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MINNESOTA CAMPAIGN FINANCE
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HAND DELIVERED

October 13, 2022

MR. JEFF SIGURDSON
EXECUTIVE DIRECTOR
MINNESOTA CAMPAIGN FINANCE
AND PUBLIC DISCLOSURE BOARD
190 CENTENNIAL OFFICE BUILDING
658 CEDAR ST.
ST. PAUL, MN 55155

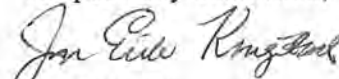
RE: Complaint against James Schultz and the Jim Schultz for Minnesota Attorney General Campaign, et al, for Violating the Minnesota Unfair Campaign Practices Act, Minn. Stat. § 211B.15 and the Minnesota Campaign Finance Act, Minn. Stat. §§ 10A.29 and other statutes in ch. 10A..

Dear Mr. Sigurdson:

Enclosed is a Supplement to my Complaint against James Schultz and the Jim Schultz for Minnesota Attorney General Campaign and other persons which I filed on Tuesday, October 11, 2022. I respectfully request leave to file this this Supplement to Complaint and that the Board accept it because it adds an important allegation and Exhibit I which I somehow overlooked. I understand that by filing this Supplement, the 10 business days and other time lines for the Board to determine whether there is a prima facie case or probable cause may be extended. I apologize for any inconvenience this Supplement may have caused.

Thank you.

Respectfully submitted,


Jon Erik Kingstad

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

Complaint against James Schultz as the Republican Party candidate for Minnesota Attorney General, the Jim Schultz for Minnesota Attorney General Campaign, Koch Industries, Inc., Flint Hills Resources Pine Bend, LLC, Koch Companies Public Sector, LLC, the Pine Bend PAC, Ron Eibensteiner, as dual agent of the Jim Schultz for Minnesota Attorney General Campaign and as agent and Chair of the Center of the American Experiment and agent and Director of the Upper Midwest Law Center, in association and acting in concert with them, for violations of the Minnesota Unfair Campaign Practices Act, Minnesota Statutes § 211B.15 and the Minnesota Campaign Finance and Public Disclosure Act, Minn. Stat. §§ 10A.12, subd. 2., 10A.121, 10A.175-10A.177 and 10A.29.

SUPPLEMENT TO COMPLAINT

The undersigned Complainant, Jon Erik Kingstad, residing at 3684 Garden Court North, Oakdale, Washington County, Minnesota 55128, respectfully requests leave to supplement Count II, ¶ 10 (c) of the Complaint filed October 11, 2022 against the above-captioned Respondents, by adding the following subparagraph (v) as follows:

10. (c) (v) additional free campaign strategy services were provided by CAE by CAE Marketing and Communications Specialist Grace Bureau, who authored an interview with UMWLC President Douglas Seaton intended to benefit the Jim Schultz for Minnesota Attorney General at or about the time of the March 31, 2022 Republican Attorney General debate and Douglas Seaton's \$500.00 campaign contribution to the Jim Schultz for Attorney General Campaign. The article stated:

“Minnesota Attorney General Keith Ellison is stonewalling efforts by a government watchdog group that wants access to documents that might reveal unethical and inappropriate hiring practices within the Office of the Attorney General (OAG).”

The piece repeated the “Bloomberg funded lawyers” charge stating:

“EPA’s data requests revealed that these lawyers were seemingly hand-picked and provided to attorney generals across the country by the State Energy & Environmental Impact Center, an organization housed within the NYU School of Law, created and funded by Bloomberg Philanthropies to promote climate and clean energy policies.”

The piece then further quoted Seaton as follows:

“EPA’s data requests revealed that these lawyers were seemingly hand-picked and provided to attorney generals across the country by the State Energy & Environmental Impact Center, an organization housed within the NYU School of Law, created and funded by Bloomberg Philanthropies to promote climate and clean energy policies.”

... “It’s a case of the government being handed over to private parties,” he says. “And that’s not the way it’s supposed to be. The citizens are supposed to be the ones running their own government.”

The piece ended by quoting Seaton:

“Seaton says he’s “very hopeful” that the Supreme Court will render a decision early so that voters can consider the information before voting for an attorney general in the election in November.”

