their procedural respects. *In re Application of Milton Hardware Co.*, 19 Ohio App.2d 157, 163 (10th Dist.1969).

28. An administrative agency may not sanction as evidence something which is clearly not evidence. Furthermore, an administrative agency should not act on evidence that is clearly not admissible, competent or probative of facts that the agency is to determine. *Haley v. Ohio State Dental Bd.*, 7 Ohio App.3d 1, 6 (2d Dist.1982); *In re Application of Milton Hardware Co.*, 19 Ohio App.2d 157, 162 (10th Dist.1969).

29. Administrative agencies have a duty to base their conclusions on competent evidence. *State ex rel. Chrysler Plastic Products Corp. v. Industrial Commission*, 39 Ohio App.3d 15, 16 (10th Dist.1987).

30. The rules of evidence may be considered in an advisory capacity in an administrative hearing. *Board of Edn. for Orange City School Dist.*, 74 Ohio St.3d at 417; *Ohio State Racing Comm. v. Kash*, 61 Ohio App.3d 256, 263 (8th Dist.1988). See also, e.g., OAC 4723-16-01(E).

COUNT ONE:  
MOTION TO DISMISS COMPLAINT FOR  
FAILURE TO COMPLY WITH O.A.C. 3517-1-02(A)(1)(c)  
INCLUSION OF ATTORNEY INFORMATION

31. Relator incorporates the preceding as if fully restated herein.

32. O.A.C. 3517-1-02(A)(1)(c) requires: "Any party which is not representing itself shall be represented by an attorney at law licensed to practice law in Ohio. The complaint shall include the full address of the attorney with complete telephone and fax numbers.

33. On December 13, 2021, Complainant's Attorney Scott Pullins informed the OEC that Sarah Chambers' OEC Complaint was filed pro se.

34. On January 1, 2021, an article was published in tabloid magazine called The Ohio Star about the OEC Complaint.<sup>1</sup> The article says, "Pullins said he started representing Chambers after she filed her complaint. Although she filed the complaint pro se, or for herself, he helped her put it together, and then after it was filed, he said he became her

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<sup>1</sup> Article can be found at: [https://theohiostar.com/2022/01/01/exclusive-fbi-probing-blystone-campaign-finances-says-whistleblowers-attorney/?fbclid=IwAR2FMUYuWP6F6av5E5rhIGT\\_GEKXR6idyZ-ymuR-s-OgdsphBeuCq0Sb7Yo](https://theohiostar.com/2022/01/01/exclusive-fbi-probing-blystone-campaign-finances-says-whistleblowers-attorney/?fbclid=IwAR2FMUYuWP6F6av5E5rhIGT_GEKXR6idyZ-ymuR-s-OgdsphBeuCq0Sb7Yo) . Last accessed January 10, 2022.

counsel for the matter.”

35. Sarah Chambers had representation in this matter at the time of filing. Attorney for the Complainant, Scott Pullins, is not named anywhere in the Complaint nor is his contact information provided.

36. Because the Complaint fails to comply with O.A.C. 3517-1-02(A)(1)(c), the OEC is required to dismiss the Complaint.

COUNT TWO:  
FAILURE TO DISMISS COUNT TWO DESPITE LACK OF OEC JURISDICTION  
VIOLATION OF O.A.C. 3517-1-02(A)(1)(f)

37. Relator incorporates the preceding as if fully restated herein.

38. O.A.C. 3517-1-02(A)(1)(f) requires the Complaint to set forth sufficient facts to constitute a prima facie violation of Ohio election law over which the Commission has jurisdiction.

39. The OEC is only granted authority to proceed with a complaint, if that complaint “set[s] forth a failure to comply with or a violation of any provision in sections 3517.08 to 3517.13, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code.” R.C. 3517.153(A).

40. A Complaint cannot proceed unless it references the relevant Revised Code section. O.A.C. 3517-1-02(A)(1)(g) requires that any Complaint, “Clearly set forth each and every separate alleged violation of Ohio election law over which the commission has jurisdiction in a narrative form, cross-referenced to the relevant Revised Code section(s).”



41. R.C. 2921.41(2) is not within the jurisdiction of the OEC. See R.C. 3517.153(A).

Therefore, the law requires the OEC to dismiss Count Two of the Complaint.

42. The OEC is required by law to dismiss or strike Count Two pursuant to R.C. 3517.153(A).

43. Because the OEC refused to dismiss or strike Count Two of the Complaint, Relator is harmed by being forced to proceed within a tribunal that lacks jurisdiction to hear the matter.

#### COUNT THREE:

#### FAILURE TO DISMISS COMPLAINT DESPITE ITS FAILURE TO COMPLY WITH R.C. 3517.153 and O.A.C. 3517-1-02(A) REQUIRING ACCEPTABLE AFFIDAVIT

44. Relator incorporates the preceding as if fully restated herein.

45. R.C. 3517.153(A) requires “the filing of a complaint with the Ohio elections commission . . . shall be made . . . on personal knowledge, and subject to the penalties for perjury.”

46. O.A.C. 3517-1-02(A) requires “A complaint shall be submitted to the commission . . . (1) By affidavit by an individual based on personal knowledge.”

47. The affidavit of Complainant Sarah Chambers is located partially on pdf page 1 and partially on pdf page 10. On pdf page 1, Chambers indicates she was “duly cautioned and sworn” and “states the following” with “personal knowledge of the facts contained herein.” On pdf page 10 of the Complaint, it appears Chambers signed on the “28 day of October, 2021.”

48. Throughout the text in-between pdf page 1 and page 10, Chambers makes statements, for which, she cannot make an affirmation on personal knowledge. Relators identified at least four examples:

49. First, Chambers makes factual statements of what other people allege to have witnessed, in the entirety of Counts Four through Eight, and Ten. Chambers cannot affirm these averments because each and every one of them are allegations of someone other than Chambers.

50. Second, Chamber states multiple legal conclusions throughout the Complaint:

- i. "Blystone's campaign has engaged in . . . illegal activity," pdf page 2;
- ii. "campaign collected . . . illegal donations" pdf page 2
- iii. "campaign . . . violated . . . campaign finance laws" pdf page 2

Chambers' cannot affirm her opinion as to legal conclusions without being established as an expert, submitting a CV, and submitting a report according to the Ohio Rules of Civil Procedure. These statements invalidate Chambers' affidavit. By proceeding with this Complaint, the OEC accepted expert testimony from a non-expert who did not issue a report.

51. Third, Chambers provides descriptions of events Chambers does not allege she personally witnessed, for example:

- i. "campaign failed to document thousands of dollars in donations" pdf page 2.

Chambers cannot affirm these types of averments because she does not allege she

witnessed any facts necessary to make that conclusion, such as the Treasurer's collection of donations or the preparation and filing of campaign finance reports. Here, the OEC is accepting evidence of pure speculation and asking Relators to respond to it, which forces Relators to prove a negative.

52. Fourth, Chambers' affidavit offers pure speculative opinion:

- i. "did so deliberately" pdf page 2.
- ii. Count Two, which appears to indicate an inference that there must be wrongdoing if a campaign raises more cash donations than others.
- iii. Count Nine, stating an extremely generalized opinion that the design of campaign material distribution "calls for" wrongdoing.

Chambers' affidavit cannot affirm allegations that she has not personal knowledge of. She also is not established as an expert on these subjects.

In Addition to Chambers' Affidavit Problems:

53. In Count Five, pages 5-6, the Complaint alleges Dianne B. Garrett made contributions of \$40.00 that were not reported. However, her statement with her affidavit fails to provide a statement matching that allegation. Therefore, there is no proper affirmation as to the statement made in the Complaint. Therefore, this was an effort on Chambers' part to put words into the mouth of an affiant. Count Five must be dismissed.

54. In Count Six, on page 6, the Complaint says "Mr. Siebert alleges that he attended at least six events put on by Friends of Joe Blystone where cash donation in excess of \$25 were accepted by not itemized in reports filed by the campaign." However, this statement lacks affirmation because it is not supported by his affidavit, exhibit 26. To the

contrary, in his affidavit, Siebert alleges "I witnessed donations being made for signs, t-shirts, etc. where no information was collected or documented by Joe Blystone and/or his volunteers. Many of the donations received were in excess of \$25. We were always told that if they were small donations there was no need for documentation. That changed later in the campaign. At no time were volunteers instructed to document by Joe Blystone." Siebert's affidavit says nothing about donations "not itemized in reports filed by the campaign." Even if the Count Six and Siebert's affidavit matched, neither says that Seibert has personal knowledge of wrongdoing on the part of the Treasurer (the only party liable under the referenced statute 3517.10(A)(4)). Therefore, Count Six must be dismissed.

55. In Count Eight, page 7, the Complaint alleges that on May 10, 2021, Jacob Novotny "witnessed Joe Blystone place a bucket at the front of the event and ask that cash donations be placed in it." However, Novotny's affidavit, exhibit 29, does not say that. Here, Chambers puts words into the mouth of an affiant. Therefore, Count Eight lacks affirmation and must be dismissed.

56. Count Eleven, page 9, addresses a statement made by Amanda Helmick. The Complaint contains no affidavit for Helmick. Instead, it contains a statement, signed remotely by "DocuSign." Therefore, this entire Count and statement violates O.A.C. 3517-1-02(A)(1)(d) which requires an affidavit to support the allegations of the Complaint. Therefore, Count Eleven must be dismissed.

57. Because Chambers' OEC Complaint and many of its elements lack proper

affirmation pursuant to R.C. 3517.153 and O.A.C. 3517-1-02(A), the OEC must dismiss the Complaint.

58. Inasmuch as the OEC failed to dismiss a Complaint that fails to comply with R.C. 3517.153 and O.A.C. 3517-1-02(A), the Relators are deprived of their right to have any Complaint against them comply with procedural due process requirements. Further, violations of the affirmation requirements are unfair and prejudicial to Relator because it allows the Complainant to make speculative, opinionated, and improper statements, without personal knowledge, and without taking responsibility for the consequences of making such statements wrongly. These procedural laws and rules are malum in se, meaning they make unaffirmed allegations illegal because they are inherently wrong and potentially defamatory. Allowing this will open the floodgates of campaigns making such filings solely for the purpose of defaming competitive campaigns. This is particularly dangerous given the public broadcasting of OEC hearings. This is unfair and prejudicial to Relator. It constitutes an abuse of discretion because it is arbitrary, capricious, and unreasonable to fail to enforce the requirements placed on accusers by law and rule.

**COUNT FOUR:**

**FAILURE TO DISMISS THE COMPLAINT DESPITE ITS  
FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED BY  
NAMING IMPROPER PARTIES IN JOSEPH K. BLYSTONE  
VIOLATION OF O.A.C. 3517-1-02(A)(1)(f)**

59. Relator incorporates the preceding as if fully restated herein.

60. O.A.C. 3517-1-02(A)(1)(f) requires the Complaint to set forth sufficient facts

to constitute a prima facie violation of Ohio election law over which the Commission has jurisdiction.

61. The Complaint cannot proceed under Revised Code sections it does not reference. O.A.C. 3517-1-02(A)(1)(g) requires that any Complaint, "Clearly set forth each and every separate alleged violation of Ohio election law over which the commission has jurisdiction in a narrative form, cross-referenced to the relevant Revised Code section(s)."

62. The Complaint sets forth two Revised Code sections: 1) R.C. 3517.10(A)(4) and 2) one section, Count Two, refers to R.C. 2921.41(2).

63. R.C. 2921.41(2) pertains to "Theft in Office" and requires the accused to be in office.

64. R.C. 3517.10(A) imposes duties, including those in section (4), solely on a "campaign committee, political action committee, legislative campaign fund, political party, and political contributing entity." It does not impose any duties on candidates (unless that candidate's campaign does not have a designated Treasurer, explained below).

65. Joseph K. Blystone is not a "campaign committee, political action committee, legislative campaign fund, political party, and political contributing entity."

66. A "campaign committee" is defined as "a candidate or a combination of two or more persons authorized by a candidate under section 3517.081 of the Revised Code to receive contributions and make expenditures." R.C. 3517.01(C)(1). Thus, a campaign committee cannot be both the candidate and the Treasurer — it can only be one *or* the other.

67. Thus, Joseph K. Blystone cannot be a campaign committee, because a Designation of Treasurer form was filed. Therefore, the campaign committee is the Treasurer.

68. The requirements of R.C. 2921.41(2)—that the accused be in public office—is not met in this case because the Complaint fails to show that Joseph K. Blystone holds an office. Therefore, the law requires the OEC to dismiss that part of the Complaint (identified in the Complaint as Count Two).

69. Even if all allegations in the Complaint are true and construed in the light most favorable to the Complainant, neither of the two referred Revised Code sections (i.e., R.C. 3517.10(A)(4) and R.C. 2921.41(2)) can impose liability upon Joseph K. Blystone.

70. The OEC cannot proceed under an unreferenced law or rule. Forcing Relator to proceed under a Revised Code section that is not referenced in the Complaint, would violate Relator's due process rights. The law places the burden squarely on the Complainant to cross reference the relevant code sections allegedly violated. O.A.C. 3517-1-02(A)(g). It violates plain language of the rules and it shifts the burden of proof from the Complainant to the Relator to decide what laws were allegedly violated. See, e.g., *Matthews v. Eldridge*, 424 U.S. 319, 335 (1976). This is unfair and prejudicial to Relator. It constitutes an abuse of discretion because it is arbitrary, capricious, and unreasonable.

71. Because the OEC failed to dismiss Joseph K. Blystone as a Respondent, the OEC causes Joseph K. Blystone damages because the OEC thereby forces Joseph K.

Blystone to incur costs and damages associated with defending against a Complaint where the Complaint fails to state a claim upon which relief can be granted. This is unfair and prejudicial to Relator. It constitutes an abuse of discretion because it is arbitrary, capricious, and unreasonable.

COUNT FIVE:  
FAILURE TO DISMISS THE COMPLAINT DESPITE ITS  
FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED BY  
NAMING IMPROPER PARTY IN FRIENDS OF JOE BLYSTONE  
VIOLATION OF O.A.C. 3517-1-02(A)(1)(f)

72. Relator incorporates the preceding as if fully restated herein.

73. O.A.C. 3517-1-02(A)(1)(f) requires the Complaint to set forth sufficient facts to constitute a prima facie violation of Ohio election law over which the Commission has jurisdiction.

74. A “campaign committee” is defined as “a candidate or a combination of two or more persons authorized by a candidate under section 3517.081 of the Revised Code to receive contributions and make expenditures.” R.C. 3517.01(C)(1). Thus, a campaign committee cannot be both the candidate and the Treasurer—it can only be one *or* the other. The Campaign has an appointed and designated Treasurer. Therefore, the campaign committee is the Treasurer.

75. A “campaign committee” exists in name only. It cannot be liable for violations of campaign law or campaign rules because a campaign committee is neither a natural person nor legal (corporate) person. A campaign committee is not a legal person



because there is nothing in Ohio law that creates a legal person called a campaign committee. Rather, a legally recognized campaign for elected office begins with submitting a "Designation of Treasurer" form. That form requires the naming of a "committee"—but there is no actual committee. The only thing that a campaign committee has in common with a legal person is that it possesses a name. Meanwhile, a named "campaign committee" lacks all the other characteristics necessary to establish corporate, or legal, personhood. *United States Bank, N.A. v. Bennett*, 2012-Ohio-2700, 2012 LEXIS 2367 (Ohio Ct. App., Mahoning County 2012); *Union Savings Ass'n v. Home Owners Aid, Inc.*, 23 Ohio St. 2d 60, 52 Ohio Op. 2d 329, 262 N.E.2d 558 (1970). The legal capacity to be party to a lawsuit is dependent upon the legal existence of the corporation which requires the filing of articles of incorporation. *GMS Management Co. v. Axe et al.*, 5 Ohio Misc. 2d 1, 449 N.E.2d 43. (1982). Thus, any O.R.C. sections that attempt to give liability to a campaign committee, are simply giving liability to something that exists in name only, and lacks all the other characteristics necessary to give rise to liability.

76. Rather, when the Revised Code appears to give liability to a "campaign committee" it is actually giving liability to the Treasurer only, in his/her official capacity as Treasurer. Therefore, the only way to properly name a campaign committee in a legal action is something to the effect of, e.g., John D. Smith, Treasurer, Joe Cool for Governor Campaign Committee, perhaps adding: "in his official capacity."

77. Further, the Treasurer can only be named in his or her official capacity as

Treasurer. This distinction—between personal liability of a natural person and liability of a named party in their official capacity (legal or corporate liability)—is extremely important, especially to those who hold official offices. This distinction dictates the applicable law and rules and it shapes public perception of the case.

78. Therefore, here, the only properly named party in the Complaint is the Treasurer, but she was named improperly as an individual, as if she had personal liability outside of her capacity as Treasurer.

79. Because the OEC failed to dismiss Friends of Joe Blystone as a Respondent, the OEC causes Relators damages because the OEC thereby forces Relators to incur costs and damages associated with defending against a Complaint where the Complaint fails to state a claim upon which relief can be granted. This is unfair and prejudicial to Relator.

80. Because the OEC failed to dismiss “Friends of Joe Blystone” as a Respondent in the OEC case, the campaign of Joe Blystone is damaged because of the false appearance that the campaign committee may be liable—when only the Treasurer in her official capacity is liable—undoubtedly, an appearance a competitive campaign would unfairly take full advantage of.

COUNT SIX:

FAILURE TO DISMISS COUNTS TWO, THREE, FIVE, SIX, SEVEN, EIGHT, AND NINE  
 DESPITE THEIR FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE  
 BASED, FAILURE TO PLEAD FRAUD WITH PARTICULARITY  
 VIOLATION OF O.A.C. 3517-1-02(A)(1)(f)

81. Relator incorporates the preceding as if fully restated herein.

82. O.A.C. 3517-1-02(A)(1)(f) requires the Complaint to set forth sufficient facts to constitute a prima facie violation of Ohio election law over which the Commission has jurisdiction. The Complaint must be dismissed if the Complaint fails to follow this rule.

83. Count Two, on pdf page 3 alleges that "Complainant is unable to find any other candidate with such a high level of cash contributions received." This, alone, fails to state any wrongdoing. Nothing in Count Two gives sufficient detail to provide notice of what conduct is being challenged.

84. Count Two, pdf page 3, of the Complaint refers only to R.C. 2921.41(2). Therefore, pursuant to O.A.C. 3517-1-02(A)(1)(g), Count Two can only proceed under that statute. R.C. 2921.41(2) pertains to "Theft in Office" and requires the accused to be in office. That requirement is not met in this case. Therefore, the law requires the OEC to dismiss Count Two of the Complaint.

85. In Count Three, on page 4, Chambers alleges contributions in the amount of \$13,871.97 and says that \$515.00 were reported. Then she states that she received a partial refund of her contributions. Chambers provides no documentation or particularity as it relates to those refunds. Because of this lack of detail, Chambers fails to state a claim upon which relief can be based, because she fails to show the \$515.00 is not accurate.

86. In Count Five, pdf pages 5-6, the Complaint alleges Dianne B. Garrett made \$40.00 in contributions that were allegedly not recorded. However, Garrett's affidavit on pdf page 34 fails to validate the statement in the Complaint. Therefore, besides lacking

affirmation, Count Five fails to state a claim that forms the basis for a count against the Treasurer.

87. The second page of Garrett's statement makes a number of factual statements, including: "at every event, money exchanged hand . . . I never saw them take any info to record donors"; all monies were given to Jane Blystone and placed in an envelope in bag and then her purse"; when we sold signs, we were never instructed to get donor info. It was not until well into the campaign that they started referring to money collected as 'donations' instead of 'sold.'" None of Garrett's statements allege anything that violates rule or law on the part of the Treasurer (the only party liable under the referenced statute 3517.10(A)(4)). Therefore, Count Five must be dismissed.

88. In Count Six, page 6, Chambers says that Jeff Siebert alleges having attended "at least six" events where cash donations over \$25.00 were taken and not recorded. However, in Seibert's affidavit, Exhibit 26, he makes more detailed statements. The second statement says that "multiple items" were auctioned off for more than \$500.00 on July 4, 2021; he purchased a \$100 ticket for the July 4, 2021 event; and the campaign only recorded a \$50.00 donation. These allegations fail to state a claim upon which relief can be based because the relevant reporting period ended on June 30, 2021. The money that Seibert refers to in this second paragraph of his affidavit does not require reporting until January 2022. Siebert's affidavit was executed October 18, 2021. Further, in the last sentence of the first paragraph of Siebert's statement, he writes, "At no time were volunteers instructed to

document by Joe Blystone." This claim fails to state anything that violates rule or law on the part of the Treasurer (the only party liable under the referenced statute 3517.10(A)(4)). Therefore, Count Six must be dismissed.

89. In Count Seven, page 7, the Complaint refers to Tracey Sparks' affidavit in exhibit 27 for detail. Sparks writes about two events. As it relates to the first event, she writes about observing "Deborah Lee" (not a Respondent to Complaint) handle incoming money. Sparks then says, "The second event was run exactly the same way." Sparks writes about the first event, "I have no idea how this money was recorded." Here, in her very own statement, Sparks admits she lacks personal knowledge of a violation of law or rule on the part of the Treasurer (the only party liable under the referenced statute 3517.10(A)(4)). Therefore, Count Seven must be dismissed.

