



On Sunday, June 18, 2017, Cooper for North Carolina, the official campaign committee name for Governor Roy Cooper, hosted an event in conjunction with the North Carolina Advocates for Justice (NCAJ) at the NCAJ 2017 Convention at Sea Trail Resort in Sunset Beach, North Carolina. (See Exhibit B).

We request a thorough campaign finance, and ethics investigation under North Carolina General Statutes § 163-278.13B and § 163-278.6, as the event raises multiple campaign finance issues and possible illegalities.

### **§ 163-278.13B**

*(a) Definitions. - For purposes of this section:*

*(1) "Limited contributor" means a lobbyist registered under Chapter 120C of the General Statutes, that lobbyist's agent, that lobbyist's principal as defined in G.S. 120C-100(11) or a political committee that employs or contracts with or whose parent entity employs or contracts with a lobbyist registered under Chapter 120C of the General Statutes.*

*(2) "Limited contributee" means a member of or candidate for the Council of State, a member of or candidate for the General Assembly, an affiliated party committee, or a Council of State affiliated party committee.*

*(3) The General Assembly is in "regular session" from the date set by law or resolution that the General Assembly convenes until the General Assembly either adjourns sine die or recesses or adjourns for more than 10 days.*

*(4) A contribution is "made" during regular session if the check or other instrument is dated during the session, or if the check or other instrument is delivered to the limited contributee during session, or if the limited contributor pledges during the session to deliver the check or other instrument at a later time.*

*(5) A contribution is "accepted" during regular session if the check or other instrument is dated during the session, or if the limited contributee receives the check or other instrument during session and does not return it within 10 days, or agrees during session to receive the check or other instrument at a later time.*

*(b) Prohibited Solicitations. - While the General Assembly is in regular session, no limited contributee or the real or purported agent of a limited contributee shall:*

*(1) Solicit a contribution from a limited contributor to be made to that limited contributee or to be made to any other candidate, officeholder, or political committee; or*

*(2) Solicit a third party, requesting or directing that the third party directly or indirectly solicit a contribution from a limited contributor or relay to the limited contributor the limited contributee's solicitation of a contribution.*

*It shall not be deemed a violation of this section for a limited contributee to serve on a board or committee of an organization that makes a solicitation of a limited contributor as long as that limited contributee does not directly participate in the solicitation and that limited contributee does not directly benefit from the solicitation.*

*(c) Prohibited Contributions. - While the General Assembly is in regular session:*

*(1) No limited contributor shall make or offer to make a contribution to a limited contributee.*

*(2) No limited contributor shall make a contribution to any candidate, officeholder, or political committee, directing or requesting that the contribution be made in turn to a limited contributee.*

*(3) No limited contributor shall transfer any amount of money or anything of value to any entity, directing or requesting that the entity use what was transferred to contribute to a limited contributee.*

*(4) No limited contributee or the real or purported agent of a limited contributee prohibited from solicitation by subsection (b) of this section shall accept a contribution from a limited contributor.*

*(5) No limited contributor shall solicit a contribution from any individual or political committee on behalf of a limited contributee. This subdivision does not apply to a limited contributor soliciting a contribution on behalf of a political party executive committee or an affiliated party committee if the solicitation is solely for a separate segregated fund kept by the political party or affiliated party committee limited to use for activities that are not candidate-specific, including generic voter registration and get-out-the-vote efforts, pollings, mailings, and other general activities and advertising that do not refer to a specific individual candidate.*

#### **§ 163-278.6**

*(6) The terms "contribute" or "contribution" mean any advance, conveyance, deposit, distribution, transfer of funds, loan, payment, gift, pledge or subscription of money or anything of value whatsoever, made to, or in coordination with, a candidate to support or oppose the nomination or election of one or more clearly identified candidates, to a political committee, to a political party, to an affiliated party committee, or to a referendum committee, whether or not made in an election year, and any contract, agreement, or other obligation to make a contribution. An expenditure forgiven by a person or entity to whom it is owed shall be reported as a contribution from that person or entity. These terms include, without limitation, such contributions as labor or personal services, postage, publication of campaign literature or materials, in-kind transfers, loans or use of any supplies, office machinery, vehicles, aircraft, office space, or similar or related services, goods, or personal or real property. These terms also include, without limitation, the proceeds of sale of services, campaign literature and materials, wearing apparel, tickets or admission prices to campaign events such as rallies or dinners, and the proceeds of sale of any campaign-related services or goods. Notwithstanding the foregoing meanings of "contribution," the word shall not be construed to include services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate, political committee, or referendum committee.*

Roy Cooper, as a member of the Council of State and his campaign committee, Cooper for North Carolina, is considered a "limited contributee."

