

General Counsel's Office
Federal Election Commission
ATTN: Mr. Jeff Jordon
999 E Street, NW
Washington, DC 20463

April 2, 2010

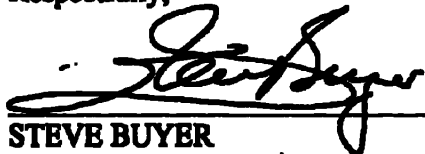
Re: MUR 6261

Dear Jeff Jordon,

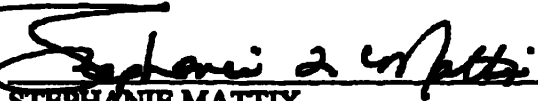
Please find enclosed our timely response to the complaint filed by Mr. Don Garringer, MUR 6261.

We deny the unsubstantiated allegations in the complaint. We ask that no action be taken and the complaint be immediately dismissed.

Respectfully,



STEVE BUYER
U.S. Representative 4th District
Candidate, Hoosiers Supporting Buyer for Congress
Honorary Chairman, Storm Chasers PAC



STEPHANIE MATTIX
Finance Director, Hoosiers Supporting Buyer for Congress
Executive Director, Storm Chasers PAC



DOUGLAS RADERSTORF
Treasurer, Hoosiers Supporting Buyer for Congress

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COUNSEL

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General Counsel's Office
Federal Election Commission
999 E Street, NW
Washington, DC 20463

April 2, 2010

Re: Donald Mark Garringer MUR 6261
 Complainant
 Steve Buyer and Stephanie Mattix
 Respondents

Answer to Allegations to Justify Why No Action Should be Taken

1. We have no knowledge to confirm or deny as to the complainant's residency.
2. We deny based on information and belief: The legal name of the 4th District U.S. Representative is Stephen Earl Buyer, AKA: Steve Buyer. While the complainant claims he is a resident of the 4th Congressional District, he has misspelled the Congressman's name: "Steven Buyer".
3. Congressman Buyer is the Honorary Chairman of the Storm Chasers PAC. Stephanie Mattix is the Treasurer of the Storm Chasers PAC.
4. We deny based on information and belief: The present mailing address for Storm Chasers PAC has always been P.O. Box 237, Monticello, IN 47960. The PAC's physical address changed in May 2009 from 200 North Main Street, Monticello, IN, to 103 West Broadway Street, Monticello, IN. The PAC rented office space in the same building as the Hoosiers Supporting Buyer for Congress Committee. The Campaign Committee's present mailing address has always been P.O. Box. 712, Monticello, IN 47960. The Campaign Committee's physical address changed in May 2009 from 200 North Main Street, Monticello, IN, to 103 West Broadway Street, Monticello, IN. Change of address was properly filed with the FEC. The phone number for the Campaign is (574)583-9843. The phone number for the Storm Chasers PAC is (219)863-5906. Hoosiers Supporting Buyer Congress Committee operated under its own lease at a rate of \$250.00 per month. The Storm Chasers PAC operated under its own lease at a rate of \$200.00 per month. The Frontier Foundation operated under its own lease at a rate of \$200.00 per month. See FEC filings and IRS 990 annual reports.

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5. We deny based on information and belief: Congressman Buyer has helped many charities achieve their goals. Prior to committing to assistance, due diligence was completed to ensure the charitable organization was valid and reputable. Case in point: Congressman Buyer declined to host the Former Members golf fundraiser because he felt the expenses to income ratio was higher than acceptable charitable fundraising guidelines. The Frontier Foundation to the best of our knowledge has operated within guidelines, under the supervision of its own attorney and CPA firm. We believe its tax filings and non-profit corporate status is current according to IRS regulations and guidelines and the Indiana Secretary of State Office.
6. I, Congressman Buyer, deny based on information and belief: When the Frontier Foundation reached its originating goal of \$100,000.00, the Foundation Board realized this was an insufficient sum to be self-sustaining; therefore, the endowment goal was raised to one million dollars. The IRS does not require foundations to file amendments to its originating goal. The Frontier Foundation is presently building a million dollar endowment to be sustainable to award students scholarships for many years to come. Its goal has not yet been achieved. Building an endowment is an acceptable and appropriate business practice among non-profit corporations, colleges, and universities for sustainability purposes. Congressman Buyer reimbursed the Frontier Foundation for all travel related expenses, including lodging and golf at its fundraising events. An express or implied claim of personal use is false, malicious, outrageous, and unsubstantiated claim.
7. We deny based on information and belief: See answer in Number 4. Each entity operated with its own lease, office space, bank accounts, credit cards, business ledgers, accounting systems, internal controls, payroll records, computer hardware and software, storage, phone, supplies, legal counsel, and accounting service. The phone number for Storm Chasers is (219)863-5906. The phone number for Hoosiers Supporting Buyer for Congress Committee is (574)583-9843. The phone number for the Frontier Foundation is (574)870-4565. See page 10 of the annual IRS Form 990, under Frontier Foundation that lists its phone number. As well as the other IRS filings such as the proposed scholarship application contains the Foundation phone number and is attached to the annual reports. There was a clerical error on the "template" for the cover page of each IRS 990, which was used repeatedly in error by the accounting firm when filing annual reports. When the Frontier Foundation was created, the IRS asked Stephanie Mattix for a contact number and the phone number for the Campaign Committee was provided. Please note that on the official IRS filing on page 10, the correct phone number was listed each year. The Foundation paid for its own phone. See IRS Form 990. The allegation that all three entities shared the same phone number (574)583-9843 is false, malicious, outrageous, and unsubstantiated claim.