90. In Count Eight, page 7, the first problem is that the Complaint fails to find affirmation in the affidavit. Chambers again puts words into the mouth of an affiant. Jacob Novotny is the witness. Count Eight and Novotny's affidavit make different allegations. Count Eight alleges Novotny witnessed Joe Blystone place a bucket at an event. Novotny's affidavit says "I personally witnessed the Blystone campaign at the request of Joe Blystone place a bucket at the front of the pavilion after Joe was done speaking and request cash donations." This is a material difference as it changes who is liable. As with most errors in this Complaint, the errors tend to favor smearing of Joe Blystone.

91. The second problem is that nothing in Novoty's statement alleges a violation

of law or rule on anybody, including the Treasurer (the only party liable under the referenced statute 3517.10(A)(4)). It is not illegal to place a bucket at the front of a campaign event and take certain cash donation.

92. In Novoty's second paragraph of his affidavit, he again, alleges nothing that violates law or rule on the part of the Treasurer, as he simply writes "I did not notice anyone filling out a form of donor identification. I am positive there were cash purchases made there." Nothing in Novoty's statement alleges a violation of law or rule on the part of the Treasurer (the only party liable under the referenced statute 3517.10(A)(4)).

93. Novoty repeats this allegation for a third event in his third paragraph. Again, no allegation of wrongdoing on the part of the Treasurer (the only party liable under the referenced statute 3517.10(A)(4)) can be found in Novotny's affidavit. Therefore, Count Eight must be dismissed.

94. Count Nine, on page 8, speaks of "Pop Up Kits" alleging that the "design of this process calls for the deliberate concealment of the actual donors." The first problem with Count Nine is that this statement fails to state wrongdoing on the part of the Treasurer (the only party liable under the referenced statute 3517.10(A)(4)).

95. The second problem with Count Nine is that it engages in more negative speculation. As for the campaign, even if the statement is true, it is not illegal for a design to "call for" violation of law or rules (whatever that means) especially if does not actually violate law or rules. Further, the Complaint fails to explain why a campaign asking

volunteers distributing campaign items "calls for" illegal conduct. In fact, the Complaint itself references a contract that governs the activity. Therefore, Count Nine must be dismissed for failure to state a claim upon which relief can be based.

96. Throughout the Complaint, there are generalized statements to the effect of "I witnessed campaign violations." Several allegations in the Complaint make a general statement to the effect of "I did not see accounting" or "I did not see the money reported."

97. A witness' failure to see the accounting of a campaign does not constitute a violation of any rule or law on the part of the Treasurer. Each and every one of these allegations, to the extent they form a basis for a count of wrongdoing, must be dismissed.

98. Statements throughout the Complaint making a generalized allegations to the effect of "I was personally instructed not to write down donor info" does not give rise to any liability on the part of the Treasurer. As it relates to the campaign, without further particularity, such instructions alone cannot be construed as illegal, even if they were true.

99. The OEC had a legal duty to dismiss or strike all the statements referred to above pursuant to O.A.C. 3517-1-02(A)(1)(f) because each and every one of these allegations fail to state a claim upon which relief can be based, even if viewed in the light most favorable to the Complainant.

100. Because the OEC failed to dismiss or strike these claims, the OEC causes Relators damages because the OEC thereby forces Relators to incur costs and damages associated with defending against a Complaint where the Complaint fails to state a claim

upon which relief can be granted. This unfairly and unconstitutionally shifts the burden to the Respondent in the OEC case. See, e.g., *Matthews v. Eldridge*, 424 U.S. 319, 335 (1976). It shifts the burden to the OEC cases' Respondents to determine what wrongdoing is alleged, and then prove a negative—i.e., that the Relators did not do something that was not even alleged. This is unfair and prejudicial to Relator. It constitutes an abuse of discretion because it is arbitrary, capricious, and unreasonable.

COUNT SEVEN:

FAILURE TO DISMISS COUNTS NINE  
AND CLAIMS FOR JUNE 6TH EVENTS AT BLYSTONE FARM (PDF PAGE 9)  
DESPITE THIER FAILURE TO COMPLY WITH O.A.C. 3517-1-02(A)(1)(g)  
REQUIRING REFERENCE TO RELEVANT REVISED CODE SECTION(S)

101. Relators incorporate the preceding as if fully restated herein.

102. O.A.C. 3517-1-02(A)(1) requires,

“A complaint shall be submitted to the commission in one of two forms: (1) By affidavit by an individual based on personal knowledge” (the other form is initiated by public officials). The following are required of the rule . . .

g) Clearly set forth each and every separate alleged violation of Ohio election law over which the commission has jurisdiction in a narrative form, cross-referenced to the relevant Revised Code section(s).

The Complaint is deficient under these sections in the following ways:

103. Count Nine on pdf page 8 must be dismissed because it fails to reference any Revised Code section as required by section (g).

104. The “June 6<sup>th</sup> Event at Blystone Farm” on page 9 must be dismissed because it fails to reference any Revised Code section as required by section (g).



105. Because the OEC failed to dismiss or strike these claims, the OEC causes Relators damages because the OEC thereby forces Relators to incur costs and damages associated with defending against a Complaint where the Complaint fails to state a claim upon which relief can be granted and fails to comply with procedural law and rules. This unfairly and unconstitutionally shifts the burden to the Respondent in the OEC case. See, e.g., *Matthews v. Eldridge*, 424 U.S. 319, 335 (1976). It shifts the burden to the OEC cases' Respondent to determine what wrongdoing is alleged, and then prove a negative—i.e., that the Relators did not do something that was not even alleged. This is unfair and prejudicial to Relator. It constitutes an abuse of discretion because it is arbitrary, capricious, and unreasonable.

COUNT EIGHT:

FAILURE TO DISMISS COMPLAINT DESPITE ITS FAILURE TO COMPLY WITH  
O.A.C. 3517-1-02(A)(1)(b) REQUIRING NAMES AND ADDRESSES OF ALL AFFIANTS

106. Relators incorporate the preceding as if fully restated herein

107. O.A.C. 3517-1-02(A)(1)(b) requires

“A complaint shall be submitted to the commission in one of two forms: (1) By affidavit by an individual based on personal knowledge” (the other form is initiated by public officials). The following are required of the rule . . .

b) Clearly set forth the names, full residence and/or business addresses of all parties and affiants, including the name, title and address of the officer, member or agent making the complaint and person responsible for the behavior about which the complaint is made.

108. The Complaint fails to set forth the names and addresses of “all” affiants.

109. “Volunteer #1” in Count Ten on page 8 is unnamed.

110. The Complaint itself fails to set forth any addresses for any affiants.

111. The Complaint and the Complaint's attachments fail to set forth the addresses of the following affiants: Stephanie Foucher (Count Three), Shane Parrino (Count Three), Sparks (Count Seven), Novotny (Count Eight), and Sunberg (count unknown).

112. Because Chambers' OEC Complaint fails to set forth all addresses of affiants, pursuant to O.A.C. 3517-1-02(A)(1)(b), the OEC is required by law to dismiss the Complaint.

113. Because the OEC failed to dismiss these claims, the OEC causes Relators damages because the OEC thereby forces Relators to incur costs and damages associated with defending against a Complaint that fails to meet the requirements of law and rule. These particular rules must be followed because the failure to properly identify witnesses deprives the Respondents in the OEC case of the opportunity to conduct investigations into the allegations of the Complaint. Also, this deprives Relators of due process rights granted by these laws and rules. This is unfair and prejudicial to Relator. It constitutes an abuse of discretion because it is arbitrary, capricious, and unreasonable.

COUNT NINE:

FAILURE TO DISMISS COUNT TEN DESPITE ITS VIOLATION OF  
CONSTITUTIONAL DUE PROCESS AND RULE AGAINST HEARSAY  
VIOLATION OF O.A.C. 3517-1-02(A)(1)(f)

114. Relator incorporates the preceding as if fully restated herein.

115. O.A.C. 3517-1-02(A)(1)(f) requires the Complaint to set forth sufficient facts

to constitute a prima facie violation of Ohio election law over which the Commission has jurisdiction.

116. O.A.C. 3517-1-02(A) requires, "A complaint shall be submitted to the commission in one of two forms: (1) By affidavit by an individual based on personal knowledge" (the other form is initiated by public officials). The following are required of the rule . . . [the Complaint must] "b) Clearly set forth the names, full residence and/or business addresses of all parties and affiants."

117. As a general proposition, "[i]n almost every setting where important decisions turn on questions of fact, due process requires an opportunity to confront and cross-examine witnesses." *Goldberg v. Kelly*, 397 U.S. 254, 269 (1970). In non-criminal proceedings, the right to confront and cross-examine witnesses is part of procedural due process guaranteed by the Fifth and Fourteenth Amendments. *Willner v. Committee on Character and Fitness*, 373 U.S. 96, 108 (1963). This includes administrative setting where an important interest is at stake. *In re Ming*, 469 F.2d 1352, 1356 (7th Cir. 1972). "Procedural due process rules are meant to protect persons not from the deprivation, but from the mistaken or unjustified deprivation of life, liberty, or property." *Shirokey v. Marth*, 63 Ohio St. 3d 113, 119 (1992); *Carey v. Piphus*, 435 U.S. 247, 259 (1978) (saying, "Procedural due process rules are shaped by the risk of error inherent in the truth-finding process, citing: *Mathews v. Eldridge*, 424 U.S. 319, 344 (1976)).

118. In Count Ten, pdf page 8, several allegations in the Complaint are made by

someone identified as "Volunteer #1." No name or address is provided.

119. Count Ten on Page 8 must be dismissed for failure to provide sufficient information to allow Respondent to confront the witness.

120. "'Hearsay' is a statement, other than one made by the declarant while testifying at the trial or hearing, offered in evidence to prove the truth of the matter asserted." Ohio R. Evid. 801(C).

121. The hearsay rule is relaxed in administrative proceedings, but the discretion to consider hearsay evidence cannot be exercised in an arbitrary manner. *Miller v. Ohio State Bd. of Pharmacy*, 5th Dist. Coshocton No. 11-CA-9, 2012-Ohio-1002; *Kellough v. Ohio State Bd. of Edn.*, 10th Dist. Franklin No. 10AP-419, 2011-Ohio431; *Haley v. Ohio State Dental Bd.*, 7 Ohio App.3d 1, 6 (2nd Dist.1982); *Erdeljohn v. Ohio State Bd. of Pharmacy*, 38 Ohio Misc.2d 1, 9 (Hamilton C.P.1987).

122. When an administrative agency enacts rules as to the standards of admissibility of evidence to be followed in its hearings, such rules must be consistent with the guaranty that such hearings shall be fair in all their procedural respects. *In re Application of Milton Hardware Co.*, 19 Ohio App.2d 157, 163 (10th Dist.1969). The rules of evidence may be considered in an advisory capacity in an administrative hearing. *Board of Edn. for Orange City School Dist.*, 74 Ohio St.3d at 417; *Ohio State Racing Comm. v. Kash*, 61 Ohio App.3d 256, 263 (8th Dist.1988). See also, e.g., OAC 4723-16-01(E).

123. Count Ten on page 8 lacks credibility and should be dismissed because it is

hearsay. Here, the statement is not made at the trial or hearing. It is being offered to prove the truth of the statement itself, i.e., that Respondents received illegal donations to the campaign. Respondents have no way of identifying this person, examining him/her, or responding to his/her claims. Therefore, law and rule requires Count Ten must be dismissed.

124. Because the OEC failed to dismiss these claims, the OEC causes Relators damages because the OEC thereby forces Relators to incur costs and damages associated with defending against a Complaint where the Complaint fails to identify a material witness. This deprives Relators of their constitutional and procedural rights to confront witnesses and exclude unreliable hearsay. This is unfair and prejudicial to Relator. It constitutes an abuse of discretion because it is arbitrary, capricious, and unreasonable.

COUNT TEN:  
FAILURE TO DISMISS COMPLAINT  
PARTICULARLY COUNTS ONE, THREE, FIVE, AND SIX,  
DESPITE THEIR FAILURE TO PLEAD FRAUD WITH SUFFICIENT PARTICULARITY  
VIOLATION OF O.A.C. 3517-1-02(A)(1)(f)

125. Relator incorporates the proceeding as if restated herein.

126. O.A.C. 3517-1-02(A)(1)(f) requires the Complaint to set forth sufficient facts to constitute a prima facie violation of Ohio election law over which the Commission has jurisdiction.

127. The requirement that complainants plead fraud with particularity is based upon the principle that a complaint of fraud—frivolously or unjustifiably brought—carries

greater potential for unjust consequences and thus a higher burden should be placed upon the plaintiff to support general allegations with specific facts.

There are usually three reasons cited for the requirement of particularity. First, particularity is required to protect defendants from the potential harm to their reputations which may attend general accusations of acts involving moral turpitude. Second, particularity ensures that the obligations are concrete and specific so as to provide defendants notice of what conduct is being challenged. Finally, the particularity requirement inhibits the filing of complaints as a pretext for discovery of unknown wrongs. Citing: *Korodi v. Minot*, 40 Ohio App.3d 1, 4, 531 N.E.2d 318, 321 (1987). Typically, the requirement of particularity includes "the time, place and content of the false representation, the fact misrepresented, and the nature of what was obtained or given as a consequence of the fraud." *Baker v. Conlan*, 66 Ohio App.3d 454, 458, 585 N.E.2d 543, 546 (1990).

*Carter-Jones Lumber Co. v. Denune*, 132 Ohio App.3d 430, 433 (Ohio App. 1999).

128. This requirement must be imposed on administrative complaints because it is a *malum in se* rule. It is inherently unfair to allow people to plead fraud without particularity. Allowing it at the administrative level would provide a sidetrack around that principle.

129. Generalized allegations of something to the effect of "I witnessed campaign violations at an events" and "I was personally instructed not to write down donor info" are not a sufficient information to sustain a complaint for fraud. Each and every one of the allegations of this nature must be dismissed and stricken from any record.

130. Count One, on page 1, alleges that Douglas Frank gave Joseph K. Blystone \$100.00 at an event and that this contribution was not reported. However, the Complaint fails to establish that the \$100.00 was a "cash contribution." The Complaint fails to address

the context of the alleged "contribution." How does the Complainant know that an \$100.00 was actually "contributed." Count One is lacking in any particular detail that would confirm the Complainant's description of the video in question. Rather, the Complaint provides a video and the Complainant's unverifiable speculation as to what is in that video and the context in which those events occurred. "Particularity" requires much more detail. Therefore, Count One must be dismissed.

131. In Count Three, on page 4, Chambers alleges contributions in the amount of \$13,871.97 and says that \$515.00 were reported. Then she states that she received a partial refund of her contributions. Chambers provides no documentation or particularity as it relates to those refunds. This detail is required to show that the \$515.00 reported number is not accurate. Therefore, Count Three must be dismissed.

132. In Count Five, on page 6, Dianne B. Garrett alleges that she made total donations of \$40.00 and that they were not reported. In her affidavit, exhibit 23, the first page of her statement lacks sufficient information to form a response. It merely lists dates, amounts, and items purchased with no explanation for context. Therefore, it cannot form the basis for a Complaint. The second page of her statement makes a number of factual statements, including: "at every event, money exchanged hand . . . I never saw them take any info to record donors"; all monies were given to Jane Blystone and placed in an envelope in bag and then her purse"; when we sold signs, we were never instructed to get donor info. It was not until well into the campaign that they started referring to money

collected as 'donations' instead of 'sold.'" Garrett's allegations fail to identify who "them" is. She fails to explain how the Treasurer committed any wrongdoing, or how Garrett has personal knowledge of wrongdoing. Therefore, Count Five must be dismissed.

133. In Count Six, on page 6, Jeff Siebert alleges having attended "at least six" events where cash donations over \$25.00 were taken and not recorded. However, this statement fails because it is not supported by his affidavit, exhibit 26. In his affidavit, Siebert alleges "we were always told that if they were small donations there was no need for documentation. That changed later in the campaign." This part of Siebert's affidavit lacks sufficient particularity to form the basis of a Complaint. Siebert fails to inform who said these things, what specifically was said, why it was illegal to say it, the context of the statement, and when it was said. Therefore, it lacks sufficient particularity to form a basis for a count of fraud against the Treasurer.

134. By refusing to strike these statements or dismiss the Complaint, the OEC accepted a Complaint that was filled with generalized accusations of fraud. This harms Relators, as described by *Carter-Jones, id.*, by: 1) exposing them to potential harm to their reputations which may attend general accusations of acts involving moral turpitude; 2) failing to ensure that the obligations are concrete and specific so as to provide defendants notice of what conduct is being challenged; and 3) failing to inhibit the filing of complaints as a pretext for discovery of unknown wrongs. These *Carter-Jones* damages are defamation per se damages, which are presumed without being pled or proven. *Becker v. Toulmin*



(1956), 165 Ohio St. 549, 556; *Wampler v. Higgins*, 93 Ohio St.3d 111, 127, fn. 8, 2001-Ohio-1293; *Gosden v. Louis* (1996), 116 Ohio App.3d 195, 208

135. By refusing to strike these statements or dismiss the Complaint, the OEC accepted a Complaint that was filled with generalized accusations of fraud. This harms Relators, as described by *Carter-Jones, id.*, by: 1) exposing them to potential harm to their reputations which may attend general accusations of acts involving moral turpitude; 2) failing to ensure that the obligations are concrete and specific so as to provide defendants notice of what conduct is being challenged; and 3) failing to inhibit the filing of complaints as a pretext for discovery of unknown wrongs. These *Carter-Jones* damages are defamation per se damages, which are presumed without being pled or proven. *Becker v. Toulmin* (1956), 165 Ohio St. 549, 556; *Wampler v. Higgins*, 93 Ohio St.3d 111, 127, fn. 8, 2001-Ohio-1293; *Gosden v. Louis* (1996), 116 Ohio App.3d 195, 208.

COUNT ELEVEN:  
FAILURE TO DISMISS COMPLAINT DESPITE LACK OF JURISDICITON  
PURSUANT TO *BUCKLEY V. VALEO*

136. Relator incorporates the preceding as if fully restated herein.

137. The OEC is only granted authority to proceed with a complaint, if that complaint “set[s] forth a failure to comply with or a violation of any provision in sections 3517.08 to 3517.13, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code.” R.C. 3517.153(A).

138. Under *Buckley v. Valeo*, 424 U.S. 1 (1976) and *Citizens United v. Federal Election*

*Commission*, 558 U.S. 310 (2010) political giving is a form of speech. The Ohio Elections Commission lacks authority to review matters of free speech. In *Buckley*, at 16, the Court found that contribution limits were not justified because the restrictions were "direct quantity restrictions on political communication and association by persons, groups, candidates, and political parties."

139. Here, jurisdiction of quantity restrictions to political contributions involves free speech rights, which is outside the jurisdiction of the OEC

140. Because the OEC refused to dismiss or strike the elements of the Complaint that relate to protected speech in the form of political contribution limits, Relator is harmed by being forced to proceed within a tribunal that lacks jurisdiction to hear the matter. This makes the OEC's refusal to dismiss or strike capricious, unreasonable, and an abuse of discretion.

#### REQUIREMENTS FOR MANDAMUS RELIEF MET

1. Relator incorporates the preceding as if fully restated herein.
2. Mandamus is the proper type of action because Relator seeks to restore its rights through affirmative action—i.e., to have the OEC dismiss or substantially strike an unfair and prejudicial Complaint that fails to comply with law and rules. See: *State ex rel. Gen. Motors v. Indus. Comm.*, 117 Ohio St.3d 480, 482-483, 2008 Ohio 1593 (2008).
3. Entitlement to a writ of mandamus arises when Relators show by clear and convincing evidence: 1) they have a clear legal right to the requested relief, 2) the state

agency has a corresponding legal duty to provide it, and 3) Relator possesses no adequate remedy in the ordinary course of the law. *State ex rel. Seikbert v. Wilkinson*, 69 Ohio St.3d 489, 490 (1994); *State ex. Rel. Berger v. McMonagle*, 6 Ohio St.3d 28 (1983).

4. Under R.C. 2731, this Court may issue a writ of mandamus where no statutory right of appeal is available to correct an abuse of discretion by an administrative body. *State ex rel. Mager v. State Teachers Retirement System of Ohio*, 123 Ohio St. 3d 195; 2009-Ohio-4908; 915 N.E.2d 320, paragraph 11.

5. A state agency's abuse of discretion establishes a clear legal right to mandamus. *State ex rel. WFAL Constr. v. Buehrer*, 144 Ohio St.3d 21, 2015-Ohio-2305, 40 N.E.3d 1079, ¶ 12.

6. The court finds "abuse of discretion" where a Respondent's attitude is unreasonable, arbitrary, or unconscionable. *State ex rel. Schachter v. Ohio Pub. Emps. Retirement Bd.*, 121 Ohio St.3d 526, 2009-Ohio-1704, paragraph 25; *State v. Adams*, 62 Ohio St. 2d 151, 157 (Ohio 1980); *Steiner v. Custer*, 137 Ohio St. 448 (Ohio 1940); *Conner v. Conner*, 170 Ohio St. 85 (Ohio 1959); *Chester Township v. Geauga Co. Budget Comm.*, 48 Ohio St.2d 372 (Ohio 1976).

