

August 16, 2021

American System Group, LLC
9523 Lucerne Ave
Culver City, CA 90232

RE: MUR 7905

Dear General Counsel:

This letter is in response to the complaint MUR 7905, filed by the Ute PAC, Committee No. C00626671, against this writer, Robert Lucero, the founding director and first treasurer of Ute PAC. This is a response to that complaint and a request that the FEC dismiss the complaint. As will be shown here, I was terminated by the Tribe in January of 2020 for reasons unrelated to any audit matters. I have been working with FEC auditors, led by Christina Rosalinda Crussiah and Rickida Moscomb, to clear up all reporting issues subject to the 2017 and 2018 audit. We have, as part of the audit review, for example, addressed the complaint's allegations surrounding "unaccounted for cash withdrawals". As has been verified by Wells Fargo officials to the satisfaction of the FEC auditors, these were in-branch transfers between the Ute PAC accounts and my LLC account, the American System Group. (Exhibit 1). I have also made significant progress in correcting records and providing additional documentation needed to comply with the Initial Audit Report (IAD). I have worked hard to account for all expenditures by supplying payroll records and documentation, or written explanations where documents were unavailable. I am very appreciative of the assistance I have received from the FEC staff throughout this process.

I detail and document here some key details of the truth about matters raised in the complaint:

1. Audit 2017-2018. The Ute Indian Tribe by contract commissioned me to set up and run their political action committee and handle all FEC reports. Beginning in the fall of 2019, I began working directly, without delay, with the auditors at the FEC (Exhibit 2). The complaint alleges that I evaded auditors at the FEC, to hide funds for personal gain. This allegation is patently false as I have worked hard to supply documentation both to the lawyers for the Tribe and to the FEC. As director and treasurer, I was fully cooperating with the FEC audit from the beginning (October 2019), until my abrupt termination by the Ute PAC in February 2020. That termination was NOT related to audit questions at all as will be shown below in bullet point 4. On January 23rd, 2020, I sent a letter to the Business Committee and the Tribe's attorneys reviewing the status of Ute PAC with respect to compliance and the FEC but I received no reply from anyone (Exhibit 3).

Prior February 2020, I had great, cooperative relationships with the Ute Tribe's elected leaders, tribal members, and the Tribe's attorneys. I wanted very much to help the Ute Tribe overcome political opposition to issues that matter most to them. At the time the FEC audit was initiated, my discussions with FEC staff led me to believe that I as PAC director could resolve the audit issues; I was not hiding the fact of the audit. Audits by their nature help directors of a PAC to comply with regulations before further long-term issues develop. My hope was I would satisfy the audit by better documentation and have positive news to report back to the Ute Tribe.

I was terminated before I finished addressing the audit, and as a result did not have time to complete the audit or to provide an outcome to the Tribal leadership. Accusing me of hiding the audit is unfair under the circumstances. I naturally knew it would be impossible to hide a negative outcome of an audit and had already begun working with the Tribal attorneys on restructuring the Ute PAC's budget to avoid any accounting problems (Exhibit 4). Therefore, I began immediately to address the issues raised in the audit. I have continued to assist with the audit and work with the FEC staff after my termination as director to both address the reporting issues found in the audit and to address complaints alleged by the Tribe. My abrupt termination due to other internal matters complicated my ability to address the audit but my intention was always to address any reporting issues and supply the necessary documentation. The PAC was new and the budget and expenditures were relatively small. I believed after speaking with FEC staff that they would assist me in understanding the documentation needed to meet their regulations and the chances were good I could satisfy their concerns.

2. Salary of the Director: In 2016 during my contract negotiations I requested a salary at a \$55/hour rate as the executive director of the Ute PAC, (a rate below the going rate at the time for this kind of work). The lawyers for the tribe led me to believe the rate was fair, but the rate per hour would not be placed in tribal resolutions because the language needed to be more general. As proof the Tribe found my rate reasonable, during the 2017-2018 audit period, the Tribe approved my suggestion of hiring an assistant director at a rate of \$2,500 every two weeks (Exhibit 5). I have been informed by the FEC staff that the Tribal attorney claims that they only agreed to pay me \$10,000 a year. The notion that I had accepted a salary of \$10,000 per year while paying my assistant \$60,000 for his first year is ludicrous. In the fall of 2016, I had settled on a discounted rate of \$50 an hour for my pay as the full-time director of Ute PAC and other entities and projects that I was coordinating for the Tribe (Exhibit 6). As I have discussed with FEC auditors, that salary was reasonable for the director position and not in violation of any FEC rules. (At 50 an hour for a full time position, or at least 35 hours a week, would be about \$7000 a month, and as records show my actual salary was less than that amount per year). The

documentation I have supplied for payroll and my salary, is within the range of the rate I negotiated for my position. I was not hiding funds or inflating my salary. I worked hard to actualize the political goals of the PAC, and if anything, I put many more hours into the services I provided than I charged to the PAC. My goal was to put more hours into the first years of the PAC to establish results. I had realistic expectations that the PAC budget would initially be limited. In the Fall of 2019 and Spring of 2020 I was in the process of reorganizing all of my work for the Tribe to make the whole relationship more equitable for all involved.

