

Exhibit 28

Todd Lang

From: Steve Clawson <SteveClawson@mosesanshell.com>
Sent: Monday, March 01, 2010 4:33 PM
To: Todd Lang; Michael Becker
Cc: Chris Fiscus; Chad Wilson
Subject: Clean Elections PR ideas

Hi:

I wanted to touch base with you regarding the next few weeks for Clean Elections. I know the Senate today passed SCR 1009 and oral arguments are scheduled for April 12th at the Ninth Circuit Court of Appeals. We'd like to suggest doing some media outreach over the coming weeks in advance of the court hearing. We'd like to schedule Todd on the following programs:

- Horizon
- Fox 10 Newsmaker Sunday
- KJZZ "Here and Now"
- Politics Unplugged on Channel 3

We'd also suggest submitting a "My Turn" piece to the Arizona Republic, East Valley Tribune, Arizona Daily Star, Arizona Daily Sun and Yuma Sun. Submit a "pro" argument for the pro-con issues debate on Channel 15's website and talk with Howie Fischer to do an advance piece since he'll be in San Francisco for the court hearing.

And finally, we'd suggest taking three road trips:

- Prescott/Flagstaff for media outreach.
- Yuma for meeting at Yuma Sun and both Yuma TV stations
- Tucson for TV interviews and meeting with AZ Daily Star.

If you have some time this week, we can go into more detail about these ideas. It's important we start getting Clean Elections out in front of some of these issues. Let me know what you think. Hope you had a good weekend.

Thanks,

Steve

Exhibit 29

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Hello!

Corporate interests don't stop lobbying during the holidays and they're lining up legislative votes now to push through a new Clean Elections repeal measure in January. Will you take a moment this week, during the holiday season, and make four calls and/or send four emails to help counter Big Money? See the Take Action announcement below. Contact me for information as needed.

Thanks and my best season greetings,

Sam Wercinski



Ask legislators to VOTE NO on any anti-Clean Elections proposals.

Corporations aren't waiting. They're already lining up votes for a new attack against Clean Elections in January and we need you to ask your legislators to "Just say NO." Don't assume they will vote one way or another. They need to hear from us.

We knocked this year's unconstitutional measure off the 2012 ballot and need your help informing legislators that voters want them to support Clean Elections, not repeal it. 77% of Arizona voters support the 1998 Clean Elections system because it works.

The new senate president is said to be a person of integrity and respectful of voters' decisions. Call and email him as well. He could help stop any measure.

Tell them:

1. You vote in their district. (skip if you don't live in the Senate President's district when contacting him)
2. You respectfully ask them to support Clean Elections which helps to fight political corruption, and vote no on any anti-Clean Elections referendum.

Counter the corporations. Your voice matters!

State Senators

Name	District Email	Phone (602)
Steve Pierce - President 1	spierce@azleg.gov	926-5584

Jack Jackson Jr.	2	jjackson@azleg.gov	926-5862
Ron Gould	3	rgould@azleg.gov	926-4138
Scott Bundgaard	4	sbundgaard@azleg.gov	926-3297
Sylvia Allen	5	sallen@azleg.gov	926-5219
Lori Klein	6	lklein@azleg.gov	926-5284
Nancy Barto	7	nbarto@azleg.gov	926-5766
Michele Reagan	8	mreagan@azleg.gov	926-5828
Rick Murphy	9	rmurphy@azleg.gov	926-4444
Linda Gray	10	lgray@azleg.gov	926-3376
Adam Driggs	11	adriggs@azleg.gov	926-3016
John Nelson	12	jnelson@azleg.gov	926-5872
Steve Gallardo	13	sgallardo@azleg.gov	926-5830
Robert Meza	14	rmeza@azleg.gov	926-3425
Kyrsten Sinema	15	ksinema@azleg.gov	926-5058
Leah Landrum Taylor	16	llandrum@azleg.gov	926-3830
David Schapira	17	dschapira@azleg.gov	926-3028
Jerry Lewis	18	jlewis@azleg.gov	926-5760
Rich Crandall	19	rcrandall@azleg.gov	926-3020
John McComish	20	jmccomish@azleg.gov	926-5898
Steve Yarbrough	21	syarbrough@azleg.gov	926-5863
Andy Biggs	22	abiggs@azleg.gov	926-4371
Steve Smith	23	stevesmith@azleg.gov	926-5685
Don Shooter	24	dshooter@azleg.gov	926-4139
Gail Griffin	25	ggriffin@azleg.gov	926-5895
Al Melvin	26	amelvin@azleg.gov	926-4326
Olivia Cajero Bedford	27	ocajerobedford@azleg.gov	926-5835
Paula Aboud	28	paboud@azleg.gov	926-5262
Linda Lopez	29	llopez@azleg.gov	926-4089
Frank Antenori	30	fantenori@azleg.gov	926-5683

