

IN THE SUPREME COURT OF THE CHEROKEE NATION

Lynn Wilson, Roger Johnson, Carla Porter,)
William Pearson Charles Dale Hornbuckle,)
Ronnette Patterson, James Wade Prater,)
Norman Crowe and Philip Viles,)

Petitioners,)

v.)

Cherokee Nation Election Commission)

Respondent.)

Case No. SC -2019 -

12

2019 AUG 19 PM12:37
CHEROKEE NATION
SUPREME COURT
KENDALL BIRD, COURT CLERK

FILED

PETITION FOR WRIT OF MANDAMUS

I. TRIAL COURT HISTORY

COURT/ COMMISSION: CHEROKEE NATION ELECTION COMMISSION

CASE NO.: N/A

JUDGE/ HEARING OFFICER: CHEROKEE NATION ELECTION COMMISSION

NATURE OF CASE: DEMAND FOR AUDIT PURSUANT TO 26 CNCA §11.C.12.f.

NAME OF PARTY(IES) FILING THIS PETITION IN ERROR: Philip Viles, et. al.

THE APPEAL IS BROUGHT FROM: (check one)

- ☐ Judgment, Decree or Final order of the District Court
☐ Appeal from order granting summary judgment or motion to dismiss
☐ Final Order of Other Tribunal, Commission, or Hearing Board
☐ Interlocutory Order Appealable by right
☒ Other

II. TIMELINESS OF APPEAL

1. Date judgment, decree, or order appealed was filed: N/A.
2. Does the judgment or order on appeal dispose of *all* claims by and against *all* parties? ☐ Yes ☐ No N/A
3. Were any post-trial motions filed? N/A
- | Type | Date Filed | Date Disposed |
|------|------------|---------------|
| | | |
| | | |
| | | |

4. This Petition is filed by: X Delivery to Clerk, or
Mailing to Clerk by U.S. Certified Mail,
Return Receipt Requested

III. RELATED OR PRIOR APPEALS

SC-2019-11

IV. SETTLEMENT CONFERENCE

Is the appellant willing to participate in a Settlement Conference? X Yes _____ No

V. RECORD ON APPEAL

 A Transcript will be ordered
 X No Transcript will be ordered because no record was made and/or
no transcript will be necessary for this appeal
 X Narrative Statement will be filed

VI. JUDGMENT, DECREE OR ORDER APPEALED-- EXHIBIT "A"
Attach as Exhibit "A" to the Petition in Error a certified copy of the judgment, of DATE
N/A

VII. SUMMARY OF CASE -- Exhibit "B"
Attach Exhibit "B" a brief summary of the case.

VIII. ISSUES TO BE RAISED ON APPEAL -- Exhibit "C"
Attach as Exhibit "C" the issues proposed to be raised. N/A

IX. NAME OF COUNSEL OR PARTY, IF PRO SE

ATTORNEYS FOR APPELLANT

Name: Deborah A. Reed
CNBA: 0407
Name: Tom Walker
CNBA: 0668
Firm: Reed Legal, PLLC
Address: PO Box 3711
City: Broken Arrow
State: OK Zip: 74013
Phone: (918) 286-8711
Fax: (918) 994-7052

ATTORNEY FOR APPELLEE

Name: Harvey L. Chaffin
CNBA: 0459
Firm: _____
Address: 215 West Shawnee
City: Tahlequah
State: OK Zip: 74464
Phone: (918) 453-2800
Fax: () _____

DATE:

August 16, 2019

Verified by:

Subralet Reed

(Signature of Attorney or Pro Se Party)

CNBA: 0407

Firm: Reed Legal, PLLC

Address: PO Box 3711

City: Broken Arrow

State: OK Zip: 74013

Phone: (918) 286-8711

Fax: (918) 994-7052

X. CERTIFICATE OF MAILING TO ALL PARTIES AND COURT CLERK

I hereby certify that a true and correct copy of the Petition in Error, Amended or Supplemental Petition, Cross Petition, or Counter-Petition, was mailed this 16th day of August, 20 19 to the following:

Harvey Chaffin
Attorney at Law
215 West Shawnee
Tahlequah, OK 74464

Cherokee Nation Election Commission
P.O. Box 1188
Tahlequah, OK 74465

I further certify that a copy of the Petition in Error was mailed to, or filed in, the office of the Court Clerk of the Cherokee Nation Supreme Court on the 16th day of August, 20 19.

Subralet Reed

IN THE SUPREME COURT OF THE CHEROKEE NATION

Lynn Wilson, Roger Johnson, Carla Porter,	)	
William Pearson Charles Dale Hornbuckle,	)	
Ronnette Patterson, James Wade Prater,	)	
Norman Crowe and Philip Viles,	)	
	)	
Petitioners,	)	Case No. SC -2019 - _____
	)	
v.	)	
	)	
Cherokee Nation Election Commission	)	
	)	
Respondent.	)	

BRIEF IN SUPPORT OF PETITION FOR WRIT OF MANDAMUS
(EXHIBIT B)

COMES NOW, Cherokee citizens Lynn Wilson Roger Johnson, Carla Porter, William Pearson, Charles Dale Hornbuckle, Ronnette Patterson, James Wade Porter, Norman Crowe and Philip Viles ("Petitioners") and submits this brief in support of their Petition for Writ of Mandamus ordering the Cherokee Nation Election Commission ("CNEC") to perform their duties under 26 CNCA §11.C.12.f, to "Audit all financial reports and disclosures required by this Act..." and perform their general duties to ensure compliance with Cherokee Nation Election Law.

Article VIII Section 4 of the Cherokee Nation Constitution gives this Court the power to issue, hear and determine various remedial writs including the requested Writ of Mandamus.

Pursuant to the Opinion of this Court in SC-2019-10¹, which stated that complaints regarding disclosures of campaign finance records should be brought first to the CNEC, 68 registered Cherokee Nation voters sent a letter to the CNEC demanding

¹ *Meredith Frailey v. Cherokee Nation Election Commission & Bryan Warner; Dick Lay v. Cherokee Nation Election Commission & Charles Hoskin, Jr.*

an audit of the financial reports and disclosures of all candidates in the 2019 election who used Cherokee Future LLC as a vendor (see *attached letter dated July 1, 2019*). Cherokee Future LLC was the only campaign management company used by candidates eligible to be elected in the June 2019 election.

Article XI, Section 1. of the Cherokee Nation Constitution creates the Election Commission and charges it to administer Cherokee elections in accordance with Cherokee law as enacted by the Council of the Cherokee Nation ("Council"). In its response letter hereto attached, the CNEC failed to acknowledge it had any duties under the law to conduct an audit or ensure compliance with the election laws of the Cherokee Nation. Instead, the CNEC merely claims they are not an investigative body, ignored the request for an audit and admonished the attorney who drafted and sent the letter on behalf of the signers.

The CNEC relies on the opinion in SC-2019-10 to say this Court found accusations of illegal campaign financial activities to be without merit and thus avoid the effort of conducting an audit. In fact, in upholding a Motion to Dismiss challenges to the 2019 election outcome, this Court said... "there is not sufficient evidence in this record for this Court to order a new election after the fact." (*emphasis added*). An audit of CNEC records will produce evidence not previously brought to this Court. It will show blatant violations of election law by several candidates. The CNEC holds these records and has the duty to conduct an audit of these records, not just to ensure they are completed correctly, but for their substantive content, as well (26 CNCA §11.C.12.f and 26 CNCA§46.D). That the CNEC prior to the election gave some candidates the

opportunity to clarify their filings still does not show that the candidates were in compliance with election law. Your petitioners believe the records reveal they were not.

The CNEC believes the letter sent by Petitioners to be another attempt to appeal the election results². The CNEC misses the point of those who made the request via the letter. By it, they demand CNEC follow the law and its own regulations. The CNEC cannot pick and choose which laws it will uphold. Candidates for public office cannot unilaterally decide by which laws they will abide. By enacting a constitution, establishing a legislative body and a court system, Cherokee Nation ascribed the rule of law. Until a law is changed by the Council or struck down by our Courts, it is the law we must live by in the Cherokee Nation, be we citizens or governmental entities.

The CNEC appeared to be satisfied that candidates disclosed the items and services purchased for their campaigns by Cherokee Future LLC. However, the law requires further disclosures that include actual vendors of services and products (26 CNCA §44. F). It also requires that a campaign management company be declared a financial agent (see 2013-CNAG-02 *attached hereto*, and 26 CNCA §41.C).

Failure to fully disclose all the details required by law erodes the integrity of our elections. Allowing transactions without full disclosure makes it possible for candidates to have their campaigns financially supplemented by a campaign management company. By not declaring a campaign management company a financial agent, it effectively shields the financial records of the campaign management company. By shielding financial records, the campaign management company may confidentially accept donations and allocate them to candidates of the company's choice, or

² Last paragraph at page 2, Letter from the CNEC dated July 30, 2019.

surreptitiously supplement the true cost of goods and services provided to candidates. These practices are illegal and give candidates who used the campaign management company an unfair financial advantage in the election.

The CNEC claims this demand for an audit is not timely. Election law does not specify a time limit for an audit or this type of investigation. 26 CNCA §47E allows for an action to be brought even after a candidate is sworn into office. 26 CNCA §45B allows for a civil action to be brought within 6 months of the election. Clearly, this demand is timely.

At the risk of retaliation from people who supported the winning candidates who used Cherokee Future LLC, Petitioners made their request to the CNEC known to the public. They file for this Writ of Mandamus in trepidation mixed with hope in the system of law established by the Cherokee people.

Petitioners pray this Court to issue a Writ of Mandamus to the CNEC to conduct the audit requested by Cherokee Nation citizens, conduct the subsequent investigation required by its own regulations, and if the audit and investigation produce evidence of election law violations, to submit the evidence to the Attorney General for a criminal investigation.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Deborah A. Reed", is written over a horizontal line.

Deborah A. Reed, CNBA 0407
Tom Walker, CNBA 0668
3101 N. Hemlock Circle, Suite 112
Broken Arrow, OK 74012
(918) 286-8711 phone
(918) 994-7052 fax
deborah@reedlegalok.com

July 1, 2019

Cherokee Nation Election Commission
P.O. Box 1188
Tahlequah, OK 74465

Via Certified Mail No. 7019 1120 0000 7516 1269

Dear Election Commissioners:

The undersigned Citizens and Registered Voters of the Cherokee Nation hereby demand an audit of all financial reports and disclosures of all candidates who used Cherokee Future LLC as a vendor in their campaign. The Election Commission has duties under 26 CNCA §11.C.12.f., to "Audit all financial reports and disclosures required by this Act . . ." and a general duty to ensure compliance with Cherokee Nation Election Law. We believe an audit will show improprieties as indicated below.

The one-paragraph Official Opinion of the Attorney General, issued at the request of Chuck Hoskin Jr. in 2013, clearly outlines the requirements necessary when using a company (such as Cherokee Future LLC) to help manage a political campaign.

