

**STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

**PROBABLE CAUSE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF MICHAEL ROSENOW REGARDING SANDRA NEREN AND ST. JUDE MEDICAL INC.

On March 29, 2018, the Campaign Finance and Public Disclosure Board received a complaint submitted by Michael Rosenow regarding lobbyist Sandra Neren and St. Jude Medical Inc., a lobbyist principal. Ms. Neren was registered as the designated lobbyist for St. Jude Medical, Inc. from April 2004 to October 2017. The complaint states that the lobbyist disbursement reports filed by Ms. Neren for 2012 to 2017 are inaccurate. The reports identify Angela Craig as the vice president of corporate relations for St. Jude Medical Inc. The complaint contends that Ms. Craig had left that position in 2012.

On April 6, 2018, the chair made a determination that the complaint stated a prima facie allegation of a violation of Minnesota Statutes section 10A.04 and Minnesota Rules part 4511.0500, subpart 3.

The prima facie determination was mailed to the complainant and Ms. Neren and St. Jude Medical Inc. on April 6, 2018. The mailing to the respondents included a copy of the complaint. On April 16, 2018, Ms. Neren provided a written response to the complaint. Ms. Neren states that:

Most of our firm clients have been with our firm for many years, some for decades. During the years that we represent them, the officers or directors change quite often. When that occurs, our staff are instructed to change all firm reports and filings, contracts, billings, and client communications to indicate the company or association officer that signs our contracts on behalf of the client. Prior to 2012, our main contact at St. Jude Medical was Angela Craig, Vice President for Corporate Relations. In 2012, we began reporting to Ashli Douglas, Senior Director of Government Affairs. While Angela Craig was no longer our main contact person and was no longer the vice president for Corporate Relations, she did remain an officer of the company as Vice President for Global Human Resources until early 2015. The staff member responsible for making the requested change in 2012 for the St. Jude Medical report, who is no longer with our firm, apparently did not change my lobbyist disbursement report to substitute Ms. Douglas's name for Ms. Craig's name in 2012—and I failed to discover the error on that line of the report.

Before receiving the complaint, Ms. Neren was contacted by a reporter, who notified Ms. Neren of the inaccuracy on the lobbyist disbursement reports. Ms. Neren contacted the Board on March 30, 2018, to discuss amending the reports from the years 2012 to 2017. Ms. Neren was provided with forms on April 3, 2018, and signed the corrected reports on April 3, 2018. The corrected reports were e-mailed the Board on April 9, 2018. Ms. Neren's response to the complaint states that she received the complaint on April 10, 2018.

On May 2, 2018, Ms. Neren appeared before the Board to provide comments and answer questions from the Board.

Analysis

Minnesota Statutes section 10A.022, subdivision 3, paragraph (2), provides that when a member of the Board makes a finding that a complaint raises a prima facie violation, the full Board then must determine whether probable cause exists to believe an alleged violation that warrants an investigation has occurred.

Minnesota Statutes section 10A.03 provides that at the time of registration a lobbyist must identify the names and addresses of the officers and directors of the association that the lobbyist will represent. Minnesota Statutes section 10A.04 requires a lobbyist to file periodic disbursement reports with the Board. Minnesota Rules part 4511.0500, subpart 3, states that the lobbyist must report any changes to those names and addresses on each lobbyist disbursement report. Ms. Neren's lobbyist disbursement reports for the years 2012 to 2017 all list Ms. Craig as the vice president of corporate relations for St. Jude Medical Inc. The 2012 to 2017 lobbyist disbursement reports were incorrect because Ms. Craig actually was the vice president of global human resources from 2012 through 2015 and then was no longer with the company after 2015. Ms. Neren acknowledged that the lobbyist disbursement reports for the years 2012 to 2017 were incorrect and has now amended all the inaccurate reports.

When a reporting party becomes aware of an error or omission in a report previously filed with the Board, Minnesota Statutes section 10A.025, subdivision 4, requires the reporting party to file an amended report within ten days of becoming aware of the inaccuracy. Submission of an amended report that accurately corrects the error or omission resolves a violation of the reporting requirements in Minnesota Statutes section 10A.04. The amended reports submitted by Ms. Neren now accurately disclose Ms. Craig's positions with St. Jude Medical, Inc. and her departure from that company. Ms. Neren filed the amended reports within ten days of learning of the inaccuracies and before receiving the complaint.

The statement provided by Ms. Neren provides no reasonable basis to believe that she knowingly filed false reports with the Board. The record here therefore does not establish probable cause to believe that the lobbyist disbursement reports were falsely certified in violation of Minnesota Statutes section 10A.025, subdivision 2.

Order

1. The allegation that Ms. Neren, on behalf of St. Jude Medical Inc., filed incomplete and inaccurate lobbyist disbursement reports for the years of 2012 to 2017 is dismissed because although there is probable cause to believe that this violation occurred, no further investigation is warranted due to the filing of amended reports.

2. The allegation that Ms. Neren knowingly certified an inaccurate or incomplete report in violation of Minnesota Statutes section 10A.025, subdivision 2, is dismissed for lack of probable cause.

/s/ Carolyn Flynn
Carolyn Flynn, Chair
Campaign Finance and Public Disclosure Board

Date: May 2, 2018