State Representatives (two per district)

Name	District	Email	Phone (602)
Andy Tobin	1	atobin@azleg.gov	926-5172
Karen Fann	1	kfann@azleg.gov	926-5874
Tom Chabin	2	tchabin@azleg.gov	926-5160
Albert Hale	2	ahale@azleg.gov	926-4323
Doris Goodale	3	dgoodale@azleg.gov	926-5408
Nancy McLain	3	nmclain@azleg.gov	926-5051
Judy Burges	4	jburges@azleg.gov	926-5861

Jack W. Harper	4	jharper@azleg.gov	926-4178
Chester Crandell	5	ccrandell@azleg.gov	926-5409
Brenda Barton	5	bbarton@azleg.gov	926-4129
Amanda A. Reeve	6	areeve@azleg.gov	926-3014
Carl Seel	6	cseel@azleg.gov	926-3018
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David Burnell Smith	7	dsmith@azleg.gov	926-4916
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Rick Gray	9	rgray@azleg.gov	926-5993
Debbie Lesko	9	dlesko@azleg.gov	926-5413
Jim Weiers	10	jweiers@azleg.gov	926-4173
Kimberly Yee	10	kyee@azleg.gov	926-3024
Eric Meyer	11	emeyer@azleg.gov	926-3037
Kate Brophy McGee	11	kbrophymcgee@azleg.gov	926-4486
Steve B. Montenegro	12	smontenegro@azleg.gov	926-5955
Jerry Weiers	12	jpweiers@azleg.gov	926-5894
Anna Tovar	13	atovar@azleg.gov	926-3392
Richard Miranda	13	rmiranda@azleg.gov	926-5911
Debbie McCune Davis	14	ddavis@azleg.gov	926-4485
Chad Campbell	14	chcampbell@azleg.gov	926-3026
Lela Alston	15	lalston@azleg.gov	926-5829
Katie Hobbs	15	khobbs@azleg.gov	926-5325
Ruben Gallego	16	rgallego@azleg.gov	926-3042
Catherine H. Miranda	16	cmiranda@azleg.gov	926-4893
Ben Arredondo	17	barredondo@azleg.gov	926-4124
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Cecil P. Ash	18	cash@azleg.gov	926-3160
Steve Court	18	scourt@azleg.gov	926-4467
Justin Pierce	19	jpierce@azleg.gov	926-5495
Justin Olson	19	jolson@azleg.gov	926-5288
Jeff Dial	20	jdial@azleg.gov	926-5550
Bob Robson	20	brobson@azleg.gov	926-5549
Tom Forese	21	tforese@azleg.gov	926-5168
Javan "J.D." Mesnard	21	jmesnard@azleg.gov	926-4481
Eddie Farnsworth	22	efarnsworth@azleg.gov	926-5735
Steve Urie	22	surie@azleg.gov	926-4136
John Fillmore	23	jfillmore@azleg.gov	926-3012
Frank Pratt	23	fpratt@azleg.gov	926-5761

	24	rjones@azleg.gov	926-3002
Lynne Pancrazi	24	lpancrazi@azleg.gov	926-3004
David W. Stevens	25	dstevens@azleg.gov	926-4321
Peggy Judd	25	pjudd@azleg.gov	926-5836
Terri Proud	26	tproud@azleg.gov	926-3398
Vic Williams	26	vwilliams@azleg.gov	926-5839
Sally Ann Gonzales	27	sgonzales@azleg.gov	926-3278
Macario Saldate IV	27	msaldate@azleg.gov	926-4171
Bruce Wheeler	28	bwheeler@azleg.gov	926-3300
Steve Farley	28	sfarley@azleg.gov	926-3022
Matt Heinz	29	mheinz@azleg.gov	926-3424
Daniel Patterson	29	dpatterson@azleg.gov	926-5342
Ted Vogt	30	tvogt@azleg.gov	926-3235
David Gowan	30	dgowan@azleg.gov	926-3312



We rely on individual supporters in our fight for Clean Elections, Voting Rights and government for the People, not corporations. Become a member, renew your membership or join our monthly giving program.