The North Carolina Advocates for Justice, registered with the North Carolina Secretary of State as a principal lobbying organization, is considered a "limited contributor."

The North Carolina General Assembly did not adjourn “regular session” until June 30, 2017, per Senate Joint Resolution 686. Thus, at the time of the event, the North Carolina General Assembly was still conducting official business.

The timing of the fundraising event for the Cooper for North Carolina campaign as promoted in the official program (*Exhibit A*) and the online version of the program (*Exhibit C*) by a “limited contributor” (NCAJ) during a “regular session” to a “limited contributee” (Cooper for North Carolina) raises significant legal questions about the event and the reported and potentially non-reported campaign finance transactions.

Given NCAJ is a registered [principal lobbying organization](#) with an associated [Political Action Committee](#), had pending legislation, such as [Senate Bill 470, Personal Injury Bankruptcy Trust Claims](#), of significant interest to the NCAJ and its members, the timing of this event becomes even more legally significant.

For Governor Roy Cooper to knowingly participate in this event during “regular session” raises significant ethical and campaign finance concerns. Given Roy Cooper raised large sums of money from NCAJ’s members a mere month or so after he vetoed [House Bill 467 – Agriculture and Forestry Nuisance Remedies](#) publicly and aggressively requested by NCAJ, gives at best the appearance of undue influence by a “limited contributor” to a “limited contributee” during “regular session.” It is also highly suspicious that Roy Cooper’s campaign started collecting checks from some “Hosts” before and immediately after his veto of HB 467. Furthermore, according to calculations of the “Hosts” contributions to the Cooper for North Carolina event, this event netted Roy Cooper nearly \$50,000 during “regular session.”

Given that more than a majority of the Political Action Committee Board of the North Carolina Advocates for Justice were listed on the event invitation as “Host” and the inclusion verbiage atop of the Cooper for North Carolina event invitation (*See Exhibit D*) that stated, “Please join us at the NCAJ Convention for a special reception in support of Roy Cooper,” this event appears to be affiliated directly with the North Carolina Advocates for Justice Political Action Committee, in violation of NC General Statute § 163-278.13B.

According to the Cooper for North Carolina invitation, the event was hosted in the “Egert Conference Room” at the Sea Trail Resort. Review of the Roy Cooper for North Carolina 2017 Mid-Year Campaign Finance Report, show there is no transaction to pay for the cost of the room rental at the conference center. However, in the Cooper for North Carolina 2017 Mid-Year campaign finance report, there is only one transaction (*see below*) reported to Sea Trail Resort surrounding the event. The listed purpose is for “catering,” and there no transaction for the room rental. This discrepancy raises questions as to which organization paid for the room – Cooper for North Carolina, North Carolina Advocates for Justice, or the Sea Trail Resort. Regardless, the failure to report the room rental transaction is in violation of NC General Statute § 163-278.6 as it would constitute a contribution during the “regular session” of the North Carolina General Assembly (if the North Carolina Advocates for Justices in-kind the cost) or an illegal corporate contribution (if Sea Trail in-kind the room rental). Also, according to the sample banquet and catering agreements provided by Sea Trail Resort; “Payment of 20% of estimated cost of function is required at the signing of the contract. We require the remainder of the payment be made two (2) weeks prior to function. All major credit cards are accepted as payment.” (*Exhibit E*) Given there was only one transaction reported by the Cooper for North Carolina committee (*see below*) to Sea Trail Resort, the question is raised as to whether a special exception was made for Cooper for North Carolina campaign, constituting an illegal contribution:

06/16/2017	SEA TRAIL 211 CLUBHOUSE ROAD SUNSET BEACH, NC 28468	Operating Expense	CATERING	2	Check	\$795.50	\$795.50
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*Screenshot Accessed Thursday, August 3, 2017, from the NC State Board of Election Campaign Finance Report Portal.*

Under North Carolina General Statute §163-278.6, the North Carolina Advocates for Justice, because its employee presumably stuffed or distributed (*labor or personal services*) the invitation for the fundraising event in the convention attendee package, violated the statute by not reporting the contribution on NCAJ's 2017 Mid-Year report. Also, Cooper for North Carolina failed to report the contribution for the "*publication of campaign literature or materials*" for the printing and publishing of the promotion of the event in the NCAJ Convention materials.