3. Scam PAC: The notion in the Tribe's complaint that Ute PAC was established as a scam PAC in the mold of the McKenzie case is not only completely false it is an insult to the Tribe and their commitment to establish a bonafide PAC; it makes a mockery of the FEC's work on actual scam PACs; and it is an insult to me personally, and quite possibly libelous. The Tribal leadership and its lawyers were well aware of the real work that I was doing as PAC director from day one. I attended many meetings with the Tribal leadership and their legal counsel, and traveled frequently to conferences with them. The Tribal leadership and I formed political goals and I kept them informed of PAC activities. I was not isolated. For example: I worked for nearly 4 months in 2017 on a donation of \$250,000 that I helped steer into the Tribe's treasury from a private donor—and NOT into the PAC account or any account in my control (Exhibit 7). The Scott McKenzie case involved multiple PACs with budgets magnitudes larger than the modest Ute PAC budget. As I have worked hard to document, my salary and expenses were not extraordinary, or out of line for the tasks I was managing with very limited support staff. In large part, the Tribe expected me to reach significant goals with only one assistant and a small budget. (The Ute PAC only had two full-time employees, a director and assistant director and occasional short-term paid interns and partners).

4. Contract Termination: I was not terminated for failing to work with auditors, either internal or external. The record shows that I have communicated and cooperated with the FEC auditors and I am close to finishing the work to document their final remaining page of questions (Exhibit 8). I have always wanted to document the expenses of the PAC in compliance with the FEC rules. I also cooperated with the Tribe's auditors and turned over to them records they requested. The actual reason for my abrupt termination by the Tribe was due to the Tribal leadership's response to my firing of the grandson of the Tribal Council Chairman. I had refused to pay him for work not completed. I was early in the process of disputing the claims of the ex-employee and attempting to have the Tribe's Business Committee negotiate the disagreement when I was abruptly fired. As referenced above, the termination letter did not state that I was refusing to comply with an audit or any other financial claim (Exhibit 9). My actions against the employee were likely interpreted as disrespectful of the Tribe or its leadership. I understand those

feelings now, and I could have handled the employee termination differently to avoid political conflict and maintain the trust relationship with key leadership. Instead I believe I was fired for failing to show appropriate respect and deference to Tribal decisions, a feeling I now better understand after my termination. In hindsight, I should have approached Tribal leadership and asked for their advice before taking independent action that would appear as disrespectful or contrary to their wishes or cause hard feelings with the Tribe that had shown me trust in hiring me as director. I needed to have resolved the employment issues with the grandson in a more understanding way which may have avoided this whole complaint.

More refutations of claims in complaint, MUR 7905

One of the first accusations in the complaint is that upon my receipt of the initial \$100,000 from the Ute Indian Tribe into the Ute PAC account, I immediately withdrew \$70,000 and they do not know what was done with this money. This is nowhere near the truth. The \$100,000 was approved and released by the Tribe for the direct purpose of funding network and cable television ads to be produced and placed on TV by Jeff Stern and myself. Jeff is a 30+ year veteran of network and cable television at the executive level. He did nothing but timely and professional work for me and the PAC. (Exhibit 10).

In the first weeks of collaboration in 2016, the Ute PAC produced two TV ads that were run in hundreds of time slots on network television in Utah. JS Media Group co-managed this campaign with me, the details of which had been shown to the Tribe's Business Committee and approved. The amount of \$70,000 was transferred to JS Media Group on October 3, 2016 to facilitate this media effort. The timing was all last-minute, days before the 2016 election. We scrambled to produce the ads from scratch, we bought the TV time and Jeff produced all of the proper receipts and documentation of the ad times for the PAC which are on file with the FEC auditors. In fact, because of our success with these ads, the Tribe sought to make the Ute PAC and my work for the Tribe more permanent coming into 2017.

Below are relevant exhibits and explanations that refute more statements made in the Tribe's complaint:

“[Mr. Lucero] intentionally used deceptive and incomplete financial reporting to take UtePAC funds for his personal gain”.

From day one of my contact with the Ute Indian Tribe in 2016, the Tribal Council has been fully informed of the mission of Ute PAC and the funding that would be required to set up and run a respectable PAC. When we first began negotiating a salary for the proposed continuation of my directing of the PAC in October of 2016, the lawyer for the Tribe, Jeremy

Patterson, acknowledged that my request for a salary was reasonable and based slightly lower than the median salary for a PAC director, approximately \$55 an hour, or \$110,000 per year for the first year. I was paid far less per year as we worked to build the PAC (Exhibits 11). During the period of the FEC audit, 2017-2018, it became clear to me that I required more staff assistance to fulfill their goals. I was a one man band running in too many directions. The Business Committee agreed and I hired the assistant director.

The Tribe and its lawyers had me doing work well beyond the scope of Ute PAC activities, with only the Ute PAC monies they supplied and Ute PAC monies I would raise independently. As was previously mentioned, in the Spring of 2017, I initiated contact with a professor in California who offered a \$250,000 contribution. In the early Fall of that same year, I made sure that money went directly to the Tribe and not to the Ute PAC.