You can also make a 2011 tax-deductible contribution to AzAN Foundation through our Network for Good account. This supports our educational outreach around Arizona.

Confirm that you like this.

Click the "Like" button.



Passed in 1998, The Clean Elections Citizens Act helps Arizona's legislative and statewide candidates forgo special interests and run clean campaigns. In a time of challenge and hardship, Clean Elections is essential to the growth and success of our state.

CLEAN ELECTION FACTS:

- Not a single dollar of Clean Elections funding comes from Arizona's General Fund.
- Clean Elections is funded by voluntary contributions and surcharges on criminal penalties and violations, such as traffic tickets.
- Rather than taking money from taxpayers, Clean Elections has DONATED \$64 million to the General Fund since 2003.

JOIN THE EFFORT TO KEEP ARIZONA POLITICS CLEAN. IT'S MONEY WELL SPENT.

Citizens Clean Elections Commission is a non-appropriated agency and does not receive money from the general fund

Exhibit 30

GOLDWATER
I N S T I T U T E
in defense of liberty

CENTER FOR CONSTITUTIONAL LITIGATION

May 11, 2011

Todd Lang, Executive Director
Citizens Clean Elections Commission
1616 W. Adams
Phoenix, AZ 85007

Dear Todd:

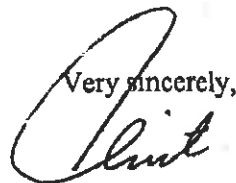
As you know, the Legislature has referred to the 2012 ballot a proposed constitutional amendment to ban public financing of campaigns. On behalf of the Goldwater Institute and No Taxpayer Money for Politicians, the ballot committee that has registered to support the referendum, I write to ask that the Commission refrain from using public funds to influence the outcome of that election, which would violate Arizona law.

We have previously expressed concerns over the use of Commission funds, ostensibly for purposes of "voter education," instead to promote the Clean Elections system. See Mark Flatten, "Clean Elections Agency Spends Millions Promoting Itself," *Goldwater Institute Watchdog Report* (Feb. 11, 2010), <http://goldwaterinstitute.org/article/4424>. As the principal function of the Citizens Clean Elections Commission is now before the voters, the use of public funds to promote the Commission becomes especially problematic. We hope that the Commission will take affirmative steps to avoid even the appearance of impropriety by reviewing current advertising and establishing clear rules for voter education that avoids influencing voters to advance the Commission's self-interest.

We will carefully monitor the Commission's use of voter education resources over the next 18 months, and take appropriate legal action if necessary, to ensure that the election over public financing of campaigns is indeed clean.

Thank you for your attention to this matter.

Very sincerely,



cc: Clean Elections Commissioners

Clint Bolick | DIRECTOR

Exhibit 31



State of Arizona Citizens Clean Elections Commission

1616 W. Adams - Suite 110 - Phoenix, Arizona 85007 - Tel (602) 364-3477 - Fax (602) 364-3487 - www.azcleanelections.gov

Public Records Request Form

Name of Requesting Party: Carrie Ann Sitten Date: May 20, 2011
Goldwater Institute
Address: 500 E Colorado Rd, Phoenix 85004 Telephone: 602-462-5000 ext 231
Email: csitten@goldwaterinstitute.org
Copies Requested [checked] View Only No Copies (Check one) Fax:
Description of Public Records Requested: See attached

Indicate whether the records are to be used for: [checked] Non-Commercial Purpose Commercial Purposes.

If the records are to be used for commercial purposes, specifically state those purposes:

CERTIFIED STATEMENT I, the requesting party, declare that I have read the information and instruction sheet accompanying this form and understand the contents therein. I further declare that the copies or other reproductions of the public records described above which I have requested are to be used solely for the purpose indicated above. I further declare that such copies or reproductions will not be used directly or indirectly for a different purpose other than described above.

I further declare under penalty of perjury that the foregoing is correct and true.

[Signature] Date: May 20, 2011
(Signature of Requesting Party)

Official Use Only
Approved: Date:
(Signature of Authorized Personnel)

Reason for Denial of Request: Misuse of Public Records Abuse of the Right to Receive Public Records
Request Made to Governor for Executive Order: Date
Executive Order Received within 30 Days: Date Received
No Executive Order Received - Reproductions Furnished: Date

Custodian of Records: Title:

Table with 3 columns: Description, No of Copies, Cost. Rows include Email - No Charge, Photocopies, Audio Reproductions, Video Reproductions, Document Certification, and Total Due.

