

<b>STATE OF MICHIGAN</b> <b>JUDICIAL DISTRICT</b> <b>JUDICIAL CIRCUIT</b> COURT OF CLAIMS <b>COUNTY</b>	<b>SUMMONS</b>	<b>CASE NUMBER</b> 25- 000072      -MB <b>Judge Yates</b>
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**Court address** Hall of Justice 925 W. Ottawa St., P.O. Box 30185, Lansing, MI 48909      **Court telephone number** 517-373-0807

Plaintiff's name, address, and telephone number  
 SUSIE CRAFTON, RON LIPPITT, MARC SIEGLER, & MICHAEL SMITH, in their personal capacities,  
 c/o Law Offices of Jason Waechter

v

Defendant's name, address, and telephone number  
 MICHIGAN BUREAU OF ELECTIONS  
 430 W. Allegan St, 1st Floor  
 Lansing, MI 48933-1592

Plaintiff's attorney bar number, address, and telephone number  
 AARON R. MARTINEZ (P86228)  
 Law Offices of Jason Waechter  
 19080 West Ten Mile Road, 2nd Floor  
 Southfield, MI 48075      (248) 355-4701

MICHIGAN DEPT. OF STATE  
 430 W. Allegan St, 1st Floor  
 Lansing, MI 48933-1592

**Instructions:** Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (MC 21). The summons section will be completed by the court clerk.

**Domestic Relations Case**

- There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (MC 21) listing those cases.
- It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

**Civil Case**

- This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in  this court,  \_\_\_\_\_ Court, where

it was given case number \_\_\_\_\_ and assigned to Judge \_\_\_\_\_

The action  remains  is no longer pending.

Summons section completed by court clerk.

**SUMMONS**

**NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside of Michigan).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.



Issue date <b>04/25/2025</b>	Expiration date* <b>07/25/2025</b>	Court clerk <i>Jerome W. Zimmer Jr.</i>
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\*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

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**PROOF OF SERVICE**

**TO PROCESS SERVER:** You must serve the summons and complaint and file proof of service with the court clerk before the expiration date on the summons. If you are unable to complete service, you must return this original and all copies to the court clerk.

**CERTIFICATE OF SERVICE / NONSERVICE**

I served  personally  by registered or certified mail, return receipt requested, and delivery restricted to the addressee (copy of return receipt attached) a copy of the summons and the complaint, together with the attachments listed below, on:

I have attempted to serve a copy of the summons and complaint, together with the attachments listed below, and have been unable to complete service on:

Name	Date and time of service
Place or address of service	
Attachments (if any)	

I am a sheriff, deputy sheriff, bailiff, appointed court officer or attorney for a party.

I am a legally competent adult who is not a party or an officer of a corporate party. I declare under the penalties of perjury that this certificate of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee \$	Miles traveled	Fee \$	
Incorrect address fee \$	Miles traveled	Fee \$	<b>TOTAL FEE</b> \$

Signature \_\_\_\_\_

Name (type or print) \_\_\_\_\_

**ACKNOWLEDGMENT OF SERVICE**

I acknowledge that I have received service of a copy of the summons and complaint, together with

\_\_\_\_\_ on \_\_\_\_\_  
Attachments (if any) Date and time

\_\_\_\_\_ on behalf of \_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (type or print)

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STATE OF MICHIGAN  
IN THE COURT OF CLAIMS

SUSIE CRAFTON, RON LIPPITT,  
MARC A. SIEGLER, and MICHAEL SMITH,  
in their personal capacities,

PLAINTIFFS,

V

MICHIGAN DEPARTMENT OF STATE, and  
MICHIGAN BUREAU OF ELECTIONS,

DEFENDANT.

FILE NO. 25- 000072 -MB

HON. Christopher P. Yates

ATTORNEY FOR PLAINTIFFS:  
LAW OFFICES OF JASON A. WAECHTER  
AARON R. MARTINEZ (P86228)  
19080 West Ten Mile Road, 2<sup>nd</sup> Floor  
Southfield, Michigan 48075  
(248) 355-4701

ATTORNEY FOR DEFENDANT:  
MICHIGAN ATTORNEY GENERAL  
DANA M. NESSEL (P51346)  
525 W Ottawa Street, Floor 5  
PO Box 30736  
Lansing, MI 48933-1067  
(517) 335-7659

**VERIFIED COMPLAINT FOR WRIT OF MANDAMUS,  
FOR DECLARATORY JUDGMENT, AND FOR INJUNCTIVE RELIEF**

There is no other pending or resolved civil action arising out of the  
transaction or occurrence alleged in this complaint.

NOW COMES, the Plaintiffs, SUSIE CRAFTON, RON LIPPITT, MARC A. SIEGLER, and  
MICHAEL SMITH, by and through counsel AARON R. MARTINEZ, and for their Complaint for Writ of  
Mandamus, Declaratory Judgment, and for Injunctive Relief states as follows:



## PARTIES, JURISDICTION, AND VENUE

1. Plaintiff **SUSIE CRAFTON** is a resident of the City of Novi, Oakland County, State of Michigan.
2. Plaintiff **RON LIPPITT** is a resident of Commerce Township, Oakland County, State of Michigan.
3. Plaintiff **MARC A. SIEGLER** is a resident of the City of Farmington Hills, Oakland County, State of Michigan.
4. Plaintiff **MICHAEL SMITH** is a resident of White Lake Township, Oakland County, State of Michigan.
5. Defendant **BUREAU OF ELECTIONS** is a state agency within Defendant **MICHIGAN DEPARTMENT OF STATE**, and the executive branch, charged with administering and enforcing the elections and campaign finance laws.
6. Defendant **BUREAU OF ELECTIONS** is an agency within the meaning of the Administrative Procedures Act (APA), MCL 24.203(2), and as set forth in MCL 168.32.
7. This Court has exclusive jurisdiction over mandamus, declaratory, and injunctive actions against state officers, agencies, and departments pursuant to MCL 600.6419 (Court of Claims), MCR 3.305(A) (mandamus), MCR 2.605 (declaratory judgments), and MCR 3.310 (injunctive relief).
8. Venue is proper in the Court of Claims pursuant to MCL 600.6419(1) (claims against state), and MCR 3.305(B).
9. This Complaint constitutes Plaintiffs' written claim, which provides the requisite timely notice of this claim to the state Defendants pursuant to MCL 600.6431.

## INTRODUCTION

10. This action seeks to compel the Defendants Michigan Department of State and Bureau of Elections (the "Bureau") (collectively "state Defendants") to perform its clear legal duties under the Michigan Campaign Finance Act (the "MCFA"), MCL 169.201 et seq., and the Administrative Procedures Act of 1969 (the "APA"), MCL 24.201 et seq.





11. The Bureau has threatened Plaintiffs with civil and criminal penalties based on an interpretive statement issued in 1978 (the “Huston I.S.”) that the Bureau admits is “not binding” but which the Bureau says includes “guidelines that need to be followed” by candidates.
12. The APA expressly prohibits an agency from relying on a guideline or interpretive statement as binding law. MCL 24.203(7); MCL 24.232.
13. Therefore Plaintiffs, for the reasons stated herein, seek:
  - a. a writ of mandamus compelling the Bureau to abide by the Administrative Procedures Act and the Michigan Campaign Finance Act, thus requiring the Bureau to cease using the Huston I.S. as a basis for finding “reason to believe” a violation of the MCFA occurred;
  - b. a declaratory judgment that the Bureau’s threatened enforcement is unlawful; and
  - c. permanent injunctive relief prohibiting the Bureau from treating the Huston I.S. as binding authority in future MCFA enforcement actions.