Two other notable incidents that illustrate the kind of relationship I had to the Tribe and its lawyers happened around this time in 2018. First, the Tribe became very focused on restoring the Bears Ears National Monument that had been significantly shrunk by the Trump Administration. The Tribe sued and had to pay their own legal expenses for the case. One of the Tribe's lead attorneys, Jeremy Patterson, called me and said "I want to have a special phone call with you, a side project, with another partner from the firm". I said ok, yet I had no notice from the Tribe about this "new project". The conference call with Jeremy and firm's then-partner John Peebles, was about the firm asking me to fundraise, through Ute PAC, to specifically pay for the legal fight (legal fees) for the firm's work on Bears Ears (Exhibit 12). This was NOT part of Ute PAC's work as defined by any Tribal Resolutions and the firm was already regularly billing the Tribe for their legal work. When I mentioned this conference call to the Ute Land Protectors, a tribal membership organization that I was partnered with on the Ute Reservation, they were shocked by this potential siphoning of Ute PAC funding from public support to pay still more attorney's fees.

There was a second incident in October 2018 involving the Tribal Council, the lawyers, and myself. The Tribal Council had approved \$100,000 for Ute PAC for fiscal year 2018-2019 but asked for \$35,000 of it back because they wanted to donate that money directly to candidates, which cannot be done through the PAC. The lawyers facilitated this transfer of money, leaving Ute PAC with LESS than \$65,000 for the year, with which to run all operations and pay my assistant director and myself!!! Clearly not enough money and Jeremy Patterson's words to me were: "don't worry, we'll get you more money." That was the culture of my time working for the Tribe and their lawyers. It was hard to know what was expected of me, and if I could meet their expectations on the budget provided. My assistant director and I had to use funds from our new non-profit to pay for staff and office expenses, all of which was understood by the Tribe to be acceptable management by me, the director of both organizations.

The Tribal Council and tribal members were very positive about the immediate real results of Ute PAC's work in 2016, and I felt their positive support into 2020. More than one tribal member expressed in public meetings how low the funding level was for this kind of work. One member of the tribal community committee, Paula Black, said in a meeting in the fall of 2018: "The Business Committee gave you \$100,000 for the fiscal year?!? That's barely enough to cover your salary!"

I also want to address the purchasing of a car for my use as the director of Ute PAC. According to the FEC regulations, ***there is nothing illegal about purchasing a car for PAC use.*** This car was used by me as the director for field work and regular long distance trips for Ute PAC. I lived more than 220 miles from the reservation in Northern Utah, an often snowy trip. Ute PAC also spent a lot of time in Salt Lake City and Park City, Utah where we had the strongest support and presence. Park City was over 110 miles from Logan, Utah. As director I made the decision to purchase the car, for safety reasons, and to make sure I had a large enough car (Honda Pilot 2011 model) to transport volunteers and tribal members as needed. I purchased the used car for \$22,839.71, as the Tribe's complaint documented, a reasonable price for a used mid-range SUV.

The complaint also questioned the expenditures around the 2017 Outdoor Retailer Show. Neither the Tribe nor I had ever participated in this show, it was new territory, and I was given full approval by the Tribe/PAC to participate in the show. It involved new partnerships with show participants, a multi-media booth, new staff and volunteers, and the introduction of a spin-off non-profit from Ute PAC, the Indian Lands and Public Lands Alliance. Since the complaint was filed, I have worked with the FEC auditors to provide documentation of these expenses and we have corrected most of the reporting documentation issues.

Conclusion:

In summary, I was proud to have had the opportunity to set up a PAC for the Ute Tribe to address the adverse political climate they faced in Utah. I enjoyed working with the Tribe, and made sacrifices to do the work with limited funds and staff. I believed we could start with a modest budget and then see if further funding was needed to grow the PAC to meet the PAC's goals. I never had the expectation there would be a large budget until we grew our success and developed relationships. From 2016 to the end of 2019 my relationship with the Tribal leadership and the attorneys for the tribe, our relationship was professional and fully cooperative. When the PAC was first established in a September 2016 meeting with the Tribal Council, when I offered to send them regular reports and constant feedback I was interrupted by one of the Council Members who said, "No, we want YOU to handle all of this. We are too busy and would like for you to set it all up and handle it." I was honored with this trust and task and handled it professionally.

I trusted them, traveled with them, and kept them as informed as possible. I wanted to meet their expectations. The audit by the FEC helped me to focus on how to properly report, and the documentation needed, the PAC was new and we were learning. I felt confident I could work with the auditors and satisfy the FEC regulations. I learned documentation would have been easier if we had separated salary payments from general PAC payments, but I now understand the documentation needed for the structure we established. I did not create a sham PAC or hide funds. I have worked hard to provide documentation to both the FEC and the tribal auditors. And I am sorry for any misunderstandings between the Tribal leadership about the PAC activities or funding. Our communication broke down, but I was not attempting to deceive the Tribe or its auditors. I wanted very much to help them accomplish their goals and to comply with the FEC rules. I worked hard on a limited budget and the staff to assist me with reporting and administrative tasks..

I hope that the FEC staff now has sufficient documentation to address the issues found in the audit. (At this date I am still working with the staff on the remaining documentation issues) And I hope this letter addresses the complaint allegations and can eliminate many concerns. I would be open to any mediation efforts the FEC might suggest between the agency, myself and the Ute PAC to resolve the complaint. I am still willing to address in detail any further issues they may have about the PAC structure and the expenditure of funds.

Sincerely,

Robert Lucero

Exhibit 1

From: **Robert Lucero** roblucerojr@gmail.com
 Subject: Fwd: final letter 06202107083745221 ROBERT LUCERO JR.pdf
 Date: August 10, 2021 at 8:56 AM
 To: Christina Crussiah ccrussiah@fec.gov, Rickida Morcomb rlmorcomb@fec.gov, Rolie Wilson RWilson@nativelawgroup.com

RL

Good Morning Ms. Morcomb,

Sorry for the delay in forwarding this to you. I hope this clarifies the situation for you.

Sincerely,
 Robert Lucero

----- Forwarded message -----

From: <Robert.Pappas@wellsfargo.com>
 Date: Fri, Jul 9, 2021 at 12:52 PM
 Subject: final letter 06202107083745221 ROBERT LUCERO JR.pdf
 To: <
 >

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 Robert G. Lucero, Jr



Enterprise Complaints Management Office
 2650 Wells Fargo Way
 Floor 06
 Minneapolis, MN 55467-2694

July 9, 2021

Robert Lucero Jr.
 UTE PAC

Culver City, CA 90232

Subject: Response to the inquiry received for

Dear Robert Lucero Jr.:

Thank you for the opportunity to address your inquiry. We want you to know we're here to help. We're responding and want to make sure you have the information you need.

Transfers between accounts

In your inquiry, you stated that you need a letter from Wells Fargo regarding transfers between accounts ending in 1042 and ending in 5409. I confirmed that these transfers were done between the accounts and did not involve any cash. All the transfers were done electronically. There were other accounts transferred to every now and then and the same can be said for those transfers. The transfers were electronic and no cash was involved.

Going forward

We value your feedback and appreciate the time and effort you took to contact us. It's been my goal to fully address the concerns you've brought to our attention.

If you have any questions, you may reply to me directly at the return address on this letter or by phone at 689-216-3471. I



Enterprise Complaints Management Office
 2650 Wells Fargo Way
 Floor 06
 Minneapolis, MN 55467-2694

July 9, 2021

Robert Lucero Jr.
 UTE PAC

Culver City, CA 90232

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Dear Robert Lucero Jr.:

Thank you for the opportunity to address your inquiry. We want you to know we're here to help. We're responding and want to make sure you have the information you need.

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Going forward

We value your feedback and appreciate the time and effort you took to contact us. It's been my goal to fully address the concerns you've brought to our attention.

If you have any questions, you may reply to me directly at the return address on this letter or by phone at 689-216-3471. I am available to assist you Monday through Friday, 730 am to 4 pm Central Time. If you require immediate assistance and I am unavailable, other representatives are available to assist you at 1-866-907-9913, Monday through Friday, 8:00 a.m. to 8:00 p.m. Central Time. For customers with hearing or speech disabilities, we accept telecommunications relay services calls.

Sincerely,

Robert Pappas

Case Specialist
 Enterprise Complaints Management Office

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ECMO-00269-01-E_032021

Exhibit 2

From: **Christina Crussiah** <CCrussiah@fec.gov>
 Subject: RE: The UTE PAC
 Date: October 9, 2019 at 10:33 AM
 To: Robert Lucero



Hi Lucero,

I was not able to call at 1 p.m. P.S.T. yesterday but I will today around 1 or 1:30 p.m. P.S.T. I have attached an electronic copy of the Audit Notification Letter for The UTE PAC here for you.

Christina Rosalinda Crussiah
 Auditor, FEC
 202-694-1195
 Room 1057
ccrussiah@fec.gov

This email may contain privileged or confidential information and is for the sole use of the intended recipient(s). If this email has been received in error, please notify the sender immediately at (202) 694-1195, or by reply email, and delete the message without copying or disclosing its contents. Thank you.

From: Robert Lucero [mailto:]
Sent: Wednesday, October 09, 2019 12:49 PM
To: Christina Crussiah <CCrussiah@fec.gov>
Cc: William A. Antosz <bantosz@fec.gov>; Rickida Morcomb <rlmorcomb@fec.gov>
Subject: Re: The UTE PAC

Hello Christina,

I have not received anything in the mail. The mailing address for Ute PAC is:
 6039 Washington Ave
 Culver City, CA 90232

I will also be available for a call at 1pm Pacific Time, as you indicated in your voicemail.

Thank you,
 Robert

On Tue, Oct 8, 2019 at 10:12 AM Christina Crussiah <CCrussiah@fec.gov> wrote:

Good morning Mr. Lucero,

I am trying to contact you to ascertain whether you received our Audit Notification Letter mailed to you, and discuss the records requested for The UTE PAC. I left you a message this morning around 9:45 a.m. P.S.T. I will call you again around 1:30 p.m. P.S.T. this afternoon. Please feel free to call or email me as well. Thank you.

Christina Rosalinda Crussiah
 Auditor, FEC
 202-694-1195
 Room 1057
ccrussiah@fec.gov

This email may contain privileged or confidential information and is for the sole use of the

Exhibit 3



Dear Business Committee Members,

I would like to thank you once again for taking the time to meet with Braidan and me yesterday, Wednesday January 22nd. I would also like to reiterate my appreciation for the Business Committee's and the tribal membership's support of my work with Ute PAC and Ute Land Trust. I look forward to more productive work with the Tribe this year.

I wanted to add a few more comments given the number and breadth of astonishing accusations launched against me in the Council Chambers yesterday by Braidan. I will not respond to any specific accusation here as I believe having a legitimate back and forth on those matters is for the Council to decide, if they want to go through that or not.

I pride myself on being a professional non-profit manager. I have spent most of my adult life in non-profit, grassroots work and have a Master's degree in Public Administration with a focus on non-profit work from the University of Southern California (USC). I am proud of the hard-fought achievements of Ute PAC and Ute Land Trust over the last four years. I do, however, recognize my limitations. I am not an accountant, I am not a chief financial officer, I am not a payroll manager. Worst of all, I think in the interest of making sure Ute PAC continued to exist, I have underestimated to the Council the true cost of having a bone fide political action committee. We do need a third person, who can act as an accounting person and work with me on payroll, FEC filings, any compliance questions, etc. We would, however, require more funding to make that happen. While Braidan and I have had our disagreements, I believe we are two passionate and political people who want to work to advance the interests of the Ute Tribe. I believe we can quickly figure things out, right the ship, and continue our important work.

Thank you once again for your time and attention to this matter. I wish for Ute PAC and Ute Land Trust to be a benefit to the Tribe, not a burden. I hope we can all work something out to continue our progress.

Sincerely,
Robert Lucero
Ute PAC and Ute Land Trust--Director

Exhibit 4

From: **Braidan Weeks** braidan@utepac.com
 Subject: Re: Questions About Employment Paperwork
 Date: November 18, 2019 at 2:47 PM
 To: Robert Lucero robert@utepac.com, Jeremy Patterson jpatterson@ndnlaw.com

BW

Hi All,

Jeremy thank you for the response and information. As Robert mentioned we are going to be meeting Wednesday. We'll reach out if we have questions after that.

Robert it's correct that the offer letter and the contract were drafts. To clarify though the W-4 and Employee Information documents were requested by you when I was hired last year.

Tog'oyak,

Braidan

From: Robert Lucero <robert@utepac.com>
Sent: Monday, November 18, 2019 2:10 PM
To: Jeremy Patterson <JPatterson@ndnlaw.com>; Braidan Weeks <braidan@utepac.com>
Subject: Re: Questions About Employment Paperwork

Hi Jeremy and Braidan,

Jeremy: all the docs Braidan sent were drafts that he has made for this year; that was not a letter from me, it's a suggested letter drafted by Braidan.

Essentially both Braidan and I would love to have contracts guaranteeing our pay. But neither one of us has that from the BC, and I have not been asked by the BC or given the authority by the BC to give Braidan a contract of any kind. I have not asked for a contract with a dollar figure as I think that would cause more problems than it would solve.

To anchor the discussion of this to what we are operating under during the beginning of this fiscal year with the BC: the pay that was suggested for Braidan in the memo attached to the resolution was \$3,000 per month. This will be gross pay; he will do his taxes on his own. That is how we have done things pretty much since the beginning. I was going to try to do the whole employment and deductions thing last year but nothing was ever made official and he's just been getting gross pay.

We have also never made Braidan exclusively a Ute PAC employee. In order for him to help with both Ute PAC and Ute Land Trust, the non-profit work, I have considered him a contractor with American System Group, LLC, the LLC through which I set up my original agreement with the Tribe. We had more funding for pay built into the Ute Land Trust resolution as well but I am in the process of reworking that, to put in front of the BC later this winter.

The discussion Braidan and I have been having lately is around the need expressed by the BC in our October meeting that Ute PAC raise more of its own money. That is the big

challenge for 2020. While Braidan has expressed interest in figuring that part out with me, we have a lot to do to get that off and running. Raising money every month, with a quota between us of about \$5000 in 2020 will be a huge challenge but it's entirely necessary if we are going to do more than just pay staff with the Ute PAC funding for 2020.

Braidan and I have a meeting scheduled for this Wednesday morning to speak further on all of this. Perhaps we can check back with you, Jeremy, after that if we need further input or help from you.

Thanks,
Robert

From: Jeremy Patterson <JPatterson@ndnlaw.com>
Date: Monday, November 18, 2019 at 11:57 AM
To: Braidan Weeks <braidan@utepac.com>
Cc: Robert Lucero <robert@utepac.com>
Subject: RE: Questions About Employment Paperwork

Braidan,

From the application you submitted it looks like the intent was to hire you as an employee, not an independent contractor, but that would be something Robert would need to clarify based on his conversations with the Business Committee.

The difference would be that as an independent contractor, you are not vested with any employee benefits, cannot be provided a computer, office or equipment and are responsible for processing your own taxes.

As an employee, you can still have an employee contract and not serve in the capacity of an independent contractor.

From: Braidan Weeks <braidan@utepac.com>
Sent: Friday, November 15, 2019 3:46 PM
To: Jeremy Patterson <JPatterson@ndnlaw.com>
Cc: Robert Lucero <robert@utepac.com>
Subject: Questions About Employment Paperwork

Hi Jeremy,

Robert and I have been holding some planning meetings together and there seems to be some confusion on my employment status. I mostly just want to make sure that myself and the organization are not operating under any kind of financial or legal liability. Robert suggested that we speak with the legal team. I filled out the attached paperwork ("Employee Information Sheet" and "Hiring Docs") as a new hire on October 1, 2018 and I'm unsure if that makes me an employee (so we should be paying taxes on my income) or if that makes me a contractor (meaning I need to have a signed contract with UtePAC.)

I don't have a lot of experience in this area. if there are other options to consider or

I'm missing part of the picture I defer to your advice. As I understand it I need to be an employee with an employment offer or an independent contractor with a signed contract. I have drafted paperwork for each of these options and welcome any feedback on how we should proceed.

Tog'oyak,

Braidan

Exhibit 5

American System Group, LLC
2302 S Budlong Ave
Los Angeles CA 90007

Pay Stub Detail
PAY DATE:10/16/2018
NET PAY:\$1,838.10

Braidan Weeks

Holladay UT 84117

EMPLOYER
American System Group, LLC
2302 S Budlong Ave
Los Angeles CA 90007

PAY PERIOD
Period Beginning 10/01/2018
Period Ending: 10/15/2018
Pay Date: 10/16/2018

EMPLOYEE
Braidan Weeks
Holladay UT 84117

NET PAY: **\$1,838.10**

MEMO:

PAY	Hours	Rate	Current	YTD
Salary	-	-	2,500.00	2,500.00

DEDUCTIONS	Current	YTD
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TAXES	Current	YTD
Federal Income Tax	346.90	346.90
Social Security	155.00	155.00
Medicare	36.25	36.25
UT Income Tax	123.75	123.75

SUMMARY	Current	YTD
Total Pay	\$2,500.00	\$2,500.00
Taxes	\$661.90	\$661.90
Deductions	\$0.00	\$0.00

Net Pay **\$1,838.10**

Exhibit 6

Excel File Edit View Insert Format Tools Data Window Help 42% Mon 11:56 AM Robert Lucero

Ute PAC Payroll Sheet — Saved to my Mac

Home Insert Draw Page Layout Formulas Data Review View

Calibri (Body) 12

General

Conditional Formatting

Format as Table

Cell Styles

Insert

Delete

Format

Sort & Filter

Find & Select

Ideas

Sensitivity

Share

Comments

	A	B	C	D	E	F	G	H	I
	Name	Address	City	State	Date	Amount	Description	Additional Notes	
1	Robert Lucero		Culver City	CA	3/30/17	5000	Director's Pay	100 hrs/\$50 per hr	
2	Robert Lucero		Culver City	CA	5/4/17	5000	Director's Pay	100 hrs/\$50 per hr	
3	Robert Lucero		Culver City	CA	7/3/17	4000	Director's Pay	80 hrs/\$50 per hr	
4	Robert Lucero		Culver City	CA	8/1/17	3500	Director's Pay	70 hrs/\$50 per hr	
5	Robert Lucero		Culver City	CA	8/22/17	4000	Director's Pay	80 hrs/\$50 per hr	
6	Robert Lucero		Culver City	CA	9/8/17	1200	Director's Pay	24 hrs/\$50 per hr	
7	Robert Lucero		Culver City	CA	9/18/17	400	Travel advance		
8	Robert Lucero		Culver City	CA	12/7/17	1400	Director's Pay	28 hrs/\$50 per hr	
9	Robert Lucero		Culver City	CA	12/15/17	1000	Director's Pay	20 hrs/\$50 per hr	
10	Robert Lucero		Culver City	CA	12/21/17	500	Director's Pay	10 hrs/\$50 per hr	
11	Robert Lucero		Culver City	CA	12/26/17	1000	Director's Pay	20 hrs/\$50 per hr	
12	Robert Lucero		Culver City	CA	12/28/17	500	Director's Pay	10 hrs/\$50 per hr	
13	Robert Lucero		Culver City	CA	1/2/18	2200	Director's Pay	44 hrs/\$50 per hr	
14	Robert Lucero		Culver City	CA	1/12/18	10000	Director's Pay	200 hrs/\$50 per hr (5 wks beginning early Dec to Jan)	
15	Robert Lucero		Culver City	CA	2/14/18	2000	Director's Pay	40 hrs/\$50 per hr	
16	Robert Lucero		Culver City	CA	2/23/18	1000	Director's Pay	20 hrs/\$50 per hr	
17	Robert Lucero		Culver City	CA	3/9/18	2000	Director's Pay	40 hrs/\$50 per hr	
18	Robert Lucero		Culver City	CA	4/9/18	1800	Director's Pay	36 hrs/\$50 per hr	
19	Robert Lucero		Culver City	CA	5/17/18	2000	Director's Pay	40 hrs/\$50 per hr	
20	Robert Lucero		Culver City	CA	6/7/18	3000	Director's Pay	60 hrs/\$50 per hr	
21	Robert Lucero		Culver City	CA	6/13/18	3000	Director's Pay	60 hrs/\$50 per hr	
22	Robert Lucero		Culver City	CA	7/3/18	3200	Director's Pay	64 hrs/\$50 per hr	
23	Robert Lucero		Culver City	CA	7/9/18	2000	Director's Pay	40 hrs/\$50 per hr	
24	Robert Lucero		Culver City	CA	7/13/18	1000	Director's Pay	20 hrs/\$50 per hr	
25	Robert Lucero		Culver City	CA	8/1/18	1200	Director's Pay	24 hrs/\$50 per hr (on Attachment E, this appears to be dates 8/2/18)	
26	Robert Lucero		Culver City	CA	8/10/18	1200	Director's Pay	24 hrs/\$50 per hr	
27	Robert Lucero		Culver City	CA	8/29/18	10000	Director's Pay	200 hrs/\$50 per hr (5 wks beginning late July thru Aug)	
28	Robert Lucero		Culver City	CA	9/4/18	4500	Director's Pay	90 hrs/\$50 per hr	
29	Braidan Weeks		West Valley	UT	9/4/18	2000	Transfer for new payroll for asst dir	hourly work in Sept, held until October 15	
30	Robert Lucero		Culver City	CA	9/6/18	1000	Director's Pay	20 hrs/\$50 per hr	
31	American System Group	6039 Washington Blvd	Culver City	CA	9/10/18	3700	Staff pay	Reserve for staff pay/transfer	
32	Robert Lucero		Culver City	CA	9/17/18	1000	Director's Pay	20 hrs/\$50 per hr	
33	Hannah Rundv	Utah State Dorms	Leavenworth	UT	Spring 2018	1385	Intern nav	138.5 hrs/\$10 per hr (see time sheet and check copies with FFC)	

Sheet1

100%

Exhibit 7

From: **Jeremy Patterson** JPatterson@ndnlaw.com
 Subject: Re: Professor Christine Sleeter Visit Tuesday 9/26 and Wednesday 9/27
 Date: August 14, 2017 at 11:50 AM
 To: Robert Lucero robert@utepac.com, Rollie Wilson RWilson@ndnlaw.com

JP

I plan to discuss this with the BC tomorrow and seek approval to proceed forward with this, do you know what type of assets she plans to transfer?

From: Robert Lucero <robert@utepac.com>
Sent: Monday, August 14, 2017 12:39 PM
To: Jeremy Patterson; Rollie Wilson
Subject: Professor Christine Sleeter Visit Tuesday 9/26 and Wednesday 9/27

Hello Jeremy and Rollie,

I spoke with Professor Christine Sleeter this morning about her planned visit to address the BC for next month, Tuesday September 26th. She is the woman whose ancestors made a lot of money selling off Ute Indian land years back and she wants to “return what was stolen” in her view. She estimates the value of the assets she would like to transfer to the Tribe to be around \$250,000. She asked me who she would talk to about the specifics of transferring assets, could you point me to the right person? She also would like to visit the Uintah River High School. She is an author on and expert on curricula, focusing on multi-cultural settings. I thought maybe Trini Wopsock would be a good source, is that right?

The other question she and I discussed was media attention to her trip and to her transaction. We discussed this because she does want other descendants of white settlers to consider giving land or money from sales of Indian lands back to the Tribes, Ute or otherwise. She doesn’t want any media to be about her. She wants to focus on how the Tribe feels about it, what it means to them. Could I refer journalists to the BC, the Chairman on these questions? I do think it would be great to get some media attention on it. I can reach out to some tv and newspaper contacts.

Her website by the way is <http://christinesleeter.org>.

Thanks,
 Robert

--

Robert Lucero—Director
 Ute Indian Tribe Political Action Committee, Ute PAC
robert@utepac.com
www.utepac.com

626.379.7467



Exhibit 8




















From: **Christina Crussiah** CCrussiah@fec.gov
 Subject: Final and more Simple Att F
 Date: August 6, 2021 at 9:44 AM
 To: Robert Lucero
 Cc: Rolie Wilson RWilson@nativegroup.com

CC

Hi Robert,

Here is the final Attachment F. I marked clearly and color coded what you should be looking for to provide us in column H.
 Column I is for you to list the names of the documents which go with each transaction.
 If you look, some need invoice, some need communication copy and some need both.
 Items in green are for salaries or operating expenditures. For these items, I will need check copies You can ignore all previous Att F's.
 Hope this helps. I tried to make it as simple as possible.

I have a bunch of communications but I need you to match it to a transaction. I pasted a screenshot below of invoices and documents you sent me recently. Some of the invoice amounts don't match so please review before matching. As stated before, please email it to me and cc rlmorcomb@fec.gov in my absence. Thanks.

	August 2018 flier Curtis Bill mass mobe.pdf	8/6/2021 10:20 AM
	FEC Ute PAC Final Answers on Attach C from R Lucero.pdf	8/5/2021 8:51 AM
	Heidi ILPLA receipt June 2017.pdf	8/6/2021 10:19 AM
	Heidi Invoice Mar 2017 \$211.25.pdf	8/6/2021 10:19 AM
	Heidi Randall Invoice 20170320 \$211.25.pdf	7/6/2021 8:11 AM
	Heidi Randall Invoice 20170320 \$211.pdf	7/6/2021 8:12 AM
	Heidi Randall Invoice ILPLA 20170627 \$672.75.pdf	7/6/2021 8:11 AM
	Native Vote Night Email \$500.pdf	8/5/2021 8:53 AM
	Native Votn Night Ute PAC seal.png	8/5/2021 8:51 AM
	NCAI 2018 Blanket and Tee Trini Jasanna Chairman Duncan.pdf	7/14/2021 8:16 AM
	NCAI Screenshot Oct 2018.pdf	7/14/2021 8:16 AM
	Printing job UPS D.C. Dec 2018 Robert and Braidan.pdf	7/14/2021 8:16 AM
	Square One Email 20180115 mass flier .eml.msg	7/6/2021 8:12 AM
	Square One January 2018 mass flier Email.eml.msg	8/6/2021 10:19 AM
	Square One Printing Large Check Sept 2017.pdf	7/14/2021 8:16 AM
	Univ of Utah Table Tees Poster.pdf	7/14/2021 8:16 AM
	Ute PAC at Columbia University.pdf	7/14/2021 8:16 AM
	Ute PAC at Dem Convention Park City 2018.pdf	7/14/2021 8:16 AM
	Ute PAC at Sundance 2018.pdf	7/14/2021 8:16 AM