7. Each and every count in this Complaint contains a paragraph explaining why its allegations constitute an abuse of discretion on the part of the OEC. Relator incorporates each of those paragraphs herein as if fully restated.

8. In examining the OEC's "attitude" pursuant to *Schachter, supra.*, the OEC's

attitude was largely on display as it voted to hold a hearing on this matter. Upon presentation of the reasons for Relator's request, as outlined above, the OEC held virtually no discussion, offered no comment, and asked no questions. It provided no response at all, no less a justification for its acceptance of every part of the Complaint—even the parts that inarguably violate the law. It simply went straight to a vote to move forward with this Complaint. The OEC failed to address any of the problems with the Complaint.

9. No administrative or statutory remedies exist to remedy an unfair hearing in the OEC matter, as this Court is the appellate court for the OEC matter.

10. If the relief sought by Relators is not granted, the OEC's failure to dismiss the Complaint will continue to result in irreparable damages, as OEC will continue to force Relators to defend against a Complaint, in a publicly-broadcast hearing, that violates a large number of procedural laws, rules, and rights of the Relators. Each count above contains a specific description of the irreparable damages that are done by the OEC's failure to dismiss the Complaint.

#### PRAYER FOR RELIEF

THEREFORE, Relator prays for the following relief:

1. that this Court issue a writ of mandamus in the name of the State of Ohio, directing the Ohio Elections Commission to dismiss entirely or strike all illegal and/or unfair parts of the Complaint in its matter called Case No. 2021G-022; and
2. any other relief this Court deems appropriate.

ORAL ARGUMENTS

Relator hereby requests oral arguments.

January 11, 2022

Respectfully submitted,

/s/ Joshua J. Brown

Joshua J. Brown (0089836)

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Attorney for Relator

BEFORE THE OHIO ELECTIONS COMMISSION

SARAH CHAMBERS  
6593 MEADOW GLEN DRIVE S  
WESTERVILLE, OH 43082

CASE NO. 2021G-022

EXHIBIT: A

COMPLAINANT,

VS.

JOSEPH K. BLYSTONE  
8677 OREGON ROAD  
CANAL WINCHESTER, OH 43110

AND,

M. JANE BLYSTONE, TREASURER  
8677 OREGON ROAD  
CANAL WINCHESTER, OH 43110

RECEIVED

OCT 28 2021

OHIO ELECTIONS  
COMMISSION

AND,

FRIENDS OF JOE BLYSTONE  
8677 OREGON ROAD  
CANAL WINCHESTER, OH 43110

RESPONDENTS,

CASE NO. \_\_\_\_\_

VERIFIED COMPLAINT

Now comes the Complainant, and after being duly cautioned and sworn, deposes and states the following:

- I am Sarah Chambers and I have personal knowledge of the facts contained herein.
- Joseph K. Blystone is an announced Republican Candidate for Governor of Ohio for the May 2022 primary election.
- Friends of Joe Blystone is the officially designated state campaign committee for Joseph K. Blystone.
- M. Jane Blystone is the spouse of Joseph K. Blystone and is the treasurer for Friends of Joe Blystone.

## BACKGROUND

Candidate for Governor Joe Blystone's campaign has engaged in an unprecedented level of illegal activity. More than a dozen Blystone for Governor donors, volunteers, and staff members who witnessed these illegal acts have come forward.

The Blystone for Governor campaign collected tens of thousands of dollars in illegal donations, failed to document thousands of dollars in donations, violated numerous campaign finance laws and did so deliberately. As you will see, staff members were given specific instructions to NOT document donor information. Staff members have provided sworn affidavits, video documentation, bank statements, and various other pieces of evidence that show Joe Blystone's campaign has violated multiple laws. These actions raise serious questions as to who is funding Joe Blystone's campaign and undermine our elections process.

Election integrity is paramount to the fabric of our society. We ask the Ohio Elections Commission to investigate these claims and take appropriate action.

### COUNT ONE – DOUGLAS FRANK UNLAWFUL CONTRIBUTION

- Complainant restates the allegations contained in paragraphs 1 through 4.
- On May 8, 2021, Douglas Frank attended an event and while there made a \$100 cash contribution directly to Joseph K. Blystone for Friends of Joe Blystone.
- That contribution was captured on video and can be viewed by watching the disc attached here as **Complainant's Exhibit #1**.
- Notwithstanding this evidence, a review of the campaign finance records located at the Ohio Secretary of State indicates NO contributions from Douglas Frank to Friends of Joe Blystone.
- A list of itemized and unitemized contributions for May 8, 2021, is attached here as **Complainant's Exhibit #2**.

- The activities alleged here appear to be a violation of Ohio Revised Code Section 3517.10(A)(4) and potentially other violations.

### **COUNT TWO – EXCESSIVE CASH CONTRIBUTIONS**

- Complainant restates the allegations contained in paragraphs 1 through 10.
- On July 30, 2021, Respondents filed a campaign finance report with the Ohio Secretary of State where they disclosed contributions of \$258,836.00 of which \$88,142.00 or thirty-four percent (34%) were allegedly cash contributions in amounts of \$25 or less.
  - Even assuming that each of these alleged persons made a contribution of between \$1 and \$25, these totals would mean that cash contributions were received from a range of people as low as 3,526 or as high as 88,142.
  - Complainant is unable to find any other candidate with such a high level of cash contributions received.
  - Complainant alleges that these cash contributions are being reported in this manner in order to disguise their true size and scope.
  - Complainant further alleges that these cash contributions are being reported in this manner in order to facilitate a theft of these campaign funds by the Respondents.
  - The activities alleged here appear to be a violation of Ohio Revised Code Section 2921.41(2) Theft in Office.

### **COUNT THREE – SARAH CHAMBERS ALLEGATIONS**

- Complainant restates the allegations contained in paragraphs 1 through 17.
- Sarah Chambers served approximately four months as the co-campaign manager for Friends of Joe Blystone.
  - Sarah Chambers made a statement, sworn under oath, which can be found attached here



as **Complainant's Exhibits #3 and #4.**

- In her statement, Ms. Chambers alleged that she made total contributions in goods and contributions in the amount of \$13,871.97 to Friends of Joe Blystone.
- Ms. Chambers provided her personal financial records to document those contributions and those records are attached here as **Complainant's Exhibits #5 through #14.**
- Notwithstanding this evidence, Friends of Joe Blystone reported to the Ohio Secretary of State total contributions in the amount of \$515.00 from Sarah Chambers. Please see

**Complainant's attached Exhibit #15.**

- Ms. Chambers further alleges that she then received a partial refund of these contributions but there is no such information found at the Ohio Secretary of State.
- Finally, Ms. Chambers alleges that she personally observed numerous other potential violations of Ohio campaign finance laws committed by Friends of Joe Blystone including being personally instructed to not write down any donor info.
- The activities alleged here appear to be a violation of Ohio Revised Code Section 3517.10(A)(4) and potentially other violations.

#### **COUNT FOUR – STEPHANIE FOUCHER ALLEGATIONS**

- Complainant restates the allegations found in paragraphs 1 through 26.
- Stephanie Foucher served approximately three months as a volunteer regional leader for Friends of Joe Blystone.
- Ms. Foucher made a lengthy statement, sworn under oath, which can be found attached here as **Complainant's Exhibits #16 and #17.**
- During an event on May 1, 2021, Ms. Foucher alleges that she and her boyfriend Shane

Parrino worked at a Friends of Joe Blystone event where they witnessed numerous contributions over the amount of \$25 in cash that were not reported to the Ohio Secretary of State. These included donations from Mark Probst and Joyce McFaul.

- An actual list of itemized and un-itemized donations reported to the Ohio Secretary of State can be found here as **Complainant's Exhibit #18**.

- During two events on May 2, 2021, Ms. Foucher alleges that she and her boyfriend Shane Parrino worked at Blystone campaign events where they witnessed numerous contributions over the amount of \$25 in cash that were not reported to the Ohio Secretary of State. These included donations from Mary and Robert Jones and Devin McFaul.

- An actual list of itemized and un-itemized donations reported to the Ohio Secretary of State can be found here as **Complainant's Exhibit #19**.

- Ms. Foucher alleges that she made total contributions to the Friends of Joe Blystone in excess of \$2,000 via cash and contributions through the website.

- Nonetheless, the Blystone campaign only reported a total of \$615 in contributions which reflects Ms. Foucher's contributions via the website. Please see attached **Complainant's Exhibit #20**.

- Finally, Ms. Foucher alleges that she personally observed numerous other potential violations of Ohio campaign finance laws committed by Friends of Joe Blystone including being personally instructed to not write down any donor info.

- Ms. Foucher's boyfriend, Shane Parrino, also executed a statement in support of Ms. Foucher's allegations. It can be found attached here as **Complainant's Exhibit #21**.

- The activities alleged here appear to be a violation of Ohio Revised Code Section 3517.10(A)(4) and potentially other violations.

#### **COUNT FIVE – DIANNE B. GARRETT ALLEGATIONS**

- Complainant restates the allegations found in paragraphs 1 through 38.

- Dianne B. Garrett was a volunteer for the Friends of Joe Blystone campaign, and she has made a statement, sworn under oath, which can be found attached here as **Complainant's Exhibits #22 and #23**.
- On June 11, 2021, Ms. Garrett alleges that she made total donations of \$40 at an event for Friends of Joe Blystone.
- Notwithstanding that evidence, the Friends of Joe Blystone did not report any donations from Ms. Garrett for that day. See list attached here as **Complainant's Exhibit #24**.
- Finally, Ms. Garrett alleges that that she personally observed numerous other potential violations of Ohio campaign finance laws committed by Friends of Joe Blystone including being personally instructed to not write down any donor info.
- The activities alleged here appear to be a violation of Ohio Revised Code Section 3517.10(A)(4) and potentially other violations.

#### **COUNT SIX – JEFF SEIBERT ALLEGATIONS**

- Complainant restates the allegations found in paragraphs 1 through 44.
- Jeff Seibert previously worked as a regional director for the Friends of Joe Blystone campaign and he has a made a statement, sworn under oath, which can be found attached here as **Complainant's Exhibits #25 and #26**.
- Mr. Seibert alleges that he attended at least six events put on by Friends of Joe Blystone where cash donations in excess of \$25 were accepted but not itemized in reports filed by the campaign.
- Finally, Mr. Seibert alleges that he personally observed numerous other potential violations of Ohio campaign finance laws committed by Friends of Joe Blystone including being personally instructed to not write down any donor info.
- The activities alleged here appear to be a violation of Ohio Revised Code Section 3517.10(A)(4) and potentially other violations.

**COUNT SEVEN – TRACEY SPARKS ALLEGATIONS**

- Complainant restates the allegations found in paragraphs 1 through 49.
- Tracey Sparks previously served as a volunteer for the Friends of Joe Blystone campaign

and she has made a statement, sworn under oath, that can be found attached here as

**Complainant’s Exhibits #27 and #28.**

- Ms. Sparks alleges that she attended two events for the Friends of Joe Blystone campaign where cash contributions in excess of \$25 were being accepted without donor information being taken.
- Ms. Sparks also alleges that she personally observed numerous other potential

violations of Ohio campaign finance laws committed by Friends of Joe Blystone including being personally instructed to not write down any donor info.

- The activities alleged here appear to be a violation of Ohio Revised Code Section 3517.10(A)(4) and potentially other violations.

**COUNT EIGHT – JACOB NOVOTNY ALLEGATIONS**

- Complainant restates the allegations found in paragraphs 1 through 54.
- Jacob Novotny attended three Friends of Joe Blystone campaign events and he has

executed a statement, which is attached here as **Complainant’s Exhibit #29.**

- On May 10, 2021 Mr. Novotny alleges that he attended a campaign event where he witnessed Joe Blystone place a bucket at the front of the event and ask that cash donations be placed in it.

- Mr. Novotny further alleges that no effort was made to attempt to take down any donor information for these cash donations.

- A copy of the itemized and un-itemized donors from May 10, 2021 that were reported to the Ohio Secretary of State can be found attached here as **Complainant’s Exhibit #30.**
- The activities alleged here appear to be a violation of Ohio Revised Code Section

3517.10(A)(4) and potentially other violations.

### **COUNT NINE – POP UP KIT CONTRACT**

- Complainant restates the allegations found in paragraphs 1 through 60.
- Throughout the course of this campaign, Friends of Joe Blystone has required volunteers to enter into a contract with them in order to utilize pop up kits. Please see **Complainant's attached Exhibit #31**.
- These pop up kits contain 50 signs, 20 shirts, 20 flags, and 20 stickers and the cost is \$1,070.00.
- After the event is concluded, volunteers must either pay \$1,070 to the campaign either from the proceeds of the sale of these items, return any unsold items for credit, and/or pay any differences themselves. Donors Susan Eddy, and Stacey Jarrett were two who took part in this pop up kit contract. Many others signed and took part as well, including pop up kits/contracts that were disbursed by Joe Blystone himself.
- The very design of this process calls for the deliberate concealment of the actual donors to the campaign and clearly appears to violate Ohio's campaign finance laws.

### **COUNT TEN – Volunteer #1 ALLEGATIONS**

- Complainant restates the allegations found in paragraphs 1 through 65.
- Volunteer #1 volunteered on the Blystone campaign for approximately four months and has submitted a statement attached here as **Complainant's Exhibit #32**.
- Volunteer #1 alleges that she attended over a dozen events where she personally witnessed members of the Blystone campaign, including Joe Blystone, accepting cash contributions in excess of \$25 without obtaining any donor information.
- Volunteer #1 further alleges that she was informed multiple times that it was not necessary to obtain donor info for anyone that gave \$25 or less in cash.
- Nonetheless, Volunteer #1 alleges that she personally witnessed many people give \$50, \$100, or more in cash without any documentation being taken from them.
- In fact, Volunteer #1 alleges that she personally donated \$140.00 in cash but

the donation was not reported to the Ohio Secretary of State.

- Volunteer #1 also alleges that she bought shirts via the Blystone Bonfire online store, has produced her bank statements to prove the transactions, and the amounts were not correctly reported to the Ohio Secretary of State. Please see **Complainant's attached Exhibits #33, #34, and #35.**
- The activities alleged here appear to be a violation of Ohio Revised Code Section

3517.10(A)(4) and potentially other violations.

#### **COUNT ELEVEN – AMANDA HELMICK ALLEGATIONS**

- Complainant restates the allegations found in paragraphs 1 through 73.
- Amanda Helmick was a volunteer for the Friends of Joe Blystone campaign and her

statement can be found attached here as Complainant's Exhibit #36.

- Ms. Helmick alleges that she attended a campaign event on May 15, 2021 where she was specifically told NOT to document information from donors.
- The activities alleged here appear to be a violation of Ohio Revised Code Section

3517.10(A)(4) and potentially other violations.

#### **June 6<sup>th</sup> Event at Blystone Farm**

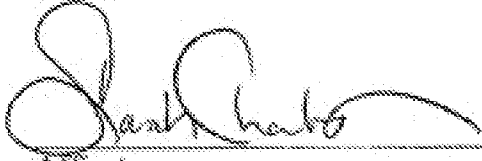
Multiple inconsistencies appear on Joe Blystone's campaign finance report regarding his June 6<sup>th</sup> fundraiser held at Blystone Farm. Video evidence shows Joe accepting a donation of \$200 cash from an unknown man. This contribution is not documented. No male appears on his campaign finance report as donating \$100 or \$200 to the Blystone campaign on this date.

In addition, Blystone's finance reports \$500 in kind donation from an organization named "Pickaway County Leaders." No such entity exists.

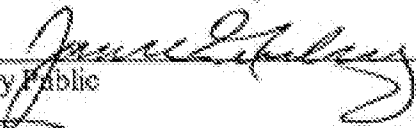
WHEREFORE, Complainant requests that the panel find probable cause for a violation and proceed to a full hearing on this matter. Furthermore, Complainant requests that if a violation is found at a full hearing that the Ohio Elections Commission recommend prosecution by the Franklin County Prosecuting Attorney. Finally, Complainant requests that if a violation is found

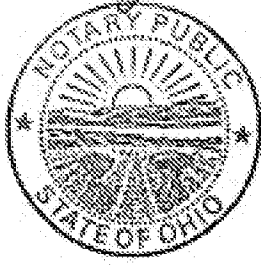
of the allegations in Count Two, that Respondents be forever disqualified to serve as public officials.

Further Affiant saith naught.

  
\_\_\_\_\_  
Affiant

Sworn to before me and subscribed in my presence this Oct 18 day of October, 2021.

  
\_\_\_\_\_  
Notary Public



JAMES F. GINLEY  
Notary Public, State of Ohio  
My Commission Expires  
December 4, 2024

Committee

Cover Page

Contributions

Expenditures

# Search Results For Candidate Committee Contribution Details

Back

Page 2 of 2  
10/10/2023 10:58:59 AM

0F763 - B44

Contributor Name	Contributor Form Individual	Contributing PAC Reg No	Address	City	State	Zip	Report Type	Year	Contribution Date	Amount	Event Date	Employer/Occupation
ARRESTINGS LOOMAN			9101 PARK DRIVE	SPRING	OH	44676	SEMIANNUAL (JULY)	2021	05/08/2021	\$4,907.00		FRIENDS OF JOE BLYSTONE
CARTER BILL			2617 DOODERILLE ROAD	ROME	OH	44085	SEMIANNUAL (JULY)	2021	05/08/2021	\$350.00		FRIENDS OF JOE BLYSTONE
CHRONERS BRONKS			1086 MADINE DRIVE	HEATH	OH	43056	SEMIANNUAL (JULY)	2021	05/08/2021	\$20.00		FRIENDS OF JOE BLYSTONE
DELANEY SHMO			7153 FRIZZYSBURG RD	NASHPORT	OH	43830	SEMIANNUAL (JULY)	2021	05/08/2021	\$40.00		FRIENDS OF JOE BLYSTONE
FEARLY JEFF			6422 WALNUT FORK DR	WESTERVILLE	OH	43081	SEMIANNUAL (JULY)	2021	05/08/2021	\$20.00		BANNER
FLOYD BENNER			96 MADYTON STREET	JACKSON	OH	43040	SEMIANNUAL (JULY)	2021	05/08/2021	\$50.00		CLERK
HACKLER MELINDA			19325 PINE ROAD NORTH-EAST	TRUMBULL	OH	43075	SEMIANNUAL (JULY)	2021	05/08/2021	\$50.00		FRIENDS OF JOE BLYSTONE
AMAS KATHLYN			1023 WINTHROP LANE	ASHLAND	OH	44805	SEMIANNUAL (JULY)	2021	05/08/2021	\$20.00		FRIENDS OF JOE BLYSTONE
ATWAM AMAS			3049 GRILL RD	NEW FRANKLIN	OH	44216	SEMIANNUAL (JULY)	2021	05/08/2021	\$30.00		FRIENDS OF JOE BLYSTONE



REPORTS SANDORA	3991 HUNNINERY ROAD	RICHFIELD OH	44286	SEMIANNUAL QUARTY	2021	05/08/2021	\$50.00	-	RETURNED	OF JOE BAYSTONE
BAWEL JAY	1066 WHELLEY ROAD	THOMASVILLE OH	43076	SEMIANNUAL QUARTY	2021	05/08/2021	\$200.00	-	SELF	FRIENDS OF JOE BAYSTONE
SEBASTIAN ANTHONY	400 N MAIN ST	WEST MILTON OH	45383	SEMIANNUAL QUARTY	2021	05/08/2021	\$10.00	-	RETURNED	FRIENDS OF JOE BAYSTONE
WELLS DEANNA	3543 HANCOCK LANE NE	HANOVER OH	44026	SEMIANNUAL QUARTY	2021	05/08/2021	\$10.00	-	INSURANCE AGENT	FRIENDS OF JOE BAYSTONE



1 - 15

**Note**

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Secretary Larive & the Office (<https://www.ohiosos.gov/secretary-office/>) | Elections & Voting (<https://www.ohiosos.gov/elections/>) | Campaign Finance (<https://www.ohiosos.gov/campaign-finance/>) | Legislation & Ballot Issues (<https://www.ohiosos.gov/legislation-and-ballot-issues/>) | Businesses (<https://www.ohiosos.gov/business/>) | Records (<https://www.ohiosos.gov/records/>) | Media Center (<https://www.ohiosos.gov/media-center/>) | Publications (<https://www.ohiosos.gov/publications/>)

AFFIDAVIT

State of Ohio )

County of Delaware )

My name is Sarah Chambers. I swear and/or affirm, under penalty of perjury, that the attached statement was made upon my personal knowledge and it is true to the best of my belief and understanding.

Respectfully submitted,

[Signature]  
Signature

10-21-21  
Date

Sworn to and subscribed in my presence this 21 day of Oct, 2021 by

Sarah Chambers (Name of Signer).