Payment received: Amount: \$

Carrie Ann Sitren
Goldwater Institute
602-462-5000 ext. 231
csitren@goldwaterinstitute.org

May 20, 2011

Description of Public Records Requested

For each request, we request any and all documents. With respect to correspondence, we request all correspondence including but not limited to emails, letters, and electronic phone messages.

1. Travel reimbursements and authorizations for CCEC staff and commissioners since 2007.
2. Contracts, work orders and invoices for professional outside services related to marketing, public relations and voter outreach, including printing and photography, since 2007.
3. Correspondence with marketing, public relations and voter outreach contractors, and with any other professional outside service providers related to marketing, public relations and voter outreach, including printing and photography, since 2007.
4. Correspondence with Arizona Advocacy Network.
5. Planning and messaging documents developed by marketing and public relations contractors, including but not limited to Moses Anshell, since 2009, including:
 - a. Documents related to proposed and executed media buys;
 - b. Strategic planning, messaging and campaign review documents that address paid media, public relations and social media;
 - c. Meeting summaries, notes and action plans with marketing, public relations and voter outreach contractors;
 - d. Proposed and executed advertising, marketing, public relations, and voter outreach plans;
 - e. Summaries and review of media clips;
 - f. Correspondence between CCEC's government relations firm Williams and Associates and CCEC or its public relations contractors;
 - g. Creatives that have been used or considered for use by CCEC.

If you deny this request, please send a written explanation for the denial including a reference to the specific law(s) upon which you rely.

If you refer me to a website containing the information requested, please specify the precise web page(s) on which the information may be found.

Exhibit 32



TOM HORNE
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL
THE SOLICITOR GENERAL'S OFFICE

THOMAS COLLINS
ASSISTANT ATTORNEY
GENERAL
DIRECT PHONE NO.
(602) 542-8648
THOMAS.COLLINS@AZAG.GOV

September 8, 2011

SENT VIA U.S. Mail
Carrie Ann Sitren, Esq.
Goldwater Institute
500 East Coronado Road
Phoenix, Arizona 85004

Re: Public Records Related to Paid Voter Education Spots

Dear Ms. Sitren:

I am writing to inform you that with this letter, the Clean Elections Commission believes it has completed its response the Goldwater Institute's public records request regarding paid voter education spots.

Documents including all commissioner and staff travel documents, contracts and invoices with outside vendors since 2007 and correspondence regarding those contracts, correspondence with the Arizona Advocacy Network, as well as the planning and messaging documents that were requested have been provided. Finally, attached herewith please find documents that may be considered responsive to the request for planning and messaging documents regarding summaries and review of media clips, which are being provided in an abundance of caution, and additionally a document that may be considered an "action plan." Please let me know if I can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Collins".

Thomas Collins
Assistant Attorney General

Enclosures
#2294094

Exhibit 33

GOLDWATER

I N S T I T U T E

in defense of liberty

September 19, 2011

Chairman Jeffrey L. Fairman
Commissioner Lori S. Daniels
Commissioner Louis Hoffman
Commissioner Timothy J. Reckart
Commissioner Thomas J. Koester
Executive Director Todd F. Lang
Deputy Director Colleen McGee
Voter Education Manager Michael Becker
Citizens Clean Elections Commission
1616 W. Adams, Suite 110
Phoenix, AZ 85007

RE: Notice of claim pursuant to A.R.S. § 12-821.01 for illegal expenditures of public monies

We write to you on behalf of the Goldwater Institute, No Taxpayer Money for Politicians, and Arizona taxpayers because of your role in illegally spending public monies of the Citizens Clean Elections Commission. This is notice pursuant to A.R.S. § 12-821.01 of a claim against the Commission and against you to recover the funds on behalf of taxpayers.