Candidates for elective office may retain the services of professional campaign firms to assist candidates in the management of his or her campaign; provided that any professional campaign firm authorized to accept campaign contributions and make campaign expenditures on a candidate's behalf must be designated as a "financial agent" to the Election Commission and must comply with the various regulations regarding campaign contributions, expenditures, record keeping and disclosures as set forth in the Election Code. (underlined emphasis added)

Only a candidate or a candidate's Financial Agent is authorized to pay obligations related to the candidate's campaign, as stated in 26 CNCA §41.C., which defines a "Financial Agent" as *"the person or persons designated and authorized by a candidate to accept contributions and pay obligations related to the candidate's campaign pursuant to section 42 of this Title."*

It is our belief that Chuck Hoskin, Jr. and Bryan Warner were not the only candidates in the 2019 election to use Cherokee Future LLC and this can be verified by the Commission through examination of candidate records in its possession. The Commission can also determine if any *other* candidate followed the law in designating the company as a "financial agent". We know that at recent Supreme Court hearings related to political campaigns, Harvey Chaffin, the Attorney for the Election Commission, stated to the Court that Cherokee Future LLC was *not* designated as a financial agent by either Chuck Hoskin Jr. or Bryan Warner.

The designation of a "financial agent" was due no later than the filing date for this election and any amendments to that designation had to be made before the opening of the polls on voting day. (see 26 CNCA §42.A.). It is thus too late for either Hoskin or Warner, or both, to designate Cherokee Future LLC as their "financial agent".

Although Cherokee Future LLC was not their financial agent, Chuck Hoskin Jr. and Bryan Warner each certified financial reports showing that Cherokee Future LLC had made campaign expenditures on their behalf out of the company's account, not out of the candidates' campaign accounts. Since 26 CNCA §44. F. requires all campaign expenditures over \$100 to be drawn from a candidate's

campaign account, these were illegal expenditures.¹ See the attached flowchart illustrating the procedure described in Title 26 for paying campaign expenses, and also showing the unauthorized activities described in the financial reports of Chuck Hoskin, Jr. and Bryan Warner.

26 CNCA §44G. contains a general prohibition on both candidates and financial agents against making or authorizing political expenditures in violation of Sections 44 or 43 of Title 26.

26 CNCA §45A. Criminal Sanctions. Any candidate or other person who is a citizen of the Cherokee Nation or a member of any other federally recognized Indian tribe who has violated any requirement or prohibition in Sections 43 and 44 of this Title shall be guilty of a crime and subject to disqualification by the Election Commission as provided under Section 38 of this Title.

There is no time limit for criminal sanctions to be brought under this statute. Part B of this statute authorizes civil damages payable to the Election Commission and others in a suit to be brought within six (6) months following the final election date. It is incumbent on the Commission to file suit for those damages.

We request the Election Commission investigate this matter as required by the Rules and Regulations of the Cherokee Nation Election Commission §2.10. If this complaint must be turned over the Attorney General for a criminal investigation pursuant to 26 CNCA §11 C.12.f., we respectfully request an independent investigator be retained to conduct the investigation. Assistant Attorney General Chrissi Nimmo stated in a recent Supreme Court hearing that both she and Attorney General Todd Hembree donated money to the campaign of Chuck Hoskin Jr. These attorneys would have a direct conflict of interest in any investigation. We have copied Ethics Counsel for the Oklahoma Bar Association on this letter to ensure the organization that holds the professional licenses of the Attorney General and all the Assistant Attorneys General is aware of the activities of these lawyers. We will not hesitate to file a professional complaint against them if they involve themselves in an investigation of a political campaign to which they are financial donors.

It is clear from their publicly available certified financial records that Chuck Hoskin Jr. and Bryan Warner made and authorized campaign expenditures from the bank accounts of Cherokee Future LLC. It is unclear if the company also accepted campaign contributions, but this must also be investigated by the commission under 26 CNCA §45. B. as a prelude to the Commission's collection of any civil damages to which the Cherokee Nation is entitled.

If convicted of violating Section 43 or 44, these men and any other violators will be ineligible to hold office pursuant to 26 CNCA §47.E *Criminal Sanctions for Misrepresentation*. because these illegal transactions involved thousands of dollars and are therefore a felony under United States federal law.² Such conviction(s) will require the Election Commission to hold a Special Election, or if the candidate has been sworn into office, to begin proceedings for removal under Article XI of the Cherokee Constitution. 26 CNCA §47.E. The Cherokee Nation Council passed these laws so that we may have honorable, law abiding citizens of the Cherokee Nation as our elected leaders and it is up to the

¹ See Hoskin Revised Monthly Financial Report for March, transactions dated 3/15/19 and 3/25/19; See also Warner Revised Monthly Financial Report for March, transactions dated 3/12/19, 3/18/19 and 3/26/19. For additional evidence, the Election Commission has in their possession all financial reports filed by all candidates.

² Federal Election Campaign Act of 1971 (FECA), 52 U.S.C. §§ 30101–30146, as amended. Crimes aggregating \$25,000 or more are five-year felonies, and those that involve illegal conduit contributions and aggregate over \$10,000 are two-year felonies. 52 U.S.C. § 30109(d)(1)(A)(D).

Commission to do its part in enforcing them. We hold you responsible for carrying out the duties of your office. We look forward to hearing from you regarding the results of your investigation into this matter.

Respectfully,

Citizens and Registered Voters of the Cherokee Nation have signed this letter on the attached Signature Pages of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of All Financial Reports and Disclosures of All Candidates Who Used Cherokee Future LLC as a Vendor in Their Campaign.

cc: Harvey Chaffin, Lawyer for the Cherokee Nation Election Commission
Todd Hembree, Cherokee Nation Attorney General
Joe Balkenbush, Ethics Counsel, Oklahoma Bar Association
Corey Jones, Tulsa World
Bill John Baker, Principal Chief
Joe Crittenden, Deputy Principal Chief
Chuck Hoskin, Jr., Principal Chief Elect
Rex Jordan, Cherokee Nation Tribal Council
Joe Byrd, Cherokee Nation Tribal Council
David Walkingstick, Cherokee Nation Tribal Council
Mike Dobbins, Cherokee Nation Tribal Council
E.O. "Junior" Smith, Cherokee Nation Tribal Council
Bryan Warner, Cherokee Nation Tribal Council, Deputy Principal Chief Elect
Canaan Duncan, Cherokee Nation Tribal Council
Shawn Crittenden, Cherokee Nation Tribal Council
Mike Shambaugh, Cherokee Nation Tribal Council
Harley Buzzard, Cherokee Nation Tribal Council
Victoria Vazquez, Cherokee Nation Tribal Council
Dick Lay, Cherokee Nation Tribal Council
Buel Anglen, Cherokee Nation Tribal Council
Keith Austin, Cherokee Nation Tribal Council
Janees Taylor, Cherokee Nation Tribal Council
Wanda Hatfield, Cherokee Nation Tribal Council
Mary Baker Shaw, Cherokee Nation Tribal Council
Eddie Streater, Regional Director Eastern Oklahoma, Bureau of Indian Affairs
Darryl LaCounte, Director of the Bureau of Indian Affairs
Darren Cruzan, Director, Office of Justice Services, Bureau of Indian Affairs
Tara Sweeney, Assistant Secretary for Indian Affairs
David Bernhardt, Secretary of the Interior
Senator John Hoeven, Chairman of the U.S. Senate Committee on Indian Affairs
Senator Tom Udall, Vice Chairman of the U.S. Senate Committee on Indian Affairs
Senator John Barrasso, Member of the U.S. Senate Committee on Indian Affairs
Senator Lisa Murkowski, Member of the U.S. Senate Committee on Indian Affairs
Senator James Lankford, Member of the U.S. Senate Committee on Indian Affairs
Senator Steve Daines, Member of the U.S. Senate Committee on Indian Affairs
Senator Jerry Moran, Member of the U.S. Senate Committee on Indian Affairs
Senator Martha McSally, Member of the U.S. Senate Committee on Indian Affairs
Senator Maria Cantwell, Member of the U.S. Senate Committee on Indian Affairs
Senator Jon Tester, Member of the U.S. Senate Committee on Indian Affairs
Senator Brian Schatz, Member of the U.S. Senate Committee on Indian Affairs
Senator Catherine Cortez Masto, Member of the U.S. Senate Committee on Indian Affairs

Senator Tina Smith, Member of the U.S. Senate Committee on Indian Affairs
Representative Ruben Gallego, Chairman of the U.S. House of Representatives Subcommittee for
Indigenous Peoples of the United States
Representative Darren Soto, Member of the U.S. House of Representatives Subcommittee for
Indigenous Peoples of the United States
Representative Michael San Nicolas, Member of the U.S. House of Representatives
Subcommittee for Indigenous Peoples of the United States
Representative Deb Haaland, Member of the U.S. House of Representatives Subcommittee for
Indigenous Peoples of the United States
Representative Ed Case, Member of the U.S. House of Representatives Subcommittee for
Indigenous Peoples of the United States
Representative Matt Cartwright, Member of the U.S. House of Representatives Subcommittee for
Indigenous Peoples of the United States
Representative Raul M. Grijalva, Member of the U.S. House of Representatives Subcommittee
for Indigenous Peoples of the United States
Donald Trump, President of the United States of America

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a Vendor in Their Campaign.

Judy Adams
Name
Citizenship Number C0044103
District 2 Voter
Address: 201 Sooner Dr
Address: Tahlequah, OK

Kenneth E. Stopp
Name
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District 2 Voter
Address: 14500 N 575 RD
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Chloe Callaway
Name
Citizenship Number
District 2 Voter 229421
Address: 163 W Wisteria Lane
Address: 701 Sooner Dr
Tahlequah, OK

Steve Tuls
Name
Citizenship Number C0354351
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Stephanie Teague
Name
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District 1 Voter
Address: 13451 Hwy 62 W
Address: Tahlequah, OK 74464

Sax Johnson
Name
Citizenship Number 10243172
District 1 Voter
Address: 13451 Hwy 62 W
Address: Tahlequah, OK 74464

Kirk Reese
Name
Citizenship Number C00257916
District 2 Voter
Address: 25498 E Cobbs
Address: Corner RD 74464
Tahlequah

Jack Johnson
Name
Citizenship Number C0185744
District 1 Voter
Address: 13451 Hwy 62 W
Address: Tahlequah, OK 74464

Shannon Dallis
Name
Citizenship Number 257418
District 2 Voter
Address: 24327 E. Woodland Rd
Address: Tahlequah OK 74464

Bret Teague
Name
Citizenship Number C00130277
District 1 Voter
Address: 13451 Hwy 62 W
Address: Tahlequah, OK 74464

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a Vendor in Their Campaign.