[Signature]  
Signature of Notary

Kinnari Patel  
Printed name of Notary

(Seal)



[Signature]  
KINNARI P PATEL  
Notary Public, State of Ohio  
My Commission Expires 09/17/2024  
10/21/2021

EXHIBIT  
3

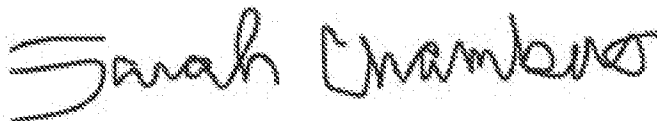
My name is Sarah Chambers and I worked on the Blystone campaign for 4 months. I attended dozens of events where I witnessed Joe Blystone, his wife Jane, and volunteers accepting campaign contributions in excess of \$25 without requesting or accepting the donors information. Myself and others questioned this practice and offered to document and track contributions, signs sold, and t-shirts sold, but we were told that it wasn't necessary at the time. I witnessed hundreds of give \$50, \$100 and more without any documentation being taken from volunteers. At most events, we would have a donation bucket for any cash donations to be put in. At the end of the event, we would empty the cash, without knowing who gave what, and give the cash to Joe or Jane.

I personally donated several thousand dollars to Joe Blystone and the donation was not reported on his campaign finance report. I was able to receive a partial refund, but that wasn't disclosed either.

I have attached my own personal records of my donations to the campaign including several items that I purchased myself as donations. These are noted on my credit card statement on 8/5/21 as Shoot Point blank(a gun for auction), Rod's Western Place(2 hats for auction) and several amazon purchases used for auction.

This shady activity is one of many reasons I left the Blystone campaign. I have reason to believe that Blystone received more money than he has reported on his filing. I strongly suggest the Ohio Secretary of State launch an investigation into this activity immediately.

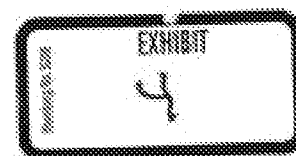
Sarah Chambers

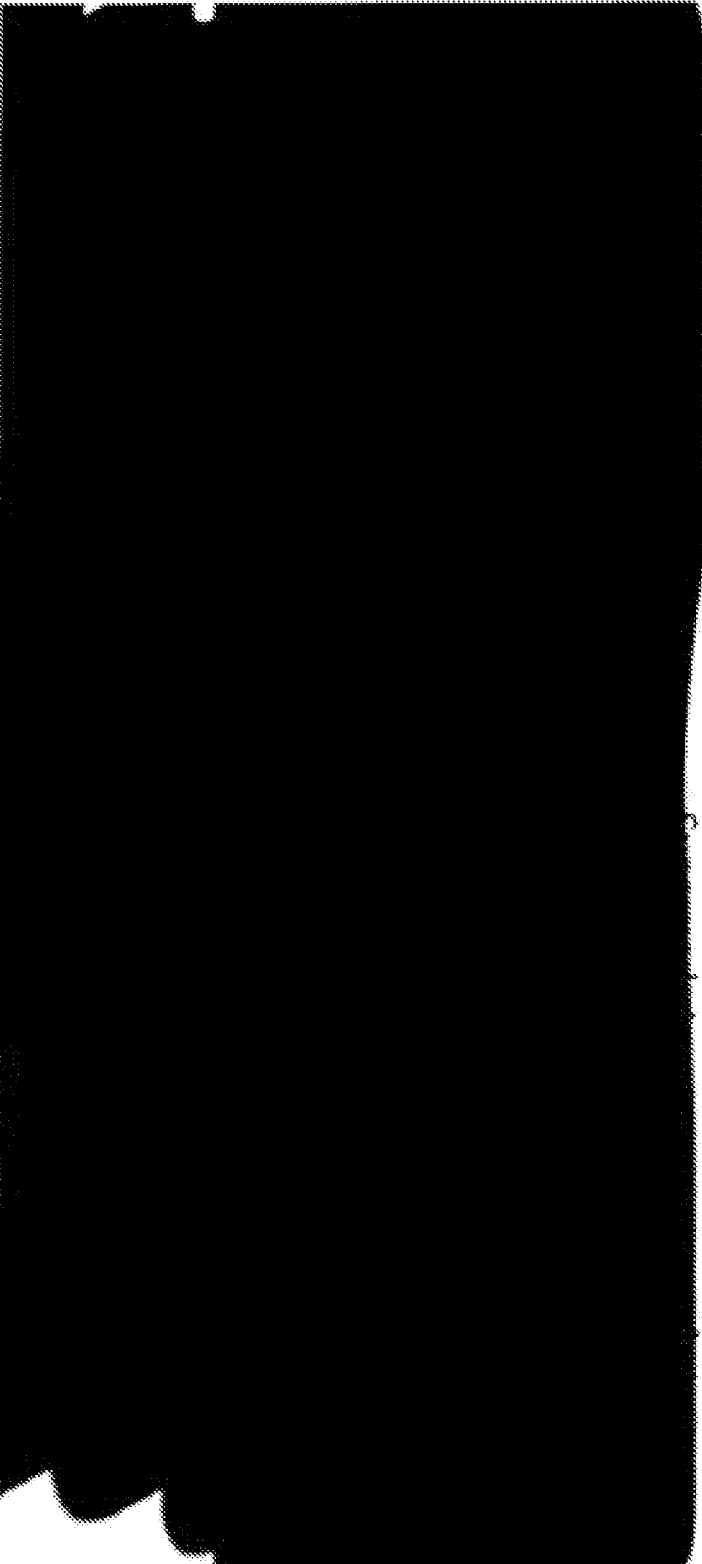


10/19/2021

Sent from Mail for Windows

9 attachments

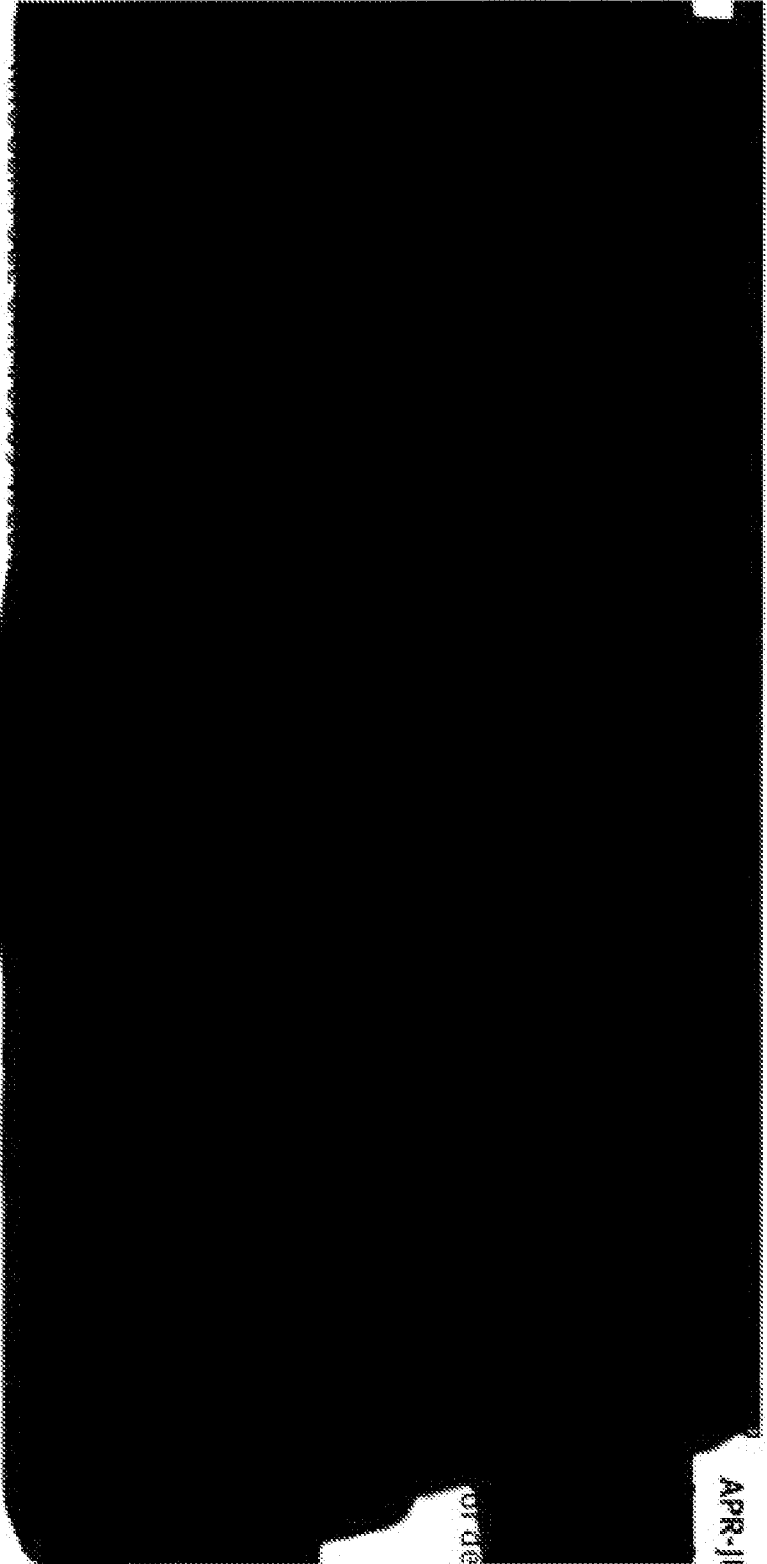




A \*JOE BLYSTONE 225-250-1301 OH  
A \*JOE BLYSTONE

Services

\$100.00



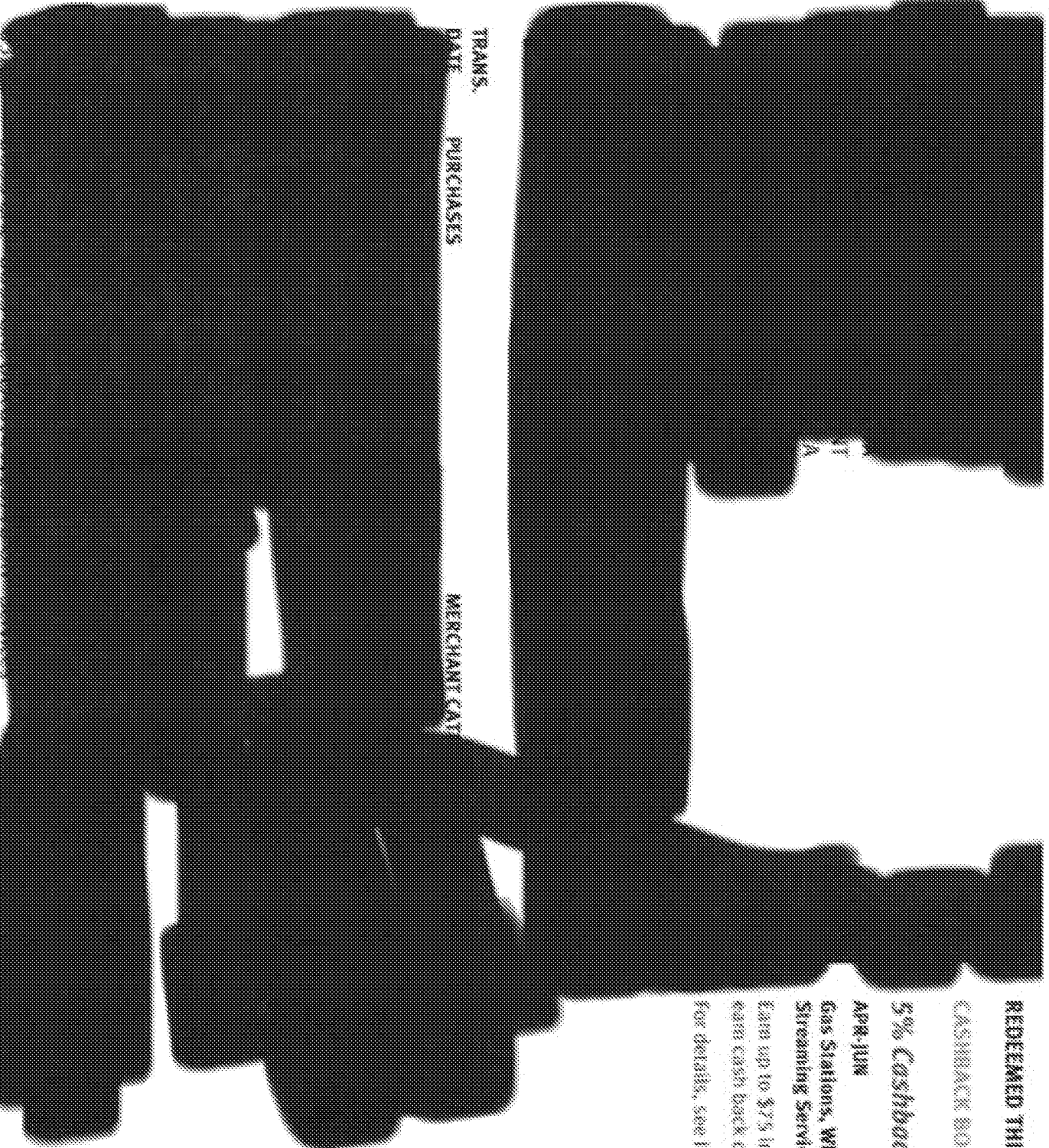
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APR-11

EXHIBIT  
5

REDEEMED THIS PER  
 CASHBACK BONUS  
 5% Cashback Br  
 APR-JUN  
 Gas Stations, Wholes  
 Streaming Services  
 Earn up to \$75 in 5% c  
 earn cash back on all  
 For details, see Inform

EXHIBIT  
 6



TRANS.  
DATE

PURCHASES

MERCHANT CAT

03/24

A \*JOE BLYSTONE 225-250-1301 OH  
A \*JOE BLYSTONE

Services

\$500.00

Transactions continued

TRANS.  
DATE

PURCHASES

MERCHANT CATEGORY

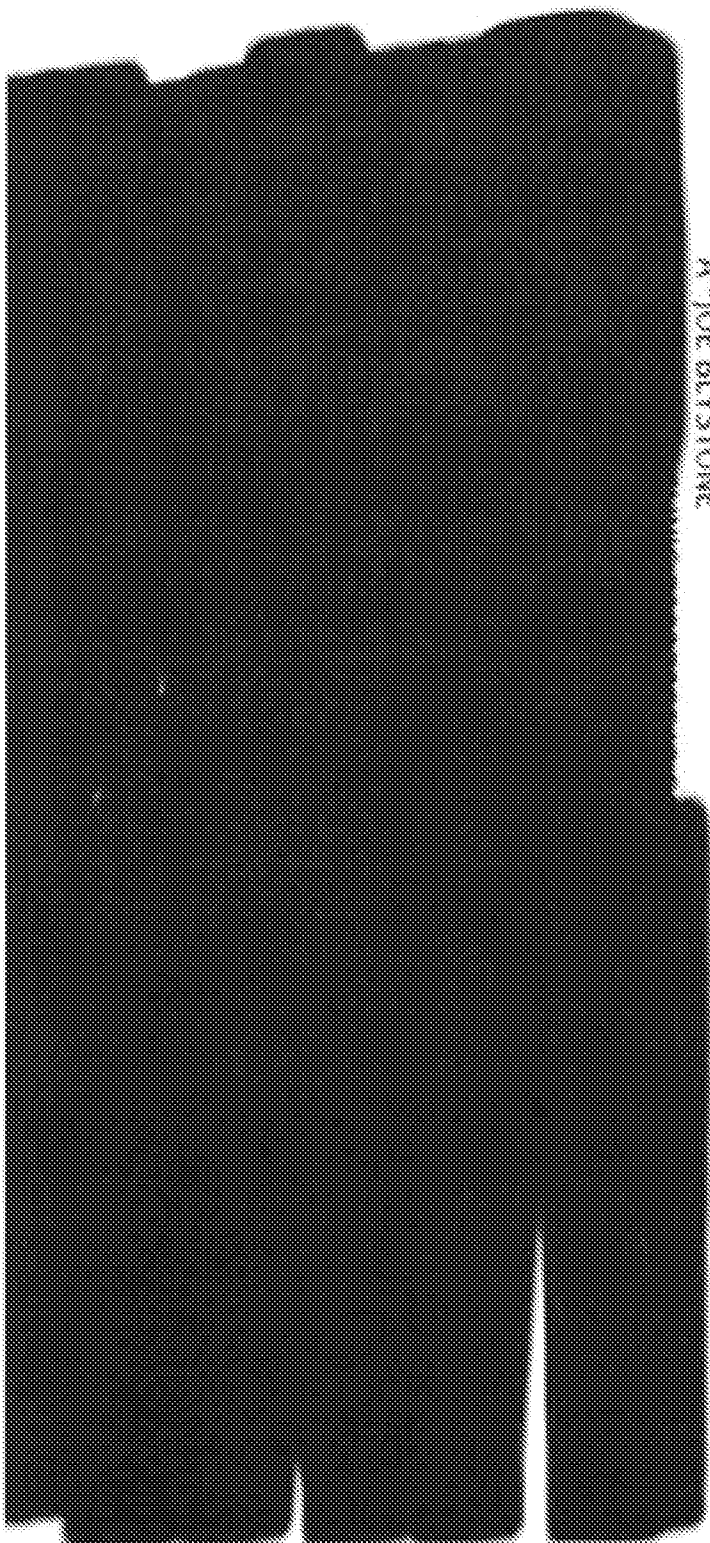
AMOUNT



04/14 A \*JOE BLYSTONE 225-250-1301 OH  
A \*JOE BLYSTONE

Services

\$100.00



TRANSACTIONS CONTINUED

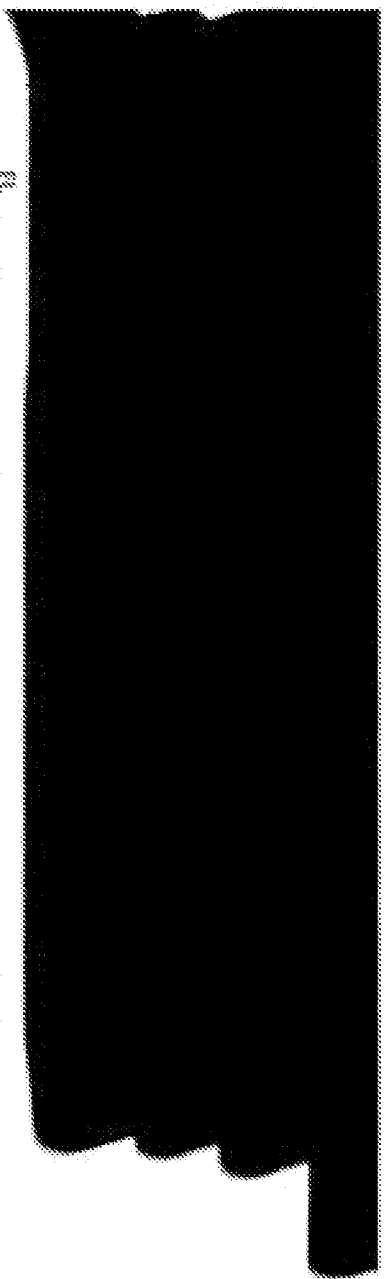
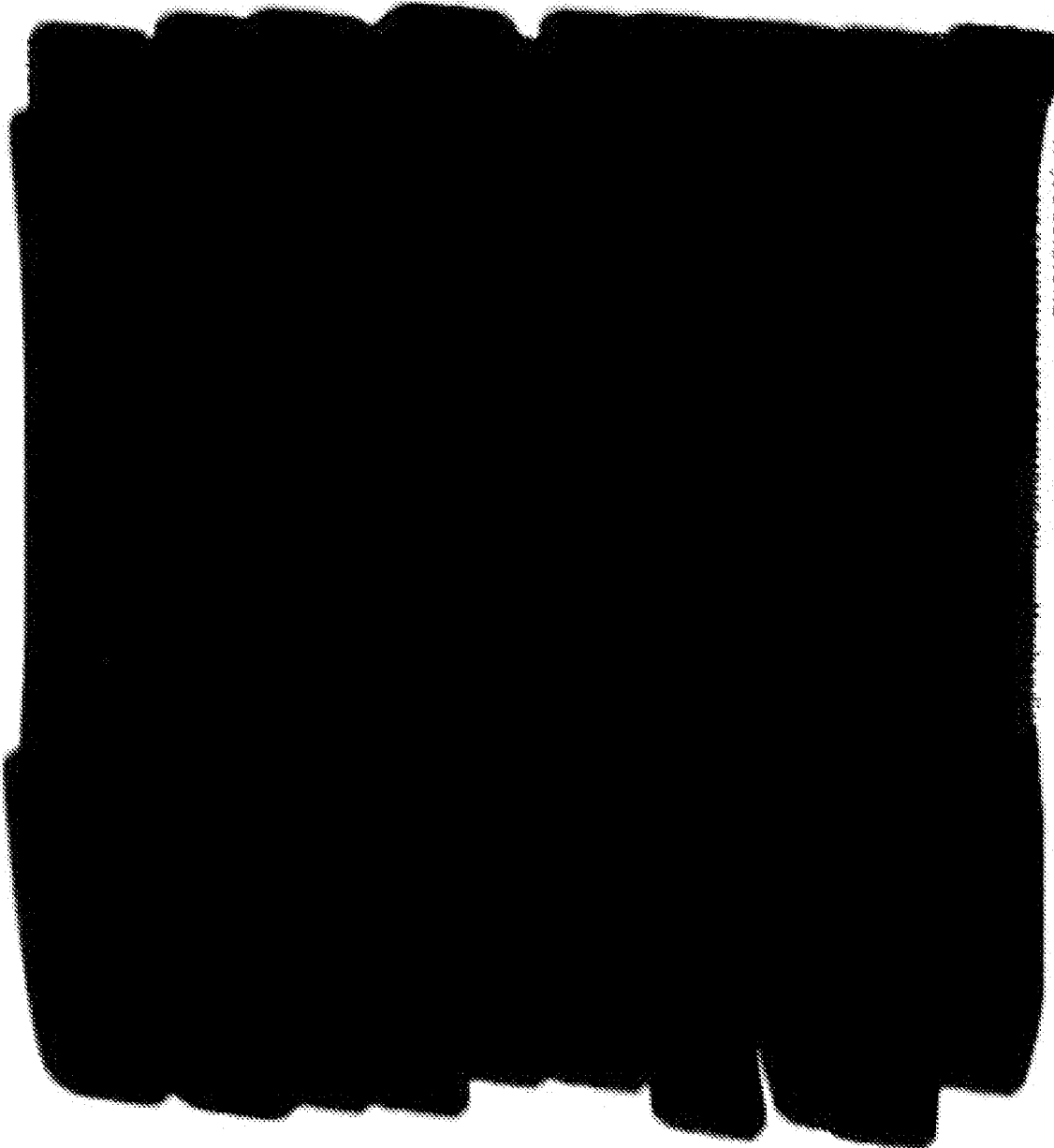
[REDACTED]