A true and correct copy of the article, which was published in CAE’s *Thinking Minnesota*,¹ Spring, 2022, at p. 28 and also on the CAE website AmericanExperiment.org as **Exhibit I**.

Your Complainant respectfully requests that the foregoing supplement the Complaint filed with the Board on October 11, 2022.

Respectfully submitted,


Jon Erik Kingstad

¹ Thinking Minnesota is marketed at \$4.95 per copy but can be downloaded for free from the CAE website. CAE’s 2020 IRS 990 Return states that the circulation of *Thinking Minnesota* exceeds 100,000.

EXHIBIT I

AG Ellison blocks watchdog group from investigating inappropriate hires.

Minnesota Attorney General Keith Ellison is stonewalling efforts by a government watchdog group that wants access to documents that might reveal unethical and inappropriate hiring practices within the Office of the Attorney General (OAG).

Energy Policy Advocates (EPA), a national organization that pushes for transparency in energy policy, wants to know how two “Special Assistant Attorney Generals” (SAAG) landed in the AG’s office to pursue “progressive clean energy, climate change, and environmental legal positions.”

EPA’s data requests revealed that these lawyers were seemingly hand-picked and provided to attorney generals across the country by the State Energy & Environmental Impact Center, an organization housed within the NYU School of Law, created and funded by Bloomberg Philanthropies to promote climate and clean energy policies.

On behalf of Minnesota’s Office of the Attorney General, these two SAAGs soon filed a lawsuit against the American Petroleum Institute, Exxon Mobil, Koch Industries, and Koch subsidiaries Flint Hills Resources and Flint Hills Resources Pine Bend. The suit called for them to use their “wrongfully obtained profits to help Minnesota pay for the devastating effects of climate change,” which they alleged was caused “in large part” by the companies’ decades-long “campaign of deception,” violating consumer protection and fraud laws. In the filing, Minnesota joined dozens of states, cities, and counties that have filed similar climate-reparative suits in recent years. These cases represent billions of dollars. In March 2021, after the defendants requested that the case be heard in federal court, a judge sent it back to Minnesota state court.

Doug Seaton, president of the Upper Midwest Law Center (UMLC), which represents EPA, says that by hiring externally funded SAAGs, Ellison has bypassed OAG hiring conventions and effectively “rented out the Attorney General’s Office to lawyers paid and appointed by a third party.”

“You can’t have private parties basically running their lawyers through the AG’s office and pseudo-deputizing them to do whatever those third parties want done,” he adds. “We don’t think it’s lawful for the AG to hire in this way.”

Energy Policy Advocates has spent years investigating the third-party influence on state climate suits. Much of these behind-the-curtain agreements were discovered in emails obtained by EPA through public records requests filed around the country. But Ellison’s office has provided more challenges by claiming that his office is not subject to the same transparency rules applicable to other government entities. The Minnesota Court of Appeals disagreed and last summer forced Ellison to justify his withholdings with more than “broad and general claims of privilege,” according to UMLC. The court is currently awaiting Ellison’s revised justifications.

A similar but separate case is currently sitting before the Minnesota Supreme Court, also filed by

UMLC, representing EPA in obtaining other documents from the OAG.

“Keith Ellison has been the most secretive and anti-transparency Attorney General that our group has sought documents from in the entire nation,” says Chris Horner, attorney for the public interest group Government Accountability & Oversight (GAO). Horner and GAO have worked with EPA on the SAAG investigations nationwide since their inception. “Hopefully after [the court’s] decision, we won’t have to file lawsuits to get documents about which the public has a right to know.”

Either way, Seaton believes the case will have consequences for the perceived accountability and transparency of Minnesota’s government, particularly the Attorney General’s Office.

“It’s a case of the government being handed over to private parties,” he says. “And that’s not the way it’s supposed to be. The citizens are supposed to be the ones running their own government.”

Seaton says he’s “very hopeful” that the Supreme Court will render a decision early so that voters can consider the information before voting for an attorney general in the election in November.

Grace Bureau is a Marketing Communications Specialist at Center of the American Experiment.
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