Robin Roberts

Name ROBIN ROBERTS
Citizenship Number 16620
District 14 Voter
Address: 11555 S. 4090 Rd.
Address: P.O. Box 511
Oologah OK 74053

Darla Roberts

Name DARLA ROBERTS
Citizenship Number 72452
District 14 Voter
Address: 11555 S. 4090 Rd.
Address: PO BOX 511
Oologah OK 74053

Shellie Pearson

Name Shellie Pearson
Citizenship Number
District 14 Voter
Address: 10670 S. 4080 Rd
Address: Oologah OK 74053

Randy Rhoades

Name RANDY RHOADES
Citizenship Number 93212
District 12 Voter
Address: 2080 EAST 390 ROAD
Address: TALALA OK 74080

Karen Miller

Name KAREN MILLER
Citizenship Number 226303
District 12 Voter
Address: 1941 E. 390 Rd.
Address: Talala, OK 74080

Mary K. Butner

Name MARY BUTNER
Citizenship Number 167013
District 14 Voter
Address: 11555 S. 4090 Rd
Address: P.O. Box 317
Oologah OK 74053

Brant Pearson

Name BRANT PEARSON
Citizenship Number 341700
District 14 Voter
Address: 10670 S. 4080 Rd.
Address: OLDGATH, OK
74053

Gwen Knepper

Name GWEN KNEPPER
Citizenship Number 20011906
District 14 Voter
Address: P.O. Box 912 / 10704 S. 4080 Rd
Address: Oologah, OK 74053

Tyler Hudson

Name 179802 TYLER HUDSON
Citizenship Number
District 14 Voter
Address: 13237 Stetson St
Address: Oologah OK 74053

Adam Miller

Name ADAM MILLER
Citizenship Number C0226302
District 12 Voter
Address: 1941 E. 390 Rd.
Address Talala, OK 74080

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a Vendor in Their Campaign.

Kyle DeMoure

Name

Citizenship Number - 00101819

District 15 Voter

Address: 1801 South Ridge Dr.

Address: Pryor, OK 74361-8424

Susan T Wheeler

Name Susan T Wheeler

Citizenship Number 30089

District _____ Voter AT Large

Address: 1526 Northaven Ave

Address: Sapulpa, OK 74066

Name

Citizenship Number - 0038907

District 14 Voter

Address: 1610 Fox Run Dr Claremore

Address: 74017

mailing - P.O. Box 911 Claremore
74018

Name

Citizenship Number - 00094192

District 14 Voter

Address: 1610 Fox Run Dr

mailing Address: P.O. Box 911 Claremore, OK
74018

Name Natasha Johnston

Citizenship Number - 00101367

District 14 Voter

Address: 1502 N Chambers Terrace

Address: Claremore 74017

Name

Citizenship Number

District _____ Voter

Address:

Address:

Name

Citizenship Number

District _____ Voter

Address:

Address:

Name Suzanne Jennings

Citizenship Number 59295

District 14 Voter

Address: P.O. Box 1326, Claremore

mailing Address: 1610 Fox Run Dr
Claremore, OK 74017

Name

Citizenship Number

District _____ Voter

Address:

Address:

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a Vendor in Their Campaign.

Susie Kelsey
Citizenship Number
District _____ Voter
Address:
Address:

Philip H. Viles, Jr.
Citizenship Number
District _____ Voter
Address:
Address:

Kathy Jane Blackwell Robinson
Name Kathy Jane Blackwell Robinson
Citizenship Number C0066566
District 14 Voter
Address: 14772 E. 460 Rd.
Address: Claremore, OK 74017

Cathy Lynn Wilson
Name Cathy Lynn Wilson
Citizenship Number 12768
District 14 Voter
Address: 2025 Carefree Dr.
Address: Claremore, OK 74019

Trudie Thompson Petteiger
Name Trudie Thompson Petteiger
Citizenship Number 216872
District 14 Voter
Address: 746 Valentine Lane
Address: Claremore, OK 74017

Ronette Lynn Patterson
Name Ronette Lynn Patterson
Citizenship Number 163572
District At Large Voter
Address: 5909 S. 89th W. Ave
Address: Tulsa, OK 74107

Roger L. Johnson
Name Roger L. Johnson
Citizenship Number 156966
District 13 Voter
Address: 9711 N. OSAGE Dr
Address: Sperry, OK 74073

Julia M. Massey
Name Julia M. Massey
Citizenship Number 93009
District 14 Voter
Address: 14901 E 484 Rd
Address: Claremore, OK. 74017

Name
Citizenship Number
District _____ Voter
Address:
Address:

Donald Lee Massey
Name Donald Lee Massey
Citizenship Number 93008
District 14 Voter
Address: 14901 E. 484 Rd.
Address: CLAREMORE OK. 74017

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a Vendor in Their Campaign.

Peggy Wilson
Name Peggy Wilson
Citizenship Number 93812
District 14 Voter
Address: 1419 73 E. 484 Rd.
Address: Claremore, OK 74017

Steven Wayne Massey
Name Steven Wayne Massey
Citizenship Number 93010
District 14 Voter
Address: 14865 E. 484 Rd.
Address: Claremore, OK 74017

Laurel Babb
Name Laurel Babb
Citizenship Number 93905
District 15 Voter
Address: 21303 S 4170 Rd
Address: Claremore OK, 74019

Name
Citizenship Number
District _____ Voter
Address:
Address:

Billy D Babb
Name Billy D. Babb
Citizenship Number 53322
District 15 Voter
Address: 21303 S. 4170 RD
Address: CLAREMORE, OK 74019

Name
Citizenship Number
District _____ Voter
Address:
Address:

Rae Nita Grubbs
Name Rae Nita Grubbs
Citizenship Number 92852
District 14 Voter
Address: 21566 S. 4170 Rd
Address: Claremore, OK 74019

Name
Citizenship Number
District _____ Voter
Address:
Address:

Tyler Miller
Name Tyler Miller
Citizenship Number 98552
District 14 Voter
Address: 14751 E 484 RD
Address: Claremore OK, 74017

Name
Citizenship Number
District _____ Voter
Address:
Address:

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a Vendor in Their Campaign.

Debra T. M. Davis
Name Debra T. M. Davis
Citizenship Number 50054651
District 2 Voter
Address: 13224 Hwy 82 Tah. OK
Address: 74464

Name
Citizenship Number
District _____ Voter
Address:
Address:

Bobby Shover
Name
Citizenship Number 45437
District 2 Voter
Address: 25404 E Cobbs corner
Address: Tahlequah OK 74464

Name
Citizenship Number
District _____ Voter
Address:
Address:

Vineta Shover
Name
Citizenship Number 603688
District 2 Voter
Address: 25404 E COBBS CORNER RD
Address: Tahlequah, OK
74464

Name
Citizenship Number
District _____ Voter
Address:
Address:

DAVID BRYAN SANDERS
Name
Citizenship Number 45428
District 3 Voter
Address: 24851 South 470 RD
Address: Tahlequah, OK
74464

Name
Citizenship Number
District _____ Voter
Address:
Address:

Chris Wilson
Name Chris Wilson
Citizenship Number 75124
District 14 Voter
Address: 20625 Carefree DR.
Address: Claremore, OK 74019

Name
Citizenship Number
District _____ Voter
Address:
Address:

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a Vendor in Their Campaign.


Name Peter Viles
Citizenship Number 75910
District At Large Voter
Address: 2329 S Toledo Ave
Address: Tulsa OK 74114


Name Amanda Viles
Citizenship Number 75909
District At Large Voter
Address: 9111 S Urbana Ave # 7D
Address: Tulsa, OK 74137


Name Ross Viles
Citizenship Number 93686
District At Large Voter
Address: 5068 S. Urbana Ave, Apt 12C
Address: Tulsa, OK 74135

Name
Citizenship Number
District _____ Voter
Address:
Address:

Name
Citizenship Number
District _____ Voter
Address:
Address:

Name
Citizenship Number
District _____ Voter
Address:
Address:

Name
Citizenship Number
District _____ Voter
Address:
Address:

Name
Citizenship Number
District _____ Voter
Address:
Address:

Name
Citizenship Number
District _____ Voter
Address:
Address:

Name
Citizenship Number
District _____ Voter
Address:
Address:

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a Vendor in Their Campaign.

Lisa Deloris Melchior

Name LISA Deloris melchior

Citizenship Number 123679

District 10 Voter

Address: 6186 W 480

Address: Pryor, OK 74361

William Harold Pearson

Name William Harold Pearson

Citizenship Number 72141

District 14 Voter

Address: 6601 E. 350 Rd

Address: Oologah, OK 74053

Name

Citizenship Number

District _____ Voter

Address:

Address:

Name

Citizenship Number

District _____ Voter

Address:

Address:

Name

Citizenship Number

District _____ Voter

Address:

Address:

Name

Citizenship Number

District _____ Voter

Address:

Address:

Name

Citizenship Number

District _____ Voter

Address:

Address:

Name

Citizenship Number

District _____ Voter

Address:

Address:

Name

Citizenship Number

District _____ Voter

Address:

Address:

Name

Citizenship Number

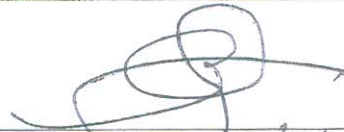
District _____ Voter

Address:

Address:

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of
All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a
Vendor in Their Campaign.


Name Kiah Smith
Citizenship Number 000203891
District 14 Voter
Address: 12994 S. Old Hwy 169 Apt A
Address: Oologah, OK 74063


Name Philip H. Viles, Jr.
Citizenship Number 10946
District At Large Voter
Address: 3534 E. 74th Street
Address: Tulsa, OK 74136-5970

Name
Citizenship Number
District _____ Voter
Address:
Address:

Name
Citizenship Number
District _____ Voter
Address:
Address:

Name
Citizenship Number
District _____ Voter
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Name
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District _____ Voter
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District _____ Voter
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Address:

Name
Citizenship Number
District _____ Voter
Address:
Address:

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a Vendor in Their Campaign.

Rebecca Elizabeth Meyer
Citizenship Number 2428
At Large Voter
1108 Pinehurst Drive
Norman, OK 73072

Roger Layman Johnson
Citizenship Number 156966
District 13 Voter
9711 N. Osage Drive
Sperry, OK 74073

Ladena Lynn Walkingstick-Coppinger
Citizenship Number
District 14 Voter
23067 South 4130 Road
Claremore, OK 74019

Donald Coppinger
Citizenship Number
District 14 Voter
23067 South 4130 Road
Claremore, OK 74019

Geraldine Martin
Citizenship Number
District _____ Voter
Address:
Address:


Norman Crowe
Citizenship Number **C013240**
(12) District _____ Voter **AT LARGE VOTER**
Address: **4121 CHERRY HILL LANE**
Address: **OKLAHOMA CITY, OK 73120**

David Alan Crawford
Citizenship Number 176616
At Large Voter
3550 Country Club Drive
Salem, OR 97302

James Wade Prater
Citizenship Number 4875
At Large Voter
24879 Bellfountain Road
Monroe, OR 97456

John Thomas Gilliland
Citizenship Number 107975
At Large Voter
27484 Parsons Road
Conifer, CO 80433

Charles Dale Hornbuckle
Citizenship Number 4458
District 15 Voter
7245 118th Avenue Southwest
Olympia, WA 98512-9364

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of
All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a
Vendor in Their Campaign.

