



Via Electronic Mail

March 5, 2021

Ohio Elections Commission  
c/o Philip Richter, Executive Director  
77 South High Street  
Columbus, Ohio 43215

Dear Mr. Richter,

Pursuant to R.C. 3517.102, no individual, political action committee (“PAC”), or political contributing entity (“PCE”) shall make a contribution to any one house candidate in a primary election period in excess the current contribution limit. The 2020 primary election period was January 1, 2019 through March 17, 2020, with an inflation adjusted contribution limit of \$13,292.35.

The Ohio Secretary of State’s Office, by this letter, amends our August 27, 2020 referral, case 2020S-003, to add allegations Friends of Larry Householder, through its Treasurer, Gary A. Wills, violated R.C. 3517.102(C)(3)(a)(ii) by accepting contributions in excess of the legal limits from five individuals or entities, and Juan Cespedes did violate R.C. 3517.102(B)(1)(a)(iii) by making a contribution to a house candidate in a primary period in excess of the contribution limits. The amounts and dates of the relevant contributions are as follows:

- Juan Cespedes<sup>1</sup> contributed \$1,000.00 on 06/24/2019 and \$13,292.00 on 11/13/2019, for an aggregate contribution in excess of the limit by \$999.65.
- “Individual 1” contributed \$13,292.00 on 06/28/2019 and \$13,292.35 on 11/21/2019, for an aggregate contribution in excess of the limit by \$13,292.00.
- “PCE 1” contributed \$5,000.00 on 04/10/2019, \$7,700.00 on 06/07/2019, and \$5,000 on 12/19/2019, for an aggregate contribution in excess of the limit by \$4,407.65.
- “PAC 1” contributed \$13,250.00 on 03/11/2019 and \$2,500.00 on 01/15/2020, for an aggregate contribution in excess of the limit by \$2,457.65.

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<sup>1</sup> Juan Cespedes is named by name due to having been prior referred as part of the August 27, 2020 referral. Pseudonyms are used for the other individuals and entities above as they are not alleged to have been involved in any other allegation related to the pending referral, but will be furnished upon request of the commission.

- Affiliated federal “PAC 2”,<sup>2</sup> “PAC 3”,<sup>3</sup> and “PAC 4” contributed \$2,500.00 on 03/22/2019, \$13,200 on 04/10/2019, \$2,000 and \$5,000 on 12/13/2019, and \$1,500 on 01/22/2020, for an aggregate contribution in excess of the limit by \$10,907.65.<sup>4</sup>

Additionally, on July 21, 2020, our Office filed a referral with this Commission, case 2020G-015, based on the United States Attorney for the Southern District of Ohio’s Criminal Complaint.<sup>5</sup> Paragraph 16 of the referral repeated the allegation from the Criminal Complaint that the Ohio House Republican Caucus/House Republican Campaign Committee, through its treasurer, J. Matthew Yuskewich, accepted “corporate contributions”, and paragraphs 17, 18, and 19 naturally expanded on that allegation that the Committee failed to properly deposit contributions and failed to properly report contributions, in violation of the Ohio’s election laws. Similarly, paragraphs 3, 9, 10, 11, and 12 repeated the allegation from the Criminal Complaint that “Representative 3”, by and through the Campaign Committee of “Representative 3”, received \$18,700 in direct contributions to his campaign account from “Company A”.

Our Office, by this letter, amends our July 21, 2020 referral and hereby withdraws, at this time, the allegations concerning the following: (1) Ohio House Republican Caucus/House Republican Campaign Committee; (2) its treasurer, J. Matthew Yuskewich; (3) “Representative 3”; (4) Campaign Committee for “Representative 3”; and (5) the Treasurer for the Campaign Committee of “Representative 3”, for the following reasons:

- The United States Attorney’s Office has not released any evidence beyond the Criminal Complaint to substantiate the allegations as to violations of Ohio’s campaign finance laws;
- The Ohio Elections Commission has so far declined to investigate the allegations and has publicly stated its intention to not hold hearings until the completion of the federal investigation; and
- Following our review of publicly available committee records, our Office determined that the contributions from which those allegations were based were not made by a corporation from its treasury funds as implied in the Criminal Complaint, but rather were made by a federal corporate-sponsored political action committee and reported accordingly.

**Our Office reserves the right to file a subsequent referral if evidence is presented in the future to substantiate violations of Ohio’s campaign finance laws.**

Respectfully,



Brian Katz  
Director of Campaign Finance & Campaign Finance Counsel

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<sup>2</sup> PAC 2’s most recent Statement of Organization, filing date 02/01/2019, identifies PAC 3 as an affiliated PAC.

<sup>3</sup> PAC 3’s most recent Statement of Organization, filing date 06/11/2019, identifies PAC 4 as an affiliated PAC.

<sup>4</sup> Pursuant to R.C. 3517.102(D), all contributions made by PACs that are established, financed, maintained, or controlled by, or that are, the same labor organization, are considered to have been made by a single PAC.

<sup>5</sup> *United States of America v. Larry Householder*, Case No. 1:20-MJ-00526, (July 17, 2020 S.D. Ohio), fn 21.