#### FACTS

14. Plaintiffs adopt and incorporate the preceding paragraphs as if fully restated herein.
15. Plaintiffs **SUSIE CRAFTON, RON LIPPITT, MARC A. SIEGLER, and MICHAEL SMITH** (collectively “the candidates”) were all candidates for Walled Lake Consolidated School District Board of Education during the 2024 November General Election.
16. The candidates each organized their own separate candidate committees with the Oakland County Clerk (collectively “the committees”) and maintained completely separate banking accounts at qualified financial institutions pursuant to the MCFA as follows:
  - a. **Friends of Ron Lippitt for School Board** (Committee #98510) - Depository: Walled Lake Schools Federal Credit Union, Wolverine Lake, MI;
  - b. **Friends of Susie Crafton** (#98137) – Depository: Walled Lake Schools Federal Credit Union, Wolverine Lake, MI;

- c. **Election Committee for Marc A. Siegler** (#91240) – Walled Lake Schools Federal Credit Union, Wolverine Lake, MI; and
- d. **Friends of Michael Smith** (#98549) – Depository: Michigan Schools & Government Credit Union, Commerce Township, MI.

- 17. None of the candidates had access to the banking accounts of another candidate’s committee.
- 18. Each of the candidates and committees additionally maintained their own respective fundraising accounts through the nonprofit third party payment processor, ActBlue.
- 19. Each Plaintiff’s committee had their own separate ActBlue accounts which were connected to their own respective committee’s bank account.

**ActBlue**

- 20. ActBlue provides technological and financial infrastructure to political candidates.
- 21. For a processing fee paid by the receiving committee, ActBlue handles the coordination and depositing of contributions that are made by contributors.
- 22. ActBlue’s policy of passing along the processing fee to the campaigns ensures that neither ActBlue nor committees make any improper in-kind contributions to any committee.
- 23. Plaintiffs each used the fundraising platform ActBlue for campaign finance fundraising and compliance purposes.
- 24. Because each of the candidates participated in the ActBlue platform, they could each participate in the use of ActBlue’s “Tandem Fundraising” tool.
- 25. Using ActBlue’s “Tandem Fundraising” tool, contributors could, with one transaction, make proportionate contributions directly to each Plaintiff’s committee using one contribution form.
- 26. ActBlue would take a small processing fee for each donation, and each of the candidates received their proportionate share of the contributions made.
- 27. The Tandem Fundraising tool advises contributors that they would be contributing to each of the



candidates' committees.

28. Candidates across the state and country utilize ActBlue's tandem fundraising tool, including Governor Gretchen Whitmer and Secretary of State Jocelyn Benson.

### **The Candidates' Tandem Event**

29. On October 9, 2024, Plaintiffs hosted a single in-person event at Kickstand Brewing Company ("tandem event") using ActBlue's Tandem Fundraising tool.

30. No funds from the tandem event were ever commingled.

31. Each of the candidates paid an equal and proportionate amount for the costs associated with the tandem event.

32. No candidate paid or received more or less than their proportionate share.

33. ActBlue deposited each pro-rata share directly into each Plaintiff's campaign's separate depository account.

34. Each committee timely reported its proportionate receipts and expenses from the tandem event.

35. The candidates' tandem event fully complied with the black-letter law of MCL 169.244(4) in that all expenses and contributions were proportionally shared.

### **The Hutson I.S.**

36. On September 20, 1978 the Defendant Department issued an interpretive statement to attorney Michael Hutson regarding what the Department believed the MCFA required for a "joint fundraising event for candidates" at that time. **See Exhibit 4.**

37. The Hutson I.S. set forth the department's nonbinding position, that in order to be fully compliant with MCL 169.244(4), candidates must, among other things:

- a. Draft an agreement between or among the candidates indicating exact shares of contributions to be assigned and the proportional share of expenditures;
- b. Maintain a secondary depository, thus converting a candidate's permissive ability to have a



secondary depository under MCL 169.211(6) into a requirement;

- c. Advertising requirements including informing contributors that the event is a joint fundraiser, the candidates and committees involved, and the agreed share of each contribution; and
- d. Recording and reporting requirements on each participating committee.

38. Mr. Hutson requested a declaratory ruling from the Department, however, lacked the proper factual statement necessary for such a ruling to be made. See *Hutson I.S.*, *supra*.

39. By its own text, the Huston I.S. specifically says “Since your inquiry was not supported by the precise statement of facts required by Section 63 of the Michigan Administrative Procedures Act (MCLA 24.263) which establishes the criteria for requesting the issuing a declaratory ruling, this response may be considered as informational only and not as constituting a declaratory ruling.”

40. None of the supposed requirements from the Hutson I.S. exist in statute or promulgated rules.

### The MCFA Complaint

41. On October 29, 2024, Walled Lake Schools Trustee Shayna Levin (“the Complainant”) filed a complaint with Defendant Bureau alleging, *inter alia*, that Plaintiffs’ tandem event constituted a violation of MCL 169.244(4) **See Exhibit 1.**

42. Plaintiffs responded timely through counsel, asserting that: (1) they had satisfied the black-letter requirements of MCL 169.244 because the ActBlue platform structure satisfied the proportional-sharing requirement of MCL 169.244(4); and (2) the Huston I.S. is merely advisory and cannot be applied as binding law on Plaintiffs. **See Exhibit 2.**

43. The Complainant did not file a rebuttal statement to Plaintiffs’ response.

44. On April 7, 2025, the Bureau issued a determination letter finding “reason to believe” that Plaintiffs violated the MCFA, citing exclusively the Huston I.S. **See Exhibit 3.**

45. The determination letter concedes that interpretive statements “are not binding.” *Id.*

46. The determination letter goes on to explain that, despite being not binding, the Huston I.S. “is what



the Department has consistently used for reviewing campaign finance complaints concerning joint fundraisers.” *Id.*

47. As a result of the determination made pursuant to the Hutson I.S., the Bureau seeks to have Plaintiffs enter into an “informal resolution” which dispenses with the Bureau’s obligation to follow the law as written.

48. In the absence of an informal resolution, the Bureau’s letter threatens referral to the Attorney General for criminal prosecution, or civil fines.

49. The Bureau’s letter also offers the opportunity to take part in a hearing before the Bureau pursuant to the APA.

50. At such a hearing before the Bureau, as indicated in the determination letter, the Bureau would apply the supposed standards set forth in the Hutson I.S.

51. Such a hearing, with such a standard applied by the Bureau, would result in prejudice to the Plaintiffs in the form of an infringement on their due process rights in their dealings with the Bureau.

#### **Bureau’s Duties Under APA and MCFA**

52. The Bureau, as an agency under the APA, has a clear legal duty to follow the law and regulations as enacted – not what it wishes them to be.

53. The plain language of MCL 169.244(4) does not preclude Plaintiffs’ candidate committees from engaging in the type of tandem fundraising event which was held on October 9, 2024.

54. MCL 169.244(4) specifically states that “Two or more persons, other than individuals, may hold a joint fund-raiser if the receipts and expenses of the fund-raiser are shared proportionately.”

55. For purposes of the MCFA, a “person” includes a candidate committee. MCL 169.211(2).

56. The MCFA does not contain any of the supposed “guidelines” or “requirements” from the Hutson I.S.

57. All currently effective Department of State/Bureau of Elections rules that interpret or implement the Michigan Campaign Finance Act are found in Michigan Administrative Code



R 169.1 through R 169.56.

58. None of the regulations at R 169.1 through R 169.56 contain any of the supposed “guidelines” or “requirements” from the Hutson I.S.

59. Section 15 of the MCFA, MCL 169.215, empowers the Secretary of State to investigate complaints, but any enforcement must comply with the APA.

60. The APA prohibits an agency from enforcing a guideline or interpretive statement as though it were a rule. See MCL 24.232(5).

61. The Huston I.S. cannot be enforced as binding law on Plaintiffs or their campaign committees.

**COUNT I – Mandamus**  
**(As to all Defendants)**

62. Plaintiffs adopt and incorporate the preceding paragraphs as if fully restated herein.

63. The Bureau was established within the Department of State. MCL 168.32.

64. The Bureau is bound by the requirements of an agency under the Administrative Procedures Act (APA), MCL 24.201, et seq; MCL 169.215(1)(e); and MCL 169.215(12).

65. A "ministerial act" that may be compelled by a writ of mandamus is one in which the law prescribes and defines the duty to be performed with such precision and certainty as to leave nothing to the exercise of discretion or judgment. *Hillsdale County Senior Services, Inc v Hillsdale County*, 494 Mich 46, 58 (2013), citing to *Toan v McGinn*, 271 Mich 28, 34 (1935).