Susie Kelsey
Citizenship Number _____
District _____ Voter
Address: _____
Address: _____

Philip H. Viles, Jr.
Citizenship Number _____
District _____ Voter
Address: _____
Address: _____

Rebecca Elizabeth Meyer
Name _____
Citizenship Number 2428
District A3 Large Voter
Address: 1108 Pinehurst Dr.
Address: Norman, OK 73072
beckybeth@cox.net

Name _____
Citizenship Number _____
District _____ Voter
Address: _____
Address: _____

Name _____
Citizenship Number _____
District _____ Voter
Address: _____
Address: _____

Name _____
Citizenship Number _____
District _____ Voter
Address: _____
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Name _____
Citizenship Number _____
District _____ Voter
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Address: _____

Name _____
Citizenship Number _____
District _____ Voter
Address: _____
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Name _____
Citizenship Number _____
District _____ Voter
Address: _____
Address: _____

Name _____
Citizenship Number _____
District _____ Voter
Address: _____
Address: _____

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a Vendor in Their Campaign.

Susie Kelsey
Citizenship Number
District _____ Voter
Address:
Address:

Philip H. Viles, Jr.
Citizenship Number
District _____ Voter
Address:
Address:

x Watie Corbett Walkingstick
Name Watie Corbett Walkingstick
Citizenship Number CO 22332
District 14 Voter
Address: 19354 E. 380 Rd
Address: Chelsea, OK 74016

Name
Citizenship Number
District _____ Voter
Address:
Address:

Name
Citizenship Number
District _____ Voter
Address:
Address:

Name
Citizenship Number
District _____ Voter
Address:
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Name
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Name
Citizenship Number
District _____ Voter
Address:
Address:

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of
All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a
Vendor in Their Campaign.

Rebecca Elizabeth Meyer
Citizenship Number 2428
At Large Voter
1108 Pinehurst Drive
Norman, OK 73072

Roger Layman Johnson
Citizenship Number 156966
District 13 Voter
9711 N. Osage Drive
Sperry, OK 74073

Ladena Lynn Walkingstick-Coppinger
Ladena Lynn Walkingstick-Coppinger
Citizenship Number *C0037494*
District 14 Voter
23067 South 4130 Road
Claremore, OK 74019

Donald Alan Coppinger
Donald Coppinger
Citizenship Number *C0244548*
District 14 Voter
23067 South 4130 Road
Claremore, OK 74019

Geraldine Martin
Citizenship Number
District _____ Voter
Address:
Address:

Norman Crowe
Citizenship Number
District _____ Voter
Address:
Address:

David Alan Crawford
Citizenship Number 176616
At Large Voter
3550 Country Club Drive
Salem, OR 97302

James Wade Prater
Citizenship Number 4875
At Large Voter
24879 Bellfountain Road
Monroe, OR 97456

John Thomas Gilliland
Citizenship Number 107975
At Large Voter
27484 Parsons Road
Conifer, CO 80433

Charles Dale Hornbuckle
Citizenship Number 4458
District 15 Voter
7245 118th Avenue Southwest
Olympia, WA 98512-9364

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a Vendor in Their Campaign.

Susie Kelsey
Citizenship Number
District _____ Voter
Address:
Address:

Philip H. Viles, Jr.
Citizenship Number
District _____ Voter
Address:
Address:

David Alan Crawford
Name *David Alan Crawford*
Citizenship Number *176616*
District *A+ Large* Voter
Address: *3556 Country Club Dr. S*
Address: *Salem, OR 97302*

Name
Citizenship Number
District _____ Voter
Address:
Address:

Name
Citizenship Number
District _____ Voter
Address:
Address:

Name
Citizenship Number
District _____ Voter
Address:
Address:

Name
Citizenship Number
District _____ Voter
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Name
Citizenship Number
District _____ Voter
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Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a Vendor in Their Campaign.

Rebecca Elizabeth Meyer
Citizenship Number 2428
At Large Voter
1108 Pinehurst Drive
Norman, OK 73072

Roger Layman Johnson
Citizenship Number 156966
District 13 Voter
9711 N. Osage Drive
Sperry, OK 74073

Ladena Lynn Walkingstick-Coppinger
Citizenship Number
District 14 Voter
23067 South 4130 Road
Claremore, OK 74019

Donald Coppinger
Citizenship Number
District 14 Voter
23067 South 4130 Road
Claremore, OK 74019

Geraldine Martin
Citizenship Number
District _____ Voter
Address:
Address:

Norman Crowe
Citizenship Number
District _____ Voter
Address:
Address:

David Alan Crawford
Citizenship Number 176616
At Large Voter
3550 Country Club Drive
Salem, OR 97302

James Wade Prater
Citizenship Number 4875
At Large Voter
24879 Bellfountain Road
Monroe, OR 97456

John Thomas Gilliland
Citizenship Number 107975
At Large Voter
27484 Parsons Road
Conifer, CO 80433

Charles Dale Hornbuckle
Charles Dale Hornbuckle
Citizenship Number 4458
District 15 Voter
7245 118th Avenue Southwest
Olympia, WA 98512-9364

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of
All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a
Vendor in Their Campaign.

Rebecca Elizabeth Meyer
Citizenship Number 2428
At Large Voter
1108 Pinehurst Drive
Norman, OK 73072

Roger Layman Johnson
Citizenship Number 156966
District 13 Voter
9711 N. Osage Drive
Sperry, OK 74073

Ladena Lynn Walkingstick-Coppinger
Citizenship Number
District 14 Voter
23067 South 4130 Road
Claremore, OK 74019

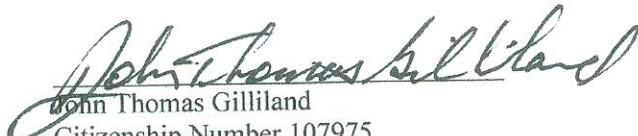
Donald Coppinger
Citizenship Number
District 14 Voter
23067 South 4130 Road
Claremore, OK 74019

Geraldine Martin
Citizenship Number
District _____ Voter
Address:
Address:

Norman Crowe
Citizenship Number
District _____ Voter
Address:
Address:

David Alan Crawford
Citizenship Number 176616
At Large Voter
3550 Country Club Drive
Salem, OR 97302

James Wade Prater
Citizenship Number 4875
At Large Voter
24879 Bellfountain Road
Monroe, OR 97456


John Thomas Gilliland
Citizenship Number 107975
At Large Voter
27484 Parsons Road
Conifer, CO 80433

Charles Dale Hornbuckle
Citizenship Number 4458
District 15 Voter
7245 118th Avenue Southwest
Olympia, WA 98512-9364

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a Vendor in Their Campaign.

Susie Kelsey
Citizenship Number
District _____ Voter
Address:
Address:

Philip H. Viles, Jr.
Citizenship Number
District _____ Voter
Address:
Address:

Kayla Darnet
Name Kayla Darnet
Citizenship Number 245194
District 15 Voter
Address: 602 W. 19th St. So.
Address: Claremore OK 74019

Name
Citizenship Number
District _____ Voter
Address:
Address:

Abbea Poetzer
Name Abbea Poetzer
Citizenship Number 257980
District 14 Voter
Address: 180 N DAVIS AVE
Address: #1
Claremore OK 74017

Name
Citizenship Number
District _____ Voter
Address:
Address:

Jennifer Ayers
Name Jennifer Ayers
Citizenship Number 162171
District 13 Voter
Address: 25190 Berry Pickin Lane
Address: Claremore OK 74019

Name
Citizenship Number
District _____ Voter
Address:
Address:

Cheryl Backward
Name Cheryl Backward
Citizenship Number 20145730
District 14 Voter
Address: 15651 So. Hwy 66
Address: Claremore, OK 74017

Name
Citizenship Number
District _____ Voter
Address:
Address:

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a Vendor in Their Campaign.

Susie Kelsey
Citizenship Number
District _____ Voter
Address:
Address:

Philip H. Viles, Jr.
Citizenship Number
District _____ Voter
Address:
Address:

Anna Marie Bahn Haught
Name *Anna Marie Bahn Haught*
Citizenship Number *96692*
District *At large* Voter
Address: *1728 Cottrell*
Address: *Hobbs, NM 88240*

Sara Shawn Miller
Name *Sara Shawn Miller*
Citizenship Number *96726*
District *At large* Voter
Address: *3010 Lanehart Dr.*
Address: *Hobbs, NM 88240*

Name
Citizenship Number
District _____ Voter
Address:
Address:

Name
Citizenship Number
District _____ Voter
Address:
Address:

Name
Citizenship Number
District _____ Voter
Address:
Address:

Name
Citizenship Number
District _____ Voter
Address:
Address:

Beverly Fern Cowan
Name *Beverly Fern Cowan*
Citizenship Number *8791*
District _____ Voter
Address: *8089 Silverado Rd*
Address: *Claremore, OK*
74019

Name
Citizenship Number
District _____ Voter
Address:
Address:

Signature Page of Citizens and Registered Voters of Cherokee Nation Demanding an Audit of
All Financial Reports and Disclosures of Any Candidate Who Used Cherokee Future LLC as a
Vendor in Their Campaign.