Given the evidence provided, the abundance of questions arising from this event plus the reported and potentially non-reported campaign finance transactions (contributions), we hereby request the North Carolina State Board of Elections and Ethics Enforcement open an immediate and thorough investigation to ensure this event to did not create an avenue for undue influence in violation of North Carolina General Statute.

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Dallas H Woodhouse  
Executive Director  
North Carolina Republican Party

1506 Hillsborough Street,  
Raleigh 27605

**Exhibit A.**

4:00 pm – 5:00 pm

**SECTION MEETINGS:**

- **Employment Law**  
*Magnolia's Lounge (in Jones/Byrd Clubhouse)*
- **Products Liability & Construction Defects**  
*Heron (in Conference Center)*
- **Eminent Domain**  
*Osprey (in Conference Center)*

4:00 pm – 5:30 pm

**Criminal Defense Section Social**  
*Gazebo outside of Conference Center*

4:00 pm – 5:00 pm

**Roy Cooper Fundraiser**  
*Egret (in Conference Center)*

4:00 pm – 5:00 pm

**New Lawyers Division Meeting**  
*Ibis (in Conference Center)*

5:00 pm – 5:30 pm

**Nursing Home Litigation Section Meeting**  
*Ibis (in Conference Center)*

5:30 pm – 6:30 pm

**Edwards Kirby Reception Honoring New Lawyers  
Division Members**  
*Jones/Byrd Clubhouse*

7:00 pm – 10:00 pm

**Sunset Soirée**  
*The Isles Restaurant (in Ocean Isle Beach)*

**Convention After Hours**

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Please join us at the NCAJ Convention for a special reception in support of

# ROY COOPER

GOVERNOR OF NORTH CAROLINA

Hosted By

Peggy & Doug Abrams | RL Adams | Phil Baddour  
Brad Bannon | Doug Berger | Michael Bertics | Janet Ward Black  
Bob Bollinger | Katherine & Frank Bricio | Kevin Bunn | Bill Bystrynski  
Neal Camak | Gina Cammarano | Heidi Chapman | Robert Cloninger  
Brad Collins | Leto Copeley | Victor Farah | David Gantt  
Kathleen Glancy | Matt Harbin | Celeste Harris | Lyndon Helton  
Carma & David Henson | Vance Jennings | Leonard Jernigan  
Leah & Ken King | David Kirby | John McCabe | Jon Moore  
Griff Morgan | Chris Nichols | John Obiol | Ann Ochsner  
Jason Orndoff | Anne Marie Pantazis | Brian Peterson  
Jane & Hank Patterson | Stewart Poisson | Fred Poisson | Mike Pross  
Brian Ricci | Mike Rizzi | Scott Roberts | Eric Sanchez | April Seguin  
Mark Sumwalt | Vernon Sumwalt | Hank Teich | Isaac Thorp  
Joe Tunstall | Judy Vincent-Pope | Mona Lisa Wallace  
Whitney Wallace | Ben Whitley | Whit Whitley | Leslie Wickham

*-host committee in formation-*

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**SUNDAY, JUNE 18**  
**4:00 PM - 5:00PM**

*At the*

**Sea Trail Convention Center**

***Egret Room***

75 CLUBHOUSE ROAD

SUNSET BEACH, NORTH CAROLINA 28468

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HOST: \$5,200 | CO-HOST: \$2,600 | SPONSOR: \$1,000 | FRIEND: \$500

GUEST: All Contributions Welcome

Please RSVP to Caroline Hall at (919) 500-1661 or [chall@roycooper.com](mailto:chall@roycooper.com)

**Contribute online at [www.actblue.com/page/ncaj](http://www.actblue.com/page/ncaj)**

Paid for by Cooper for North Carolina

- **CLE: Civil Masters in Advocacy Seminar** (continued)
- **CLE: Criminal Masters in Advocacy Seminar** (continued)
- **CPE: Summer Conference for Paralegals** (continued)

#### Evening

- PAC Reception
- Convention WELCOME! Party

## SUNDAY, JUNE 18

#### Morning

- Workers' Comp Discussions @ Dawn
- Convention Registration/Exhibit Hall Open
- **CLE: Concurrent Law Updates**
- Luncheon & Opening of Convention 2017
  - President's Remarks
  - Keynote Address - *Colin Miller*
  - NCAJ Annual Meeting

#### Afternoon

- SECTION/DIVISION MEETINGS:
  - Auto Torts
  - Criminal Defense
  - Employment Law
  - New Lawyers Division
  - Workers' Comp Executive Committee
  - Workers' Comp
- Fundraiser for Governor Roy Cooper

#### Evening

- Edwards Kirby Reception Honoring NLD Members
- Sunset Soiree - The Isles Restaurant (Ocean Isle Beach)

Accessed: Thursday, August 3, 2017, at 3:40 pm.