Given that the Legislature has referred to the 2012 ballot a proposed constitutional amendment to ban public financing of campaigns, the principal function of the Commission is now before the voters. You and the Commission are spending public monies on an advertising campaign, including television and radio ads, to promote the Commission with lines such as “Everybody Wins” with Clean Elections and “80% of voters believe Clean Elections is important.” This violates the free speech, petition, and fair election guarantees of the Arizona and U.S. Constitutions. *See, e.g., Mntn. States Legal Fndn. v. Denver Sch. Dist. #1*, 459 F.Supp. 357, 360 (D. Colo. 1978) (“A fundamental precept of this nation’s democratic electoral process is that the government may not ‘take sides’ in election contests or bestow an unfair advantage”); *id.* at 361 (“A use of the power of publicly owned resources to propagandize against a proposal made and supported by a significant number of those who were taxed to pay for such resources is an abridgment of those fundamental freedoms” of speech and petition).


The expenditures also exceed your statutory authority. Your powers are limited to those defined by statute. *See Sims v. Moeur*, 41 Ariz. 486, 493-94, 19 P.2d 679, 682 (1933). No statute authorizes you to spend public monies to promote the Commission or the Clean Elections system.

The Commission has asserted that its advertising campaign is authorized by A.R.S. § 16-949(C), which provides for the Commission to spend 10% of its budget limit for “reasonable and

necessary expenses associated with voter education.” However, ads to promote the Commission are not “voter education” as defined by A.R.S. § 16-956. Additionally, you and the Commission are spending not 10% as authorized, but rather 20%. Therefore, you are violating statutory authority.

Your expenditures are illegal and unauthorized, and you are liable to repay them pursuant to A.R.S. §§ 35-154. This claim can be settled by replenishing the Commission’s funds in the amount of \$1.65 million for the illegal expenditures.

Very sincerely,

A handwritten signature in black ink, appearing to read "Carrie Ann Sitren".

Carrie Ann Sitren
Staff Attorney

Exhibit 34

GOLDWATER

I N S T I T U T E

in defense of liberty

September 19, 2011

Hon. Tom Horne, Attorney General
Office of the Attorney General
1275 West Washington Street
Phoenix, AZ 85007-2926

RE: Request under A.R.S. § 35-212 to bring an action to enjoin and recover illegal payment of public monies by the Citizens Clean Elections Commission

Dear Attorney General Horne:

We write to you on behalf of the Goldwater Institute, No Taxpayer Money for Politicians, and Arizona taxpayers to request that you take action against the Citizens Clean Elections Commission pursuant to A.R.S. § 35-212. The Commission is illegally spending public monies, ostensibly for purposes of “voter education” and admittedly in an amount over 10% of its budget limit, to promote the Clean Elections system. This violates the Arizona and U.S. Constitutions and the Commission’s statutory authority.

Given that the Legislature has referred to the 2012 ballot a proposed constitutional amendment to ban public financing of campaigns, the principal function of the Commission is now before the voters. The Commission is spending millions in public monies on an advertising campaign, including television and radio ads, to promote itself with lines such as “Everybody Wins” with Clean Elections and “80% of voters believe Clean Elections is important.” This violates the free speech, petition, and fair election guarantees of the Arizona and U.S. Constitutions. *See, e.g., Mntn. States Legal Fndn. v. Denver Sch. Dist. #1*, 459 F.Supp. 357, 360 (D. Colo. 1978) (“A fundamental precept of this nation’s democratic electoral process is that the government may not ‘take sides’ in election contests or bestow an unfair advantage”); *id.* at 361 (“A use of the power of publicly owned resources to propagandize against a proposal made and supported by a significant number of those who were taxed to pay for such resources is an abridgment of those fundamental freedoms” of speech and petition).

The Commission’s expenditures also exceed its statutory authority. The Commission’s powers are limited to those defined by statute. *See Sims v. Moeur*, 41 Ariz. 486, 493-94, 19 P.2d 679, 682 (1933). No statute authorizes the Commission to spend public monies to promote itself or the Clean Elections system.

The Commission has asserted that its advertising campaign is authorized by A.R.S. § 16-949(C), which provides for the Commission to spend 10% of its budget limit for “reasonable and necessary expenses associated with voter education.” However, ads to promote the Commission are not “voter education” as defined by A.R.S. § 16-956. Additionally, the Commission is

spending not 10% as authorized, but rather 20%. Therefore, the Commission is violating its statutory authority.

The Commission's expenditures are illegal and unauthorized, and therefore null and void. A.R.S. §§ 35-154 & 35-196. We request that your office take action to enjoin and recover the public monies.

Very sincerely,

A handwritten signature in black ink, appearing to read "Carrie Ann Sitren". The signature is fluid and cursive, with a long horizontal stroke at the end.

Carrie Ann Sitren
Staff Attorney