Cathy Lynn Wilson
Citizenship Number 92768
District 14 Voter
20625 Carefree Drive
Claremore, OK 74019

Julia Melinda Massey
Citizenship Number
District 14 Voter
14901 East 484 Road
Claremore, OK 74019

Danielle Pilcher
Citizenship Number
District _____ Voter
Address:
Address:

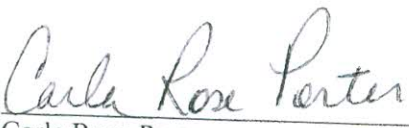
April Skinas
Citizenship Number
District _____ Voter
Address:
Address:

Ronnelle Lynn Patterson
Citizenship Number 163572
At Large Voter
Address:
Address:

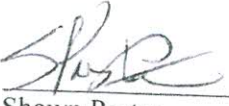
Rebecca Martins
Citizenship Number
District _____ Voter
Address:
Address:

Cathy Grissett
Citizenship Number
District _____ Voter
Address:
Address:

William Pearson
Citizenship Number
District _____ Voter
Address:
Address:



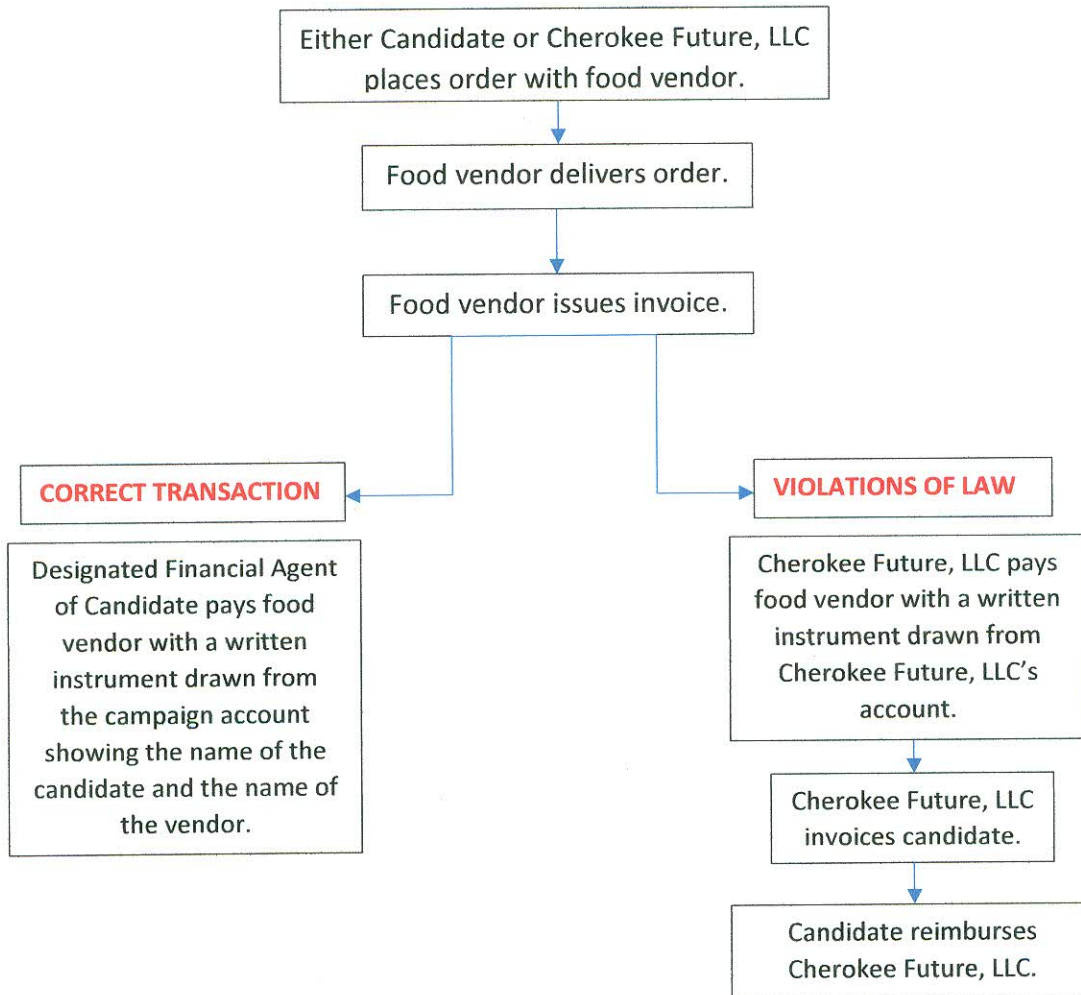
Carla Rose Porter
Citizenship Number 246476
District 14 Voter
PO Box 733
Claremore, OK 74018



Shawn Porter
Citizenship Number 340174
District 14 Voter
PO Box 733
Claremore, OK 74018

Example campaign expenditure: Food for a campaign event.

Cost: \$1,500.





CHEROKEE NATION ELECTION COMMISSION

Ph: 918-458-5899 TF: 800.353.2895 F: 918 458.6101

FINANCIAL DISCLOSURE REPORT CAMPAIGN SUMMARY

SUMMARY OF CAMPAIGN OPERATIONS

☐ Monthly

☒ Revised

☐ Final

"Each candidate shall deliver a complete monthly financial disclosure report to the Election Commission Office beginning with a report for the month that the candidate filed for office. The report shall comprise of the entire previous month, beginning on the first day of the month and ending on the last. The report shall be due by the 15th of the following month." Legislative Act 12-16 § 46B

Name of Candidate: Chuck Hoskin, Jr.		Month Reporting: March 1, 2019 to March 31, 2019 (Example: January 1, 2019 to January 31, 2019. Due by or before February 15th, 2019)	
Address: 3233 S Muskogee Ave Tahlequah, OK 74464		Phone: 918-871-4777	Email: info@hoskinwarner.com
Name of Financial Agent(s): Davis Mansushygan Jennifer Daniels		Email of Financial Agent(s): davis@hoskinwarner.com jennifer.f@hoskinwarner.com	

BEGINNING CAMPAIGN BALANCE:		Carry-Over from last month	\$	317,495.25
CAMPAIGN INCOME				
Contributions	Total1	\$	189,140.00	
Fundraising	Total2		n/a	
Miscellaneous	Total3		n/a	
TRANSFERS TO CAMPAIGN FUNDS				
Loans from Candidate	Total12		n/a	
Loans from Others	Total13		n/a	
TOTAL MONETARY CAMPAIGN REVENUE (if none, enter \$0):		\$	189,140.00	
CAMPAIGN EXPENDITURES				
Advertisements-TV/Radio/Newspaper/Social Media	Total4	\$	4,124.24	
Printing-Signs/Banners/Mailers/Shirts	Total5	\$	39,877.49	
Compensation-Staff	Total6	\$	59,746.67	
Office Expenses-Office Supplies/Rent/Utilities/Postage/Phone/Bank Fees	Total7	\$	7,323.64	
Travel	Total8	\$	3,662.27	
Food	Total9	\$	1,513.61	
Miscellaneous	Total10	\$	28,524.06	
TOTAL:		\$	144,771.98	
TRANSFERS FROM CAMPAIGN FUNDS				
Repayment of Loans	Total14			
TOTAL CAMPAIGN EXPENDITURES (if none, enter \$0):		\$	144,771.98	

*(Carry this amount to next month. Does not include In-Kind)	CARRY-OVER CAMPAIGN BALANCE:	\$361,863.27
	In-Kind Contributions11 (if none, enter \$0):	\$ 7,176.68

**(Not included in Total Monetary Campaign Revenue or Carry-Over Campaign Balance)

TOTAL CAMPAIGN REVENUE:	\$196,316.68
--------------------------------	--------------

*** (Includes In-Kind)



CHEROKEE NATION ELECTION COMMISSION

Ph: 918-458-5899 TF: 800.353.2895 F: 918.458.6101

FINANCIAL DISCLOSURE REPORT

Signature Authorization

I certify this March (revised) financial disclosure report is valid and correct
(Month)

to the best of my knowledge and belief with a total of _____ pages.

MAY 14 2019

§ 46. Financial Disclosure Report

B. Time of Filing Monthly Report; Late Filing, Failure to File. Each Candidate shall deliver a complete monthly Financial Disclosure Report to the Election Commission Office beginning with a report for the month that the Candidate filed for office. The report shall comprise of the entire previous month, beginning on the first day of the month and ending on the last. The report shall be due on the 15th day of the following month. In the event that the Election Commission has not received a monthly report by the 15th day of the month in which it was due, the Election Commission shall impose a fine in the amount of \$100 on the Candidate and shall send a notice of the failure to meet the deadline and notice of the fine to the Candidate by certified mail return receipt requested. Unless the Candidate can show extenuating circumstances for his or her failure to file a report or the filing of an incomplete report by the 15th day of the month following the month in which it was due; failure to meet the deadline for any two monthly reports; or failure to pay a fine by the date of election, the Candidate shall be disqualified from the election by the Election Commission after notice and hearing. Said disqualification may be appealed to the Cherokee Nation Supreme Court. The Election Commission shall expedite all such proceedings.

§ 47. Financial Disclosure Report - Contents

E. Certification; Criminal Sanctions for Misrepresentation. Each Financial Disclosure Report shall be certified by the Candidate or his or her Financial Agents. A Candidate or a Candidate's Financial Agent who certifies a report and therein knowingly fails to fully disclose the information required in this Section as to any gift, promise, treat, reward, favor, or anything of value given or expended, is guilty of a crime. If a person is convicted of a criminal violation under this subsection, then he or she shall not hold the office and shall be barred for a period of five (5) years from holding any elective office of the Cherokee Nation. Where any person who has received the highest number of votes for any office is disqualified from holding said office, a Special Election shall be held to elect another person to hold such office. If the Candidate has been elected and sworn into office, such conviction may be grounds for removal under Article XI of the Cherokee Constitution.

Print Candidate/Agent Name: David Manoshaugan Date: 5/14/19
Signature of Candidate/Agent Name: [Signature] Date: 5/14/19

Notes:

Hoskin Expenditures

Date	Amount	Purpose	Name	Address	City	State	Zip	Category
3/1/19	\$200.00	Advertising	Regina Pickard	123 Songbird Dr	Tahlequah	OK	74464-6232	Advertising
3/18/19	\$49.99	Advertising	Facebook	1 Hacker Way	Menlo Park	CA	94025-1456	Advertising
3/11/19	\$100.00	Benefit Sponsorship	Mark Pritchett	PO Box 676	Stilwell	OK	74960-0676	Advertising
3/1/19	\$150.00	Strawberry Fest Sponsorship	Stilwell Kiwanis Club	PO Box 1312	Stilwell	OK	74960-1312	Advertising
3/27/19	\$306.00	Radio Advertising	Lakes Country 102.1	5686 S Muskogee Ave	Tahlequah	OK	74464-5487	Advertising
3/27/19	\$120.00	Event Sponsorship	Indian Women's Pocahontas Club	PO Box 3252	Claremore	OK	74018-3252	Advertising
3/15/19	\$250.00	Sponsorship	John Colburn Memorial Rodeo	17508 W Abby Ln	Tahlequah	OK	74464-8203	Advertising
3/25/19	\$842.56	Website, graphic design, social media advertising, telecommunications	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Advertising
3/15/19	\$2,105.69	Website, graphic design, social media advertising, telecommunications	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Advertising
	\$4,124.24	Subtotal						
3/25/19	\$8,149.73	Polling/Research	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Misc
3/15/19	\$20,374.33	Polling/Research	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Misc
	\$28,524.06	Subtotal						
3/4/19	\$1,341.24	Credit Card Processing Fees	Direct Connect	3901 Centerview Dr	Ste W Chantilly	VA	20151-3229	Office Expenses
3/11/19	\$2.00	Bank Processing Fee	Bank of Cherokee County	PO Box 660	Park Hill	OK	74451-0660	Office Expenses
3/1/19	\$300.00	Rent	Anita Lankford	1612 S Keeler Ave	Bartlesville	OK	74003-5724	Office Expenses
3/1/19	\$310.00	Rent	Strategy Center	6105 Nowata Rd	Bartlesville	OK	74006-6010	Office Expenses
		Phones, rent, bank processing fees, copier rent, insurance, office supplies, office upkeep						
3/25/19	\$1,534.40	Phones, rent, bank processing fees, copier rent, insurance, office supplies, office upkeep	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Office Expenses
3/15/19	\$3,836.00	Phones, rent, bank processing fees, copier rent, insurance, office supplies, office upkeep	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Office Expenses
	\$7,323.64	Subtotal						
3/21/19	\$1,642.74	T-Shirts	Dreamcatcher Sports	16 W. South Street	Tahlequah	OK	74464	Printing
3/25/19	\$10,974.21	Mailers, literature, signs	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Printing
3/15/19	\$27,310.53	Mailers, literature, signs	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Printing
	\$39,877.49	Subtotal						
3/25/19	\$17,070.48	Payroll for field organizers, regional organizers, consultants, manager, staff	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Compensation
3/15/19	\$42,676.19	Payroll for field organizers, regional organizers, consultants, manager, staff	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Compensation
	\$59,746.67	Subtotal						