Link: <https://www.ncaj.com/index.cfm?pg=events&evAction=showDetail&eid=42159&evSubAction=listAll>

**Exhibit D.**

Accessed: Thursday, August 3, 2017, at 3:40 pm from the North Carolina Advocates for Justice website under its Advocacy section.

Link: [https://www.ncaj.com/index.cfm?pg=Political\\_Action\\_Committee](https://www.ncaj.com/index.cfm?pg=Political_Action_Committee)

**2016-2017 NCAJ PAC TRUSTEES**

Steve Bowden, Chair

Peggy Abrams

Phil Baddour

Brad Bannon

Art Blue

Cliff Britt

Clair Campbell

Celeste Harris

Lyndon Helton

Valerie Johnson

David Kirby

John McCabe

Mark Melrose

Jon Moore

Annemarie Pantazis

Mary Pollard

Bill Powers

Maggie Shankle

Vernon Sumwalt

Hank Teich

Noell Tin

Kim White

Ben Whitley

Chris Nichols (non-voting)



<b>DATE</b>	<b>NAME</b>	<b>PROFESSION</b>	<b>EMPLOYERS NAME</b>	<b>AMOUNT</b>
06/19/17	Douglas B. Abrams	Attorney	Abrams & Abrams PA	\$2,700
06/19/17	Margaret S. Abrams	Attorney	Abrams & Abrams PA	\$2,700
06/19/17	Melissa Abrams	Attorney	Abrams & Abrams, PA	\$100
05/31/17	R. Adams	Attorney	RI Adams PLLC	\$500
05/22/17	Philip A. Baddour Jr.	Attorney	Baddour, Parker & Hines	\$1,000
05/27/17	Bradley Bannon	Lawyer	Patterson Harkavy LLP	\$500
06/19/17	Douglas E. Berger	Attorney	Law Offices of James Scott Farrin	\$500
06/23/17	Janet Ward Black	Attorney	Ward Black Law	\$2,600
06/16/17	Bob L. Bollinger Jr.	Attorney	Bollinger Law Firm PA	\$500
06/25/17	Katherine Bricio	Lawyer	Self	\$500
06/02/17	Kevin B. Bunn	Attorney	Kevin Bunn Attorney At Law PA	\$500
06/21/17	William B. Bystrynski	Attorney	Edwards Kirby	\$500
06/15/17	Stephen Camak	Attorney	Self	\$500
06/09/17	Gina E. Cammarano	Attorney	Farah & Cammarano PA	\$500
06/19/17	Heidi Chapman	Attorney	Self-employed	\$500
06/06/17	Robert Cloninger	Attorney	Cloninger Law Offices PLLC	\$500
06/26/17	David B. Collins	Attorney	Roberts Law Firm	\$500
06/19/17	Leto Copeley	Attorney	Copeley Johnson & Groninger	\$1,000
06/23/17	N. Victor Farah	Attorney	Farah & Cammarano	\$500
06/05/17	Charles David Gantt	Attorney	David Gantt Law Office	\$500
06/19/17	Kathleen Shannon Glancy	Attorney	Kathleen Shannon Glancy PA	\$500
06/28/17	Matthew D. Harbin	Attorney	Law Offices of James Scott Farrin	\$500
06/01/17	Celeste Harris	Attorney	Maynard & Harris Attorneys At Law PLLC	\$1,000
05/22/17	David S. Henson	Attorney	Henson & Fuerst PA	\$500
06/14/17	Leonard Jenigan	Lawyer	Jenigan Law Firm	\$500