05/13 A \*JOE BAYSTONE 225-250-1301 OH Services \$700.00  
A \*JOE BAYSTONE

[REDACTED]

MERCHANT CATEGORY

EXHIBIT  
8  
01/11/2022



05/18  
 A \*JDE BEYSTONE 215-290-1301 OH  
 A \*JDE BEYSTONE  
 Services  
 \$5,000.00

EXHIBIT  
 9



[View invoice](#)



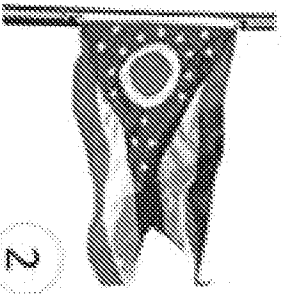
## Shipment details

FREE Prime Delivery

### Delivered

Delivery Estimate

Thursday, June 3, 2021 by 9pm



2

**VSVO Ohio Flag 3x5 Ft**

**\$25.99**

**-300D Nylon Premium  
Outdoor Embroidered**

**OH Flag...**

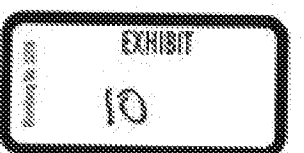
Qty: 2

Sold By: VSVO Flags



**Double Sided Dont  
Tread on Me Gadsden**

**\$21.99**



[View invoice](#)



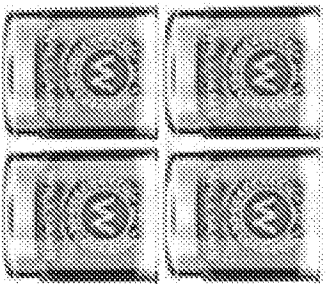
## Shipment details

Two-Day Shipping

**Delivered**

Delivery Estimate

Thursday, June 3, 2021 by 8pm



Personalized Custom

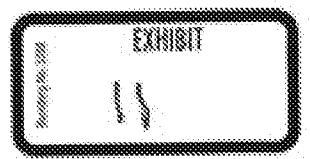
\$58.99

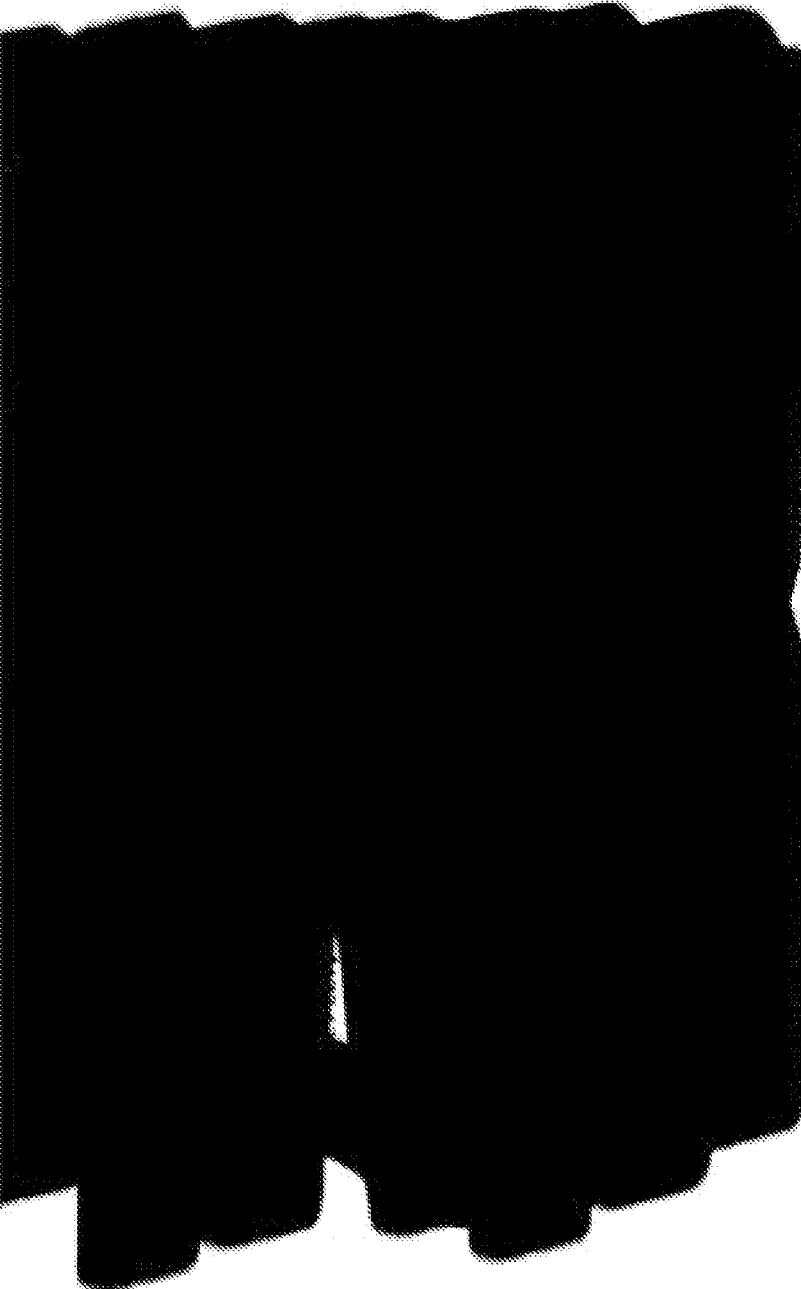
Whiskey Glass (Set Of 4), Engraved Etched...

Qty: 1

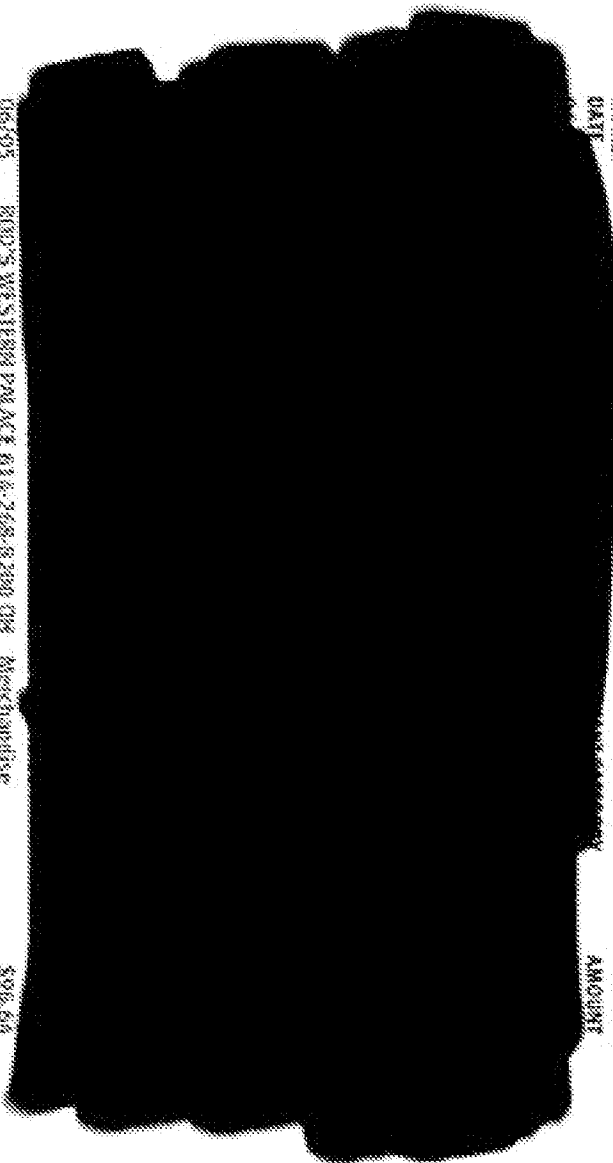
Sold By: DADDY FACTORY

Contact Seller





DATE	DESCRIPTION	AMOUNT
06/05	800 S WESTERN PALACE BLDG 208-8299 OH Merchandise	\$98.64
06/09	AMZN MKTP US* 2N2XC1180 Merchandise	\$50.09
	AMZN.COM/BILLWA	
	CO1P80ENK1V	
06/05	SHOOZE POINT BLANK 513-7668030 OH Merchandise	\$517.87



TRANS. DATE AMOUNT

EXHIBIT  
12



06/14 A JOE BLYSTONE 225-250-1301 OH SERVICES \$5,000.00  
A JOE BLYSTONE

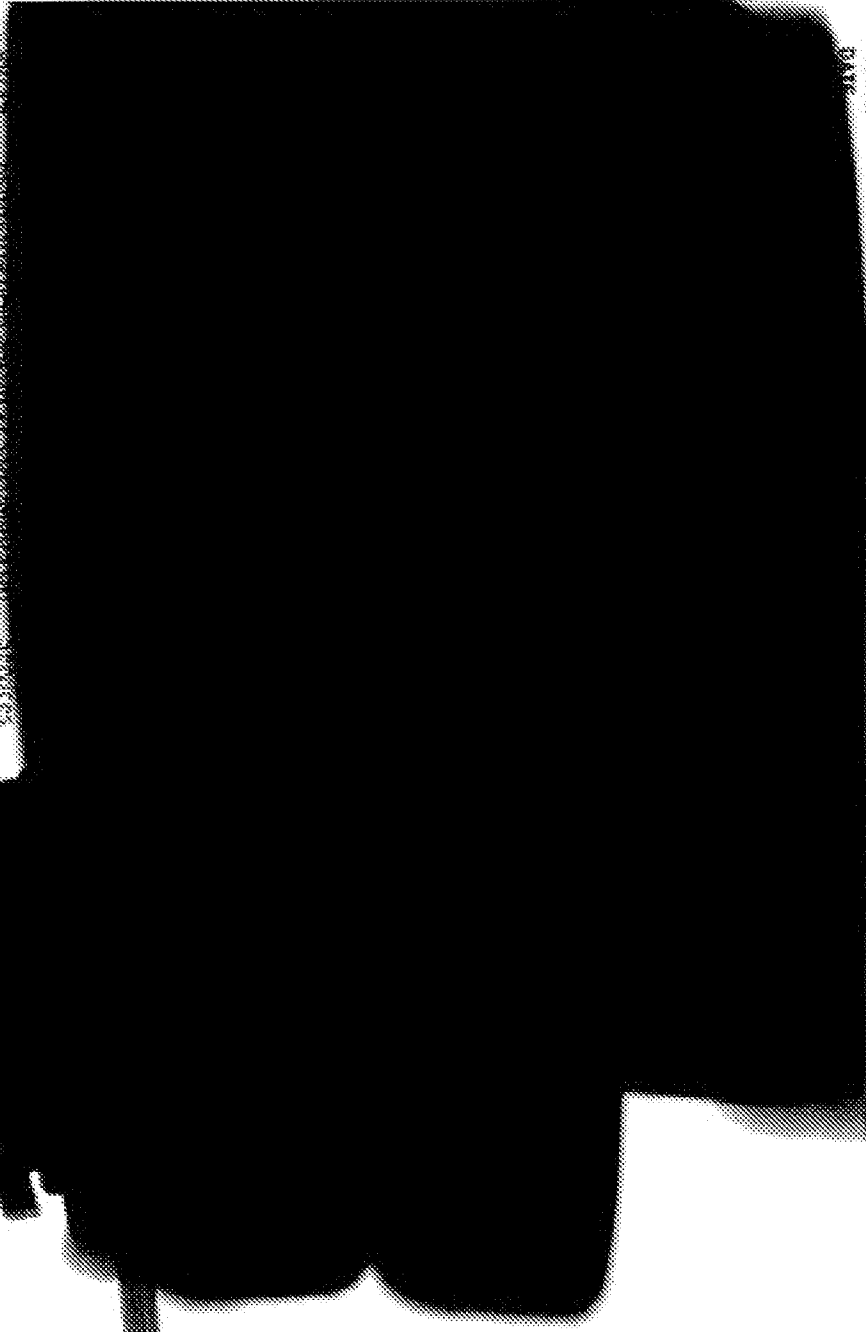


EXHIBIT  
13



ONLINE  
Visit [www.comerica.com](http://www.comerica.com) or  
download our app

PHONE  
1 800 367 2687  
TDD 1 800 367 7487

PAYMENTS  
Discover  
PO Box 6101  
Cleveland, OH  
44101-0101

MORE® CARD ENDING 6639  
DATE 04/25/2021 - 05/26/2021

Transactions continued

DATE

MERCHANT CATEGORY



05/11 A JOE BLYSTONE 275 250-1301 OH Services \$700.00  
A JOE BLYSTONE

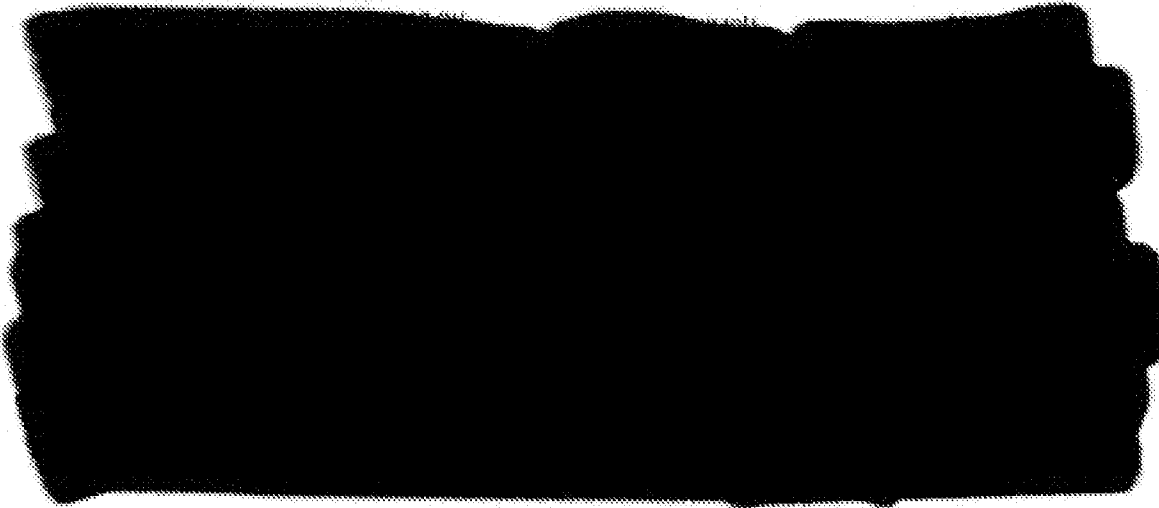


EXHIBIT  
14

Simple Search

Advanced Search

Committee: \_\_\_\_\_ Cover Page: \_\_\_\_\_ Contributions: \_\_\_\_\_ Expenses: \_\_\_\_\_

### Search Results For Candidate Committee Contribution Details

Contributor Name	Contributor Name Individual	Contributing PAC	Address	City	State	Zip	Report Type	Year	Contribution Date	Amount	Event Date	Employer/Occupation
CHAMBERS SARAH			6593 MEADOW GLEN DR	WESTERVILLE	OH	43082	SEMIANNUAL (PLAY)	2021	03/25/2021	\$500.00		HOMEMAKER
CHAMBERS SARAH			6593 MEADOW GLEN DRIVE SOUTH	WESTERVILLE	OH	43082	SEMIANNUAL (PLAY)	2021	04/29/2021	\$5.00		
CHAMBERS SARAH			6593 MEADOW GLEN DRIVE SOUTH	WESTERVILLE	OH	43082	SEMIANNUAL (PLAY)	2021	04/29/2021	\$10.00		

1 - 3

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AFFIDAVIT

State of Ohio )

County of Franklin )

My name is Stephanie Foucher. I swear and/or affirm, under penalty of perjury, that the attached statement was made upon my personal knowledge and it is true to the best of my belief and understanding.

Respectfully submitted,

Stephanie Foucher  
Signature

10/25/2021  
Date

Sworn to and subscribed in my presence this 25 day of October, 2021 by

Stephanie Foucher (Name of Signer).

Belinda DeMuth  
Signature of Notary

Belinda DeMuth  
Printed name of Notary

(Seal)  BELINDA J. DE MUTH  
Notary Public, State of Ohio  
My Commission Expires  
January 22, 2022

EXHIBIT  
16

October 19, 2021

My name is Stephanie Foucher. The purpose of this statement is to address a variety of financial concerns I personally witnessed within the Joe Blystone Governor for Ohio campaign. I volunteered with Joe Blystone's campaign shortly after he declared as a formal candidate for Governor of Ohio 2022. I volunteered from March of 2021 until May of 2021. I submitted a formal letter of resignation to his campaign in May of 2021 due to many red flags I witnessed in regards to the handling of money, he and his campaign's unprofessionalism and many other actions I felt to be unethical.

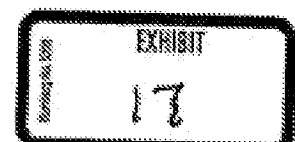
At the beginning of Blystone's campaign I accepted the role of Regional Leader for Lake, Geauga and Ashland counties. As a resident of NE Ohio I am well acquainted with all three counties.

Three events were scheduled in NE Ohio on the weekend of May 1, 2021 thru May 2, 2021. May 1, 2021 the first event in NE Ohio was held at The Plank Road Tavern in Montville, Ohio. My fiancé of ten years, Shane Parrino, came with me to help at the event. Joe and Jane Blystone arrived late to the event because they had three events prior to making it to The Plank Road event. Regardless, once Joe arrived I had already set up an area with a patriotic tablecloth, a large black binder to keep track of donations and sign sales, another binder to write down volunteer information and three patriotic tins. The tins were to be used for cash donations, Blystone's campaign literature and the other tin for 100 pocketbook constitutions I purchased at my own cost. I gave them away for free because I felt every American should own one.

The event at Plank Road had a rather large turnout. The entire inside of the bar was packed and also the back patio where Joe gave his speech. The back patio is where I had set up everything pertaining to Joe Blystone for the event. Over the course of the event I personally witnessed several dozen donations over \$25, \$50, \$100 even as high as \$300. I know these donations were never recorded because when I offered to document everything and shared I brought a binder to keep track of sign sales and donations I was told not to by the Blystone's. I was only permitted to write down any potential volunteer information in my other small binder I brought with me.

Two people I know personally who were in attendance made donations and neither were documented. Mark Probet purchased two yard campaign signs on May 1st at The Plank Road event. Yard signs run \$5 a piece. He gave \$300 to us for the two signs and said to keep the remaining \$290 for a cash donation to the Blystone campaign. His donation was not documented. Joyce McFaul donated \$20 in cash and purchased two yard signs at the Plank Road event. Her contributions of \$30 were not documented. Countless others made cash donations and purchased campaign signs all of which were not documented. I would believe it safe to say the amount of money to come in at the event would be near \$2,000 as Shane and I were the primary handlers of the cash during the entire event.

At the end of the event there was no counting of the cash donations which were received for confirmation. Jane Blystone, treasurer of the Blystone campaign, quickly came up to the table, opening the tin with all of the cash in it. She grabbed all of the money and shoved the money into a smaller purse she had within her personal handbag. I did not see her count the money at





all. Joe and Jane Blystone stayed after the event enjoying some drinks while speaking with guests and us for a few hours. They then left and went to their hotel in Mentor.

On May 2, 2021 Blystone had two events. The first event was a private event held at Vitality Church in Mentor, Ohio. After the Sunday service there was a gathering down in the recreational area of the church. I only had a cup of coffee and left because the Garfield Park event started at 12pm and we needed to set up.

