

August 14, 2017

Sandy City Recorder's Office
ATTN: Molly Spira, Sandy City Recorder
10000 S. Centennial Pkwy
Sandy, UT 84070

Re: **Failure To File An Accurate Financial Report By The Dolan Campaign**

Ms. Spira:

Under Utah Code §10-3-208(3)(b), in a year in which a municipal primary is held, each candidate who will participate in the municipal primary shall file a campaign finance statement with the municipal clerk or recorder no later than seven days before the election date.

Under Utah Code §10-3-208(4), each campaign finance statement described in subsection (3) *SHALL* (emphasis added):

- (i) Report *ALL* (emphasis added) of the candidate's itemized and total:
 - (A) Contributions, including in-kind and other non-monetary contributions, received *UP TO AND INCLUDING* (emphasis added) five days before the campaign finance statement is due, excluding a contribution previously reported; and
 - (B) Expenditures made up to and including five days before the campaign finance statement is due, excluding an expenditure previously reported;...

Under Utah Code §10-3-208(8)(b), a candidate who timely files each campaign statement required under subsection (3) is not disqualified, *IF*: (emphasis added)

- (i) The statement details *ACCURATELY AND COMPLETELY* the information required under subsection (4), except for *INADVERTENT OMISSIONS OR INSIGNIFICANT ERRORS OR INACCURACIES* (emphasis added).

On August 1, the Dolan Campaign filed a financial report with a signature from Mayor Dolan on the first page affirming that this report of Contributions and Expenditures is, "true, accurate and complete". That report showed total contributions of \$94,000, plus a balance carried over from the last report he filed of \$79,741.14, and total expenditures of \$129,753.11.

Upon reviewing the last financial report filed by the Dolan Campaign on Dec. 4, 2013, I noticed the ending balance on that report showed \$44,226.96. I notified the City Recorder's Office of that inconsistency on Wednesday, August 9, 2017, and asked that the Office request an amended financial form from the Dolan Campaign, which they uploaded to the City Recorder's website on August 11, 2013.

That amended form showed more than \$180,000 in previously undisclosed contributions and more than \$150,000 in undisclosed expenditures covering a period of more than three and a half years.

I believe that Mayor Dolan filed a false financial report that did not comply with the provisions of subsection (4) outlined above, and therefore he does not gain access to the exemption for an amended report to address "*INADVERTENT OMISSIONS OR INSIGNIFICANT ERRORS OR INACCURACIES*" as provided for in subsection (8). In order to avoid being disqualified, subsection (8) first requires that the timely form the candidate files be "*ACCURATE and COMPLETE*", which his form was clearly not.

Furthermore, there was no attempt by the Dolan Campaign to rectify this false financial form of their own volition, because they filed a second financial form also omitting every single one of these contributions and expenditures on August 8, 2017. But for my inquiry to your office, the Dolan Campaign would have carried on without disclosing the movement through their campaign account of more than \$400,000. This action calls into question the integrity of our process and in order for the public to place any trust in our local elections, accountability must be present.

Based on the law and the facts outlined above, I hereby request that Mayor Dolan be disqualified from the Primary and General elections and that any votes cast for him not be counted, as required by subsection (8)(a) of the statute outlined above.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Kurt Bradburn', written in a cursive style.

Kurt D. Bradburn, Esq.

Candidate For Sandy Mayor