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8. We deny based on information and belief: This allegation is also a false, malicious, outrageous, and unsubstantiated claim. See responses to numbers 4 and 7. Each entity rented office space in the same building under separate leases.
9. We deny based on information and belief: Stephanie Mattix was a salaried part time employee for the Campaign Committee and the Frontier Foundation. When Ms. Mattix left the Foundation on July 31, 2009, she had more time to dedicate to the Campaign Committee with increased duties and responsibilities, which justified an increase in her part time campaign salary from \$873.00 per month to \$1574.00 per month. In addition, historic FEC filings by the campaign clearly indicate that there is a flux to Ms. Mattix's salary. During peak campaign season her salary does increase. The increased base salary is justified because she agreed to additional duties and responsibilities. Any implied or inferred claim of an in-kind contribution from the Foundation to the Campaign is false, malicious, outrageous, and unsubstantiated claim.
10. We deny based on information and belief: The allegation of "commingled their affairs and activity with each other and with the political campaign of Buyer" is false, malicious, outrageous, and unsubstantiated claim. Each operated with its own lease, office space, bank accounts, credit cards, business ledgers, accounting systems, internal controls, payroll records, computer hardware and software, storage, phone, supplies, legal counsel, and accounting service. The complainant offers no evidence to support his claim of commingling activities. The evidence contained in FEC filings and Annual IRS Form 990 is clear that all entities were distinct and separate and in compliance with IRS and FEC rules, regulations, and law. The organizations never held fundraising events on the same day, or location to comply with the spirit of separation and to avoid any such allegations.
11. We deny based on information and belief: The complainant's allegation that the Storm Chasers PAC is a "fraud and sham" is false, malicious, outrageous, and unsubstantiated claim. The PAC has been transparent and in account with all its contributions and disbursements. The PAC's filings are current and accurate. The complainant's allegation the Frontier Foundation is a "fraud and sham" is false, malicious, outrageous and unsubstantiated claim. On information and belief, the foundation is in compliance with IRS rules and regulations. The foundation is a non-profit corporation in good standing with the IRS and in the State of Indiana. See also responses to numbers 4, 5, 6, 7, 8, 9 and 10.
12. We deny based on information and belief: The complainant's allegation of "ghost employment" is a false, malicious, outrageous, and unsubstantiated claim. See response to 9 and 10. On information and belief, the position held by Stephanie Mattix for seven years paid \$1000 per month. This is the same amount paid to Sandy Danford, her successor.

Additional Response:

This is the first and only FEC complaint we have faced in 19 years as a candidate and incumbent member of congress. Congressman Buyer is retiring at the end of this term. Hoosiers Supporting Buyer for Congress Committee has been transparent and in account with all its contributions and disbursements. We have prided ourselves in never having a complaint filed against us, especially given the increased hostile political environment. This complaint is so ridiculous we feel that it does not even warrant being called a complaint.

Steve Buyer was neither an officer nor a board member of the Frontier Foundation. The Foundation is a 501(C)(3) non-profit corporation in good standing. Likewise, the Storm Chasers PAC and Hoosiers Supporting Buyer for Congress Committee are also separate entities in good standing. Each has remained separate in their functions, leased office space, bank accounts, credit card, business ledgers, accounting systems, internal controls, payroll records, computer hardware and software, storage, phone, supplies, legal counsel and accounting services. The complainant uses innuendoes, unsubstantiated claims, and reckless accusatory words in the complaint such as "commingled", "fraud and sham", and "ghost employment". The complainant is reckless and offers no facts to substantiate any of the allegations.