66. The Bureau is vested with the authority and direction to “perform the duties of the secretary of state under his or her supervision, with respect to the supervision and administration of the election laws.” MCL 168.32(1).

67. One duty of the secretary of state is to process, review, and adjudicate complaints submitted by members of the public alleging violations of the Michigan Campaign Finance Act, MCL 169.201, et seq. See MCL 169.215(5).

68. Under the MCFA, the Defendants have the authority to “promulgate rules and issue declaratory rulings



to implement” the MCFA “in accordance with the Administrative Procedures Act.” MCL 169.215(1)(e).

69. An interpretative statement issued under the MCFA “shall not state a general rule of law, other than that which is stated in this act, until the general rule of law is promulgated by the secretary of state as a rule under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, or under judicial order.” MCL 169.215(2).

70. MCL 169.215(2) provides a clear legal duty which the Defendants must comply with.

71. The rules promulgated by the Bureau for campaign finance complaints begin at R. 169.51, et seq. R. 169.55 provides that the Bureau may conduct a preliminary review of an alleged violation of the act to determine if there *may be reason to believe* that a violation of the rules has occurred.

72. An agency shall not rely upon a guideline, operational memorandum, bulletin, interpretive statement, or form with instructions to support the agency's decision to act or refuse to act if that decision is subject to judicial review. See MCL 24.232(5); see also MCL 169.215.

73. A court shall not rely upon a guideline, operational memorandum, bulletin, interpretive statement, or form with instructions to uphold an agency decision to act or refuse to act. *Id.*

74. MCL 24.232(5) provides a clear legal duty which the Defendants must comply with.

75. As an interpretive statement, the Huston I.S. does not have the force and effect of law in such preliminary reviews so as to be binding on Plaintiffs. See MCL 24.232, MCL 169.215.

76. The Bureau further has a clear legal duty to follow the APA in matters concerning campaign finance complaints, and to avoid treating the Huston I.S. as binding authority on the Department or Plaintiffs.

77. No other adequate remedy exists for Plaintiffs, and mandamus should issue ordering the Bureau to withdraw its determination letter and to cease relying on the Huston I.S and any other non-promulgated rules in MCFA matters.

**COUNT II – Declaratory Judgment**  
**(As to all Defendants)**





78. Plaintiffs adopt and incorporate the preceding paragraphs as if fully restated herein.
79. An actual controversy exists regarding the Bureau's authority to use non-promulgated and non-binding rules such as the Huston I.S. as the basis for MCFA enforcement.
80. Upon information and belief, interpretation and application of both MCL 169.244(4) and the Hutson I.S. are issues of first impression before this court.
81. Plaintiffs have a procedural due process right to have the Bureau consider and apply only duly enacted and promulgated statutes and rules when investigating alleged MCFA violations.
82. Plaintiffs seek a declaratory judgment stating that:
- a. The Huston I.S. is not binding on Plaintiffs;
  - b. Plaintiffs have procedural due process rights under the Michigan Constitution in their dealings with the Bureau on MCFA enforcement matters;
  - c. The Bureau's determination and threatened enforcement on the basis of the Hutson I.S. violates both the MCFA and APA; and
  - d. Plaintiffs' tandem fundraising event did not violate the black letter of the MCL 169.244(4).

**COUNT III – Injunctive Relief**  
**(As to all Defendants)**

83. Plaintiffs adopt and incorporate the preceding paragraphs as if fully restated herein.
84. Plaintiffs will suffer irreparable harm, including criminal exposure, civil fines, and chilled political activity, absent injunctive relief.
85. Plaintiffs are likely to succeed on the merits for all of the reasons stated herein.
86. The balance of harms and the public interest favor an injunction against the Defendants' unlawful practice of treating the Hutson I.S. as binding law.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiffs respectfully request that this Honorable Court:

- A. Issue a declaratory judgment stating that:
1. The Huston I.S. is not binding on Plaintiffs;
  2. The Bureau’s preliminary determination, threatened enforcement, and continued reliance, all on the basis of the Hutson I.S., violates both the MCFA and APA in the absence of properly promulgated rules; and
  3. Plaintiffs’ tandem fundraising event did not violate the black letter of the MCL 169.244(4).
- B. Permanently enjoin Defendants from using the Huston I.S. (or any other unpromulgated “guideline”) as a basis for finding reason to believe a violation of the MCFA occurred;
- C. Issue a writ of mandamus compelling Defendants to:
1. Abide by the APA and MCFA and their duly enforceable promulgated administrative rules or declaratory rulings in matters concerning campaign finance complaints;
  2. Withdraw the April 7, 2025 determination letter to Plaintiffs accordingly; and
  3. Refrain from using the Huston I.S. as binding law or “guideline.”
- D. Award Plaintiffs their costs and attorney fees pursuant to MCL 600.2591 if the Bureau’s defense is found to be frivolous; and
- E. Grant such further relief as determined to be just, equitable, and proper.

Respectfully submitted,

**LAW OFFICES OF JASON WAECHTER**

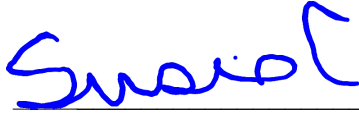
/s/ Aaron R. Martinez  
AARON R. MARTINEZ (P86228)  
Attorney for Plaintiffs

Dated: April 25, 2025



VERIFICATION OF COMPLAINT

I, the undersigned, hereby verify and declare under the penalties of perjury, pursuant to MCR 1.109 and MCL 600.6434(2), that I have examined the factual allegations contained in this Verified Complaint are true to the best of my knowledge, information, and belief.



\_\_\_\_\_  
SUSIE CRAFTON  
Plaintiff



\_\_\_\_\_  
RON LIPPITT  
Plaintiff



\_\_\_\_\_  
MARC A. SIEGLER  
Plaintiff



\_\_\_\_\_  
MICHAEL SMITH  
Plaintiff

Subscribed and sworn to before me using a remote electronic notarization system under MCL 55.286b, by **Susie Crafton, Ron Lippitt, Marc A. Siegler, and Michael Smith**, on this 25th day of April, 2025.



\_\_\_\_\_  
Mindy L. Brown, Notary Public  
County of Kent, State of Michigan  
Acting in County of Oakland  
My Commission Expires: 5/9/2028  
Notarized online using audio-video communication

Mindy Brown  
Notary Public, State of Michigan  
County of Kent  
My Commission Expires MAY 09, 2028  
Acting in the County of Kent



# EXHIBIT 1

LAW OFFICES OF JASON A. WAECHTER  
19080 W. TEN MILE ROAD, SOUTHFIELD, MI 48075  
TELEPHONE 248.355.4701 • FACSIMILE 248.281.0006



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STATE OF MICHIGAN  
JOCELYN BENSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

December 16, 2024

Friends of Susie Crafton  
6311 Haggerty Rd, Unit 713  
West Bloomfield, MI 48322

Friends of Ron Lippitt for School Board  
3050 Union Lk. Rd., Unit 8F #111  
Commerce Twp., MI 48382

Friends of Michael Smith  
8917 Glasgow  
White Lake, MI 48386

Election Committee for Marc A Siegler  
30285 Southampton  
Farmington Hills, MI 48331

Re: *Levin v. Friends of Susie Crafton et al.*  
Campaign Finance Complaint No. 24-290-293

Dear Ms. Crafton, Mr. Lippitt, Mr. Smith, & Mr. Siegler:

The Department of State (Department) has received a formal complaint filed against you by Shayna Levin alleging that you violated the Michigan Campaign Finance Act (MCFA or Act). Specifically, the complaint alleges that you failed to properly report a joint fundraiser. A copy of the complaint is included with this notice.

In Michigan, all money spent “in assistance of, or in opposition to, the nomination or election of a candidate” is either an expenditure or a contribution. MCL 169.204, MCL 169.206. A committee supporting a candidate for election is prohibited from making a contribution to a committee supporting another candidate’s election, and is also prohibited from making an expenditure supporting another candidate’s election. MCL 169.244(2). A knowing violation of this provision is a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$1,000, or both. MCL 169.244(5).

