

BEFORE THE OHIO ELECTIONS COMMISSION

Jeanette Moll :
803B Market St. :
Zanesville, Ohio 43701 : **Expedited hearing requested**

Complainant, :

v. :

Jennifer Brunner :
180 East Broad Street :
Columbus, Ohio 43215 :

and, :

Zack Space :
137 East Iron Avenue :
Dover, Ohio 44622 :

Respondents. :

COMPLAINT WITH AFFIDAVIT OF PERSONAL KNOWLEDGE ATTACHED

PARTIES

1. Complainant Jeanette Moll is a registered voter in the State of Ohio.
2. Respondent Jennifer Brunner is a 2010 candidate for the United States Senate in the state of Ohio. She is currently an elected officeholder as the Ohio Secretary of State.
3. Respondent Zack Space is a 2010 candidate for the United States House of Representatives in the state of Ohio's Eighteenth District. He is currently an elected officeholder as a Congressman in that District.

COMMON FACTUAL ALLEGATIONS

4. Complainant incorporates paragraphs one through three (1-3) as if fully rewritten herein.
5. Ohio Revised Code Section 3517.21(B)(10) prohibits a person from knowingly or recklessly in a newspaper, periodical, press release or otherwise posting, publishing, circulating, distributing, or otherwise disseminating a false statement concerning a candidate.

6. Ohio Revised Code Section 3517.21(B)(8) prohibits a person from, in a newspaper, periodical, press release or otherwise falsely identifying the source of a statement or falsely stating the opposition to a candidate by a person.
7. In December 2009, Respondent Jennifer Brunner told the National Journal's Hotline that Respondent Zack Space said his, "... [political] endorsement of [Democrat U.S. Senate candidate Lee] Fisher had to do with the governor's potential role in determining which districts would be eliminated after the census." (See Exhibits A and B, attached hereto).
8. After Respondent Jennifer Brunner made her statement to the National Journal, Respondent Zack Space issued a press release that claimed "Rep. Space never said that at all." (See Id.)

COUNT ONE

9. Complainant incorporates paragraphs one through eight (1-8) as if fully rewritten herein.
10. Respondent Zack Space knowingly posted, published, circulated, distributed, or otherwise disseminated a false statement by claiming that he did not make certain statements to Respondent Jennifer Brunner, in violation of R.C. 3517.21(B)(10).

COUNT TWO (IN THE ALTERNATIVE)

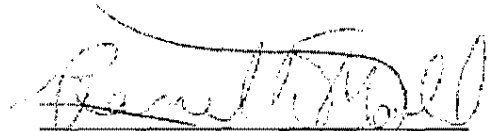
11. Complainant incorporates paragraphs one through ten (1-10) as if fully rewritten herein.
12. Respondent Jennifer Brunner knowingly posted, published, circulated, distributed, or otherwise disseminated a false statement by claiming that Respondent Zack Space made certain statements to her concerning Space's motivation for providing a political endorsement Lee Fisher in violation of R.C. 3517.21(B)(10).
13. Respondent Jennifer Brunner falsely identified the source of her statement to the National Journal in violation of R.C. 3517.21(B)(8).

PENALTY:

14. Complainant incorporates paragraphs one through thirteen (1-13) as if fully rewritten herein.
15. R.C. 3517.992 provides that "(V) Whoever violates section 3517.21 or 3517.22 of the Revised Code shall be imprisoned for not more than six months or fined not more than five thousand dollars, or both."

WHEREFORE, the Complainant submits this complaint and requests an expedited review before the Ohio Elections Commission.

Respectfully submitted,

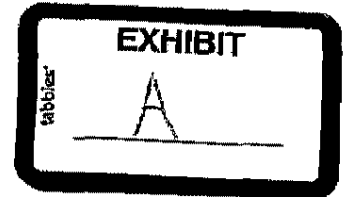
A handwritten signature in cursive script, appearing to read "Jeanette Moll", written over a horizontal line.

Jeanette Moll (0066786)

Phone: (740) 297-4700

Fax: (740) 297- 7782

Email: jmoll@columbus.rr.com

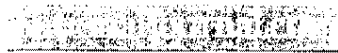


Energy Down, But Not Out

THAT'S THE I

THE *peop*

The Economic Impacts of the Oil and Natural Gas Industry on the U.S. Economy: Employment, Labor Income and Value Added, Prepared for



nationaljournal.com > Hotline On Call

HOME

THE MAGAZINE

THE HOTLINE

CONGRESSDAILY

3121

Sunday, March 7, 2010

ARCHIVES

MULTIMEDIA

COLUMNS

BLOGROLL

HOTLINE SUBSCRIBERS

Brunner Down, But Not Out

December 17, 2009 12:00 PM | [Permalink](#) | [Comments \(7\)](#) | [Share This](#)

By Erin McPike

OH Sec/State Jennifer Brunner (D) has vowed to keep her SEN campaign alive until the May primary and even made it to DC on Wednesday for a fundraiser with an Afghanistan veterans group.