MAY 14 2019

Travel

Travel

Travel

Travel



CHEROKEE NATION ELECTION COMMISSION

Ph: 918-458-5899 TF: 800-353-2895 F: 918-458-6101

FINANCIAL DISCLOSURE REPORT
CAMPAIGN SUMMARY

SUMMARY OF CAMPAIGN OPERATIONS

☐ Monthly☒ Revised☐ Final

"Each candidate shall deliver a complete monthly financial disclosure report to the Election Commission Office beginning with a report for the month that the candidate filed for office. The report shall comprise of the entire previous month, beginning on the first day of the month and ending on the last. The report shall be due by the 15th of the following month" Legislative Act 12-16 § 46B

Name of Candidate: Bryan Warner		Month Reporting: March 1, 2019 to March 31, 2019 (Example: January 1, 2019 to January 31, 2019 Due by or before February 15th, 2019)	
Address: 3233 S Muskogee Ave. Tahlequah, OK 74464		Phone: 918-871-4777	Email: info@hoskinwarner.com
Name of Financial Agent(s): <i>David Hoskin Warner</i> <i>Jenna L. Daniels</i>		Email of Financial Agent(s): <i>david@hoskinwarner.com</i> <i>jenna@hoskinwarner.com</i>	

BEGINNING CAMPAIGN BALANCE:		Carry-Over from last month	\$	107,155.36
CAMPAIGN INCOME				
Contributions	Total1	\$	105,995.00	
Fundraising	Total2		n/a	
Miscellaneous	Total3		n/a	
TRANSFERS TO CAMPAIGN FUNDS				
Loans from Candidate	Total12		n/a	
Loans from Others	Total13		n/a	
TOTAL MONETARY CAMPAIGN REVENUE (if none, enter \$0):		\$	105,995.00	
CAMPAIGN EXPENDITURES				
Advertisements-TV/Radio/Newspaper/Social Media	Total4	\$	2,263.61	
Printing-Signs/Banners/Mailers/Shirts	Total5	\$	29,358.82	
Compensation-Staff	Total6	\$	45,876.90	
Office Expenses-Office Supplies/Rent/Utilities/Postage/Phone/Bank Fees	Total7	\$	6,018.22	
Travel	Total8	\$	2,812.10	
Food	Total9	\$	1,162.02	
Miscellaneous	Total10	\$	21,902.84	
TOTAL:		\$	109,394.51	
TRANSFERS FROM CAMPAIGN FUNDS				
Repayment of Loans	Total14			
TOTAL CAMPAIGN EXPENDITURES (if none, enter \$0):		\$	109,394.52	

*(Carry this amount to next month. Does not include In-Kind)

CARRY-OVER CAMPAIGN BALANCE:

\$103,755.84

In-Kind Contributions11 (if none, enter \$0):

\$

4,846.69

**(Not included in Total Monetary Campaign Revenue or Carry-Over Campaign Balance)

TOTAL CAMPAIGN REVENUE:

\$110,841.69

***Includes In-Kind)



CHEROKEE NATION ELECTION COMMISSION

Ph: 918-458-5899 TF: 800-353-2895 F: 918-458-6101

FINANCIAL DISCLOSURE REPORT

Signature Authorization

I certify this March (revised) financial disclosure report is valid and correct
(Month)

to the best of my knowledge and belief with a total of _____ pages.

§ 46. Financial Disclosure Report

B. Time of Filing Monthly Report; Late Filing, Failure to File. Each Candidate shall deliver a complete monthly Financial Disclosure Report to the Election Commission Office beginning with a report for the month that the Candidate filed for office. The report shall comprise of the entire previous month, beginning on the first day of the month and ending on the last. The report shall be due on the 15th day of the following month. In the event that the Election Commission has not received a monthly report by the 15th day of the month in which it was due, the Election Commission shall impose a fine in the amount of \$100 on the Candidate and shall send a notice of the failure to meet the deadline and notice of the fine to the Candidate by certified mail return receipt requested. Unless the Candidate can show extenuating circumstances for his or her failure to file a report or the filing of an incomplete report by the 15th day of the month following the month in which it was due; failure to meet the deadline for any two monthly reports; or failure to pay a fine by the date of election, the Candidate shall be disqualified from the election by the Election Commission after notice and hearing. Said disqualification may be appealed to the Cherokee Nation Supreme Court. The Election Commission shall expedite all such proceedings.

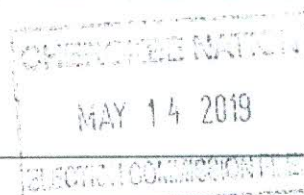
§ 47. Financial Disclosure Report - Contents

E. Certification; Criminal Sanctions for Misrepresentation. Each Financial Disclosure Report shall be certified by the Candidate or his or her Financial Agents. A Candidate or a Candidate's Financial Agent who certifies a report and therein knowingly fails to fully disclose the information required in this Section as to any gift, promise, treat, reward, favor, or anything of value given or expended, is guilty of a crime. If a person is convicted of a criminal violation under this subsection, then he or she shall not hold the office and shall be barred for a period of five (5) years from holding any elective office of the Cherokee Nation. Where any person who has received the highest number of votes for any office is disqualified from holding said office, a Special Election shall be held to elect another person to hold such office. If the Candidate has been elected and sworn into office, such conviction may be grounds for removal under Article XI of the Cherokee Constitution.

Print Candidate/Agent Name: Davis Mansaray Date: 5-13-19

Signature of Candidate/Agent Name: _____ Date: _____

Notes:



Warner Expenditures

Date	Amount	Purpose	Name	Address	City	State	Zip	Category
3/7/19	\$403.00	Rent	Larry Crowe Investments	779 HC 88	Vian	OK	74962-9128	Office Expenses
3/21/19	\$59.30	Office internet	Dismondnet	115 E Chortaw Ave	Sallisaw	OK	74955-4629	Office Expenses
3/4/19	\$860.22	Credit Card Processing Fees	Direct Connect	3901 Centerville Dr	Chantilly	VA	20151-3229	Office Expenses
3/5/19	\$575.00	Rent	TGRP	458005 East 1020 Road	Vian	OK	74962	Office Expenses
3/12/19	\$287.70	Phones, rent, bank processing fees, copier rent, insurance, office supplies, office upkeep	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Office Expenses
3/26/19	\$2,301.50	Phones, rent, bank processing fees, copier rent, insurance, office supplies, office upkeep	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Office Expenses
3/18/19	\$1,534.40	Phones, rent, bank processing fees, copier rent, insurance, office supplies, office upkeep	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Office Expenses
	\$6,018.22	Subtotal						
3/12/19	\$157.93	Website, graphic design, social media advertising, telecommunications	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Advertisements
3/26/19	\$1,263.41	Website, graphic design, social media advertising, telecommunications	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Advertisements
3/18/19	\$842.28	Website, graphic design, social media advertising, telecommunications	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Advertisements
	\$2,263.61	Subtotal						
3/12/19	\$3,200.71	Payroll for field organizers, regional organizers, consultants, manager, staff	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Compensation
3/26/19	\$25,605.71	Payroll for field organizers, regional organizers, consultants, manager, staff	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Compensation
3/18/19	\$17,070.48	Payroll for field organizers, regional organizers, consultants, manager, staff	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Compensation
	\$45,876.90	Subtotal						
3/12/19	\$81.07	Food for events	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Food
3/26/19	\$648.57	Food for events	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Food
3/18/19	\$432.38	Food for events	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Food
	\$1,162.02	Subtotal						
3/12/19	\$1,528.51	Printing/Research	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Misc
3/26/19	\$12,224.60	Printing/Research	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Misc
3/18/19	\$8,149.73	Printing/Research	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Misc
	\$21,902.84	Subtotal						
3/12/19	\$2,048.29	Mallers, literature, signs	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Printing
3/26/19	\$16,386.32	Mallers, literature, signs	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Printing
3/18/19	\$10,924.21	Mallers, literature, signs	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Printing
	\$29,358.82	Subtotal						
3/12/19	\$196.19	Staff mileage reimbursement, vehicle rental, hotels	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Travel
3/26/19	\$1,569.55	Staff mileage reimbursement, vehicle rental, hotels	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Travel
3/18/19	\$1,046.36	Staff mileage reimbursement, vehicle rental, hotels	Cherokee Future, LLC	339 N Adair St	Vinita	OK	74301-2803	Travel
	\$2,812.10	Subtotal						

MAY 14 2019



Todd Hembree
Attorney General

CHEROKEE NATION
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 948
Tahlequah, OK 74465-0948
918-453-5000

OPINION OF THE CHEROKEE NATION ATTORNEY GENERAL

Question Submitted by: Chuck Hoskin, Jr., Cherokee Nation Tribal Council

Opinion Number: 2013-CNAG-02

Date Decided: April 12, 2013

This office has received your request for an official Attorney General Opinion in which you ask, in effect, the following question:

1. Is it permissible under Cherokee Nation law for candidates seeking elective office to retain the services of professional campaign firms to assist in the management of each candidate's campaign?

As we understand the factual basis for your question, you, and an undisclosed number of other candidates in the 2013 Tribal Council elections, have retained the services of LockSher Logic, LLC to assist in the management of each candidate's campaign. Such services include, but are not limited to, polling, fundraising, and developing and executing campaign strategy.

ANSWER AND ANALYSIS

The Cherokee Nation Election Code (the "Election Code"), in its current incarnation, is codified at Title 26 of the Cherokee Nation Code Annotated and was enacted pursuant to Legislative Act 46-12 which was passed by the Tribal Council on December 10, 2012 and subsequently signed into law by Principal Chief Bill John Baker. The Election Code is the controlling law for the conduct of all Cherokee Nation elections for any elective office, Constitutional amendments, initiatives and referenda of the Cherokee Nation. 26 CNCA § 1.