Under section 44 two or more individuals may hold a joint fund-raiser if the receipts and expenses are shared proportionately. An Interpretive Statement to Michael W. Huston (September 20, 1978) outlined the guidelines that need to be followed for candidates hosting joint fund-raisers.<sup>1</sup>

The purpose of this letter is to inform you of the Department’s examination of these matters and your right to respond to the allegations before the Department proceeds further. It is important to

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<sup>1</sup> [Hutson\\_1978.pdf](#)

understand that the Department is neither making this complaint nor accepting the allegations as true. The investigation and resolution of this complaint is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* An explanation of the process is included in the Department's campaign finance complaint guidebook.

**If you wish to file a written response to this complaint, you are required to do so within 15 business days of the date of this letter.** Your response may include any written statement or additional documentary evidence you wish to submit. Materials may be emailed to [BOERegulatory@michigan.gov](mailto:BOERegulatory@michigan.gov) or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1<sup>st</sup> Floor, 430 West Allegan Street, Lansing, Michigan 48918. If you fail to submit a response, the Department will render a decision based on the evidence furnished by the complainant.

A copy of your answer will be provided to Shayna Levin, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing the statements and materials provided by the parties, the Department will determine whether "there may be reason to believe that a violation of [the MCFA] has occurred [.]" MCL 169.215(10). Note that the Department's enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement.

If you have any questions concerning this matter, you may contact the Regulatory Division of the Bureau of Elections at [BOERegulatory@Michigan.gov](mailto:BOERegulatory@Michigan.gov).

Sincerely,

Regulatory Division  
Bureau of Elections  
Michigan Department of State

Enclosure  
c: Shayna Levin

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# Michigan Department of State Campaign Finance Complaint Form

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (MCFA). Electronic submission of the form to [BOERegulatory@Michigan.gov](mailto:BOERegulatory@Michigan.gov) is strongly recommended. For instructions on how to complete this form, see the Campaign Finance Complaint Guidebook & Procedures document. All spaces are required unless otherwise indicated.

Section 1. Complainant		
Your name Shayna Levin		Daytime telephone number 248-330-4993
Mailing address 420 Low Bank Ct		
City Commerce Twp	State MI	Zip 48382
Email (recommended) shayna.levin@yahoo.com		

Section 2. Alleged Violator (Respondent)		
Name Friends of Susie Crafton		
Mailing address 6311 Haggerty Rd, Unit 713		
City West Bloomfield	State MI	Zip 48322
Email (recommended) crafton.schoolboard@gmail.com		
Committee ID (optional) 98137		

*Please include email addresses to expedite processing time and mitigate mail delays.*

Section 3. Allegations <i>(use additional sheets if more space is needed)</i>
Section(s) of the MCFA alleged to be violated: 169.226, 169.221, 169.244

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Explain how these sections were violated:

Susie held a joint fundraiser with Michael Smith, Ron Lippitt, and Marc Siegler, and her form 1F was not completed accurately.

Evidence included with the submission of the complaint that supports the allegations:

Including candidate-submitted campaign finance forms and proof of the joint fundraiser

**Section 4. Certification** *(required)*

I certify that to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this complaint is supported by evidence.



10/29/24

Signature of complainant

Date

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## Section 5. Certification without Evidence *(supplemental to Section 4)*

If, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence as indicated above, you may make the following certification:

*I certify that to the best of my knowledge, information, or belief, there are grounds to conclude that the following specifically identified factual contentions are likely to be supported by evidence after a reasonable opportunity for further inquiry. Those specific contentions are:*

---

Signature of Complainant

Date

Section 15(8) of the MCFA provides that a person who files a complaint with a false certification is responsible for a civil violation of the MCFA. The person may be required to pay a civil fine of up to \$1,000 and some, or all, of the expenses incurred by the Michigan Department of State and the alleged violator as a direct result of the filing of the complaint.

## Section 6. Submission

Once completed, submit the complaint form with your evidence to [BOERegulatory@Michigan.gov](mailto:BOERegulatory@Michigan.gov). Alternatively, you may mail or hand deliver the complaint form with your evidence to the address below. The complaint is considered filed upon receipt by the Bureau of Elections.

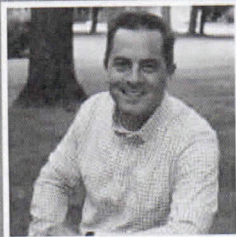
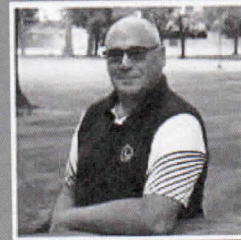
Michigan Department of State  
Bureau of Elections  
Richard H. Austin Building – 1st Floor  
430 West Allegan Street  
Lansing, Michigan 48918

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SUSE CRAFTON  
 RON LIPPITT  
 and  
 MARC SIEGLER  
 MIKE SMITH

FOR  
 WALLED  
 LAKE  
 SCHOOL  
 BOARD



**Experienced Leaders  
 Who Will Move WLCSD  
 FORWARD TOGETHER**



**Kick back with CLaSS at Kickstand Brewing Co.**

&

**SUPPORT OUR CAMPAIGN**

**Wednesday, October 9**

**5:30pm-8:30pm**

**Kickstand Brewing Co.**

3050 Union Lake Road Suite 4A,  
 Commerce Township, MI 48382



**\$40** I'm a supPORTER! **\$75** I'm ALE in! **\$125** Slate Support LITER

RSVP <https://secure.actblue.com/donate/kickstand>

**Bringing safety, stability and student success to WLCSD!**

The only candidates endorsed by our educators!

- Michigan Education Association
- Walled Lake Education Association
- Walled Lake School Secretaries Association

f class4walledlake  
 class4walledlake.com

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**FUND RAISER SCHEDULE 1F  
CANDIDATE COMMITTEE**

1. Committee I.D. Number 98137  
2. Committee Name Friends of Susie Crafton

**- USE A SEPARATE SHEET FOR EACH EVENT -**

3. Date Event Was Held  <u>10/9</u>	4. Number of Individuals Attending or Participating (whichever is greater)  <u>40</u>	5. Type of Fund Raising Activity  <u>buffet food</u>	6. Address and Name (If any) of the place where the activity was held. <u>Kickstand Brewing Company</u> <input type="checkbox"/> <u>3050 Union Lake Road</u> Private Residence
---	---	--	---

7. Total Contributions 387.50

8. Other Receipts 0

9. Gross Receipts (Add lines 7 and 8) 387.50

10. Total Cost of Event 229.85  
(Total Cost includes In-Kind Contributions and All Expenditures Made For the Event)

11.  Check if event was a joint fund raiser and complete the following:

Co-Sponsor(s)	Contribution Split (%)	Expenditure Split (%)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- The committee is required to file a separate Fund Raiser Schedule for each fund raising event held during the period covered by the Campaign Statement.
- Receipts and expenditures listed on a Fund Raiser Schedule must also be reported on the Itemized Contributions Schedule (1A), Itemized In-Kind Contributions Schedule (1-IK), Itemized Expenditures Schedule (1B) and the Summary Page.
- Each committee that participated in a joint fund raiser must file a Fund Raiser Schedule for the event.

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# EXHIBIT 2

LAW OFFICES OF JASON A. WAECHTER  
19080 W. TEN MILE ROAD, SOUTHFIELD, MI 48075  
TELEPHONE 248.355.4701 • FACSIMILE 248.281.0006



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Attorney Aaron R. Martinez

POWERED BY **877-POWER-LAW**

19080 WEST TEN MILE ROAD  
SOUTHFIELD, MI 48075

PHONE/FAX: (248) 327-4259

[AARON@AARON.LAW](mailto:AARON@AARON.LAW)

January 8, 2025

**Delivered via Email**

**[MDOS-BOERegulatory@michigan.gov](mailto:MDOS-BOERegulatory@michigan.gov)**

**Michigan Bureau of Elections  
Regulatory Section**

Austin Building, 1<sup>st</sup> Floor  
430 West Allegan Street,  
Lansing, Michigan 48918

**RE: *Levin v Friends of Susie Crafton, et al*  
Complaint No: 24-290-293  
RESPONSE TO COMPLAINT**

Dear Regulatory Section,

Please be advised that I represent Respondents Susie Crafton, Ron Lippitt, Michael Smith, and Marc Siegler (“the candidates”) in connection with the Campaign Finance Complaint filed by Walled Lake School Board Trustee Shayna Levin (“the Petitioner”).

