

COMMISSIONER OF POLITICAL PRACTICES  
1205 Eighth Avenue  
Post Office Box 202401  
Helena, MT 59620-2401  
TELEPHONE: 406-444-2942  
FAX NUMBER: 406-444-1643

FOR OFFICE USE ONLY

RECEIVED  
10/31/08  
2008 NOV -3 A 9:24  
COMMISSIONER OF  
PRACTICES

**CAMPAIGN FINANCE AND PRACTICES**

**COMPLAINT FORM (07/01)**

HAND DELIVERED   
CERTIFIED MAIL   
SIGNED/NOTARIZED

**TYPE OR PRINT IN INK ALL INFORMATION ON THIS FORM EXCEPT FOR VERIFICATION SIGNATURE**

**PERSON BRINGING COMPLAINT (COMPLAINANT):**  
COMPLETE NAME Benjamin R. Graybill  
COMPLETE MAILING ADDRESS Graybill Law Firm  
#18 6th Street North, Suite 200  
Great Falls, MT 59401  
TELEPHONE NUMBERS: WORK 406-452-8566 HOME 406-452-8621

**PERSON OR ORGANIZATION AGAINST WHOM COMPLAINT IS BROUGHT (RESPONDENT):**  
COMPLETE NAME Western Tradition Partnership  
COMPLETE MAILING ADDRESS PO Box 11894  
Bozeman MT 59718  
TELEPHONE NUMBERS: WORK 888-WTP-USA1 HOME \_\_\_\_\_

**PLEASE COMPLETE THE SECOND PAGE OF THIS FORM AND DESCRIBE IN  
DETAIL THE FACTS OF THE ALLEGED VIOLATION.**

**VERIFICATION BY OATH OR AFFIRMATION**

STATE OF MONTANA, COUNTY OF Cascade  
I, Benjamin R. Graybill being duly sworn, state that the information in this  
Complaint is complete, true, and correct, to the best of my knowledge and belief.  
(SEAL) [Signature]  
Signature of Complainant  
Subscribed and sworn to before me this 31<sup>st</sup> day of  
October, 2008.  
[Signature]  
Notary Public Beth North  
Expires 8-1-2010  
My Commission Expires:



CAMPAIGN FINANCE AND PRACTICES  
COMPLAINT FORM

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STATEMENT OF FACTS:

The attached flyer, mailed by the Western Tradition Partnership attacking Brad Hamlett, a candidate for Senate District 10, violates Title 13, Chapters 35 and 37 of the Montana Code. The political committee making the mailing did not include the appropriate disclaimer.

According to §13-35-225(1), MCA, campaign material distributed by a political committee must “conspicuously include the attribution ‘paid for by’ followed by the name and address of the person who made or financed the expenditure. In the case of a political committee, the attribution must be the name of the committee, the name of the committee treasurer, and the address of the committee or the committee treasurer.”

This information is not included on the Western Tradition Partnership mailing; there is no “paid by” attribution, and no name of the committee treasurer. The Western Tradition Partnership should, therefore, be subjected to civil prosecution by the Commissioner in accordance with § 13-37-128, MCA.

In addition, the party responsible for the mailer has not filed the required committee finance reports. The Coalition for Energy and the Environment identifies itself in the return address as “a project of Western Tradition Partnership.” Western Tradition Partnership is a nonprofit (c)(4) organization which has not filed as a political committee and has not filed a campaign report. Section 13-37-201, MCA, states “A political committee shall file the certification, which shall include an organizational statement and set forth the name and address of all other officers, if any, within 5 days after it makes an expenditure or authorizes another person to make an expenditure on its behalf, whichever occurs first. The certification of a candidate or political committee shall be filed with the commissioner and the appropriate election administrator as specified for the filing of reports in 13-37-225.”

This mailing clearly attacks Brad Hamlett, a candidate for the legislature, and implicitly calls on people not to vote for Hamlett with its exhortation “Don’t be Fooled” – i.e., ‘Don’t be fooled into voting for Brad Hamlett.’ Since Western Tradition Partnership is apparently sponsoring this mailing, it has violated Montana law by not filing as a political committee and by not filing campaign finance reports as required by law.

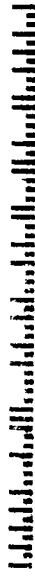
**BRAD HAMLETT AND**

**TRYING TO TRICK  
CASCADE COUNTY**

Coalition for Energy and the Environment  
a project of Western Tradition Partnership  
PO Box 11894  
Bozeman, MT 59715

NONPROFIT ORG  
US POSTAGE PAID  
BOZEMAN, MT  
PERMIT 93

Jessica Joyce Podobnik  
1203 South St S Apt 78  
Great Falls MT 59405-5233



# GRAYBILL LAW FIRM, P.C.

No. 18 Sixth Street North • Suite 200 • Great Falls, Montana 59401

Benjamin R. Graybill  
Also admitted in Massachusetts

File No.

RECEIVED  
COMMISSIONER OF  
POLITICAL PRACTICES  
OCT 31 2008 3 A C 7A  
Telephone: (406) 452-8566  
Toll Free: (866) 452-8566  
Telefax: (406) 727-3225  
E-mail: brg@silverstatelaw.net

October 31, 2008

**Telefaxed 406-444-1643  
and Certified Mail**

Dennis Unsworth  
Commissioner of Political Practices  
1205 Eighth Avenue  
Helena, MT 59620

Dear Commissioner Unsworth:

Enclosed please find separate complaints against Western Tradition Partnership and Coalition for Energy and the Environment for violation of Montana campaign practices law.

Very truly yours,

GRAYBILL LAW FIRM, P.C.

By: 

Benjamin R. Graybill

BRG/bn  
enclosures