THERE IS NOTHING IN CHEROKEE NATION LAW PROHIBITING CANDIDATES FROM UTILIZING THE SERVICES OF PROFESSIONAL CAMPAIGN FIRMS.

Title 26, Sections 41 – 47 of the Cherokee Nation Code governs the collection, use and disclosure of campaign finances. “Campaign contribution” means a contribution in money or services to a candidate offered or given with the intent that it be used in connection with a campaign. 26 CNCA § 41(A). “Campaign expenditure” means an expenditure of money or services incurred by any person in connection with a campaign. 26 CNCA § 41(B).

26 CNCA § 44 provides that campaign contributions may only be received during the period of time spanning six (6) months immediately preceding the date of the primary or special election and six (6) months immediately following the primary or special election date. Campaign contributions may only be used for purposes connected with the performance of duties or activities related to the campaign for elective office and any leftover contributions will be placed in an escrow account to defray the cost of subsequent Cherokee Nation elections. *Id.* Campaign contributions may only be made by individual natural persons; corporations, partnerships and/or political interest groups are specifically prohibited from contributing to any campaign or candidate. 26 CNCA § 43. Individuals are limited to contributing an amount not to exceed five thousand dollars (\$5000) to any one candidate during an election period, and no contributions may be made or authorized in the name of another person or on behalf of a minor. *Id.* Further, no campaign contributions may be directly or indirectly reimbursed by any person. *Id.* This section further provides that every person making a campaign contribution shall provide their name, address, telephone number, type of employment and employers name with every campaign contribution made. *Id.*

The Election Code further allows candidates to utilize “financial agents” as part of their campaigns. 26 CNCA § 42. A “Financial agent” is defined as the “person or persons designated and authorized by a candidate to accept contributions and pay obligations related to the candidate’s campaign...” 26 CNCA § 41¹. No later than the filing date for an election, each candidate is mandated to file a statement of designation with the Election Commission, containing the names and addresses of every person authorized as the candidate’s financial agent, or a statement that the candidate has no authorized financial agent. 26 CNCA § 42. A candidate may amend the designation any time prior to the opening of the polls on the day set for the election. *Id.*

Financial agents are authorized to receive campaign contributions in accordance with the time frame set forth above and must transmit to the Election Commission the requisite contributor information as required by law. 26 CNCA § 44. Financial agents are subject to the same prohibitions against personal use of campaign contributions, intimidation in the procurement of said contributions and soliciting contributions from Cherokee Nation employees as a result of reward or threat of reprisal related to making a contribution. *Id.* Candidates and their financial agents are prohibited from accepting anonymous contributions exceeding one thousand dollars in

¹ It is important to note that the ability of a candidate to utilize a “financial agent” is not a recent development in Cherokee Nation election law. The Cherokee Nation Election Code specifically provided for the use of “financial agents” at least as early as 1997. *See e.g.*, LA 07-97.

aggregate. Id. Candidates and financial agents are also required to provide proper records and receipts of campaign expenditures. Id. Candidates and financial agents are subject to possible criminal sanctions or civil liability for violations of campaign contribution and expenditure requirements and prohibitions. 26 CNCA § 45.

Monthly financial disclosure reports detailing campaign contributions, expenditures, and any donated radio or television time, must be filed with the Election Commission. 26 CNCA §§ 46, 47. While candidates are charged with filing a certified monthly financial disclosure report with the Election Commission, a candidate's financial agent may certify the monthly report. Id. However, the final financial disclosure report may be certified and filed by either the candidate or his or her financial agent in accordance with the law. 26 CNCA § 46.

It is clear from the preceding paragraphs that the utilization of professional campaign firms as financial agents is not only unprohibited under Cherokee Nation law, but that the Election Code anticipates and endorses the use of financial agents. That being said, any professional campaign firm chosen and authorized by a candidate to receive campaign contributions and make campaign expenditures on the candidate's behalf should be designated to the Election Commission as a "financial agent" pursuant to 26 CNCA § 42. Care must be taken to ensure that a candidate's financial agents comply with the various regulations regarding campaign contributions, expenditures, record keeping and disclosure as discussed above.

**IT IS, THEREFORE, THE OFFICIAL OPINION OF THE ATTORNEY GENERAL
THAT:**

1. Candidates for elective office may retain the services of professional campaign firms to assist the candidate in the management of his or her campaign; provided that any professional campaign firm authorized to accept campaign contributions and make campaign expenditures on a candidate's behalf must be designated as a "financial agent" to the Election Commission and must comply with the various regulations regarding campaign contributions, expenditures, record keeping and disclosure as set forth in the Election Code.



Robert Garcia
Assistant Attorney General
Cherokee Nation



Todd Hembree
Attorney General for the Cherokee Nation

HARVEY L. CHAFFIN
ATTORNEY AT LAW
215 WEST SHAWNEE
TAHLEQUAH, OKLAHOMA 74464
TELEPHONE: (918) 453-2800

July 30, 2019

Deborah A. Reed, Attorney
Suite 112
3101 N. Hemlock Circle
Broken Arrow, Oklahoma 74012

Re: Letter dated July 1, 2019, to the Cherokee Nation
Election Commission complaining of violations of
Cherokee Election Law and Requesting an Audit
and Investigation (the "Letter").

Dear Ms. Reed,

As you are aware, the undersigned is legal counsel to the Cherokee Nation Election Commission (the "Commission"). The Commission has requested that we respond to the letter, a copy of which you forwarded to me via E-Mail on July 11, 2019, with 68 signatures. You also forwarded a supplemental letter to the Commission dated July 11, 2019, with nine additional signatures. Your signature did not appear on the letter, but you did send a cover letter dated July 11, 2019, with the supplemental letter with the additional nine signatures.

First, are you the attorney for the people signing the Letter? If you are not, please advise and we will send a copy of this response to the signatories of the Letter. If you are the attorney for the people signing the letter, we assume you will perform your ethical duty and forward to your clients a copy of this response to the Letter.

The Cherokee Constitution (Article IX. Elections) created a Constitution Commission, named in the Constitution the Cherokee Nation Election Commission; and stated the Commission shall be an autonomous and permanent entity charged with the administration of all Cherokee Nation elections, in accordance with election laws. The Constitution further states that the Cherokee Nation Council (the "Council") shall enact an appropriate law not inconsistent with the provisions of the Constitution that will govern the conduct of all

elections.

Pursuant to the above referenced Constitutional provisions, the Council has enacted Title 26 Elections of the Cherokee Nation Code Annotated, containing 103 separate Sections and hundreds of subsections (the "Election Law"). The Election Law is thorough and comprehensive; it has been amended after nearly every election to update and correct issues that arise during an election; the Commission has updated, modernized and computerized the election procedure over the years; currently, the Cherokee Nation Election Law is state of the art among Tribal Election Laws; and, can compete with the best of any state election systems. Title 26 Elections of the Cherokee Nation Code Annotated can be found at www.cherokee.org.

Under the Election Law, the Commission is not equipped to be nor is it an investigative body. Section 11.C.12.f. of the Election Law provides that "Any accusations concerning campaign activities shall be reported to the Cherokee Nation Attorney General for investigation. Should the Cherokee Nation Attorney General find merit, a report to the Cherokee Nation Election Commission will be made for possible assessment of penalties and/or disqualification under procedures found at Title 26 ' 38 of the Cherokee Nation Code Annotated." (Emphasis Added).

As shown, the Election Code does not provide for the Commission to Investigate allegations, but requires that such investigation be by the Attorney General. Since the Letter certainly qualifies as an "accusation concerning campaign activities", it has been reported to the Attorney General as required by Section 11.C.12.f. of the Election Law.

However, as you are aware, these same accusations have been and were made during the Campaign by Citizens and the Attorney General found no violation of the Election Law; and, these same accusations were raised by you, Deborah Reed, as Attorney for Chief Candidate, Dick Lay in Supreme Court Case No. SC-19-11 and as attorney for Deputy Chief Candidate, Meredith Frailey in Supreme Court Case No. SC-19-10, and the Cherokee Nation Supreme Court found the accusations to be without merit. A copy of the Supreme Court decision in the Lay and Frailey cases is attached.

It is noted that Mr. Lay or Ms. Frailey did not sign the Letter. They knew what the Court ruled. Did you tell Citizens who signed the Letter of the Court's ruling?

The time for appeal of the Election results under the Election Code has long passed and your previous appeal of Election results based on the same allegations was denied. But, now, you apparently

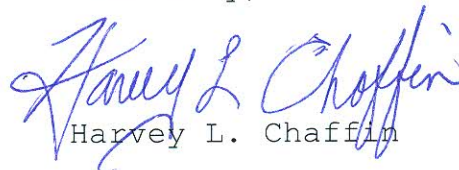
want another bite of the apple, after it was questioned by the Cherokee Supreme Court why these issues were not raised by the candidates or citizens prior to the election.

The Cherokee Nation is recognized as a sovereign nation entitled to self-governance in the election of its leaders to Chief, Deputy Chief and Council and the BIA has approved the Cherokee Nation Election Law. The Cherokee Nation Supreme Court is the final authority in the interpretation of Cherokee Nation Law and said Court has found the accusations made in the Letter to be without merit. See Supreme Court Opinion attached.

The Cherokee Nation is a great sovereign nation and its election process and Court system will stand the test of any political or governmental review of its laws. If you (or 77 disgruntled registered citizens out of more than 75,000 registered voters) are attempting to create political discord among Cherokee people and politicians or hoping to put political pressure on the Cherokee Nation by carbon copying all the politicians and government agencies, it will not work. You are beating a dead horse; the election is over; and, all should be working to support your duly elected leaders to serve all Cherokee Citizens.

We will await your response as to which of the signers of the Letter are your clients, if any; or, are individual citizens to whom we may forward a copy of this letter.