For purposes of the Administrative Procedures Act (APA), MCL 24.201, et seq., please regard this as my Appearance on behalf of the candidates. My clients respectfully invoke and reserve all rights available to them under the APA. If the Bureau has already received any responsive materials from any of the candidates, please regard this letter as a continuation and supplementation of those materials. Please kindly direct all future communications in this matter to my attention.

For the reasons stated herein, I respectfully ask the Bureau to make a finding that the Petitioner’s allegations are unsupported and not properly based in the law, and that the Respondents have committed no violations of the Michigan Campaign Finance Act (MCFA), MCL 169.201, et seq (“the Act”).

**FACTS**

The respondent candidates were all candidates for the position of Trustee of the Walled Lake Consolidated School District Board of Education during the 2024 General Election.

Each candidate organized their own candidate committees and maintained completely separate banking accounts at qualified financial institutions pursuant to the Act as follows:

- **Friends of Ron Lippitt for School Board (#98510)** - Depository: Walled Lake Schools Federal Credit Union, Wolverine Lake, MI;

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- **Friends of Susie Crafton (#98137)** – Depository: Walled Lake Schools Federal Credit Union, Wolverine Lake, MI;
- **Election Committee for Marc A. Siegler (#91240)** – Depository: Comerica Bank, Farmington Hills, MI; and
- **Friends of Michael Smith (#98549)** – Depository: Michigan Schools & Government Credit Union, Commerce Township, MI.

Each of the candidates and committees additionally maintained their own respective fundraising accounts through the nonprofit third party payment processor, ActBlue. ActBlue provides technological and financial infrastructure to political candidates. **See Exhibit A.** For a low processing fee paid by the receiving candidate/organization, ActBlue handles the coordination and depositing of contributions that are made by contributors. *Id.* ActBlue deliberately passes along the processing fee to the campaigns to ensure that ActBlue does not make any improper in-kind contributions. *Id.*

ActBlue’s service includes offering what they call “Tandem Fundraising” which allows for a single online contribution form to be used to divide contributions across multiple candidates/causes. **See Exhibit B.** When such forms are used, ActBlue ensures that the contributions are proportionally divided, and that only the proportional amount of the contribution is deposited to the bank account of the candidate. *As of the date of this response, undersigned counsel has determined that 636 candidates, committees, PACs, and nonprofit corporations based in Michigan are presently using the ActBlue platform, with many benefitting from the use of tandem fundraising.*<sup>1</sup> Candidates using these tandem features reach the highest levels of our state government.<sup>2</sup>

On October 9, 2024, the candidates held a tandem fundraising event at Kickstand Brewing Company in Commerce Township. The candidates used their respective ActBlue accounts to create a tandem fundraising link to receive contributions. The computer image provided by the Petitioner in her Complaint is the same image that appeared on the ActBlue fundraising form. **See Exhibit C.** The fundraising form was clear to contributors that contributions would be split and would benefit all 4 of the candidates in proportional amounts. Each candidate properly reported their proportional expenditures for this tandem fundraiser on both a Schedule 1B and Schedule 1-F forms filed with the Oakland County Clerk.

**At no point in time did any of the candidates or their candidate committees receive any contributions that were made to any of the candidates other than themselves.** In other words, no comingling of contributions was ever possible. The security and compliance protocols which are native to the ActBlue interface ensured that each contribution was directed to the appropriate candidate committee and their respective financial depository without handling or interference by

---

<sup>1</sup> See <https://secure.actblue.com/directory/MI?page=1&query=>

<sup>2</sup> Of particular note, Secretary of State Jocelyn Benson herself is among those candidates who use and benefit from ActBlue’s tandem fundraising features just as the Respondents have. See <https://secure.actblue.com/donate/dkendorsessos>, [https://secure.actblue.com/donate/pccc\\_bp\\_jocelynbenson](https://secure.actblue.com/donate/pccc_bp_jocelynbenson), and <https://secure.actblue.com/donate/sosbenson>

any other committee.

On October 29, 2024, the Petitioner filed her Complaint with the Bureau in which she makes three allegations against the Respondent Candidates concerning the event held on October 9<sup>th</sup>:

1. Improper Campaign Finance Filing – MCL 169. 226
2. Financial Depository Violations – MCL 169.221
3. Candidate to Candidate Contributions – MCL 169.244

Due to the ambiguous and unclear nature of the Petitioner’s allegations, the Respondents are left to speculate as to the specific allegation being made relative to the Section 21 and Section 26 allegations. Because the Petitioner’s only comprehensible allegation is that she believes the Respondents engaged in an unreported “joint fund-raiser” this response will largely focus on that allegation.

### LAW

- 1. The Candidates’ tandem fundraising event does not constitute a joint fund-raiser as articulated and contemplated by the MCFA, and the 1978 guidance is neither applicable, binding, nor proper under the facts herein.*

MCL 169.244(4) sets forth statutory requirements for holding a “joint fund-raiser.” The statute explicitly allows for “joint fund-raisers,” provided that all receipts and expenses are proportionally shared across all participating candidates.

However, this matter is further complicated because the term “joint fund-raiser” is not defined by the Act and has never been defined by administrative rule. The term is used elsewhere in the Act only to require that when a “joint fund-raiser” occurs, a “secondary depository” must be used to allocate funds, make payments of event costs, and deposit net proceeds to each candidate proportionally. See MCL 169.221(6). There is a clear inference, if not an outright assumption, under the Act that a “joint fund-raiser” only exists when contributions are accepted in such a way where physical division of proceeds and expenses by candidates is necessary to proportionally share with other candidates and otherwise comply with the law.

Therefore, the black letter of the Act would indicate that a “joint fund-raiser” only exists when such a physical division of proceeds is required. When tandem fundraising tools are utilized, as was done here, in which proceeds are divided and deposited by a third-party payment processor, what appears to be a single event actually becomes multiple separate fundraisers for purposes of the Michigan Campaign Finance Act. Such is what happened in this circumstance, and such is how it was properly reported.

- a. The Department has not promulgated rules or issued declaratory rulings concerning “joint fund-raisers” or tandem fundraisers in the modern era.*

The Department possesses authority to render declaratory rulings and promulgate administrative rules in order to implement the MCFA. MCL 169.215(1)(e). The Department lacks the power to

issue rules or rulings which state a general rule of law other than what is found in the MCFA until and unless the Department has promulgated that general rule of law as a rule under the Administrative Procedures Act or under judicial order. MCL 169.215(2); see also *Interpretive Statement to Bruce Courtade dated December 9, 2013*.

Further, as of the date of this response, the Department has yet to promulgate any binding rules or issued any declaratory rulings concerning joint fund-raisers or tandem fundraising using the internet, third party payment processors, or where comingling of funds cannot occur. Therefore, the Respondents are left to abide by the clear letter of the law articulated in MCL 169.244(4), which they have faithfully done.

Because the Respondents' conduct has not violated the language of MCL 169.244(4), or any promulgated rules or declaratory rulings, there can be no violation of the Act.

***b. The Department's interpretive statement in the 1978 Hutson matter is both nonbinding and inapplicable to the facts herein.***

In its December 16, 2024 notice concerning the Petitioner's complaint, the Bureau cites to its *Interpretive Statement to Michael Hutson dated September 20, 1978* in which the Bureau outlined various "guidelines" to which a candidate "must adhere" when hosting a "joint fundraising event." The *Hutson* statement sets forth numerous requirements which are not found in the statute and which are not the product of promulgation of rules pursuant to the Administrative Procedures Act.