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06/30/17	Leah King	Attorney	King Law Firm	\$500
05/10/17	John M. McCabe	Lawyer	The Law Offices of John M. McCabe PC	\$5,200
05/19/17	Jon Ryan Moore	Attorney	Brown Moore & Associates PLLC	\$1,000
06/02/17	Griff Morgan	Attorney	Elliot Morgan Parsonage PLLC	\$500
06/19/17	Chris R. Nichols	Attorney	Nichols Law Firm	\$500
06/09/17	John Alexander Obiol	Attorney	Obiol & Blake PLLC	\$500
06/05/17	Ann Ochsne	Lawyer	Whitley Law Firm	\$500
05/25/17	Jason A. Orndoff	Attorney	Self-employed	\$500
06/14/17	Annemarie Pantazis	Attorney	Pantazis Law Firm	\$500
06/20/17	Brian L. Peterson	Attorney	Self	\$500
06/04/17	Hank N. Patterson Jr.	Lawyer	Patterson Harkavy LLP	\$500
06/14/17	Fred D. Poisson Jr.	Lawyer	Poisson Poisson & Bower	\$500
06/19/17	Fred D. Poisson Jr.	Lawyer	Poisson Poisson & Bower	\$500
06/09/17	Michael B. Pross	Attorney	Wallace & Graham	\$500
05/24/17	Brian Ricci	Attorney	Ricci Law Firm	\$1,000
05/24/17	Michael Rizzi	Attorney	Rizzi Law Group	\$500
06/30/17	Scott W. Roberts III	Attorney	Roberts Law Firm	\$500
05/25/17	Eric Sanchez	Executive	James Scott Farrin	\$1,000
06/22/17	April Seguin	Attorney	Scudder and Hedrick	\$500
06/19/17	Mark T. Sumwalt Jr.	Attorney	Self-Employed	\$2,000
05/24/17	Vernon R. Sumwalt Jr.	Attorney	The Sumwalt Law Firm	\$5,200
06/19/17	Henry E. Teich	Attorney	Grimes Teich Anderson	\$500
06/19/17	Isaac L. Thorp	Attorney	Thorp Law	\$500
06/21/17	Judy Vincent-Pope	Attorney	Vincent-Pope Law Firm	\$500
06/09/17	Mona Lisa Wallace	Attorney	Wallace & Graham	\$500

06/09/17	Whitney Wallace	Attorney	Wallace & Graham	\$500
5/10/2017	Benjamin H. Whitley	Attorney	Whitley Law Firm	\$750
06/16/17	Robert E. Whitley Jr.	Attorney	Whitley Law Firm	\$1,000
06/30/17	Robert E. Whitley Jr.	Attorney	Whitley Law Firm	\$500
06/19/17	Leslie O. Wickham Jr.	Attorney	Law Office of Leslie O. Wickham, Jr.	\$500

**Listed As  
Host on  
Invitation  
but no  
reported  
contribution  
to Cooper  
for NC**

Michael Bertics

Lyndon Helton

Vance Jennings

David Kirby

Stewart Poisson

Joe Tunstall

*Denotes member of NCAJ PAC  
Board*

## **Exhibit E.**

### *Sea Trail Golf Resort & Conference Center* *Rules & Policies*

- 1) Sea Trail Golf Resort and Conference Center as a licensee, is responsible for the sale and service of alcoholic beverages in accordance with the North Carolina State Legislative Commission's regulations. No self-service bars are allowed.
- 2) Food and Beverage are subject to 20% service charge. Food, service charge, room rental, and audio-visual equipment are subject to a 6.75% state sales tax.
- 3) Payment of 20% of estimated cost of function is required at signing of the contract. We require the remainder of payment be made two (2) weeks prior to function. All major credit cards are accepted as payment.
- 4) If a function must be canceled, it will be at the discretion of the resort whether to refund any monies.
- 5) Menu selection, room requirements, and all other arrangements must be received four (4) weeks prior to function. A guarantee count of persons to be in attendance for all banquet functions must be submitted at least fourteen (14) business days prior to the date of your function. Your guarantee is due seventy-two (72) hours prior to function and is not subject to reduction and is considered a financial commitment. The resort will be prepared to serve five percent (3%) above the guaranteed number specified.
- 6) Function guests will be admitted to the banquet room and will be expected to depart at the times stated on this catering contract. If a function runs over contracted time, an additional fee will be imposed at \$150.00 per hour.
- 7) The resort will not be responsible for damage to or loss of any items left in the room prior to or following any function.

*Requested from the Sea Trail Event Coordination staff and send via email as an informational packet. The above is an excerpt of the packet.*



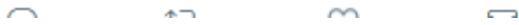
**Gabe Talton** @GabeTalton · Jun 18  
@ncaj has @RoyCooperNC at #justicecon17





**Gabe Talton** @GabeTalton · Jun 18

@RoyCooperNC addresses @ncaj #JusticeCon17







**NCAJ** @NCAJ · Jun 18

Governor Cooper speaks at NCAJ Convention. #JusticeCon17