Sincerely,



Harvey L. Chaffin

CC:

Todd Hembree, Cherokee Nation Attorney General
Joe Balkenbush, Ethics Counsel, Oklahoma Bar Association
Corey Jones, Tulsa World
Bill John Baker, Principal Chief
Joe Crittenden, Deputy Principal Chief
Chuck Hoskin, Jr., Principal Chief Elect
Rex Jordan, Cherokee Nation Tribal Council
Joe Byrd, Cherokee Nation Tribal Council
David Walkingstick, Cherokee Nation Tribal Council
Mike Dobbins, Cherokee Nation Tribal Council
E.O. "Junior" Smith, Cherokee Nation Tribal Council
Bryan Warner, Cherokee Nation Tribal Council, Deputy Principal Chief Elect
Canaan Duncan, Cherokee Nation Tribal Council
Shawn Crittenden, Cherokee Nation Tribal Council
Mike Shambaugh, Cherokee Nation Tribal Council

Harley Buzzard, Cherokee Nation Tribal Council
Victoria Vazquez, Cherokee Nation Tribal Council
Dick Lay, Cherokee Nation Tribal Council
Buel Anglen, Cherokee Nation Tribal Council
Keith Austin, Cherokee Nation Tribal Council
Janees Taylor, Cherokee Nation Tribal Council
Wanda Hatfield, Cherokee Nation Tribal Council
Mary Baker-Shaw, Cherokee Nation Tribal Council
Eddie Streater, Regional Director Eastern Oklahoma, Bureau of Indian Affairs
Darryl LaCounte, Director of the Bureau of Indian Affairs
Darren Cruzan, Director, Office of Justice Services, Bureau of Indian Affairs
Tara Sweeney, Assistant Secretary for Indian Affairs
David Bernhardt, Secretary of the Interior
Senator John Hoeven, Chairman of the U.S. Senate Committee on Indian Affairs
Senator Tom Udall, Vice Chairman of the U.S. Senate Committee on Indian Affairs
Senator John Barrasso, Member of the U.S. Senate Committee on Indian Affairs
Senator Lisa Murkowski, Member of the U.S. Senate Committee on Indian Affairs
Senator James Lankford, Member of the U.S. Senate Committee on Indian Affairs
Senator Steve Daines, Member of the U.S. Senate Committee on Indian Affairs
Senator Jerry Moran, Member of the U.S. Senate Committee on Indian Affairs
Senator Martha McSally, Member of the U.S. Senate Committee on Indian Affairs
Senator Maria Cantwell, Member of the U.S. Senate Committee on Indian Affairs
Senator Jon Tester, Member of the U.S. Senate Committee on Indian Affairs
Senator Brian Schatz, Member of the U.S. Senate Committee on Indian Affairs
Senator Catherine Cortez Masto, Member of the U.S. Senate Committee on Indian Affairs
Senator Tina Smith, Member of the U.S. Senate Committee on Indian Affairs
Representative Ruben Gallego, Chairman of the U.S. House of Representatives
Subcommittee for Indigenous Peoples of the United States
Representative Darren Soto, Member of the U.S. House of Representatives
Subcommittee for Indigenous Peoples of the United States
Representative Michael San Nicolas, Member of the U.S. House of
Representatives Subcommittee for Indigenous Peoples of the United States
Representative Deb Haaland, Member of the U.S. House of Representatives
Subcommittee for Indigenous Peoples of the United States
Representative Ed Case, Member of the U.S. House of Representatives
Subcommittee for Indigenous Peoples of the United States
Representative Matt Cartwright, Member of the U.S. House of Representatives
Subcommittee for Indigenous Peoples of the United States
Representative Raul M. Grijalva, Member of the U.S. House of Representatives
Subcommittee for Indigenous Peoples of the United States
Donald Trump, President of the United States of America

Encl

IN THE SUPREME COURT OF THE CHEROKEE NATION

MEREDITH FRAILEY

Appellant,

v.

CHEROKEE NATION ELECTION
COMMISSION & BRYAN WARNER

Appellees.

DICK LAY,

Appellant,

v.

CHEROKEE NATION ELECTION
COMMISSION & CHARLES HOSKIN, Jr.,

Appellees.

Case No. SC-2019-10

FILED

JUN 19 2019

CHEROKEE NATION
SUPREME COURT

Case No. SC-2019-11

OPINION

Appellant:

Deborah A. Reed for Meredith Frailey
and Dick Lay
Reed Legal, PLLC
3101 N. Hemlock Circle, Suite 112
Broken Arrow, Ok 74012
ph (918) 286-8711 fax (918) 994-7052
deborah@reedlegalok.com

Appellee:

Carly Griffith Hotvedt for Joe Deere
8710 S. Pittsburgh Ave.
Tulsa, Ok 74137
ph (918) 398-1071
griffith.hotvedt@gmail.com

Cherokee Nation Election Commission:

Harvey L. Chaffin
P.O. Box 1188
Tahlequah, Ok 74465
Ph (918) 453-2800
hlchaffin@greencountryabstract.com

Before:

James G. Wilcoxon, Chief Justice
Lynn Burris, Justice
Lee W. Paden, Justice
Mark L. Dobbins, Justice
John C. Garrett, Justice

Opinion by:

James G. Wilcoxon, Chief Justice

On June 10, 2019, chief candidate, Dick Lay, filed a Petition to Invalidate Election held on June 1, 2019. On the same date, deputy chief candidate Meredith Frailey, filed the same petition under a separate case number. On June 11, 2019, this Court issued a Notice setting this matter for hearing on June 17, 2019. These cases have been consolidated as they present the same issues and seek the same relief.

Petitioners, Dick Lay and Meredith Frailey, filed their complaints on the basis of alleged campaign violations by Chuck Hoskin, Jr., candidate elect for chief, and Bryan Warner, candidate elect for deputy chief in the 2019 election. Lay and Frailey filed as “defeated candidates” under *26 CNCA Section 101, Art. 5* as challengers to the Cherokee Nation election results and seek a new election.

Article 5 permits only a defeated candidate to challenge the validity of an election outcome. Any petition filed thereunder must be specific as to the alleged violations, including the date of the alleged violations, identity of the persons or person involved in the alleged violations and the precinct where the violation occurred. There are also provisions for challenging the election because of fraud. Clearly, this statute pertains to the conduct of the election itself and is designed to prevent an outcome that does not reflect the vote of the people. Notwithstanding, Petitioners here did not make such allegations in their pleadings or their arguments but instead focus on alleged violations of election laws centered on campaign contributions and expenditures by Hoskin and Warner. *Article 5* also provides for this Court to consider the record of the Election Commission on appeal. Even though there is no record because the Commission did not

hear this complaint, this Court considered the evidence offered by Petitioners. 26 CNCA Section 102B

These kinds of violations are generally presented to the Election Commission pursuant to 26 CNCA Section 37, *et seq.*, which covers challenges to a given candidate including claims for disqualification based on conduct. These Petitioners never made a complaint with the Election Commission regarding any alleged conduct involving the Hoskin/Warner campaign and did not bring this proceeding until nine (9) days after the 2019 Cherokee Nation primary in which both Petitioners lost the election. Having said that, there was no proceeding below in the Election Commission from which these Petitioners can appeal. To be sure, there were allegations made by other parties addressed to the Election Commission consisting of various complaints, but the only evidence that the Court has is that the Election Commission considered the merits of those complaints, sought the advice of the Attorney General as per the election laws, and the same were deemed to be without merit.

In addressing the merits, Petitioners claim Cherokee Future, a professional campaign corporation, hired by the Hoskin/Warner campaign as a vehicle to pay vendors was acting as a front for other vendors. Allegedly, Cherokee Future did not disclose the individual actual vendors other than generically and that there were large payments to Cherokee Future under the designation "miscellaneous." Granted there should be as much disclosure as reasonably possible but the Election Commission considered the changes made in later revised filings made by the Hoskin/Warner campaign and found that there was no evidence of violation of the election law regarding the disclosure of

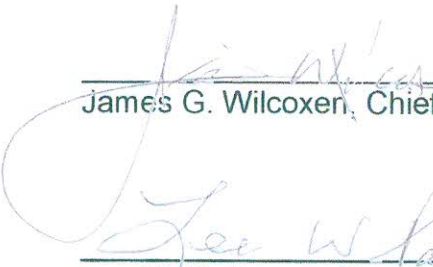
expenses by the campaign. In fact, there is no evidence that Cherokee Future did anything but pay bills.

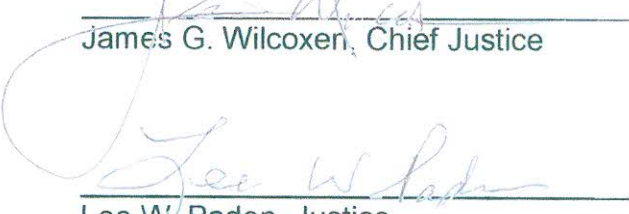
There is also no evidence that Cherokee Future solicited or accepted campaign contributions. Cherokee Future did not provide funds or any in kind contributions to the Hoskin/Warner campaign. The opposite is true. The campaign donations went from the campaign to Cherokee Future to pay campaign related expenses. In other words, no money or payments in kind went up stream to the campaign – it was all paid downstream by the campaign through Cherokee Future to vendors who provided services to their campaign. Most importantly, the campaign disclosed its payments to Cherokee Future and Cherokee Future never solicited or received campaign contributions and therefore did not violate the prohibition against corporate contributions.

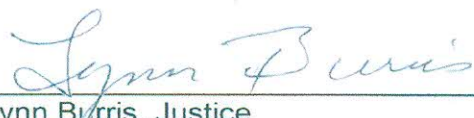
The Petitioners themselves are dissatisfied with the level of disclosure, however, those complaints should have been made with the Election Commission and they should have been made in a timely manner and where possible prior to the election. A fair reading of the Election Laws indicate that challenges of this nature should be made pre-election as a practical matter to avoid the necessity and expense of a new election should a candidate be disqualified. It should also be done to avoid the appearance that the complaining parties have waited to see how the election turned out before filing a complaint against their opponents. While this Court is not saying that is the case here, this Court is saying that there is not sufficient evidence in this record for this Court to order a new election after the fact.

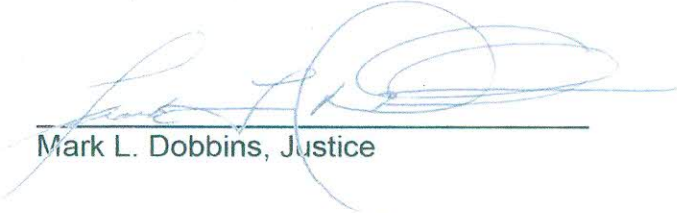
THEREFORE, IT IS THE ORDER OF THIS COURT that this consolidated action be dismissed with all pending motions being deemed *moot*.

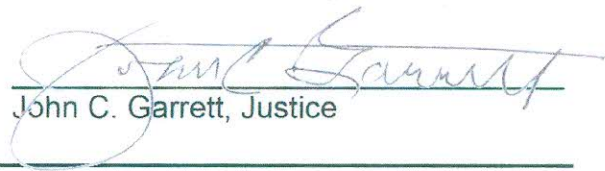
Dated this 19th day of June, 2019.


James G. Wilcoxon, Chief Justice


Lee W. Paden, Justice


Lynn Burris, Justice


Mark L. Dobbins, Justice


John C. Garrett, Justice

Certificate of Mailing

I, Kendall Bird, certify that on the 19th day of June, 2019, I mailed, emailed and/or faxed a true copy of the above and foregoing to the following:

Harvey L. Chaffin for Cherokee Nation Election Commission,

hlchaffin@greencountryabstract.com

Deborah Reed, debroah@reedlegalol.com

Carly Griffith Hotvedt, griffith.hotvedt@gmail.com


Kendall Bird, Court Clerk