

**BEFORE THE
FEDERAL ELECTION COMMISSION**

Nevada State Democratic Party
Sam Lieberman, Chair
1210 South Valley View Blvd, Suite 114
Las Vegas, NV 89102,

Complainant,

v.

Sue Lowden
P.O. Box 531450
Henderson, NV 89053

Carl Giudici
3625 Mario Rd.
Reno, NV 89523,

Respondents.

SUPPLEMENTAL COMPLAINT

Complainant files this supplement to the complaint filed May 18, 2010 against Sue Lowden and Carl Giudici, requesting that the Federal Election Commission investigate violations of the Federal Election Campaign Act. As the complaint demonstrated, Giudici made, and Lowden accepted, an excessive in-kind contribution when Giudici provided Lowden with the use of a luxury bus.

Since the initial complaint was filed, additional facts have come to light that further buttress the conclusion that Lowden accepted, and failed to report, excessive in-kind contributions. According to an article in the *Associated Press*, Lowden told KOLO-TV that the luxury bus was donated to her by a supporter. Since the initial complaint was filed, Lowden has indicated that she "misspoke" when she described her campaign bus as a donation, and that she does not own the recreational vehicle despite having her name on its title. However, Lowden

herself admits that her name is on the title to the luxury bus. *Associated Press*, 5/20/10 (Attachment A).

Lowden claims her name is on the vehicle's title "for registration purposes," and her spokespersons have said that, despite the fact that her name is on the title, she does not own the vehicle. But, according to the Nevada Department of Motor Vehicles, this cannot be so. According to the DMV, a person cannot be listed on a Nevada vehicle title without being considered its owner. The Lowden campaign has also denied ownership by pointing to the fact that it signed a lease agreement with Giudici. But this excuse also fails. According to the DMV, the "DMV doesn't recognize private leases to determine legal ownership." *Associated Press*, 5/20/10.

In short, the fact that Lowden's name is on the title necessarily means that, under Nevada law, Lowden owns the luxury bus. And, because she was given the luxury bus by Giudici for use in her campaign, she received and failed to report an excessive in-kind contribution for the entire fair market value of the bus – or at the very least half the value, since Giudici's name is also on the title – on the date her name was added to the title of the bus.

Finally, Lowden's campaign has noted that it plans to work with the DMV to "correct" the ownership records and that she plans to return the vehicle to the Giudicis after Lowden's campaign. But even if there was an error that can be "corrected," as documented in the original complaint, Lowden still received, and is continuing to receive on a rolling basis, an excessive in-kind by receiving a lease at well under fair market value..

We respectfully urge the Commission to continue to investigate whether Respondents have violated FECA by making and accepting excessive in-kind contributions, and further

request that Respondents be enjoined from further violations and be fined the maximum amount permitted by law.

Sincerely,

SUBSCRIBED AND SWORN to before me this ____ day of _____, 2010.

Notary Public

My Commission Expires:
