

FILING A COMPLAINT <i>To be accepted, complaint must include</i>	APOC LAWS ALLEGEDLY VIOLATED <i>Specify section of law or regulation</i>		<i>APOC case name/number/date</i>
1. Complainant's name + contact info 2. Respondent's name + contact info 3. Laws, regulations allegedly violated 4. Description of allegations 5. Basis of knowledge of alleged facts 6. Documentation to support allegations 7. Notarized signature of the complainant 8. Proof that complaint and all supporting documents were served on respondent	Campaign Disclosure Law	<input checked="" type="checkbox"/> AS 15.13 <input type="checkbox"/> 2 AAC 50.250-405	20-07-CD
	Public Official Financial Disclosure	<input type="checkbox"/> AS 39.50 <input type="checkbox"/> 2 AAC 50.680-799	
	Legislative Financial Disclosure	<input type="checkbox"/> AS 24.60 <input type="checkbox"/> 2 AAC 50.680-799	
	Lobbying Regulation	<input type="checkbox"/> AS 24.45 <input type="checkbox"/> 2 AAC 50.550-590	

If complaint meets requirements for acceptance, APOC will investigate the allegations and notify the respondent of the right to respond. APOC will notify Complainant and Respondent when APOC accepts or rejects a complaint.

<input type="checkbox"/> APOC <input type="checkbox"/> Person <input type="checkbox"/> Party <input checked="" type="checkbox"/> Group	COMPLAINANT	RESPONDENT <i>Person or group allegedly violating law</i>	
	OneAlaska – Vote No on One	<input type="checkbox"/> Person <input type="checkbox"/> Party <input checked="" type="checkbox"/> Group	Vote Yes for Alaska's Fair Share Robin Brena, Chair
Address	PO Box 90635 Anchorage, Alaska 99509	921 West 6th Ave., Suite 100 Anchorage, AK 99501	
City / Zip			
Phone/Fax	907.306.4829	907.278.8000	
E-mail	info@onealaska.com	rbrena@brenalaw.com	

COMPLAINANT'S REPRESENTATIVE	RESPONDENT'S REPRESENTATIVE
-------------------------------------	------------------------------------

If complainant or respondent is political party or group, list contact person. If complainant or respondent is represented by attorney, list name + contact info

Name/Title	Matt Singer & Lee Baxter, Attorneys Schwabe, Williamson & Wyatt, P.C.
Address	420 L Street, Suite 400, Anchorage, AK 99501
Phone/Fax	907.339.7129
E-mail	msinger@schwabe.com ; lbaxter@schwabe.com


DESCRIPTION or SUMMARY of ALLEGED VIOLATION	<i>Use extra pages if needed</i>	<input checked="" type="checkbox"/> SUPPORTING DOCUMENTS – DESCRIBE:
Violation of the communication disclaimer and disclosure requirements contained in AS 15.13.090 in social media advertisements. See attached.		See written complaint & exhibits attached

PROOF of SERVICE ATTACHED: Fax – receipt confirmation Certified mail – signed receipt
 Process server – return of service E-mail – delivery/read receipt Other:

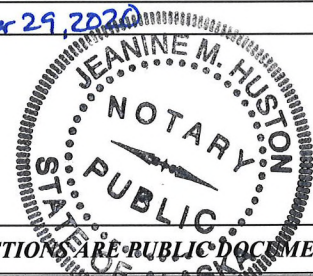
COMPLAINANT'S SWORN STATEMENT: To the best of my knowledge and belief, these statements are true

Signature  (Lee Baxter) Title **Attorney** Date **9/29/20**

Subscribed and sworn to or affirmed by me at **Anchorage, AK** on **September 29, 2020**

Signature  Title **Notary Public**

Jeanine M. Huston, Notary Public in and for Alaska
My Commission Expires: January 31, 2024



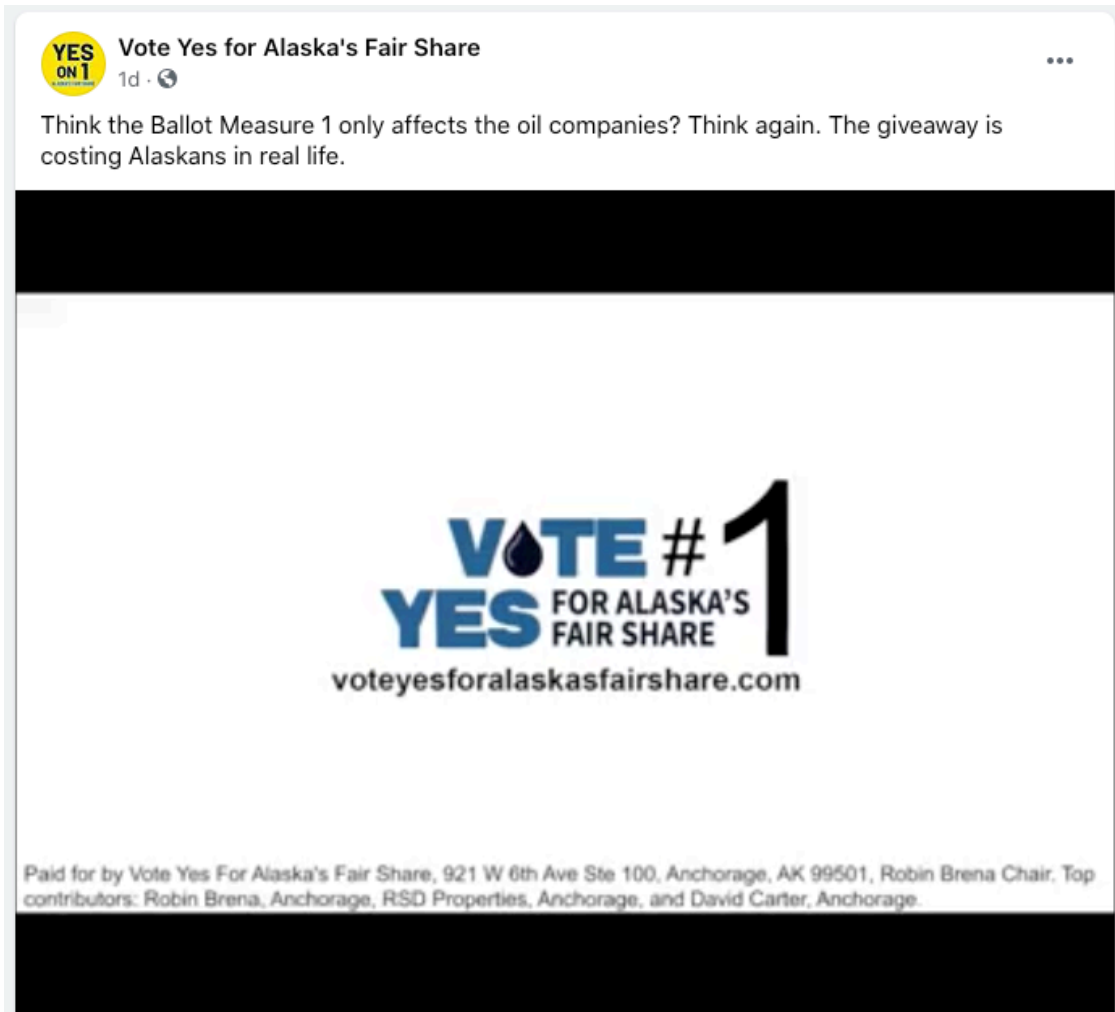
APOC COMPLAINTS, RESPONSES, INVESTIGATION REPORTS & COMMISSION ACTIONS ARE PUBLIC DOCUMENTS

APOC ANCHORAGE	APOC JUNEAU	APOC COMPLAINT PROCESS: 2 AAC 50.450 - 476	
2221 E. NORTHERN LIGHTS #128 ANCHORAGE, AK 99508 907-276-4176 / FAX 907-276-7018 TOLL-FREE 800-478-4176 WEB: http://doa.alaska.gov/apoc/	240 MAIN STREET #500 P.O. BOX 110222 JUNEAU, AK 99811 465-4864 / FAX 465-4832 APOC FORMS: http://doa.alaska.gov/apoc/forms_all.html	FILING COMPLAINTS: 2 AAC 50.870	ANSWERING COMPLAINTS: 2 AAC 50.880
		APOC CRITERIA for ACCEPTING COMPLAINTS: 2 AAC 50.870	
		INVESTIGATIONS & HEARINGS: 2 AAC 50.875-891	
		RULES for REQUESTING EXPEDITED CONSIDERATION: AS15.13.380(c)	
		APOC LAWS: http://doa.alaska.gov/apoc/apoclaws.html	

1 example, in its “Angry Guy” video posted to its Facebook page on September 26, 2020,
2 at Exhibit 1:

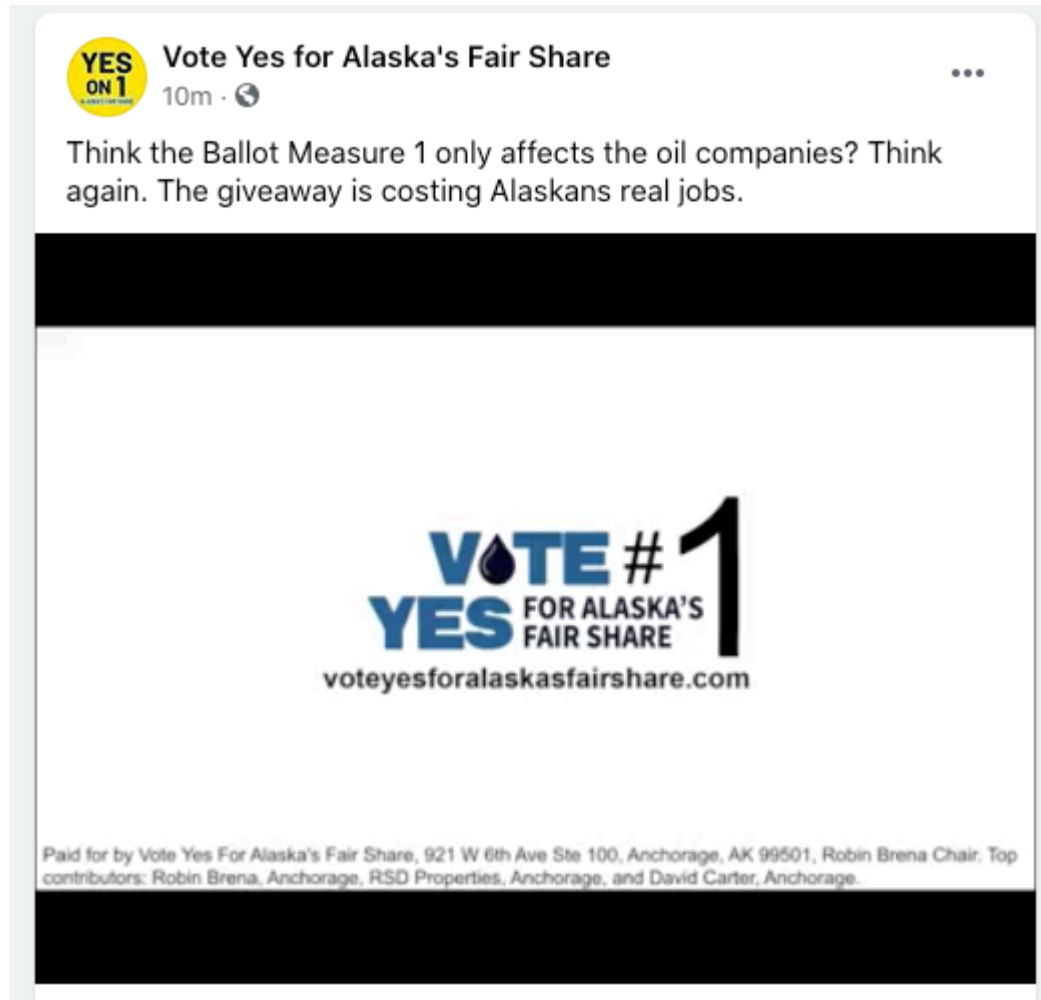
3 <https://www.facebook.com/voteyesforalaskasfairshare/posts/354297609263927>, Fair

4
5 Share included the disclaimer shown at the bottom of this screenshot:



22 The above disclaimer violates AS 15.13.090 and 2 AAC 50.306(d) because it
23 fails to include a message from the principal officer approving the message, and it fails
24 to provide the “city and state of residence or principal place of business, as applicable,
25 of each of the person’s three largest contributors.” See AS 15.13.090(a)(2)(B) & (C).
26

1 Fair Share committed the same violation in a second video Facebook posting
2 on September 26 regarding jobs at the University of Alaska, at Exhibit 2:
3 [https://www.facebook.com/voteyesforalaskasfairshare/posts/354298919263796:](https://www.facebook.com/voteyesforalaskasfairshare/posts/354298919263796)
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20 Again, the disclaimer for this Facebook advertisement fails to include approval by the
21 principal officer and the state of residence for the top three contributors.
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26

1 The campaign Facebook page also contains a short, animated video with no
2 disclaimer at all. See Exhibit 3:

3 <https://www.facebook.com/109268243766866/videos/2662335654080235>:
4



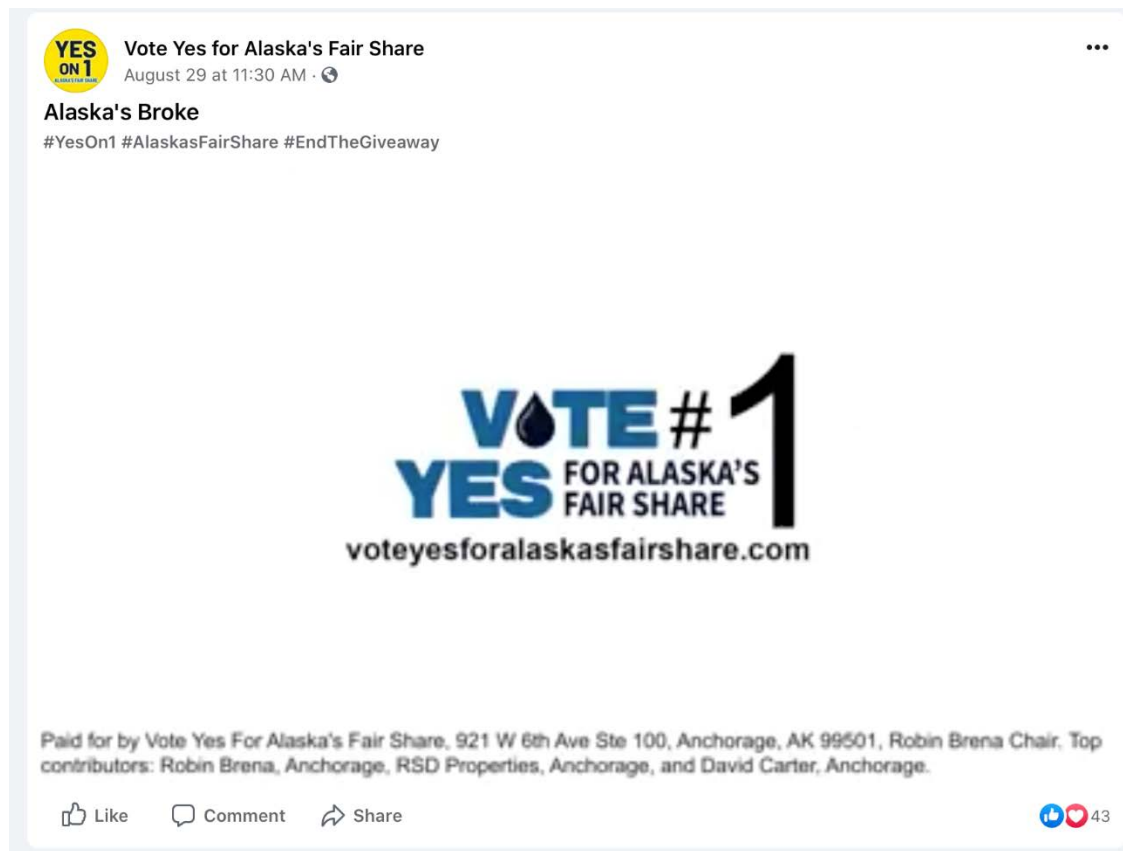
1 The Fair Share Page also has a “Choices” video, with the same disclaimer issue as
2 the others discussed above. See Exhibit 4:

3 [https://www.facebook.com/watch/?v=2514133572211666:](https://www.facebook.com/watch/?v=2514133572211666)

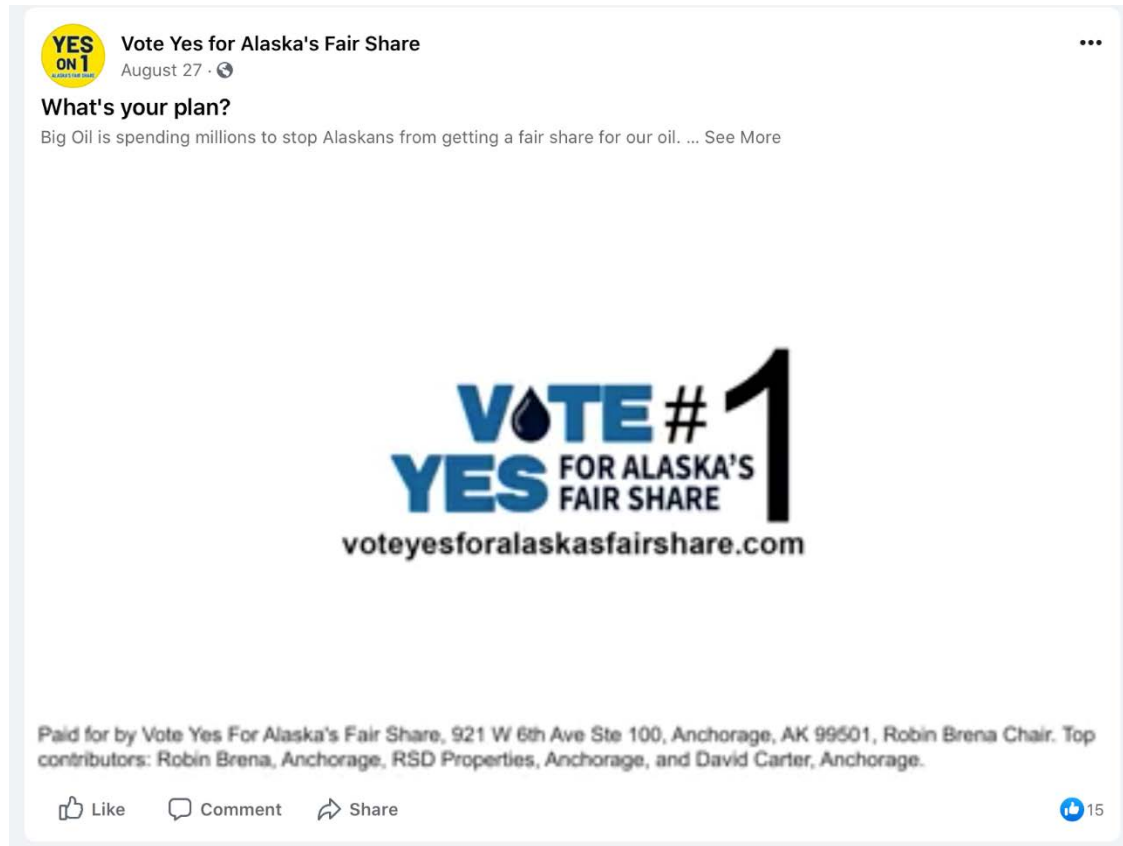


1 The same is true for the campaign posting of “Alaska’s Broke” video that also lacks an
2 acknowledgement by the principal officer and fails to identify the state where the top
3 contributors reside. See Exhibit 5:
4

5 <https://www.facebook.com/109268243766866/videos/1059212831190571>:



1 And again, in a video titled “What’s Your Plan,” the Fair Share group again failed to
2 include approval by the chair or the state of residence for contributors. See
3 Exhibit 6: <https://www.facebook.com/109268243766866/videos/1002028333585873>:
4



1 In an animation video about the Permanent Fund, the Fair Share group provided no
2 disclaimer whatsoever. See Exhibit 7:

3 <https://www.facebook.com/109268243766866/videos/306758340439285>:



18 All of the above show the Fair Share group is simply ignoring the legal requirements
19 for political communications with regard to its social media campaign.

21 **IV. Conclusion**

22 APOC should order Fair Share to pull its social media advertising until it can
23 provide the disclosures required by law. And APOC should assess the maximum civil
24 penalty for each advertisement, and each day, that Fair Share continues to flout the
25 basic requirements of Alaska law.
26

Index to Exhibits to APOC Complaint

Exhibit 1 – Vote Yes Facebook ad ‘Angry Guy’ at:

<https://www.facebook.com/voteyesforalaskasfairshare/posts/354297609263927>

Exhibit 2 – Vote Yes Facebook ad ‘University of Alaska jobs’ at:

<https://www.facebook.com/voteyesforalaskasfairshare/posts/354298919263796>

Exhibit 3 – Vote Yes short animated video at:

<https://www.facebook.com/109268243766866/videos/2662335654080235>

Exhibit 4 – Vote Yes “Choices” video at:

<https://www.facebook.com/watch/?v=2514133572211666>

Exhibit 5 – Vote Yes “Alaska’s Broke” video at:

<https://www.facebook.com/109268243766866/videos/1059212831190571>

Exhibit 6 – Vote Yes “What’s Your Plan” video at:

<https://www.facebook.com/109268243766866/videos/1002028333585873>

Exhibit 7 – Vote Yes Permanent Fund animation at:

<https://www.facebook.com/109268243766866/videos/306758340439285>

Exhibit 1

<https://www.facebook.com/voteyesforalaskasfairshare/posts/354297609263927>

YES ON 1 Vote Yes for Alaska's Fair Share
1d · 🌐

Think the Ballot Measure 1 only affects the oil companies? Think again. The giveaway is costing Alaskans in real life.

VOTE #1
YES FOR ALASKA'S FAIR SHARE
voteyesforalaskasfairshare.com

Paid for by Vote Yes For Alaska's Fair Share, 921 W 6th Ave Ste 100, Anchorage, AK 99501, Robin Brena Chair. Top contributors: Robin Brena, Anchorage, RSD Properties, Anchorage, and David Carter, Anchorage.

Exhibit 2

[https://www.facebook.com/voteyesforalaskasfairshare/posts/354298919263796:](https://www.facebook.com/voteyesforalaskasfairshare/posts/354298919263796)

YES ON 1 **Vote Yes for Alaska's Fair Share** 10m · 🌐

Think the Ballot Measure 1 only affects the oil companies? Think again. The giveaway is costing Alaskans real jobs.

VOTE #1
YES FOR ALASKA'S FAIR SHARE
voteyesforalaskasfairshare.com

Paid for by Vote Yes For Alaska's Fair Share, 921 W 6th Ave Ste 100, Anchorage, AK 99501, Robin Brena Chair. Top contributors: Robin Brena, Anchorage, RSD Properties, Anchorage, and David Carter, Anchorage.

Exhibit 3

<https://www.facebook.com/109268243766866/videos/2662335654080235/>

 Vote Yes for Alaska's Fair Share
September 5 at 8:10 PM · 🌐

Under SB21 how much are we paying in credits? <https://alaskasfairshare.com/faq-items/under-sb21-how-much-are-we-paying-in-credits/>




0:01 / 0:05

#EndTheGiveaway


YES ON 1

Exhibit 4

[https://www.facebook.com/watch/?v=2514133572211666:](https://www.facebook.com/watch/?v=2514133572211666)

 **Vote Yes for Alaska's Fair Share** ...
August 31 at 12:07 AM · 🌐

Choices
#YesOn1 #AlaskasFairShare #EndTheGiveaway



VOTE #1
YES FOR ALASKA'S FAIR SHARE
voteyesforalaskasfairshare.com

Paid for by Vote Yes For Alaska's Fair Share, 921 W 6th Ave Ste 100, Anchorage, AK 99501, Robin Brena Chair. Top contributors: Robin Brena, Anchorage, RSD Properties, Anchorage, and David Carter, Anchorage.

👍 Like 💬 Comment ➦ Share 👍 13

Exhibit 5

<https://www.facebook.com/109268243766866/videos/1059212831190571>:

 **Vote Yes for Alaska's Fair Share** ⋮
August 29 at 11:30 AM · 🌐

Alaska's Broke
#YesOn1 #AlaskasFairShare #EndTheGiveaway




VOTE #1
YES FOR ALASKA'S FAIR SHARE
voteyesforalaskasfairshare.com

Paid for by Vote Yes For Alaska's Fair Share, 921 W 6th Ave Ste 100, Anchorage, AK 99501, Robin Brena Chair. Top contributors: Robin Brena, Anchorage, RSD Properties, Anchorage, and David Carter, Anchorage.


👍 Like 💬 Comment ➦ Share 👍❤️ 43

Exhibit 6

<https://www.facebook.com/109268243766866/videos/1002028333585873>

 **Vote Yes for Alaska's Fair Share** ...
August 27 · 🌐

What's your plan?
Big Oil is spending millions to stop Alaskans from getting a fair share for our oil. ... See More


voteyesforalaskasfairshare.com

Paid for by Vote Yes For Alaska's Fair Share, 921 W 6th Ave Ste 100, Anchorage, AK 99501, Robin Brena Chair. Top contributors: Robin Brena, Anchorage, RSD Properties, Anchorage, and David Carter, Anchorage.

👍 Like 💬 Comment ➦ Share 👍 15

Exhibit 7

[https://www.facebook.com/109268243766866/videos/306758340439285:](https://www.facebook.com/109268243766866/videos/306758340439285)

 **Vote Yes for Alaska's Fair Share** ⋮
August 18 · 🌐

Is the PFD or the Permanent Fund your biggest issue driving you to vote today? Just remember that in November the real fight is Ballot Measure 1. If you want to learn more visit...



Like Comment Share 👍❤️ 23 · 1 Comment

AFFIDAVIT – RETURN OF SERVICE

ARRIVED
SEP 29 2020
APOC - ANCH
PM HC FAX ELE

OneAlaska Vote No on One,

Complainant,

v.

Vote Yes for Alaska's Fair Share,

Respondent.

_____ /

I, Jeanine M. Huston, state that I am over 18 years of age and a resident of the State of Alaska. I certify that on September 29, 2020, I served the following documents:

APOC Complaint

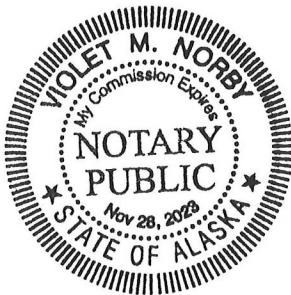
on the therein named VOTE YES FOR ALASKA'S FAIR SHARE, at Anchorage, Alaska, by handing and leaving a true and correct copy thereof at the offices of Vote Yes for Alaska's Fair Share, Robert Brena, Chair, 921 West 6th Avenue, Suite 100, Anchorage, AK 99501 and by emailing an electronic copy to rbrena@brenalaw.com. A copy of the delivery receipt is attached hereto.

9/29/20 11:05am
Date and Time of Service

Jeanine M. Huston
Signature

Jeanine M. Huston Legal Assistant
Printed Name and Title

SUBSCRIBED AND SWORN to before me at Anchorage, Alaska, this 29th day of September, 2020.



Violet M. Norby
Notary Public in and for the State of Alaska
My Commission Expires: 11/28/2023

Huston, Jeanine

From: Microsoft Outlook
To: 'Robin Brena'
Sent: Tuesday, September 29, 2020 11:00 AM
Subject: Relayed: OneAlaska-Vote No on One APOC Complaint [IWOV-pdx.FID4541580]

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

['Robin Brena' \(rbrena@brenalaw.com\)](mailto:rbrena@brenalaw.com)

Subject: OneAlaska-Vote No on One APOC Complaint [IWOV-pdx.FID4541580]

Huston, Jeanine

From: Melody A. Nardin <mnardin@brenalaw.com> on behalf of Robin O. Brena <rbrena@brenalaw.com>
To: Huston, Jeanine
Sent: Tuesday, September 29, 2020 11:39 AM
Subject: Read: OneAlaska-Vote No on One APOC Complaint [IWOV-pdx.FID4541580]

Your message

To:
Subject: OneAlaska-Vote No on One APOC Complaint [IWOV-pdx.FID4541580]
Sent: Tuesday, September 29, 2020 12:39:44 PM (UTC-08:00) Pacific Time (US & Canada)

was read on Tuesday, September 29, 2020 12:39:03 PM (UTC-08:00) Pacific Time (US & Canada).