The complainant relies upon an ethics complaint filed by Citizens for Responsibility and Ethics(CREW), with the Office of Congressional Ethics(OCE) against Congressman Buyer, which cited newspaper articles filed with innuendoes, and unsubstantiated claims. On March 26, 2010, within two months after the filing of the ethics complaint, the Board of the OCE dismissed CREW's ethics complaint and closed the matter with no further action; thereby, resolving the matter. This means CREW's ethics complaint was dismissed without going to the investigative phase. CREW's ethics complaint was filled with innuendoes, unsubstantiated claims, speculative assertions...no different then this FEC complaint filed by Mr. Garringer. Because Mr. Garringer relied on CREW's unsubstantiated ethics complaint we submit this FEC claim MRU 6261 should equally be dismissed, without going to the investigative phase.

The procedural standard for the OCE pre-investigation phase in order for the OCE Board to proceed with an ethics investigation is "reasonable cause to believe" AKA: "reason to believe." The OCE Board voted to terminate CREW's ethics complaint and not to proceed to the investigation phase; therefore, the complaint did not meet the Board's test of "reason to believe the allegation," which is necessary to commence a "Phase I Preliminary Review." Likewise, the Mr. Garringer's FEC complaint which relied on CREW's unsubstantiated ethics complaint equally does not pass the test of "reason to believe"; therefore, we ask that this FEC complaint be immediately dismissed.


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Please note, this rogue complaint comes from a disgruntled lawyer whose license to practice law had been suspended. See Exhibit A Order of Indiana Supreme Court. See Exhibit B Judicial & Legal Misconduct in Indiana. Also, United States 7th Circuit Court of Appeals in the matter of Donald Mark Garringer, Respondent-Appellant, 46F, 3d 1133, regarding his suspension to practice law by the Supreme Court of Indiana and reciprocal discipline by the United States District Court of the Southern District of Indiana, the Court cited that Mr. Garringer had refused to accept the final disposition of a bankruptcy case, in which he was counsel and continued to attempt to litigate the discussion, assailing as knaves (or worse) all those do not see matters his ways. He further attacked the State of Indiana as a "kleptocracy " and that the bankruptcy and district court benches are in cahoots with corrupt lawyers and state officials. On several occasions this court has sanctioned Garringer for his obduracy. The Federal Court sought to protect itself from Mr. Garringer because it noted that fines, suspensions, and disbarment has been ineffectual. Id. See Exhibit C which is the order from the U.S. 7th Circuit Court of Appeals.

Like the U.S. 7th Circuit Court of Appeals, we also seek to protect ourselves from Mr. Garringer's outrageous allegations and mean-spirited conduct; therefore, we ask that this frivolous and unsubstantiated complainant be immediately dismissed.

We, Steve Buyer, Stephanie Mattix, and Douglas Raderstorf swear under oath the above statements to be true to the best of our knowledge.


STEVE BUYER

U.S. Representative 4th District
Candidate, Hoosiers Supporting Buyer for Congress
Honorary Chairman, Storm Chasers PAC

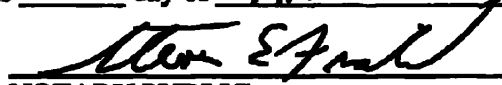

DOUGLAS RADERSTORF

Treasurer, Hoosiers Supporting
Buyer for Congress


STEPHANIE MATTIX

Finance Director, Hoosiers Supporting Buyer for Congress
Executive Director, Storm Chasers PAC

Sworn to and subscribed before me, this 24th day of APRIL 2010.


NOTARY PUBLIC STEVE E. FISHER

County of Residence: WHITE

My Commission Expires: 3/12/15

In the
Indiana Supreme Court

IN THE MATTER OF

DONALD MARK GARRINGER

)

) Case No. 49S00-9206-DI-491

)

ORDER GRANTING RELEASE FROM DISCIPLINARY PROBATION

This Court conditionally reinstated the respondent to the practice of law on August 28, 2002, provided that the respondent comply with certain terms and conditions of probation for a period of two (2) years. On December 1, 2005, respondent filed his *Verified Motion for Release from Probationary Status*. Respondent represents that he has successfully completed his term of probation. On January 23, 2006, the Indiana Supreme Court Disciplinary Commission notified the Court it had no objection to termination of respondent's probationary status.