First, the *Hutson* guidance was issued as an Interpretive Statement pursuant to MCL 169.215. Unlike declaratory rulings, interpretive statements do not have the force and effect of law, and are not binding. See MCL 24.207(h). As recognized by the Bureau in its *Interpretive Statement to Daniel Krueger dated August 5, 1980*, the Bureau must be empowered by a "statutory basis" in the Act itself. In fact, at the time it issued the *Hutson* statement, the Bureau specifically held that it could not issue a declaratory ruling because it lacked the statutorily requisite factual basis to do so. Because the *Hutson* statement is not a declaratory ruling, the Respondents cannot be bound by it.

Notwithstanding the nonbinding nature of the Interpretive Statement cited by the Bureau, technological advancements, including the creation and expansion of the Internet beginning in 1983, have rendered the Bureau's 1978 statement as obsolete or otherwise inapplicable to modern standards. The public and candidates for public office would be well served if the Bureau and the Department were to modernize these outdated rules to ensure their applicability in the modern era.

***2. The candidates and candidate committees at no time made prohibited contributions to another candidate committee.***

As previously set forth, none of the candidates took on a disproportionate share of the receipts or expenses. None of the candidates had access to, or otherwise received comingled funds during the tandem fundraising effort. Therefore, none of the candidates made a prohibited contribution to another candidate, either direct or in-kind.

**CONCLUSION**

The Respondents faithfully abided by the letter of the Michigan Campaign Finance Act in their tandem fundraising effort.

THEREFORE, for all of the preceding reasons, none of the allegations against the Respondents should be upheld. I respectfully request that all allegations set forth in the complaint be dismissed in their entirety.

If you have any questions about this response, please do not hesitate to contact me. I give my appreciation to the Bureau staff for their ongoing professionalism and assistance in this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Aaron Martinez", written in a cursive style.

Aaron Martinez (P86228)  
Attorney for Respondents

AM/  
Encl.

CC: Ms. Susie Crafton  
Mr. Ron Lippitt  
Mr. Marc Siegler  
Mr. Michael Smith

# I want to donate directly to a candidate/organization. Can I use ActBlue to do that?

## EXHIBIT A



H  
5 months ago Updated

Follow

When you donate to a group through ActBlue, the money goes directly to that group.

ActBlue is the platform campaigns and organizations use to create contribution forms and fundraise online. Usually, these groups have their ActBlue contribution form on their website.

As a nonprofit organization, ActBlue aims to build tech and infrastructure for Democratic campaigns and progressive-aligned causes to fuel long-term, people-powered change. We build digital fundraising tools and process contributions for the groups that use our platform.

Your donation goes straight to your chosen candidate or organization, so they can spend less time depositing checks.

We pass along a 3.95% processing fee on contributions to the groups using our platform.

Completing a contribution involves expenses to process your credit card. We're legally required to pass along processing costs to the campaign so that we do not make in-kind contributions to them.



Was this article helpful?

Yes

No

6 out of 9 found this helpful

Have more questions? [Submit a request](#)

### Recently viewed articles

- [Why do candidates and organizations use your platform?](#)
- [Are contributions made through ActBlue PAC contributions? \(Hint: No!\)](#)

### Related articles

- [Does ActBlue choose who it supports?](#)
- [Why am I receiving emails and/or texts from campaigns and organizations after chipping in on ActBlue?](#)
- [Does ActBlue share my personal information, including email address and phone number?](#)
- [Are contributions made through ActBlue PAC contributions? \(Hint: No!\)](#)
- [How can I fundraise for my favorite candidate or organization?](#)

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### Comments

0 comments

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Article is closed for comments.

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**ActBlue**

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# Can I fundraise for more than one candidate or group using the same contribution form?

## EXHIBIT B

 ActBlue Team  
1 year ago Updated

Follow

You can use our Tandem Fundraising feature to create a contribution form for multiple candidates. To do so, [make a community form](#) and navigate to the "Recipients" tab of the form editor.

- Edit Form ×
- Title, ask, and URL >
- Preset donation amounts >
- Form customization >
- Goal thermometer >
- Branding >
- Recurring settings >
- Post-donation upsells New! >
- Thanks and receipt >
- Social share >
- Recipients** >
- A/B testing New! >

Use the "Add recipient" field to search for the candidate or organization you want to add and select their name.

[← Recipients](#)

**Shuffle recipients list (recommended)**

Recipients order

Manual ▼

**Recipients**

ActBlue Charities ⊖

**Add recipient**

ActBlue

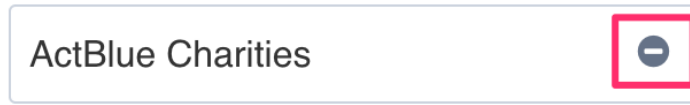
If you're raising for a candidate, double-check the election year and office listed, as there are sometimes multiple accounts per candidate. [Use our directory](#) and compare the name in the dropdown to the name in the search results.

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You can raise for candidates, 501(c)4s, and political groups on the same form. If you want to raise money for an organization that's designated as a 501(c)3, you can list other 501(c)3s and 501(c)4s on the same form, but not political groups or candidates.

If you made a mistake or want to delete a candidate or group from the contribution form, remove them by clicking the subtraction sign next to their name.

## Recipients

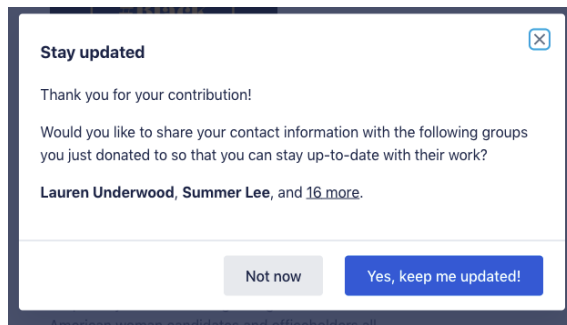


You can also change your form's settings to ask donors whether they want to share their contact information with the recipient(s). By default, recipients receive donor information for all contributions.

To change this setting, switch the "Show email list permissions pop-up?" setting at the bottom of the "Recipients" tab to "Yes."

### Show email list permissions pop-up?

Changing this setting will show donors a pop-up box asking them to share their information after donating. The pop-up looks like this:



To preview your pop-up, click the "Preview permissions pop-up" button in the form editor.

Community form creators always receive contact information for donors who give on their forms, regardless of whether they've chosen to share it with the recipient(s). However, form creators cannot see which donors opted in or out of sharing their contact information with the recipient(s).

Click the "Publish" button after making any changes.

When donors land on a Tandem form, they can split one contribution between the groups listed on the form.

[Learn more about Tandem Fundraising.](#)

Our Customer Service Team is here to help. [Contact us with any questions about using ActBlue.](#)

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Was this article helpful?

0 out of 0 found this helpful

Have more questions? [Submit a request](#)

### Recently viewed articles

- [I want to donate directly to a candidate/organization. Can I use ActBlue to do that?](#)
- [Why do candidates and organizations use your platform?](#)
- [Are contributions made through ActBlue PAC contributions? \(Hint: No!\)](#)

### Related articles

- [Guide to Community Forms](#)
- [What's the difference between a community form and supporter form?](#)
- [A campaign/organization sent me a link to make my own fundraising page. What do I do?](#)
- [I want to donate directly to a candidate/organization. Can I use ActBlue to do that?](#)
- [What happens when I give to a draft fund?](#)

### Comments

0 comments

Article is closed for comments.



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# Kick back with our candidates at a Kickstand Brewing Co. Fundraiser



**Experienced Leaders  
Who Will Move WLCSD  
FORWARD TOGETHER**



## Kick back with CLaSS at Kickstand Brewing Co.

&

### SUPPORT OUR CAMPAIGN

**Wednesday, October 9**

**5:30pm–8:30pm**

#### **Kickstand Brewing Co.**

3050 Union Lake Road Suite 4A,  
Commerce Township, MI 48382

**\$40** I'm a supPORTER! **\$75** I'm ALE in! **\$125** Slate Support LITER



RSVP <https://secure.actblue.com/donate/kickstand>

### Bringing safety, stability and student success to WLCSD!

The only candidates endorsed by our educators!