Christina Rosalinda Crussiah
 Auditor, FEC
 202-694-1195
 ccrussiah@fec.gov

Exhibit 9


UTE INDIAN TRIBE

P. O. Box 190
Fort Duchesne, Utah 84026
Phone (435) 722-5141 • Fax (435) 722-5072

February 26, 2020

Robert Lucero
Executive Director
Ute PAC
VIA HAND DELIVERY

RE: Notice of Termination

Dear Mr. Lucero,

You are hereby notified that the Ute Tribal Business Committee has determined by an affirmative vote, with a quorum present, to terminate your employment as Manager and Executive Director of the Ute PAC effective immediately. This determination has been made based on your failure to head the Business Committee directive given to you at a meeting on January 22, 2020 and repeated in an February 20, 2020 communication which instructed you regarding the use of Ute PAC funds and payment of Ute PAC employees. Your failure to comply with this directive is in direct violation of tribal law and the Business Committee's Constitutional power to control the economic affairs of the tribe.

This action of the Business Committee is final. Upon receipt of this letter you are to immediately cease the expenditure of all Ute PAC funds, surrender and return all funds, files, computers, accounts, and other property of the Ute Indian Tribe, and refrain from reentering Ute PAC offices or otherwise conducting any work on behalf of the Ute Indian Tribe and Ute PAC. You are also to comply with all subsequent directives related to the handing over of Ute PAC affairs, including working with the Tribe's Comptroller and auditors to effectuate the transfer of all information related to Ute PAC's finances and financial obligations. The Business Committee would also like to remind you of your duty of confidentiality prohibiting disclosure of any knowledge or information related to Ute PAC or the Ute Indian Tribe acquired during your employment. Thank you for past service to the Tribe and good luck in your future endeavors.

Sincerely,

Luke Duncan
Chairman of the Business Committee
Ute Indian Tribe of the Uintah and Ouray Reservation

Exhibit 10

Exhibit 11

From: Robert Lucero robert@newdealpac.com
Subject: Re: SUPER PAC
Date: October 3, 2016 at 12:15 PM
To: Jeremy Patterson JPatterson@ndnlaw.com

RL

Hello Jeremy,

I can send you a new contract that removes the hourly entirely. We can negotiate an updated contract if need be after the election or further down the road, if an hourly rate makes more sense at that point—and I say this because I think UTE PAC can have a very fruitful long-term impact for the tribe as well.

I do not want to cause any concern for the Business Committee or the tribe. When my lawyers and I drafted that section on hourly it appeared to be fair to both sides but again, it may be more appropriate at a later date. I will send you a redraft shortly that removes the hourly rate clause entirely and just sticks to the agreed upon 5%. Again, let me stress, there was no intention to tell the committee one thing and do another. I merely thought that when you asked for a management contract you wanted these kinds of numbers in there, to be suggested levels at best, not necessarily the final agreement. If we are able to raise and spend the kind of money we need to defeat Bishop, the 5% will be just fine.

Best regards,
 Robert

--

Robert Lucero

Director—New Deal PAC
 55 E 100 N Suite 105
 Logan, UT 84321
robert@newdealpac.com
 626-379-7467

“Now is the time to speak the truth, frankly and boldly” —FDR

From: Jeremy Patterson
Date: Monday, October 3, 2016 at 1:01 PM
To: Robert Lucero
Subject: RE: SUPER PAC

Thank you Robert, at the meeting with the Business Committee, you had indicated your fees would be assessed at a rate of 5% of the amount contributed to the PAC, this contract provides for a 5% fee as well as a per hour fee which was not discussed.

To approve these new proposed terms, we would need to take this back to the Business Committee and you would need to seek to renegotiate the terms of your engagement, which may cause concern and will result in significant delay in any further action on this.

From: Robert Lucero [<mailto:robert@newdealpac.com>]
Sent: Friday, September 30, 2016 12:10 PM
To: Devin Pehrson <devinp@utetribes.com>
Cc: Jeremy Patterson <JPatterson@ndnlaw.com>
Subject: Re: SUPER PAC

Exhibit 12

From: Rollie Wilson RWilson@ndnlaw.com
Subject: Re: Bears Ears Litigation Donations
Date: December 6, 2017 at 5:44 PM
To: Robert Lucero robert@utepac.com
Cc: Jeremy Patterson JPatterson@ndnlaw.com



It was supposed to go today, but we are still talking about content, so maybe first thing tomorrow.

Rollie Wilson

Fredericks Peebles & Morgan LLP

401 9th Street NW, Suite 700
 Washington, DC 20004
 Telephone: (202) 450-4887

Fax: (202) 450-5106

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On Dec 6, 2017, at 8:41 PM, Robert Lucero <robert@utepac.com> wrote:

Ok, I have a working meeting tomorrow morning 9am to make changes to the website and social media to get that squared away properly. When is this email going out?

Robert

Sent from my iPhone

On Dec 6, 2017, at 6:35 PM, Rollie Wilson <RWilson@ndnlaw.com> wrote:

Hi Robert,

The UTEPAC website and donation link is going to be included on an email blast that the 5 tribes are putting out seeking donations for the Bears Ears Litigation. Wanted to give you a heads up and ask that you please separately account for any donations that come in under this topic. I guess to the extent you can tell. Maybe set up a box that people can check on the website when making this donation??

Thanks,

Rollie Wilson

Fredericks Peebles & Morgan LLP

401 9th Street NW, Suite 700
 Washington, DC 20004
 Telephone: (202) 450-4887

Fax: (202) 450-5106

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