But, Brunner conceded in an interview, she will continue reporting below-average fundraising numbers at the end of this quarter. "It will look like I won't at the end of this quarter," she said when asked whether she will be able to run a credible paid media campaign.

Brunner replaced her finance team earlier this year in an effort to beef up fundraising, but she has since decided to "roll with the punches." She said she realized that with all of the institutional support going to LG Lee Fisher (D), she's been forced to run a grassroots campaign, and she thinks it's going well.

"I started my law practice out of the corner of my bedroom," she said. It eventually grew to 32 people. "When you start a small business, you have to run things as lean and mean as you

can. I think donors appreciate when you don't waste their money."

The DSCC has all but written her off, however, and the establishment has turned to Fisher. In fact, Brunner said when she spoke with DSCC Chair Bob Menendez in Sept., he first told her that he "didn't want to see a Democratic candidate at the end of the primary with zero dollars," and he followed up that his organization would go into the state to work against a candidate perceived as "being negative in the primary or not raising enough money."

Brunner said she responded: "If you do that, the women of Ohio will never forgive you." Menendez, she said, retorted: "I know you're not scared of me, and I'm not scared of you."

(For their part, the DSCC points out they elected 4 new women in the last two cycles that they actively recruited and with NY Sen. Kirsten Gillibrand, MA AG Martha Coakley and MO Sec/State Robin Carnahan, they've got another 3 this cycle.)

Fisher is also winning the endorsements battle. He has the support of Gov. Ted Strickland (D), as well as several Dem members of the Ohio congressional delegation, including Reps. Tim Ryan, Zack Space and Charlie Wilson.

The Buckeye State, Brunner noted, is expected to lose 2 congressional districts after the '10 Census, and she said each party can expect to shed one. For that reason, Brunner said that when she met with Space, he "admitted his endorsement of Fisher had to do with the governor's potential role in determining which districts would be eliminated after the census."

Update: Space's office denies the charge. "With all due respect to Secretary of State Brunner, Rep. Space never said that at all. What [Space] told her was that while he has the utmost respect for her, he believed that ... Fisher's efforts to bring about new economic development and jobs is precisely what Ohio needs at this moment when the national economy has devastated Ohio's workers and industries," campaign spokesman Brent Parrish said in a statement emailed to *Hotline OnCall*.

Brunner also said several mayors backing Fisher told her they were doing so to protect money headed to their cities.

And though Rep. Marcia Fudge (D) is neutral in the primary, Brunner said Fudge told her that she would make a better candidate than Fisher.

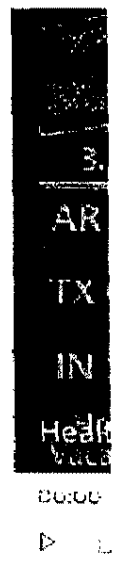
Brunner stressed that it's not just about money or endorsements, though, and reiterated that she just wants to win voters. "I'm doing well in polling," she offered.

Indeed, Quinnipiac's trend lines show her having closed a gap this fall against Fisher. In its latest survey of 394 RVs, taken 11/5-9 with a 4.9% error margin, Fisher led 24%-22%, after having led by 9 points in mid-Sept.

The DSCC points out that some recent polls have showed Fisher polling better against ex-Rep. Rob Portman (R), the likely GOP nominee.

Brunner's most potent possible ally, EMILY's List, has been notably absent from the race. She said it's been a while since she spoke with the organization.

"They discouraged me from running because the governor was supporting Fisher," she



Siste

Tech D
04:00
March 05, 2

Under
04:00
March 05, 2

Pollste
About 11
March 05, 2

Insider
04:00
March 05, 2

Expert
04:00
Latest res
March 01, 2

Expert
04:00
Latest res
March 06, 2

Expert
04:00
Latest res
March 04, 2

Expert

explained but said she doesn't understand why they would stay neutral in a primary where they had a decent chance of electing a woman who already holds statewide office to the Senate.

But Brunner has also suffered from bad press throughout the year for ethics flaps, along with Dem strategists crowing that her campaign is dysfunctional.

She has had to defend herself after she transferred 2 campaign employees to her official office. One had skills better suited to the official office, she said, and the other was replaced on the campaign by a consultant. "I know it probably looks odd," she said, but she insisted that neither one is involved in the campaign now.