- Michigan Education Association
- Walled Lake Education Association
- Walled Lake School Secretaries Association

f class4walledlake  
class4walledlake.com

Susie Crafton, Ron Lippitt, Marc Siegler, and Mike Smith are committed to ensuring every child in Walled Lake Schools receives a quality education in a district that prioritizes student success, stability, and safety! We need YOUR support to spread the word and get out the vote. How can YOU help? Kick back with us and enjoy camaraderie and craft brews at Kickstand Brewing Co.!

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Please make your donation (suggested minimum \$40) to RSVP and help us lead our district #ForwardTogether

### Choose an amount to split:

4 Recipients:

Your contribution will be split evenly between **Susie Crafton, Ron Lippitt, Marc Siegler, and Michael Smith** [Customize amounts](#) [\(show less\)](#).

\$40

\$75

\$125

\$

### Make it monthly!

Yes, count me in!

No, donate once

### Checkout

Have an ActBlue Express account? [Sign in to give faster.](#)

**Pay with card**

Or

**Pay**

### Contribution rules

1. I am making this contribution with my own personal credit card and not with a corporate or business credit card or a card issued to another person.
2. I am a U.S. citizen or lawfully admitted permanent resident (i.e., green card holder).
3. I am at least eighteen years old.
4. This contribution is made from my own funds, and funds are not being provided to me by another person or entity for the purpose of making this contribution.

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By proceeding with this transaction, you agree to ActBlue's [terms & conditions](#).



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STATE OF MICHIGAN  
JOCELYN BENSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

January 15, 2025

Shayna Levin  
420 Low Bank Ct  
Commerce Township, MI 48382

Re: *Levin v. Friends of Susie Crafton et al.*  
Campaign Finance Complaint No. 24-290-293

Dear Shayna Levin:

The Department of State received a response from Mr. Martinez on behalf of Susie Crafton, Ron Lippitt, Michael Smith, and Marc Siegler to the complaint you filed against them alleging a violation of the Michigan Campaign Finance Act, 1976 P.A. 388, MCL 169.201 *et seq.* A copy of the response is provided with this letter.

You may file a rebuttal statement after reviewing the response. If you elect to file a rebuttal statement, you are required to do so within 10 business days of the date of this letter. The rebuttal statement may be emailed to [BOERegulatory@Michigan.gov](mailto:BOERegulatory@Michigan.gov) or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1<sup>st</sup> Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

Regulatory Division  
Bureau of Elections  
Michigan Department of State

Attachment  
c: Aaron Martinez

# EXHIBIT 3

LAW OFFICES OF JASON A. WAECHTER  
19080 W. TEN MILE ROAD, SOUTHFIELD, MI 48075  
TELEPHONE 248.355.4701 • FACSIMILE 248.281.0006



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STATE OF MICHIGAN  
JOCELYN BENSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

April 07, 2025

Aaron R. Martinez  
19080 Ten Mile Rd.  
Southfield, MI 48075

Re: *Levin v. Friends of Susie Crafton et al.*  
Campaign Finance Complaint No. 24-290-293

Dear Aaron Martinez:

The Department of State (Department) has finished investigating the campaign finance complaint filed against your clients by Shayna Levin alleging that your clients violated the Michigan Campaign Finance Act (MCFA or Act). This letter concerns the disposition of that complaint.

The complaint alleged that your clients held a joint fundraiser and did not follow the reporting requirements for a joint fundraiser.

You responded to the complaint on behalf of your clients. In your response, you claimed donations were made to each individual candidate and not into a joint fund using ActBlue. Additionally, you claimed that your clients "tandem fundraiser" was permitted by the Michigan Campaign Finance Act and that the Interpretive Statement to Michael Hutson dated September 20, 1978 is not binding. Finally, you claimed that your clients did not make any prohibited contributions or expenditures under MCFA.

Ms. Levin did not file a rebuttal to your response.

In Michigan, all money spent "in assistance of, or in opposition to, the nomination or election of a candidate" is either an expenditure or a contribution. MCL 169.204, MCL 169.206. A committee supporting a candidate for election is prohibited from making a contribution to a committee supporting another candidate's election and is also prohibited from making an expenditure supporting another candidate's election. MCL 169.244(2). A knowing violation of this provision is a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$1,000, or both. MCL 169.244(5).

Under Section 44, two or more individuals may hold a joint fundraiser if the receipts and expenses are shared proportionately. An [Interpretive Statement to Michael W. Huston \(September 20, 1978\)](#) outlined the guidelines that need to be followed for candidates hosting joint fundraisers.

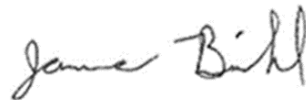
Based on the above, the Department concludes that the evidence is sufficient to determine that there may be reason to believe that Friends of Susie Crafton, Friends of Ron Lippitt for School Board, Friends of Michael Smith, and Election Committee for Marc A Siegler violated the Act by holding a Joint Fundraising event on October 9, 2024. While Interpretive Statements issued by the Department are not binding, they provide general guidance on campaign finance questions. The Interpretive Statement to Michael W. Huston (September 20, 1978) is the most relevant guidance on joint fundraisers and is what the Department has consistently used for reviewing campaign finance complaints concerning joint fundraisers.

Upon making this determination, the Act requires the Department to “endeavor to correct the violation or prevent a further violation by using informal methods [.]” and if the Department is unable to correct or prevent additional violations, it must ask the Attorney General to prosecute if a crime has been committed. MCL 169.215(10)(a). The objective of an informal resolution is “to correct the violation or prevent a further violation [.]” *Id.*

Please be advised that if the Department is unable to resolve this informally, it is required by MCL 169.215(10)-(11) to refer to the Department of Attorney General with a request that her office prosecute for the criminal penalties and/or conduct an administrative hearing to enforce the civil penalties. If the Department conducts an administrative hearing, MCL 169.215(11) authorizes the Secretary of State to seek a civil fine of triple the amount outlined plus up to \$1,000.00 for each violation of the Act.

Please contact the undersigned at [BOERegulatory@Michigan.gov](mailto:BOERegulatory@Michigan.gov) by **August 14, 2025** to discuss a resolution to matter.

Sincerely,



James Biehl, Regulatory Attorney  
Regulatory Division  
Bureau of Elections  
Michigan Department of State

c: Shayna Levin

# EXHIBIT 4

LAW OFFICES OF JASON A. WAECHTER  
19080 W. TEN MILE ROAD, SOUTHFIELD, MI 48075  
TELEPHONE 248.355.4701 • FACSIMILE 248.281.0006



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MICHIGAN DEPARTMENT OF STATE

RICHARD H. AUSTIN

SECRETARY OF STATE

STATE TREASURY BUILDING



LANSING

MICHIGAN 48918

September 20, 1978

Mr. Michael W. Hutson  
Hutson, Sawyer, and Chapman  
4086 Rochester Road  
Troy, Michigan 49098

Dear Mr. Hutson:

You have requested on behalf of three candidates a ruling from the Department concerning the propriety and manner of conducting a joint fundraising event between or among the three candidates pursuant to the Campaign Finance Act, P.A. 388 of 1976, as amended ("the Act").

In addition, you pose a situation where a beneficiary of a joint fundraiser terminates his or her candidacy during or subsequent to the fundraising activity. You propose a method whereby this individual may transfer his or her portion of the fundraising proceeds to any other candidate committee(s) benefitting from the joint fundraiser, and seek the Department's interpretation as to the appropriateness of this method.

A joint fundraising event for candidates is permissible under the Act if candidates planning such an event adhere to the following guidelines.

- A. Prior to the event, an agreement between or among the candidates must be drafted in writing indicating the following information:
  1. The exact share of contributions to be assigned to each committee from contributions received from the event.
  2. The proportional share of expenditures to be delegated to each committee. The share of expenditures must be the same as the share of contributions.
  3. Designation of a joint account in a proper depository for deposit of all contributions from the joint fundraising event. This account will constitute a "secondary depository."
  4. The manner of payment for expenses attributable to the event. For example, one committee may be designated to pay all expenses for the event; subsequently, within a designated time, the paying committee will be reimbursed by the other committee(s). Alternatively, each committee may pay its proportionate share, as agreed previously, of each expense as it arises.