And this Court, being duly advised, now finds that respondent's compliance with all terms of his disciplinary probation now permits his release from disciplinary probation and his full reinstatement to the practice of law in this state.

IT IS, THEREFORE, ORDERED that the respondent, Donald Mark Garringer, is released from the terms of his disciplinary probation and fully reinstated to the practice of law in this state, effective immediately.

The Clerk of this Court is directed to forward notice of this Order to the respondent or his attorney and to the Indiana Supreme Court Disciplinary Commission.

DONE at Indianapolis, Indiana, this _____ day of February, 2006.

Randall T. Shepard
Chief Justice of Indiana

All Justices concur.

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Exhibit B

Judicial/Legal Misconduct* in Indiana

*Following are some of the attorneys or judges who have been reported to have been disciplined by the State of Indiana for unethical conduct, charged with misconduct by the Indiana disciplinary agency or by a client, who may be a resident of the State of Indiana but was disciplined in another jurisdiction, sued for malpractice, incarcerated, indicted, whom we understand have been charged with unethical conduct, or who have brought disrepute to the courts or the legal business, etc.

ADAMS, EDWARD S.
ALLEN JR, LARRY J.
ANONYMOUS, 698 N.E.2D 808 (IND. 1998)
ANDERSON, KIM L.
ANTCLIFF, CLIFFORD G.
AREAUX, DANIEL G.
ATANGA, JACOB A.
AULT, KEVIN W.
BAKER, AMY B.
BALDWIN, BRIAN B.
BALDWIN, JEFFREY K.
BALOGH JR, RAYMOND L.
BARCE, JUDSON G.
BARNES, JAMES RICHARD
BARTHOLD, CLEMENTINE B. "TINY" (Judge)
BASS, KENNETH R.
BATESKY JR, RICHARD P.
BECKETT, BRANT R.
BELL, RICHARD N.
BELLEPERCHE, THOMAS W.
BENDER, WILLIAM H.
BENJAMIN, PETER L.
BERGDOLL, JOHN C.
BLUMENTHAL, JEANNE B.
BLUMBERG, JOSEPH A.
BOGGESE, JEFFREY ALLAN
BRAUN, CHARLES N.
BRECLAW, JOHN D.
BREUNIG, PRESTON
BRIDENHAGER, FRANKLIN
BROWN, DWAYNE M.
BROWN, STEVEN C.
BRUBAKER, R. ALAN (Judge)
BYBEE, ELIZABETH BASHAW
CABLE, RANDALL L.
CALDWELL, GREGORY L.
CAMPBELL, CHARLES E.
CARTMEL, THOMAS O.
CATT, BRADLEY JOHN
CHAVEZ, SAMUEL S.
CHERRY, HUGH ERSKINE
CHOVANEC, JAMES E.
CLARK, TIMOTHY V.
COBB, ARTHUR T.
COLE, DARREN T.

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COLE, SCOTT C.
COLMAN, DAVID J.
CONN, GENE E.
CONOVER, TODD M.
CONTEH, SWARAY E.
COBB, ARTHUR THOMAS
CORBIN, TIMOTHY L.
CORIZZI, ANTHONY JOSEPH
CORTSON, MICHAEL DEAN
COSBY, DWIGHT ANTONIO
CRENSHAW, ZENA D.
CROUSHORE, PAUL GREGORY
CUELLER, Daniel
CUPP, JAMES O.
DARLING, DOUGLAS F.
DAVIS JR, CHARLES A.
DAVIS, RONALD LYNN
DEETS III, CHARLES R.
DEMATO, JOHN A.
DESANCTIS, CHRISTINE ANN
DINIUS, ERNEST LOWELL
DODD, TIMOTHY R.
DRAKE, MACARTHUR
EAGER, KENNETH C.
EBERSOL, JAMES MICHAEL
ECKERT, STEPHEN P.
EDMISTON, PAUL D.
EDWARDS, AHMAD
EDWARDS, JOSEPH G. (Judge)
ELEY, DERRICK D.
ETTL, FREDERICK B.
FAIRCHILD, RAYMOND F.
FETTERS, JEFFREY K.
FIFE III, JAMES H.
FISHER, 684 N.E.2D 197 (IND. 1997)
FISHER, JAMES R.
FISHER, LLOYD B.
FLEENER, MICHAEL A.
FLETCHER, JAMES A.
FOLEY & FOLEY
FOLEY, MICHAEL J. (164 F.3d 382 (1999))
FREEMAN IV, JOHN HENRY
GALANIS, MICHAEL J.
GALLOWAY SR, DAVID K.
→ GARRINGER, DONALD MARK
GAUDIO-GRAVES, GINAMARIE A.
GAYDOS, JOHN J.
GEHEB, MARK D.
GELLER, STEVEN B.
GLASSER, ROBERT L.
GOEBEL, WILLIAM A.
GOFORTH, DEMAYNE H.
GOLDING, JEFFREY A.
GOLE, RICHARD A.
GOODE, BLAINE
GOTKIN, JONATHAN S.
GOUDY, DIANE M.
GRADDICK, CHARLES H.
GRAHM, CRAIG W.
HACKNEY III, JAMES V.