But Brunner said the onslaught of negativity and attacks from within her own party is not demoralizing.

"I had lots of death threats last year," she said, referring to the role she had to play in overseeing the emotionally (and racially, she said) charged '08 presidential election in OH. "For 7 weeks I was supervised by the highway patrol," she said, pulling out her "souvenir," a highway patrol badge. "I was sued 15 times in 8 weeks by the Republican Party."

7 Comments

(For their part, the DSCC points ... with NY Sen. Kirsten Gillibrand, MA AG Martha Coakley and MO Sec/State Robin Carnahan, they've got another 3 this cycle.)

Except 1) overlooks the rather obvious trait shared by these three candidates: all are women who have run and WON statewide and 2) they didn't get involved in MA, which was decided in the primary.

Mark Keating | December 18, 2009 9:49 AM

They make, as the standard of academic instruction.

Eterie | December 29, 2009 2:07 PM

Damn, that sound's so easy if you think about it.

rulett strategiak | January 4, 2010 9:41 AM

This brings me to an idea:...

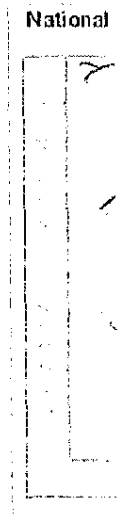
rulet kazino | January 8, 2010 12:30 PM

In regard to your studies at school.

Beyond
Latest res
March 04, 2

Expert:
Saving
Latest res
March 05, 2

Expert:
What Sh
Latest res
March 05, 2



About

Learn More
Contact Us

Subs

On Call

Amy Walt
Reid Wilst

Contributors

John Merc
Abby Livir

Contributors

Holly Noe
Shepard,

Noemi | January 9, 2010 7:38 PM

Sean Sulli

I cannot believe this is true!

Discl

On Call ec
comments
Atlantic N
the comm

Vinde Ved Roulette | January 11, 2010 3:58 PM

Hi webmaster, commenters and everybody else !!! The blog was absolutely fantastic! Lots of great information and inspiration, both of which we all need!b Keep 'em coming... you all do such a great job at such Concepts... can't tell you how much I, for one appreciate all you do!

Garmin 305 GPS review | January 13, 2010 4:10 AM

let's negotiate a fair agreement without the threats.

more >

About | Contact | Employment | Reprints & Back Issues | Privacy Policy | Adv
 Copyright 2010 by National Journal Group Inc.
 The Watergate - 600 New Hampshire Ave., NW Washington, DC 20037
 202-739-8400 - fax 202-833-8069 - NationalJournal.com is an Atlantic Media pub



EXHIBIT

tabbies

B

Sign in to cleveland.com »
Not a member? Register Now »

Site Search Search Local Business Listings

Search by keyword, town name, Web ID and more...

Home News Business Sports Entertainment Interact Jobs Autos Real Estate
News Metro Plain Dealer Weather Sun News Politics Crime Opinion Columns Local



OPEN

Ohio politics & election news and analysis from The Plain Dealer

OHIO POLITICS COVERAGE with THE PLAIN DEALER

- OPEN Home
- National Politics and Local Elections
- Opinion + Editorials
- Inside Cleveland City Hall Blog

Browse by month:

Select a date



TWITTER UPDATES

Follow PD political reporters at @cdotcompolitics

M. Politics Links: Rangel steps down; the race to green energy; a \$50 tribute to Ronald Reagan; what was Bunning...
<http://bit.ly/bc8QPZ> 4 days ago

[View all Tweets »](#)

PD EDITORIALS

- Giving in to senators'

Congress, Democratic Party, Election, Metro, Naymik, News Impact, Ohio Governor, Politics Impact, Real-Time News, Republican Party, Voinovich »

Jennifer Brunner dishes in D.C. (Marcia Fudge, Zack Space, are your ears burning?) Yikes.

By Stephen Koff, The Plain Dealer
December 17, 2009, 2:15PM



Chuck Crow, The Plain Dealer

Ohio Secretary of State Jennifer Brunner in a 2008 interview with The Plain Dealer Editorial Board.

UPDATED AT 2:40 p.m.

WASHINGTON, D.C. -- Jennifer Brunner came to Washington on Wednesday and uttered things that the Ohio media only wishes she'd said to them. But sorry, Buckeyes, Ohio's secretary of state saved her dish for National Journal's Hotline, which has about the same penetration in Ohio as, say, the Bakersfield Californian.