Shane and I drove the five minute drive to Garfield Park and began setting everything up underneath the pavilion. Many attendees were already there. Again, this was a large turnout. It was a windy day and some came out to help us unload signs, the American flag, and literature. It took Joe Blystone an additional thirty minutes to make it five minutes down the road. When he finally arrived he apologized for being late. Many attendees had already started purchasing signs before Joe's arrival. All cash was stored within the tins. Once the event started everything went smoothly. At the end of the event the picnic table was swarmed with those in attendance looking to purchase signs along with those who made cash donations. Again I was asked to not record or document anything in regards to sign sales or cash donations. I was however permitted to take down volunteer information. Mary Jones and her husband Robert were in attendance and signed up to volunteer. They purchased a total of eight signs and contributed a \$60 cash donation. Devin McFaul was in attendance at Garfield Park. He made a \$300 cash donation and purchased two yard signs. Shane and I witnessed again dozens of cash donations exceeding \$25, \$50, \$100 and even \$300, in addition to the sign sales at the Garfield Park event. None of which were documented. At the end of the event Jane Blystone, treasurer of the Blystone campaign, did the same as she did the evening before. She grabbed all of the money out of the tin and shoved it into her little purse then placed it within her handbag. There was no counting or totaling of funds from this event either. No regard to the amount of cash donations that came in or the total amount of signs sold. We witnessed a considerable amount of cash given to the Blystone campaign during the Garfield Park event. A visually estimated total of approximately \$1500. Shane and I felt very uncomfortable about this again.

On May 8, 2021 Shane Parrino, our daughter and myself made the trip to Blystone's farm. The purpose of this trip was to obtain literature and to purchase stickers for constituents in my region. The campaign refused to send these items to me. Joe and Jane Blystone were in a rush because Joe was due to be at an event where he was to announce his running mate for Lt. Governor, Joanna Swallen. Jane Blystone pulled a cardboard box out of the back of their pickup truck with the stickers in it. I purchased 300 stickers total on this day. They run \$1 a piece. I personally handed Jane \$150 cash I had on hand at the time. It was not documented. I then went to the Blystone campaign website and made an additional donation of \$150 to cover the cost of the remaining balance for the stickers.

On May 13, 2021 I was able to gather some of the volunteers that came in for Lake County for a team meeting and breakfast. I brought yard signs and some literature to this event. One volunteer in attendance was Danina O'Leary. Danina donated \$70 that is not documented on the campaign finance report. She sent her funds to me via PayPal in return for Blystone campaign signs. No documentation was required by the Blystone campaign in regards to sign sales.

I would also receive messages from individuals requesting campaign yard signs via Facebook messenger. One woman specifically was Kayla Lette Willert. She personally drove to my home

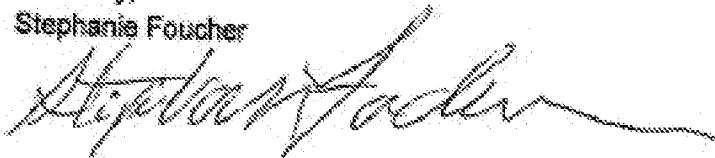
and purchased a larger 2x4 sign and two other campaign signs. \$30 total. She did not have enough cash on hand so I told her it was okay to PayPal me the remaining amount which was \$3.

The first donation I made to the Blystone campaign was on April 2, 2021. I had inquired on how to obtain signs up here in NE Ohio. I was told I needed to pay upfront cost in order to get signs. It was explained to me signs were \$5 a piece. I went ahead and made a \$300 donation in order to get some signs up here. From there I was told I could keep the money from each sign I sold or I could donate the money back to the campaign so I could get more signs. Entirely up to me. My initial \$300 donation provided me with 60 signs. The campaign then suggested to try to make as many donations as possible through the campaign website but it was not necessary. The first time Shane and I were able to hear Joe speak was on April 18, 2021 at the Pontifex in Fremont, Ohio. The campaign had reached out to me prior and asked if I would pick up 600 signs from the printer in Mentor, Ohio and drive them to the Fremont event. Naturally I said yes. This gave us the opportunity to hear Joe speak and to meet him in person. We delivered the signs to the event. Bringing some into the facility for sign sales. This is when we witnessed the chaos and disorganization of the campaign setup. There was no organization at all at this event. Boxes of t-shirts, stickers, cash laying around on the window sills. Unlike anything we had seen before. We still continued to make a cash donation of \$400 and bought two t-shirts which were \$20 a piece. These contributions were not documented.

After witnessing how disorganized and chaotic the Fremont event had been, Shane and I discussed we could not have anything of the sort happen at the events I had planned. Which is what led to my organization and planning for our events in NE Ohio.

I donated in-excess more than \$2000 and only \$675 was accounted for on the Secretary of State's finance report. The \$675 donation amounts are donations which were made through Joe Blystone's campaign website. None of my cash donations were documented.

Sincerely,  
Stephanie Foucher



Search Results For Candidate Committee Contribution Details

Back

Contributor Name: EDDY MICHELLE  
 Contributor Alias: Individual  
 Contributing POC: EDDY MICHELLE  
 Address: 10943 KETCH ROAD, PLAIN CTRY, OH 43084  
 City: PLAIN CTRY, OH 43084  
 State: OH  
 Zip: 43084  
 Report Type: SEMIANNUAL (2021)  
 Year: 2021  
 Contribution Date: 05/01/2021  
 Amount: \$3,812.00  
 Event Date: -  
 Employer/Occupation: FRIENDS OF JOE BLYSTONE  
 Committee: FRIENDS OF JOE BLYSTONE

CONTRIBUTIONS RECEIVED  
 25 OR LESS

Contributor Name	Contributor Alias	Contributing POC	Address	City	State	Zip	Report Type	Year	Contribution Date	Amount	Event Date	Employer/Occupation	Committee
EDDY MICHELLE	Individual	EDDY MICHELLE	10943 KETCH ROAD, PLAIN CTRY, OH 43084	PLAIN CTRY, OH 43084	OH	43084	SEMIANNUAL (2021)	2021	05/01/2021	\$3,812.00	-	FRIENDS OF JOE BLYSTONE	FRIENDS OF JOE BLYSTONE
FRESHER ANJIE	Individual	FRESHER ANJIE	4096 GRANOD STRAND DR, GROVE CITY, OH 43123	GROVE CITY, OH 43123	OH	43123	SEMIANNUAL (2021)	2021	05/01/2021	\$25.00	-	FRIENDS OF JOE BLYSTONE	FRIENDS OF JOE BLYSTONE
CHITZER TONY	Individual	CHITZER TONY	222 WEST MAIN STREET, SAELEBY, OH 44875	SAELEBY, OH 44875	OH	44875	SEMIANNUAL (2021)	2021	05/01/2021	\$25.00	-	NURSE	FRIENDS OF JOE BLYSTONE
HANN WILLIAM	Individual	HANN WILLIAM	1769 ARCADE AVENUE, ORETTA, OH 43087	ORETTA, OH 43087	OH	43087	SEMIANNUAL (2021)	2021	05/01/2021	\$50.00	-	RETIRED	FRIENDS OF JOE BLYSTONE
MARLIS DAISY	Individual	MARLIS DAISY	2672 TWO RIDGE AVENUE, LANCASTER, OH 43130	LANCASTER, OH 43130	OH	43130	SEMIANNUAL (2021)	2021	05/01/2021	\$10.00	-	LNK	FRIENDS OF JOE BLYSTONE
MARTIN STEPHANIE	Individual	MARTIN STEPHANIE	1711 OHIO SQ, ASHLAND, OH 44825	ASHLAND, OH 44825	OH	44825	SEMIANNUAL (2021)	2021	05/01/2021	\$50.00	-	RETIRED	FRIENDS OF JOE BLYSTONE
MATTSEW BEFF	Individual	MATTSEW BEFF	207 E PORTER ST, MAULBORN, OH 44644	MAULBORN, OH 44644	OH	44644	SEMIANNUAL (2021)	2021	05/01/2021	\$20.00	-	-	FRIENDS OF JOE BLYSTONE
SHAWLY SCARNE	Individual	SHAWLY SCARNE	9730 HILL ROAD, CHARDON, OH 44024	CHARDON, OH 44024	OH	44024	SEMIANNUAL (2021)	2021	05/01/2021	\$10.00	-	-	FRIENDS OF JOE BLYSTONE
ZICHOWSKI HOLIE	Individual	ZICHOWSKI HOLIE	4554 COLUMBUS DR, MEDINA, OH 44136	MEDINA, OH 44136	OH	44136	SEMIANNUAL (2021)	2021	05/01/2021	\$50.00	-	FRIENDS OF JOE BLYSTONE	FRIENDS OF JOE BLYSTONE

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# Search Results For Candidate Committee Contribution Details

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AMENDED SEARCH

AMENDED SEARCH

Contributor Name %	Contributor Non Individual	Contributing PAC Reg No	Address	City	State	Zip	Report Type	Year	Contribution Date	Amount	Event Date	Employer/Occupation	Committee
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CONTRIBUTIONS RECEIVED 25 OR LESS

SEMIANNUAL JULY 2021 05/02/2021 \$2,245.00

FRIENDS OF JOE BLYSTONE

3961 AGRICAL DR LORAIN OH 44023 SEMIANNUAL JULY 2021 05/02/2021 \$51.00

FRIENDS OF JOE BLYSTONE

7561 BULLSEYE CORNE CANAL WINCHESTER OH 43130 SEMIANNUAL JULY 2021 05/02/2021 \$5.00

FRIENDS OF JOE BLYSTONE

5400 HIGH RIDGE RD BELLARE OH 43006 SEMIANNUAL JULY 2021 05/02/2021 \$35.00

FRIENDS OF JOE BLYSTONE

3662 CARBET KNOLLS BLVD HILLIARD OH 43038 SEMIANNUAL JULY 2021 05/02/2021 \$25.00

FRIENDS OF JOE BLYSTONE

3902 DANBY KNOLLS BLVD HILLIARD OH 43026 SEMIANNUAL JULY 2021 05/02/2021 \$75.00

FRIENDS OF JOE BLYSTONE

1079 MCCOY DR PATASKALA OH 43082 SEMIANNUAL JULY 2021 05/02/2021 \$25.00

FRIENDS OF JOE BLYSTONE

311 14TH STREET CANTON OH 44703 SEMIANNUAL JULY 2021 05/02/2021 \$5.00

FRIENDS OF JOE BLYSTONE

3021 SOUTH COUNTYLINE ROAD JOHNSTOWN OH 43031 SEMIANNUAL JULY 2021 05/02/2021 \$35.00

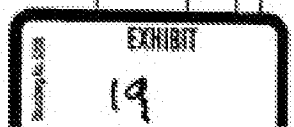
FRIENDS OF JOE BLYSTONE

11263 CHARDON RD CHARDON OH 44024 SEMIANNUAL JULY 2021 05/02/2021 \$50.00

FRIENDS OF JOE BLYSTONE

7408 UPPER TWIN ROAD SOUTH SALINA OH 43081 SEMIANNUAL JULY 2021 05/02/2021 \$36.00

FRIENDS OF JOE BLYSTONE



LEAUSTER KARBA	5373 SWEET GALE COURT	CANAL WINCHESTER	OH	43110	SEAMAN/RYAN (PLAT)	2021	09/02/2021	\$25.00	-	OWNER	OF JOE BLYSTONE
LYPO PHILLIP	199 RICHMOND APRDU	LOSAN	OH	43136	SEAMAN/RYAN (PLAT)	2021	09/02/2021	\$40.00	-	-	FRIENDS OF JOE BLYSTONE
MCCALLISTER MARC	1960 CATERINE DR	CINCINNILLE	OH	43113	SEAMAN/RYAN (PLAT)	2021	09/02/2021	\$50.00	-	-	FRIENDS OF JOE BLYSTONE
MCDONALD MARK	2808 WILSON DRIVE	GRANDVIEWPORT	OH	43125	SEAMAN/RYAN (PLAT)	2021	09/02/2021	\$22.00	-	-	FRIENDS OF JOE BLYSTONE

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row(s) 1 - 19 of 20 v Next Page

**Note**

Please note that queries based on specific candidates/committees, date ranges and entity types are updated regularly on the file Transfer Page (FTP) (ftp=CFD/SC/CS/USE/73). Persons seeking large amounts of campaign finance data should check the FTP (ftp=CFD/CLOSURE/73) first (see above blue tab). Users attempting to query very large amounts of data (greater than 10,000 records) from the Simple or Advanced Search will be required to narrow the search criteria in order to reduce the number of records returned.

**Disclaimer**

THE SEARCHABLE CAMPAIGN FINANCE DATA ONLY CONTAINS DATA FROM THE YEAR 2015 TO PRESENT AND CONTAINS BOTH AUDITED AND UNAUDITED DATA. AS REPORTS ARE AUDITED OR COMMITTEES UPDATE INFORMATION, THE DATA WILL CHANGE. FOR DATA PRIOR TO 2015, PLEASE UTILIZE THE FILES FROM THE FILE TRANSFER PAGE (FTP).

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### Search Results For Candidate Committee Contribution Details

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Contributor Name	Contributor Plan	Contributing PAC Reg No	Address	City	State	Zip	Report Type	Year	Contribution Date	Amount	Event Date	Employer/Occupation	Committee
FOUCHER STEPHANIE	Individual		8 WABASH ROAD	TAMERLAKE OH	44295	92021	SEMIANNUAL	2021	04/02/2021	\$300.00	-	CLEVELAND CLINIC	FRIENDS OF JOE BLYSTONE
FOUCHER STEPHANIE			8 WABASH ROAD	TAMERLAKE OH	44295	92021	SEMIANNUAL	2021	05/12/2021	\$150.00	-		FRIENDS OF JOE BLYSTONE
FOUCHER STEPHANIE			8 WABASH ROAD	TAMERLAKE OH	44295	92021	SEMIANNUAL	2021	04/24/2021	\$125.00	-		FRIENDS OF JOE BLYSTONE
FOUCHER STEPHANIE			8 WABASH ROAD	TAMERLAKE OH	44295	92021	SEMIANNUAL	2021	04/24/2021	\$40.00	-		FRIENDS OF JOE BLYSTONE

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### Note

Please note that queries based on specific candidates/committees, date ranges and entry types are updated regularly on the file Transfer Page (FTP) (https://www.ohiosos.gov/CFDISCLOSURE:73). Persons seeking large amounts of campaign finance data should check the FTP (https://www.ohiosos.gov/CFDISCLOSURE:73) first (see above blue tab). Users attempting to query very large amounts of data (greater than 10,000 records) from the Simple or Advanced Search will be required to narrow the search criteria in order to reduce the number of records returned.

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October 21, 2021

My name is Shane Parrino. I volunteered to help my finance, Stephanie Foucher, at Joe Blystone's events on May 1, 2021 at The Plank Road in Mantville, Ohio and on May 2, 2021 at Garfield Park in Mentor, Ohio.

Stephanie came prepared with two different binders to document sign sales, money donations and to collect potential volunteer information for the Blystone Campaign. I witnessed Stephanie being instructed by the Blystone's that no record of ledger for donations or sign sales were necessary when Stephanie inquired about it. She was however permitted to collect volunteer information.

I personally witnessed and handled thousands of cash donations over the course of both events. Many donations were well over \$25.00. On May 1st at the Plank Road event I witnessed one man, a friend of Stephanie's family, Mark Probst, purchase two signs for five dollars a piece which the total came to \$10. He handed me \$300 cash for the signs and when I offered him his change he said to keep the remaining \$290 cash as a donation towards the Blystone campaign. This was not documented.

I accepted money and made change from individuals that attended both of these events.

Neither cash donations or sign sales were documented at either event.

At the end of both events Jane Blystone grabbed all of the cash out the bins we provided for the event. She placed the cash within her own personal bag from her purse. There was no counting of cash witnessed or ledger made.

Sincerely,



Shane Parrino



AFFIDAVIT

State of Ohio )

County of Clinton )

My name is DIANNE B. GARRETT. I swear and/or affirm, under penalty of perjury, that the attached statement was made upon my personal knowledge and it is true to the best of my belief and understanding.

Respectfully submitted,

Dianne B. Garrett  
Signature

10/21/21  
Date

Sworn to and subscribed in my presence this 21 day of October, 2021 by

Dianne Garrett  
~~Jessica M. Wells~~ (Name of Signer).

Jessica M. Wells  
Signature of Notary

Jessica M. Wells  
Printed name of Notary



JESSICA M. WELLS  
Notary Public  
State of Ohio  
My Comm. Expires  
February 18, 2026



(Oct 19, 2021)

April 11, 2021 - Wilmington, Ohio Fairgrounds  
 Purchased 1 sign = \$5  
 Purchased 1 fee = \$20

May 4, 2021 - Nick's Restaurant - Xenia  
 \$200 check (\$100 down / \$100 signs)

June 6 - Blystone Farm event  
 \$75 ticket I paid for will  
 show up on Kelly Tolliver,  
 as he made the reservation.  
 I paid Kelly cash.

June 11, 2021 - <sup>Nichols</sup> ~~State~~ Farm - Blanchester  
 Purchased 1 fee = \$20  
 Purchased 20 buttons = \$20

July 3, 2021 - Blanchester Festival  
 sold signs that were printed  
 by the campaign.

at every event money exchanged  
hands for donations + merchandise  
(shirts, signs, buttons, stickers + banners).

Some were checks; most were cash.

I never saw them take any info  
to record donors. Volunteer fees:

sometimes helped. All monies were  
given to Jane Blystone + placed in  
an envelope or bag + then her purse.

When we sold signs, we were never  
instructed to get donor info. It  
was not until we were into the campaign  
that they started referring to  
money collected as "donations"  
instead of "sold".

Dorann B. Hallett

P.O. Box 807

Wilmington, OH 45177

614-560-6159

# Search Results For Candidate Committee Contribution Details

6/23

Committee	Cover Page	Contributions	Expenditures										
CONTRIBUTORS RECEIVED 25 OR LESS													
Contributor Name	Contributor Type	Contributing PAC Reg No	Address	City	State	Zip	Report Type	Year	Contribution Date	Amount	Event Date	Employer/Occupation	Volunteer
BEARD PATRICIA	Individual		4205 ANGELS WALK	BAYSHAW	OH	43103-7104	SEMIANNUAL (R/L)	2021	06/11/2021	\$50.00		RETIRED	
BLYSTONE JEFFREY	Individual		5281 W LACE RD	ERE	PA	16525	SEMIANNUAL (R/L)	2021	06/11/2021	\$5.00		RETIRED	
BLYSTONE KEVIN	Individual		3655 WICKHAM RD	PAWETTVILLE	OH	43118	SEMIANNUAL (R/L)	2021	06/11/2021	\$100.00		FORP	
CALLER AMANDA	Individual		15 MORANI AVE	FREDERICKTOWN	OH	43019-8086	SEMIANNUAL (R/L)	2021	06/11/2021	\$15.00		43019-8086	
HESSELBART ANDREW	Individual		3629 SOUTHWEST BLVD	GROVE CITY	OH	43123	SEMIANNUAL (R/L)	2021	06/11/2021	\$50.00			
JAMES YVETTE	Individual		5483 SANDALWOOD BOULEVARD	COLLINGS	OH	43029	SEMIANNUAL (R/L)	2021	06/11/2021	\$50.00		COLINS/BURK	
LATHAM DOTTIE	Individual		PO BOX 304	WINCHESTER	OH	43097	SEMIANNUAL (R/L)	2021	06/11/2021	\$150.00		SELF EMPLOYED	
LATHAM ERIC	Individual		PO BOX 304	WINCHESTER	OH	43097	SEMIANNUAL (R/L)	2021	06/11/2021	\$500.00		SELF EMPLOYED	
WALLEN SCOTT	Individual		2077 SLADY RD	RAVETTVILLE	OH	43118	SEMIANNUAL (R/L)	2021	06/11/2021	\$68.00		RAVETTER	

24



AFFIDAVIT

State of Ohio ) County of Clermont My name is JEFF SEIBERT

I swear and/or affirm, under penalty of perjury, that the attached statement was made upon my personal knowledge and it is true to the best of my belief and understanding.

Respectfully submitted,

Jeff Seibert  
Signature

10-21-21  
Date

Sworn to and subscribed in my presence this 21st day of October, 2021 by Jeff Seibert [Name of Signer].

Shellie Kay Seip  
Signature of Notary

Shellie Kay Seip  
Printed name of Notary

(Seal)  SHELLIE KAY SEIP  
Notary Public, State of Ohio  
My Commission Expires  
August 7, 2022

EXHIBIT  
25

I, Jeff Seibert, worked on Joe Blystone's campaign as a regional director. I attended at least 6 events where I witnessed donations being made for signs, t-shirts, etc. where no information was collected or documented by Joe Blystone and/or his volunteers. Many of the donations received were in excess of \$25. We were always told that if they were small donations there was no need for documentation. That changed later in the campaign. At no time were volunteers instructed to document by Joe Blystone.

I also witnessed an auction July 4th on BB Riverboats where multiple items were auctioned off in excess of \$500. Those donations do not appear on Joe's campaign finance report. In addition, I purchased a \$100 ticket for that event on his web site and that was apparently not reported. They have me down for only \$50, which were an additional two separate donations for shirts and merchandise.

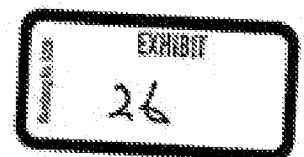
I strongly encourage the Secretary of State, and/or the Ohio Elections commission to investigate Joe Blystone's campaign finance activities and take the proper action.

Signed



Jeff Seibert  
10-18-2021

267 Wood St.  
Batavia OH 45703  
513-218-0793



AFFIDAVIT

State of Ohio )

County of Clermont )

My name is Tracy Sparks. I swear and/or affirm, under penalty of perjury, that the attached statement was made upon my personal knowledge and it is true to the best of my belief and understanding.