Exhibit c**Jurist**

Home

46 F3d 1133 In the Matter of Donald Mark Garringer**46 F.3d 1133****In the Matter of Donald Mark GARRINGER, Respondent-Appellant.****No. 94-2488.****United States Court of Appeals, Seventh Circuit.*****Argued Jan. 25, 1995.******Decided Jan. 27, 1995.******Rehearing Denied March 7, 1995.*****Before FLAUM, EASTERBROOK and MANION, Circuit Judges.****Order**

After the Supreme Court of Indiana suspended Donald Mark Garringer from the practice of law for 60 days, the United States District Court for the Southern District of Indiana issued a notice under Local Rule II, which provides for reciprocal discipline. Garringer sought an evidentiary hearing, but the district court denied this request, concluding that the state court's order rests on an adequate record and procedures, and that no extraordinary circumstance justifies departure from the norm of reciprocity. See also *Theard v. United States*, 354 U.S. 278, 282 (1957); *In re Buffalo*, 390 U.S. 544, 547 (1968). The district court suspended Garringer for 60 days. Although that time has expired, Garringer has not applied for reinstatement and remains suspended from practice in the Southern District of Indiana.

The district court explained its decision in two careful opinions--the first entering the suspension order and the second denying a motion to reconsider. We have nothing to add to these opinions and affirm for the reasons given by the district court.

Garringer's briefs in this court suggest, however, that neither the district court's decision nor our order of June 17, 1993, striking Garringer's name from the roll of attorneys authorized to practice in this court, has had the desired effect. As our disbarment order recites, Garringer has refused to accept the final disposition of a bankruptcy case in which he was counsel and has continued to attempt to relitigate that decision, assailing as knaves (or worse) all those who do not see matters his way. Garringer's brief and oral argument in this court focused on the bankruptcy case, which he says proves that the State of Indiana is a "kleptocracy" and that the bankruptcy and district court benches are in cahoots with corrupt lawyers and state officials.

A lawyer must be able to accept defeat in litigation. Garringer not only declined to accept his clients'

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loss in the bankruptcy case but also refused to accept losses that affect him personally. On several occasions this court has sanctioned Garringer for his obduracy and ordered him to pay monetary fines. So far only a total of \$350 has been paid; Garringer has not made any payment toward these fines since January 28, 1993.

Only recently we pointed out the threat to the judicial system, and thus to the rights of bona fide litigants, posed by persons who refuse to accept the outcome of their cases and, when fined, do not pay. See *Support Systems International, Inc. v. Mack*, No. 94-3287 (7th Cir. Jan. 11, 1995); see also *Sassower v. ABA*, 33 F.3d 733 (7th Cir.1994); *Sato v. Plunkett*, 154 F.R.D. 189 (N.D.Ill.1994). Garringer has not responded in a civil manner to decisions on the merits against him and his clients; he has not paid the sanctions; and to judge by the brief in this appeal the combination of fines, suspensions, and disbarment has been ineffectual. At this point the judicial system is entitled to protect itself in other ways. We therefore make the same provision as in *Support Systems International*: the clerks of the seven district courts in this circuit are directed to return, unfilled, any papers tendered by Donald Mark Garringer until he has paid in full all outstanding sanctions. This order is subject to the same two caveats as in *Support Systems International*: it does not apply to filings as a criminal defendant (or in support of a writ of habeas corpus), and it is subject to reexamination, for good cause, after two years.

The decision under review is affirmed. The Clerk of this court will distribute copies of this order, and of the disbarment order dated June 17, 1993, to the clerks of the seven district courts within this circuit, so that they may implement the additional restriction we have specified.

NOTICE: Seventh Circuit Rule 53(b)(2) states unpublished orders shall not be cited or used as precedent except to support a claim of res judicata, collateral estoppel or law of the case in any federal court within the circuit.

46 F.3d

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