So here's what Ohio voters missed: Brunner thinks she'd make a stronger candidate for U.S. Senate than Lee Fisher, who is now Ohio's lieutenant governor -- and at least one Ohio Democrat in Congress, **Marcia Fudge**, feels the same way, despite her stated neutrality. Brunner also said that another congressional Democrat, **Zack Space**, has an ulterior motive

protectionist impulse on clean-energy projects would be a job-killer: editorial

- Enough delays in patching the leaky Cleveland water department: editorial
- The D'Ambrosio case is a loser for Cuyahoga prosecutors; they should let it go: editorial

Plain Dealer Opinion »

AP HEADLINES

Politics News

- Texas Gov. Perry must win in Nov. before 2012 talk 3/6/2010, 3:00 a.m. EST
- Pawlenty, Romney to share stage at Minn. dinner 3/5/2010, 12:39 p.m. EST
- Calif. gov rivals exchange barbs over state's ills 3/4/2010, 5:45 p.m. EST

Washington Headlines

- Grants that saved historic relics now endangered 3/7/2010, 2:21 p.m. EST
- Researchers: AIDS virus can hide in bone marrow 3/7/2010, 1:00 p.m. EST
- GOP senator urges Obama to shift on terror trials 3/7/2010, 12:05 p.m. EST

POSITIONS AVAILABLE

PRACTICE NURSE
AKRON GENERAL
HOSPITAL - AKRON,
Ohio

Management Opportunities

for supporting Fisher: He's trying to save his seat during the coming round of redistricting.

Brunner and Fisher are vying to run in next November's election to replace U.S. Sen. George Voinovich, who is retiring. Former congressman and Bush budget director Rob Portman is expected to be the Republican on the ticket.

But Fisher is getting more fund-raising support and endorsements, including those of congressmen such as Space. Why is that? **Here's how it was described to National Journal:**

"The Buckeye State, Brunner noted, is expected to lose two congressional districts after the '10 Census, and she said each party can expect to shed one. For that reason, Brunner said that when she met with Space, he 'admitted his endorsement of Fisher had to do with the governor's potential role in determining which districts would be eliminated after the census.'

"Brunner also said several mayors backing Fisher told her they were doing so to protect money headed to their cities.

"And though Rep. Marcia Fudge (D) is neutral in the primary, Brunner said Fudge told her that she would make a better candidate than Fisher."

Some Democrats in Washington are mighty unhappy over Brunner's comments. The National Republican Senatorial Committee is giddy, on the other hand.

Did Brunner, Space and Fudge really say these things? In Space's case, no, or so says the spokesman for his congressional reelection committee.

"With all due respect to Secretary of State Brunner, Congressman Space never said that at all," said Brent Parrish, spokesman for Zack Space for Congress. "What the Congressman told her was that while he has the utmost respect for her, he believed that Lt. Governor Fisher's efforts to bring about new economic development and jobs is precisely what Ohio needs at this moment when the national economy has devastated Ohio's workers and industries."

We're awaiting additional responses, with updates to follow.

Choice Hotels® Best Value

Official Site. Book now & save. Best web rates, guaranteed.
www.ChoiceHotels.com

Win Free Chips For A Year

Win Ballreich's Potato Chips for a year. No purchase necessary.
www.ballreich.com/shop/contests

Guaranteed Energy Savings

Reduce kilowatt usage up to 30%
www.bottomlines.com

Sponsored Links

Print this

Email this

Share this:

Previous story: James Traficant contemplates return to Congress

Next story: Democrats in Congress expect to retain newly won Ohio seats

Story tags: George Voinovich | Lt. Gov. Lee Fisher | Marcia Fudge | Ohio Secretary of State Jennifer Brunner | Rob Portman | Zack Space

Comments (11 total)

RSS

[Post a comment](#)

Oldest comments are shown first. Show newest comments first

Posted by [Cleveland.com](#)
December 17, 2009, 5:00PM

Seriously.? Lt. Gov has done what to help retain jobs in Ohio? Where was he with this?

<http://www.cbsnews.com/stories/2009/04/17/60minutes/main4952111.shtml>

What about NCR in Dayton?

Portman is no better with his ties to the Bush Administration.

People, Jennifer Brunner is our best shot for U.S. Senate. She is the only one of the Dems elected in 2006 that has actually accomplished the goals she set for the office. Cuyahoga County elections - a perfect example!

If people think they are going to bring down Portman and raise Fisher on the jobs issue (creation and retention) that is going to zero them both out.

Wake up people.. Lets be a little more progressive and elect a woman who really will go to work for us.

[Inappropriate comment? Alert us.](#)

[Reply to this comment](#) | [Post a new comment](#)



Posted by [Cleveland.com](#)
December 18, 2009, 12:25AM

Yeah! "Let's be a little more **progressive** and elect a woman who really will go to work for us."