Respectfully submitted,

Tracy Sparks  
Signature

10/21/2021  
Date

Sworn to and subscribed in my presence this 21<sup>st</sup> day of October, 2021 by

Tracy Sparks [Name of Signer].

Eleanor Wahoff  
Signature of Notary

Eleanor Wahoff  
Printed name of Notary

(Seal)



ELEANOR WAHOFF  
Notary Public  
State of Ohio  
My Comm. Expires  
April 7, 2026

EXHIBIT  
27

To: Whomever it May Concern  
From: Tracey Sparks  
Date: October 18, 2021  
Re: Blystone Events and Finances

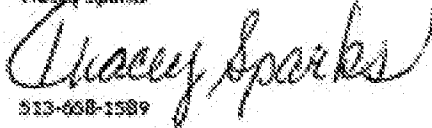
I am writing to inform whomever may be concerned about two events that I attended for the Joe Blystone campaign while I was a volunteer.

The first event was held at Eastgate Holiday Inn on April 27, 2021. This was during a monthly Friends of Liberty United meeting. During this event, the campaign set up a table and had their signs available for sale for \$5 each. They were also taking donations during this event. I personally witnessed Deborah Lee take donations and not record them, but she would have people go to the Blystone website after donations were taken to sign up on the website. I have no idea how this money was recorded.

The second event was run exactly the same way with a table with signs for \$5 each and donations and a piece of paper that had people go to the website to sign up after the donations were made. I have no idea how this money was recorded. This event was held in Anderson Township in the beginning of May.

Should you need my assistance in any further way, please don't hesitate to reach me.  
Thank you sincerely for your time.

Tracey Sparks



513-668-1589



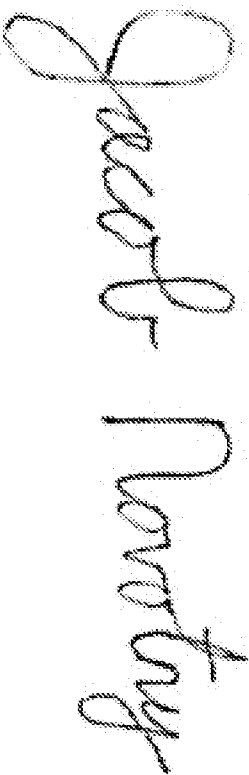
1. Jacob Novotny, attended Joe Blystone's campaign meet and greet at Blendon Woods Metro Park on May 10<sup>th</sup>, 2021. I personally witnessed the Blystone campaign at the request of Joe Blystone place a bucket at the front of the pavilion after Joe was done speaking and request cash donations. I saw multiple people drop cash in the bucket without the Blystone campaign taking down any information about these donors.

On Friday, August 6<sup>th</sup> I attended another event at a farm in Knox County. The Blystone campaign was there again taking donations and selling merchandise, and I did not notice anyone filling out a form of donor identification. I am positive there were cash purchases made there.

On August 15<sup>th</sup> I went to another event in Bellville hosted at the American Legion pavillion which had over 500 attendees. There were cash donations and purchases made there as well, and I did not notice anyone filling out a form of donor identification.

I hereby certify that, to the best of my knowledge, the information above I provided is true and accurate.

With respect,



Jacob Novotny

10/27/2021

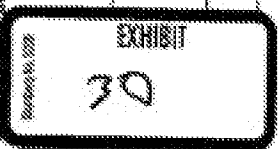


Simple Search

Advanced Search

Committee  Cover Page  Contributions  Expenditures

### Search Results For Candidate Committee Contribution Details



Contributor Name	Contributor Type	Contributor Name Individual	Contributing PAC Reg No	Address	City	State	Zip	Report Type	Year	Contribution Date	Amount	Event Date	Employer/Occupation
CONTRIBUTIONS RECEIVED 25 OR LESS													
BOSSON BECKI				2565 MAIN CIRCLE WOODRY	LEWIS CENTER	OH	43035	SEMIANNUAL (JULY)	2021	05/10/2021	\$1,555.00	-	FRIENDS OF JOE BAYSTONE
BOSSON BECKI				2565 MAIN CIRCLE WOODRY	LEWIS CENTER	OH	43035	SEMIANNUAL (JULY)	2021	05/10/2021	\$40.00	-	FRIENDS OF JOE BAYSTONE
BOBETON ANDREW				1946 HILLSBORO ROAD	MANFIELD	OH	44806	SEMIANNUAL (JULY)	2021	05/10/2021	\$500.00	-	FRIENDS OF JOE BAYSTONE
CATON JAMIE				857 HEASHER CT	VANHOLTA	OH	45377	SEMIANNUAL (JULY)	2021	05/10/2021	\$10.00	-	FRIENDS OF JOE BAYSTONE
CHARLME BOB				1321 GENESSE AVENUE	MARSHFIELD HEIGHTS	OH	44124	SEMIANNUAL (JULY)	2021	05/10/2021	\$20.00	-	FRIENDS OF JOE BAYSTONE
COTTRELL MARLETTE				1145 CHEYENNE AVE	SPRINGFIELD	OH	45503	SEMIANNUAL (JULY)	2021	05/10/2021	\$100.00	-	FRIENDS OF JOE BAYSTONE
DONLEY LOBA				4534 MILLBROOK ROAD	WOODSTER	OH	44601	SEMIANNUAL (JULY)	2021	05/10/2021	\$20.00	-	FRIENDS OF JOE BAYSTONE
NOVOTNY JACOB				5311 COUNTY ROAD 180	FREDERICKTOWN	OH	43019	SEMIANNUAL (JULY)	2021	05/10/2021	\$35.00	-	FRIENDS OF JOE BAYSTONE
PERINELL KATHY				12898 PORTAGE ST	DONLEESTOWN	OH	44230	SEMIANNUAL (JULY)	2021	05/10/2021	\$10.00	-	FRIENDS OF JOE BAYSTONE
PERINELL KATHY				12898 PORTAGE ST	DONLEESTOWN	OH	44230	SEMIANNUAL (JULY)	2021	05/10/2021	\$10.00	-	FRIENDS OF JOE BAYSTONE
PERINELL KATHY				12898 PORTAGE ST	DONLEESTOWN	OH	44230	SEMIANNUAL (JULY)	2021	05/10/2021	\$10.00	-	FRIENDS OF JOE BAYSTONE

# Pop Up Kit Contract

This contract serves to identify a transaction between \_\_\_\_\_, hereafter referred to as "Borrower," and \_\_\_\_\_, hereafter referred to as "Lender," and to outline the requirements for reimbursement between the two parties.

On \_\_\_\_\_, the Lender loaned the Borrower \_\_\_\_\_ pop up kits for the purpose of using to hold a fundraiser event. Each kit holds: 50 signs; 20 shirts; 20 flags; 20 stickers. These items total \$1,070.00.

## Terms (Check all that apply):

- The Borrower agrees to leave his or her credit card number with the Lender as collateral until either full payment for each kit is made, or a combination of funds and goods are returned.
- The Borrower will repay the entire debt in one lump sum, or by a combination of funds and goods on or before \_\_\_\_\_. If Borrower does repay the entire amount by \_\_\_\_\_, the following will happen: the Lender will charge the Borrowers credit card the full amount of \_\_\_\_\_ for \_\_\_\_\_ kits.

## Violations

Both parties agree to abide by the specifications outlined in this contract.

If either party violates the terms of this contract, the following consequences will apply: ?????

Borrowers credit card #: \_\_\_\_\_

Exp Date: \_\_\_\_\_ CVC/CVV #: \_\_\_\_\_



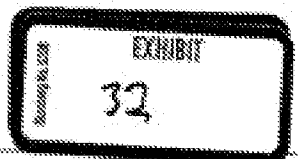
My name is Shawna Sundberg and I worked on the Blystone campaign from March 2021 - July 2021. I attended over a dozen events where I witnessed campaign volunteers, including Joe, accepting campaign contributions in excess of \$25 without requesting or accepting the donors information. I did question this and was told we didn't need to collect any information from people if amount was under \$25. I also witnessed many people give \$50, \$100 and more in cash without any documentation being taken from volunteers.

I personally donated \$140 in cash (for campaign gear) to Joe Blystone and the donation was not reported on his campaign finance report. I also bought shirts off of Joe Blystones' Bonfire online store and that was not recorded on the finance report either. I have attached photos of my bank statements proving this.

I strongly suggest the Ohio Secretary of State launch an investigation into this activity immediately.

*Shawna Sundberg*  
10/27/2021

Shawna Sundberg  
10/27/2021



PINNACLE BANK  
PO BOX 147  
FORT LUPTON CO 89621-0147

016 00007 01  
ACCOUNT:  
DOCUMENTS:

PAGE: 6  
04/20/2021  
XXXXXX2227  
3

TELEPHONE:111-111-1111

RYAN C SUNDBERG  
SHAWNA J SUNDBERG

PINNCHECK FREE ACCOUNT XXXXXX2227

DESCRIPTION

OTHER DEBITS

DATE

AMOUNT

PAYPAL INST XFER BONFIRE COM

04/05

152.42

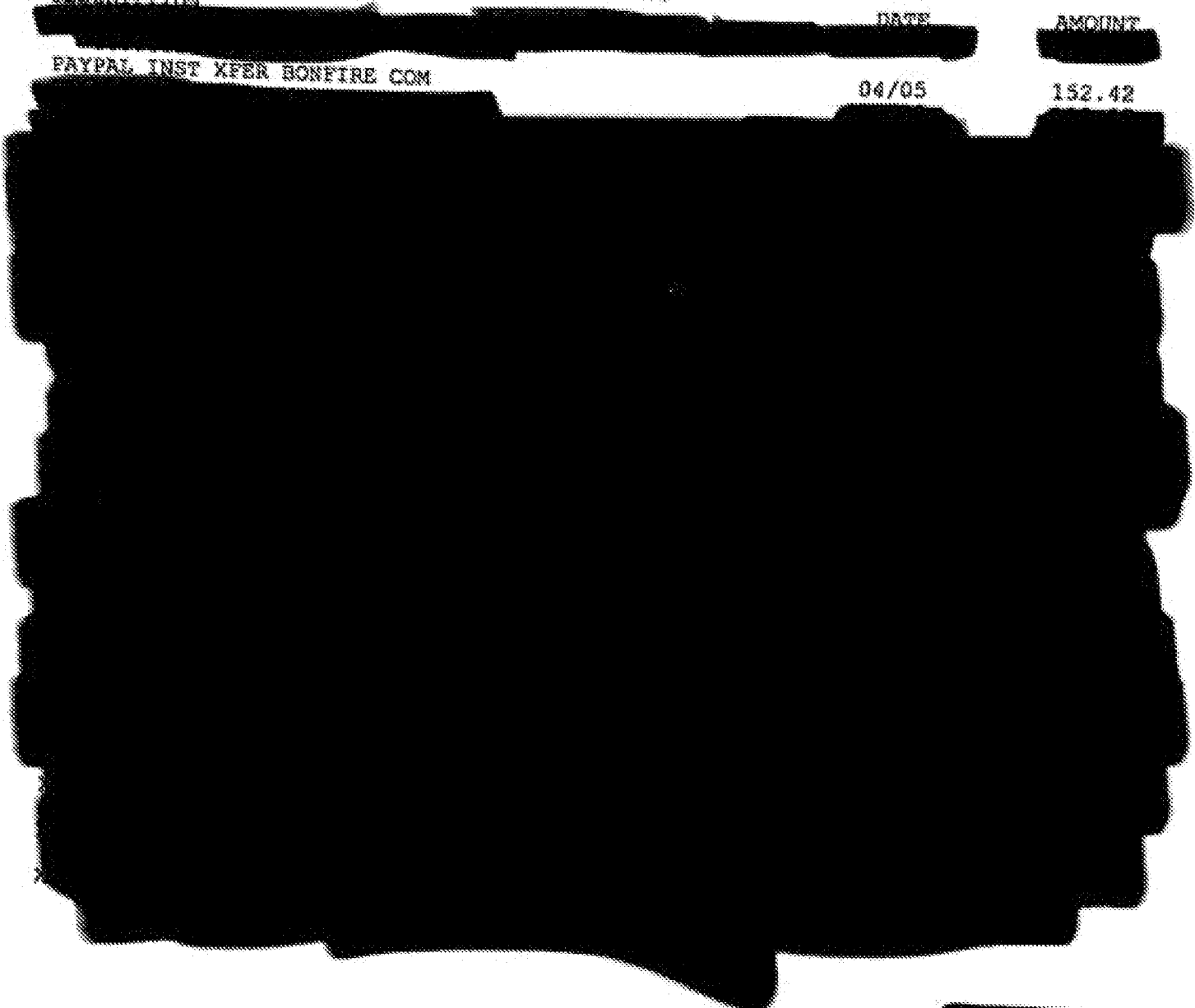


EXHIBIT  
33

PINNCHECK FREE ACCOUNT XXXXXX2227

DEPOSIT  
O  
X

PA  
FA

X

X

PAYPAL INST XFER BONFIRE COM	04/05	33.15
PAYPAL INST XFER BONFIRE COM	04/05	35.29

X

EXHIBIT  
34

You don't have any sales yet. After you get your first one, they will appear here.

# My orders

[Start new](#)

## RECENT ORDERS

Blystone Bling #3  
Apr 2, 2021

**Delivered Apr 12, 2021**

1 item

[Track](#)

Blystone Bling #7  
Apr 2, 2021

**Delivered Apr 13, 2021**

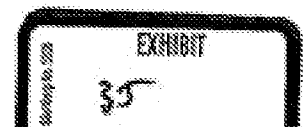
5 items

[Track](#)

Blystone Bling #6  
Apr 2, 2021

**Delivered Apr 15, 2021**

1 item



DocuSign Envelope ID: ED22E2B1-E031-4DDB-9A11-0392725C79B1

10/25/2021


To whom it may concern:

I Amanda Helmick volunteered on Joe Blystone's campaign for Governor. I attended multiple events where I witnessed Joe Blystone's volunteers collect cash donations, many of which exceeded \$25 and even \$100, without documenting the donor. One event I attended in Strongsville on May 15th I was the volunteer designated to collect donations. The event was the GOP Summit and Joe Blystone had a table set up. I brought my laptop and offered to document donors names, addresses, and any other info that may be needed but was specifically told not to. I was also instructed not to count the total of cash donations by Joe Blystone's campaign staffer Deborah Lee.

Most of the of the donations that day were in excess of \$25. None of the names of donors were recorded because I was instructed not to. I was told however that I was permitted to write down the names of individuals who would like to volunteer.

At the end of the event, I witnessed Deborah Lee take the cash donations and place them in a green money bag, then placing them in her purse before leaving. This activity and many other major character flaws on behalf of Joanna(ex-running mate) and Joe himself, raised many red flags for me and contributed to me leaving the campaign. There was an underlying element of shadiness and untrustworthiness to the campaign that I could never place my finger on. I have come to learn that this is due to the fact that how the money was handled had a lot to this gut feeling I had. I strongly encourage the Ohio Elections Commission and the Ohio Secretary of State to investigate these many incidents.

Amanda Helmick  
3021 Rowland Ave NE  
Canton OH 44714

DocuSigned by:  
  
739CCE4AADD04D6...



Committee  Cover Page  Contributions  Expenditures

### Search Results For Candidate Committee Contribution Details

[Back](#)

Contributor Name %	Contributor Item Individual	Contributing PAC Reg No	Address	City	State	Zip	Report Type	Year	Contribution Date	Amount	Event Date	Employer/Occupation
--------------------	-----------------------------	-------------------------	---------	------	-------	-----	-------------	------	-------------------	--------	------------	---------------------

CONTRIBUTIONS RECEIVED 25 OR LESS

SEMIANNUAL 2021 05/10/2021 \$1,500.00

FRIENDS OF JOE BLYSTONE

BOSSON BECKI 2805 ALKON CIRCLE WORTH

LEANS CENTER OH 43035

SEMIANNUAL 2021 05/10/2021 \$40.00

FRIENDS OF JOE BLYSTONE

BURTON ANDREW 1946 MILLSBORO ROAD

MANFIELD OH 44868

SEMIANNUAL 2021 05/10/2021 \$300.00

BENKOV, WELSH & BURTON LLC

FRIENDS OF JOE BLYSTONE

CATON JAMIE 837 HEATHER CT

VANDALLA OH 45377

SEMIANNUAL 2021 05/10/2021 \$10.00

INSPECTOR

FRIENDS OF JOE BLYSTONE

CHARLME ROSE 1321 GERSESE AVENUE

MARFIELD OH 44724

SEMIANNUAL 2021 05/10/2021 \$20.00

MANAGEMENT

FRIENDS OF JOE BLYSTONE

COTTELL MARLETTE 1445 CHEVENE AVE

SPRINGFIELD OH 45503

SEMIANNUAL 2021 05/10/2021 \$100.00

RETIRED

FRIENDS OF JOE BLYSTONE

DONLEY LORA 4534 MILLBRICK ROAD

WOOSTER OH 44691

SEMIANNUAL 2021 05/10/2021 \$20.00

FOOD SERVICE

FRIENDS OF JOE BLYSTONE

HOWERY JACOB 3211 COUNTY ROAD 180

FREDERICKTOWN OH 43019

SEMIANNUAL 2021 05/10/2021 \$35.00

FRIENDS OF JOE BLYSTONE

PERANELL KATHY 12898 PORTAGE ST

DOWLESTOWN OH 44230

SEMIANNUAL 2021 05/10/2021 \$10.00

RETIRED

FRIENDS OF JOE BLYSTONE

PERANELL KATHY 12898 PORTAGE ST

DOWLESTOWN OH 44230

SEMIANNUAL 2021 05/10/2021 \$10.00

RETIRED

FRIENDS OF JOE BLYSTONE

PERANELL KATHY 12898 PORTAGE ST

DOWLESTOWN OH 44230

SEMIANNUAL 2021 05/10/2021 \$10.00

RETIRED

FRIENDS OF JOE BLYSTONE





IN THE OHIO ELECTIONS COMMISSION

SARAH CHAMBERS,	:	
Complainant,	:	Case No. 2021G-022
	:	
v.	:	
	:	
JOSEPH K. BLYSTONE, et al.,	:	
Respondents.	:	

MOTION TO DISMISS COMPLAINT, PARTIES, AND COUNTS

Respondents Joseph K. Blystone, M. Jane Blystone, and Friends of Joe Blystone (“Blystone” or “Respondents”) hereby moves the Ohio Elections Commission (“OEC”) to dismiss the Complaint of Sarah Chambers (“Chambers” or “Complainant”) filed with the OEC on October 28, 2021. As discussed in detail below, every element of the Complaint fails to comply with law, rules, and/or fundamental standards of fairness.

Neither the pages nor the paragraphs are numbered in the Complaint. So, in referring to the allegations of the Complaint, Respondent will refer to the “counts” and pdf page number.

A memorandum in support follows.

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- Failure to State a Claim Upon Which Relief Can Be Based
- Failure to Comply With O.A.C. 3517-1-02(A)(1)(c) – Attorney information
- Failure to Plead Fraud With Particularity
- Failure to Comply With O.A.C. 3517-1-02(A)(1)(b) – no names/address

Respondents

- Improper Respondent: Joseph K. Blystone
- Improper Respondent: Friends of Joe Blystone

Count One: Douglas Frank

- Failure to Plead Fraud With Particularity

Count Two: "Excessive Cash Contributions"

- Failure to State a Claim Upon Which Relief Can Be Based
- Violation of O.A.C. 3517-1-02(A)(1)(f) – clearly set forth sufficient facts

Count Three: Sarah Chambers

- Failure to State a Claim Upon Which Relief Can Be Based
- Violation of O.A.C. 3517-1-02(A)(1)(f) – clearly set forth sufficient facts
- Failure to Plead Fraud With Particularity
- Failure to Comply With O.A.C. 3517-1-02(A)(1) – insufficient affidavit for Complaint

Count Four: Stephanie Foucher

- Failure to Comply With O.A.C. 3517-1-02(A)(1)(b) – no address for Foucher
- Failure to Comply With O.A.C. 3517-1-02(A)(1)(b) – no address for Parrino

Count Five: Dianne B. Garrett

- Failure to State a Claim Upon Which Relief Can Be Based
- Violation of O.A.C. 3517-1-02(A)(1)(f) – clearly set forth sufficient facts
- Failure to Plead Fraud With Particularity

Count Six: Jeff Siebert

- Failure to State a Claim Upon Which Relief Can Be Based
- Violation of O.A.C. 3517-1-02(A)(1)(f) – clearly set forth sufficient facts
- Failure to Plead Fraud With Particularity

Count Seven: Tracey Sparks

- Failure to State a Claim Upon Which Relief Can Be Based
- Violation of O.A.C. 3517-1-02(A)(1)(f) – clearly set forth sufficient facts
- Failure to Comply With O.A.C. 3517-1-02(A)(1)(b) – no address

Count Eight: Jacob Novotny

- Failure to State a Claim Upon Which Relief Can Be Based
- Violation of O.A.C. 3517-1-02(A)(1)(f) – clearly set forth sufficient facts
- Failure to Comply With O.A.C. 3517-1-02(A)(1)(b) – no address

Count Nine: Pop Up Kit Contract

- Failure to State a Claim Upon Which Relief Can Be Based
- Violation of O.A.C. 3517-1-02(A)(1)(f) – clearly set forth sufficient facts
- Violation of O.A.C. 3517-1-02(A)(1)(d) – No affidavit in support

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- Failure to Comply With O.A.C. 3517-1-02(A)(1)
- Violation of Due Process (right to confront witnesses, civil)
- Violation of Principles of Fairness, Hearsay
- Failure to Comply With O.A.C. 3517-1-02(A)(1)(b) – no name/address

Count Eleven: Amanda Helmick

- Violation of O.A.C. 3517-1-02(A)(1)(d) – No affidavit in support

June 6th Event

- Failure to Comply With O.A.C. 3517-1-02(A)(1) – insufficient affidavit (Chambers' first affidavit, page 10)
- Failure to Comply With O.A.C. 3517-1-02(A)(1)(g) – no R.C. reference

Relief Sought

- Lifetime Ban on Public Office is Beyond Authority of Court

Shawna Sunberg Affidavit

- Failure to Comply With O.A.C. 3517-1-02(A)(1)(b) – no address

RESPONDENT'S MOTIONS TO DISMISS

I. MOTION TO DISMISS COMPLAINT FOR  
LACK OF JURISDICTION OF OEC

1. Ohio's contribution limits are governed by R.C. 3517.102.
2. The Ohio Elections Commission is not authorized to adjudicate matters related to R.C. 3517.102. See R.C. 3515.153(A) and (D). The Ohio Elections Commission may only "recommend legislation and render advisory opinions concerning sections . . . 3517.102, 3517.105."