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- B. All advertising, either before or at the event, must inform contributors of the following:
1. The event is a joint fundraiser.
  2. The names of the committees and candidates involved.
  3. The office sought by each candidate.
  4. The agreed share of each contribution to be allocated to each candidate.
  5. The manner of writing checks or other written instruments by the contributors to the event. For example, the name of each candidate receiving a contribution should appear on a written instrument.
- C. Recording and reporting of activities relating to a joint fundraiser must meet all requirements of the Act, including provisions governing the reporting of contributions and expenditures. The following must also be performed:
1. Each committee must record the name and address of each contributor as well as the portion of the contribution received from the contributor. The date of the contribution must also be recorded.
  2. Each committee must report the name and address of each contributor whose portion to the candidate committee exceeds \$20.00, including the date the contribution was made. For example, if two candidate committees agree to divide contributions equally, each committee will report information concerning its half of a contribution received from the fundraising event.
  3. If the agreement designates a committee to pay all expenses for which reimbursement will be provided at a later time by the other participating committee(s), the designated committee must itemize all expenditures over \$50.00 associated with the event. The committee must indicate the expenditure was made for a joint fundraising event. When the committee making the expenditure receives reimbursement, it must report the reimbursement as "other receipts" in connection with a joint fundraiser. If a committee is obligated to make reimbursement, it must report the total reimbursement as an expenditure. In addition, each expenditure over \$50.00 that is included within the total reimbursement must be itemized.
  4. If it is agreed in writing that each committee will pay its proportionate share as each expenditure arises, each committee shall itemize its share of the expenditure if that share exceeds \$50.00.

5. Each committee must complete a fundraiser schedule, which reports only the amounts received by each committee and not the total amount. The schedule should clearly identify the event as a joint fundraiser with the other named candidates.
6. Each committee must amend its statement of organization to reflect establishment of the secondary depository.

It should be stated that Section 44(2) of the Act (MCLA § 169.244) prohibits a candidate committee from making a contribution to another candidate committee. Consequently, it is imperative that no candidate bear a disproportionate share of the expenses for an event. Such a disproportionate share could constitute an illegal contribution to each of the participating candidate committees. Reimbursement must be made promptly within the period specified in the written agreement.

All persons making a contribution in connection with the event must make a contribution to each of the participating candidate committees in the ratio publicized to the contributors. Those individuals who chose to allocate their contributions differently may not do so in connection with the joint fundraiser. The above requirements will assure that each contributor knows exactly where his or her contribution is directed, thereby avoiding possible commingling of contributions and avoiding violation of any applicable contribution limits.

Each candidate committee must treat the gross amount of each proportionate share of a contribution as a reportable contribution and not merely the net proceeds after deducting expenses.

The previously mentioned joint bank account must meet the requirements of a secondary depository, i.e., it must be used for the sole purpose of depositing contributions with their prompt transferral to each committee's official depository pursuant to Section 21(3) of the Act (MCLA § 169.221). Expenditures may not be made from the secondary depository.

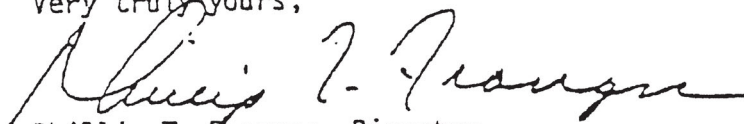
In your letter, you indicated that one of the candidates benefitting from the joint fundraiser may decide not to run for reelection after the affair or in the course of raising funds for the event. You suggest the possibility of that individual creating an officeholder expense fund, with the intention of transferring to it all funds raised by that individual's candidate committee. Subsequently, all moneys in the officeholder expense fund would be contributed, under your proposal, to the two other candidate committees.

This proposal does not meet the requirements of the statute. Employing the subterfuge of first passing the moneys through an officeholder expense fund violates the prohibition in Section 44(2) against transferring moneys from one person's candidate committee to another person's candidate committee. Funds in a terminated candidate committee's account can be transferred only as provided in Section 45 of the Act (MCLA § 169.245), i.e., they shall be given to a political party committee, or to a tax exempt charitable institution, or returned to the contributors of the moneys.

Mr. Michael Hutson  
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Since your inquiry was not supported by the precise statement of facts required by Section 63 of the Michigan Administrative Procedures Act (MCLA s 24.263) which establishes the criteria for requesting the issuing a declaratory ruling, this response may be considered as informational only and not as constituting a declaratory ruling.

Very truly yours,



Phillip T. Frangos, Director  
Office of Hearings and Legislation

PTF:pk

# TrueFiling Case Initiation - Summons and Complaint

**Case Title:**

SUSIE CRAFTON V. MICHIGAN BUREAU O

**Case Type:**

MB

**Case Description:**

Mandamus: All actions for mandamus against state officials and departments

## Party 1 (Plaintiff)

**Name:** Susie Crafton **Phone:****Address:** 19080 West Ten Mile Road, 2nd Floor**City:** Southfield **State:** Michigan **Zip:** 48075

Attorney(s) for Party 1

**Name:** Aaron R Martinez **Bar Number:** P86228 **(Lead Counsel)**

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## Party 2 (Defendant)

**Business:** Michigan Bureau of Elections **Phone:****Address:** 430 West Allegan Street, 1st Floor**City:** Lansing **State:** Michigan **Zip:** 48933-1592**Party is Pro Se**

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## Party 3 (Plaintiff)

**Name:** Ron Lippitt **Phone:** (248) 355-4701**Address:** 19080 West Ten Mile Road, 2nd Floor**City:** Southfield **State:** Michigan **Zip:** 48075

Attorney(s) for Party 3

**Name:** Aaron R Martinez **Bar Number:** P86228

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## Party 4 (Plaintiff)

**Name:** Marc A Siegler    **Phone:**  
**Address:** 19080 West Ten Mile Road  
**City:** Southfield    **State:** Michigan    **Zip:** 48075

Attorney(s) for Party 4

**Name:** Aaron R Martinez    **Bar Number:** P86228

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Party 5 (Plaintiff)

**Name:** Michael Smith    **Phone:**  
**Address:** 19080 West Ten Mile Road, 2nd Floor  
**City:** Southfield    **State:** Michigan    **Zip:** 48075

Attorney(s) for Party 5

**Name:** Aaron R Martinez    **Bar Number:** P86228

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Party 6 (Defendant)

**Business:** Michigan Department of State    **Phone:**  
**Address:** 430 West Allegan Street, 1st Floor  
**City:** Lansing    **State:** Michigan    **Zip:** 48933-1592  
**Party is Pro Se**

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STATE OF MICHIGAN  
COURT OF CLAIMS

**Bundle Cover Sheet**

<b>Lower Court:</b>	<b>L Ct No.:</b>	<b>COC No.:</b> TEMP-97HK0GDM
<b>Case Title:</b> SUSIE CRAFTON v. MICHIGAN BUREAU OF ELECTIONS		
<b>Priority:</b> NONE	<b>Filing Option:</b> File Only	

*Filer Information*

<u>Filer</u> Aaron Martinez 19080 West Ten Mile Road Southfield, MI 48075  aaron@877powerlaw.com	<u>Attorney</u> Aaron Martinez, P86228(MI) 19080 West Ten Mile Road Southfield, MI 48075  aaron@877powerlaw.com
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*Filing Summary*

Filing Type	Filing Name	Fee
Summons and Complaint	Summons	\$150.00
		eFiling System Fee: \$25.00
CONNECTED FILING	Verified Complaint	\$0.00
CONNECTED FILING	Complaint Exhibits 1-4	\$0.00
Motion (filed with another document requiring a fee)	Motion for Summary Disposition	\$0.00
Brief	Brief in Support of MSD	\$0.00
Motion (filed with another document requiring a fee)	Motion for Immediate Consideration and Expedited Review	\$0.00
	NON-REFUNDABLE Automated Payment Service Fee:	\$5.25
	<b>Total:</b>	<b>\$180.25</b>

Alternate Payment Reason: None

The document(s) listed above were electronically filed with the Michigan Court of Claims.

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