3. Under *Buckley v. Valeo*, 424 U.S. 1 (1976) and *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010) political giving is a form of speech. The Ohio Elections Commission lacks authority to review matters of free speech. In *Buckley*, at 16, the Court found that contribution limits were not justified because the restrictions were "direct quantity restrictions on political communication and association by persons, groups, candidates, and political parties." Here, jurisdiction of quantity restrictions to political contributions involves free speech rights, which is outside the jurisdiction of the OEC.

4. Therefore, the Complaint must be dismissed for lack of jurisdiction.

II. MOTION TO DISMISS COMPLAINT FOR  
FAILURE TO COMPLY WITH O.A.C. 3517-1-02(A)

5. O.A.C. 3517-1-02(A) requires "A complaint shall be submitted to the commission in one of two forms: (1) By affidavit by an individual based on personal knowledge" (the other form is initiated by public officials). The Complaint shall be "in the

following format . . . d) . . . be signed and sworn before a notary public or other person authorized by law to administer oaths in a form substantially in accordance with section 2935.19 of the Revised Code.”

6. The affidavit of Sarah Chambers on page 10 fails to comply with O.A.C. 3517-1-02(A)(1)(d). That affidavit fails to set forth **“personal knowledge.”** Sarah Chambers’ second affidavit on page 13 speaks only to the statement attached to it in exhibit 4 and not the Complaint.

7. Therefore, the entire Complaint stands without affirmation and must be dismissed.

III. MOTION TO DISMISS COMPLAINT FOR  
FAILURE TO COMPLY WITH O.A.C. 3517-1-02(A)(1)(c)

8. O.A.C. 3517-1-02(A)(1)(c) **requires: “Any party which is not representing** itself shall be represented by an attorney at law licensed to practice law in Ohio. The complaint shall include the full address of the attorney with complete telephone and fax numbers.

9. Attorney for the Complainant, Scott Pullins, is not named anywhere in the Complaint nor is his contact information provided.

10. Therefore, the entire Complaint must be dismissed.

IV. MOTION TO DISMISS COMPLAINT FOR  
FAILURE TO PLEAD FRAUD WITH PARTICULARITY

11. The Commission should dismiss many of the allegations in the Complaint

because they are allegations of fraud and the Complaint fails to plead these allegations with particularity. All courts in the United State require that fraud be pled with particularity for a very good reason.

12. The requirement that Complainants plead fraud with particularity is based upon the principle that a complaint of fraud — frivolously or unjustifiably brought — carries greater potential for unjust consequences and thus a higher burden should be placed upon the plaintiff to support general allegations with specific facts.

There are usually three reasons cited for the requirement of particularity. First, particularity is required to protect defendants from the potential harm to their reputations which may attend general accusations of acts involving moral turpitude. Second, particularity ensures that the obligations are concrete and specific so as to provide defendants notice of what conduct is being challenged. Finally, the particularity requirement inhibits the filing of complaints as a pretext for discovery of unknown wrongs. Citing: *Korodi v. Minot*, 40 Ohio App.3d 1, 4, 531 N.E.2d 318, 321 (1987). Typically, the requirement of particularity includes "the time, place and content of the false representation, the fact misrepresented, and the nature of what was obtained or given as a consequence of the fraud." *Baker v. Conlan*, 66 Ohio App.3d 454, 458, 585 N.E.2d 543, 546 (1990).

*Carter-Jones Lumber Co. v. Denune*, 132 Ohio App.3d 430, 433 (Ohio App. 1999).

13. **Generalized allegations of something to the effect of "I witnessed campaign violations at an events" is not a sufficient information to sustain a complaint for fraud. Each and every one of the allegations of this nature must be dismissed.**

14. **Generalized allegations of something to the effect of "I was personally instructed not to write down donor info" is not a sufficient basis for a complaint of fraud.**

15. Where the Complaint fails to identify who gave these instructions, the details

of those instructions, and the circumstances of such alleged instructions, each and every one of the counts resting on those statements must be dismissed.

V. MOTION TO DISMISS RESPONDENT JOSEPH K. BLYSTONE

16. The Complaint lists Joe Blystone as a Respondent. Joe Blystone is a candidate for Governor of Ohio in the 2022 Republican Primary. No law or rule makes a candidate personally liable for a campaign's finance reports.

17. Therefore, the Commission must dismiss Joe Blystone as a party to this proceeding.

VI. MOTION TO DISMISS RESPONDENT FRIENDS OF JOE BLYSTONE

18. The Complaint lists the campaign committee "Friends of Joe Blystone" as a Respondent. A campaign committee is not a corporate entity and cannot be liable or made a party in an action for violations related to a campaign's finance reports.

19. Therefore, the Commission must dismiss Friends of Joe Blystone as a party to this proceeding.

VII. MOTION TO DISMISS COUNTS TWO, THREE, FIVE, SIX, SEVEN, EIGHT, AND NINE FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE BASED, FAILURE TO PLEAD FRAUD WITH PARTICULARITY, AND VIOLATION OF O.A.C. 3517-1-02(A)(1)(f)

20. The items in the Complaint below should be dismissed if, even if its statements are assumed true and viewed in the light most favorable to the Complainant, the Complaint fails to state a claim upon which relief can be based.

21. In addition, each of the **Complaint's** deficiencies noted below, related to



Complainant's failure to state a claim, are a violation of O.A.C. 3517-1-02(A)(1)(f) which requires the Complaint to set forth sufficient facts to constitute a prima facie violation of Ohio election law over which the Commission has jurisdiction.

22. Each of the items below also fails to plead fraud with particularity, which is a fundamental element of fairness.

23. Count Two, on page 2 alleges that "Complainant is unable to find any other candidate with such a high level of cash contributions received." Nothing in Count Two gives sufficient detail to provide notice of what conduct is being challenged.

24. In Count Three, on page 4, Chambers alleges contributions in the amount of \$13,871.97 and says that \$515.00 were reported. Then she states that she received a partial refund of her contributions. Chambers provides no documentation or particularity as it relates to those refunds. Because of this lack of detail, Chambers fails to state a claim against the Treasurer upon which relief can be based, because she fails to show the \$515.00 is not accurate.

25. In Count Five, pages 5-6, the Complaint alleges Dianne B. Garrett made \$40.00 in contributions that were allegedly not recorded. However, in Garrett's affidavit, her statement fails to validate the statement in the Complaint. Therefore, besides lacking affirmation, Count Five fails to state a claim that forms the basis for a count against the Treasurer.

26. The second page of Garrett's statement makes a number of factual

statements, including: "at every event, money exchanged hand . . . I never saw them take any info to record donors"; all monies were given to Jane Blystone and placed in an envelope in bag and then her purse"; when we sold signs, we were never instructed to get donor info. It was not until well into the campaign that they started referring to money collected as 'donations' instead of 'sold.'" None of the statements alleges anything that violates rule or law on the part of the Treasurer. Therefore, Count Five must be dismissed.

27. In Count Six, page 6, Jeff Siebert alleges having attended "at least six" events where cash donations over \$25.00 were taken and not recorded. However, in his affidavit, Exhibit 26, he makes more detailed statements. The second statement says that "multiple items" were auctioned off for more than \$500.00 on July 4, 2021; he purchased a \$100 ticket for the July 4, 2021 event; and the campaign only recorded a \$50.00 donation. These allegations fail to state a claim upon which relief can be based because the reporting period ended on June 30, 2021. The money that Seiber refers to in this second paragraph of his affidavit does not require reporting until January 2022. Siebert's affidavit was executed October 18, 2021. Further, in the last sentence of the first paragraph of Siebert's statement, he writes, "At no time were volunteers instructed to document by Joe Blystone." This claim fails to state anything that violates rule or law on the part of the Treasurer. Therefore, Count Six must be dismissed.

28. In Count Seven, page 7, the Complaint refers to Tracey Sparks' affidavit in exhibit 27 for detail. Sparks writes about two events. As it relates to the first event, she

writes, about observing Deborah Lee (not a Respondent to this case) handle incoming money. Sparks then says, "The second event was run exactly the same way." Sparks writes about the first event, "I have no idea how this money was recorded." Here, in her very own statement, Sparks admits she lacks personal knowledge of a violation of law or rule on the part of the Treasurer. Therefore, Count Seven must be dismissed.

29. In Count Eight, page 7, Jacob Novotny is the witness. The Complaint fails to find affirmation in the affidavit, as Count Eight and Novotny's affidavit make different allegations. Novotny's affidavit says "I personally witnessed the Blystone campaign at the request of Joe Blystone place a bucket at the front of the pavilion after Joe was done speaking and request cash donations. I saw multiple people drop cash in the bucket without the Blystone campaign taking down any information about these donors." Nothing in Novotny's statement alleges a violation of law or rule on the part of the Treasurer.

30. In Novotny's second paragraph of his affidavit, he again, alleges nothing that violates law or rule on the part of the Treasurer, as he simply writes "I did not notice anyone filling out a form of donor identification. I am positive there were cash purchases made there." Nothing in Novotny's statement alleges a violation of law or rule on the part of the Treasurer.

31. Novotny repeats this allegation for a third event in his third paragraph. Again, no allegation of wrongdoing on the part of the Treasurer can be found in Novotny's

affidavit. Therefore, Count Eight must be dismissed.

32. Count Nine, on page 8, speaks of "Pop Up Kits" alleging that the "design of this process calls for the deliberate concealment of the actual donors." This statement fails to state wrongdoing on the part of the Treasurer. As for the campaign, it is not illegal for a design to "call for" violation of law or rules (whatever that means) especially if does not actually violate law or rules. Further, the Complaint fails to explain why a campaign asking volunteers distributing campaign items "calls for" illegal conduct. In fact, the Complaint itself references a contract that governs the activity. Count Nine fails also to cross-reference the code section allegedly violated, which is required in the Complaint by O.A.C. 3517-1-02(A)(1)(g). Therefore, Count Nine must be dismissed.

33. Throughout the Complaint, there are generalized statements to the effect of "I witnessed campaign violations." Several allegations in the Complaint make a general statement to the effect of "I did not see accounting" or "I did not see the money reported." A witness' failure to see the accounting of a campaign does not constitute a violation of any rule or law on the part of the Treasurer. Each and every one of these allegations, to the extent they form a basis for a count of wrongdoing, must be dismissed.

34. Generalized allegations throughout the Complaint make a general statements to the effect of "I was personally instructed not to write down donor info" is not a sufficient basis for a complaint of fraud on the part of the Treasurer. As it relates to the campaign, without further particularity, such instructions alone cannot be construed

as illegal, even if they were true.

35. Each and every one of these allegations, to the extent they form a basis for a count of wrongdoing, must be dismissed.

VIII. MOTION TO DISMISS COUNTS ONE, THREE, FIVE, AND SIX FOR  
FAILURE TO PLEAD FRAUD WITH PARTICULARITY

36. Count One, on page 1, alleges that Douglas Frank gave Joseph K. Blystone \$100.00 at an event and that this contribution was not reported. However, the Complaint fails to establish that the \$100.00 was a "cash contribution." The Complaint fails to address the context of the alleged "contribution." How does the Complainant know that an \$100.00 was actually "contributed." Count One is lacking in any particular detail that would confirm the Complainant's description of the video in question. Rather, the Complaint provides a video and the Complainant's unverifiable speculation as to what is in that video and the context in which those events occurred. "Particularity" requires much more detail. Therefore, Count One must be dismissed.

37. In Count Three, on page 4, Chambers alleges contributions in the amount of \$13,871.97 and says that \$515.00 were reported. Then she states that she received a partial refund of her contributions. Chambers provides no documentation or particularity as it relates to those refunds. This detail is required to show that the \$515.00 reported number is not accurate. Therefore, Count Three must be dismissed.

38. In Count Five, on page 6, Dianne B. Garrett alleges that she made total donations of \$40.00 and that they were not reported. In her affidavit, exhibit 23, the first

page of her statement lacks sufficient information to form a response. It merely lists dates, amounts, and items purchased with no explanation for context. Therefore, it cannot form the basis for a Complaint. The second page of her statement makes a number of factual statements, including: "at every event, money exchanged hand . . . I never saw them take any info to record donors"; all monies were given to Jane Blystone and placed in an envelope in bag and then her purse"; when we sold signs, we were never instructed to get donor info. It was not until well into the campaign that they started referring to money collected as 'donations' instead of 'sold.'" Garrett's allegations fail to identify who "them" is. She fails to explain how the Treasurer committed any wrongdoing, or how Garrett has personal knowledge of wrongdoing. Therefore, Count Five must be dismissed.

39. In Count Six, on page 6, Jeff Siebert alleges having attended "at least six" events where cash donations over \$25.00 were taken and not recorded. However, this statement fails because it is not supported by his affidavit, exhibit 26. In his affidavit, Siebert alleges "we were always told that if they were small donations there was no need for documentation. That changed later in the campaign." This part of Siebert's affidavit lacks sufficient particularity to form the basis of a Complaint. Siebert fails to inform who said these things, what specifically was said, why it was illegal to say it, the context of the statement, and when it was said. Therefore, it lacks sufficient particularity to form a basis for a count of fraud against the Treasurer.

## IX. MOTION TO DISMISS COUNTS

THREE, FIVE, SIX, SEVEN, EIGHT, NINE, TEN, ELEVEN,  
AND CLAIMS FOR JUNE 6TH EVENTS AT BLYSTONE FARM (PAGE 9)  
FOR FAILURE TO COMPLY WITH O.A.C. 3517-1-02(A)(1)(b), (d), and (g)

40. O.A.C. 3517-1-02(A) requires,

**“A complaint shall be submitted to the commission in one of two forms: (1) By affidavit by an individual based on personal knowledge” (the other form is initiated by public officials). The following are required of the rule . . .**

b) Clearly set forth the names, full residence and/or business addresses of all parties and affiants, including the name, title and address of the officer, member or agent making the complaint and person responsible for the behavior about which the complaint is made . . .

d) Clearly set forth the specific source or basis of the personal knowledge and be signed and sworn before a notary public or other person authorized by law to administer oaths in a form substantially in accordance with section 2935.19 of the Revised Code . . .

g) Clearly set forth each and every separate alleged violation of Ohio election law over which the commission has jurisdiction in a narrative form, cross-referenced to the relevant Revised Code section(s).

The Complaint is deficient under these sections in the following ways:

41. The Complaint fails to set forth the names and addresses of all affiants.

**“Volunteer #1”** in Count Ten on page 8 is unnamed. The Complaint itself fails to set forth any addresses for any affiants. The Complaint’s attachments fail to set forth the addresses of affiants: Stephanie Foucher (Count Three), Shane Parrino (Count Three), Sparks (Count Seven), Novotny (Count Eight), and Sunberg (count unknown).

42. In Count Five, pages 5-6, the Complaint alleges Dianne B. Garrett made contributions of \$40.00 that were not reported. However, her statement with her affidavit

fails to provide a statement matching that allegation. Therefore, there is no proper affirmation as to the statement made in the Complaint. Therefore, Count Five must be dismissed.

43. In Count Six, on page 6, the Complaint says “Mr. Siebert alleges that he attended at least six events put on by Friends of Joe Blystone where cash donation in excess of \$25 were accepted by not itemized in reports filed by the campaign.” However, this statement lacks affirmation because it is not supported by his affidavit, exhibit 26. To the contrary, in his affidavit, **Siebert alleges** “I witnessed donations being made for signs, t-shirts, etc. where no information was collected or documented by Joe Blystone and/or his volunteers. Many of the donations received were in excess of \$25. We were always told that if they were small donations there was no need for documentation. That changed later in the campaign. At no time were volunteers instructed to document by Joe Blystone.” Siebert’s affidavit says nothing about donations “not itemized in reports filed by the campaign.” Even if the Count Six and Siebert’s affidavit matched, neither says that Seibert has personal knowledge of wrongdoing on the part of the Treasurer. Therefore, Count Six must be dismissed.

44. Count Nine on page 8 must be dismissed because it fails to reference any Revised Code section as required by section (g).

45. In Count Eight, page 7, the Complaint alleges that on May 10, 2021, Jacob Novotny “witnessed Joe Blystone place a bucket at the front of the event and ask that cash



donations be placed in it.” However, Novotny’s affidavit, exhibit 29, does not say that. Therefore, Count Eight lacks affirmation and must be dismissed.

46. The “June 6<sup>th</sup> Event at Blystone Farm” on page 9 must be dismissed because it fails to reference any Revised Code section as required by section (g).

47. Count Eleven, page 9, addresses a statement made by Amanda Helmick. The Complaint contains no affidavit for Helmick. Instead, it contains a statement, signed remotely by “DocuSign.” Therefore, this entire Count and statement violates O.A.C. 3517-1-02(A)(d) which requires an affidavit to support the allegations of the Complaint. Therefore, Count Eleven must be dismissed.

X. MOTION TO DISMISS COUNT TEN FOR  
VIOLATION OF CONSTITUTIONAL DUE PROCESS AND  
VIOLATION OF RULE AGAINST HEARSAY

48. In Count Ten, page 8, several allegations in the Complaint are made by someone identified as “Volunteer #1.” No name or address is provided.

49. As a general proposition, “[i]n almost every setting where important decisions turn on questions of fact, due process requires an opportunity to confront and cross-examine witnesses.” *Goldberg v. Kelly*, 397 U.S. 254, 269 (1970). In non-criminal proceedings, the right to confront and cross-examine witnesses is part of procedural due process guaranteed by the Fifth and Fourteenth Amendments. *Willner v. Committee on Character and Fitness*, 373 U.S. 96, 108 (1963). This includes administrative setting where an important interest is at stake. *In re Ming*, 469 F.2d 1352, 1356 (7th Cir. 1972). “Procedural

due process rules are meant to protect persons not from the deprivation, but from the mistaken or unjustified deprivation of life, liberty, or property." *Shirokey v. Marth*, 63 Ohio St. 3d 113, 119 (1992); *Carey v. Phipus*, 435 U.S. 247, 259 (1978) (saying, "Procedural due process rules are shaped by the risk of error inherent in the truth-finding process, citing: *Mathews v. Eldridge*, 424 U.S. 319, 344 (1976)).

50. Count Ten on Page 8 must be dismissed for failure to provide sufficient information to allow Respondent to confront the witness.

51. "'Hearsay' is a statement, other than one made by the declarant while testifying at the trial or hearing, offered in evidence to prove the truth of the matter asserted." Ohio R. Evid. 801(C).

52. Count Ten on page 8 lacks credibility and should be dismissed because it is hearsay. Here, the statement is not made at the trial or hearing. It is being offered to prove the truth of the statement itself, i.e., that Respondents received illegal donations to the campaign. Respondents have no way of identifying this person, examining him/her, or responding to his/her claims. Therefore, Count Ten must be dismissed.

#### XI. RELIEF SOUGHT IS BEYOND THE AUTHORITY OF THE COMMISSION TO PROVIDE

53. On page 9, the "Complainant requests that if a violation is found of the allegations in Count Two, that Respondents be forever disqualified to serve as public officials.

54. The Ohio Elections Commission does not have authority to prohibit: 1) a

campaign committee (i.e., Respondent Friends of Joe Blystone) from serving as a public official; 2) a campaign Treasurer (i.e., Respondent M. Jane Blystone) from serving as a public official; or 3) an individual citizen (i.e., Joseph K. Blystone) from serving as a public official. Therefore, this relief sought should be dismissed.

WHEREFORE, Respondent prays that this Commission dismiss the Complaint for the foregoing reasons.

December 13, 2021

Respectfully submitted,

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#### CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 13, 2021, a copy of the foregoing document was submitted to the Ohio Elections Commission electronically and served on the parties listed below, by email to the email address below and by regular U.S. mail at the address below.

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