

**STATE OF MINNESOTA  
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

**Findings and Order In The Matter Of a Contribution Made By  
The Campaign Committee for Brian Gruber  
To a Candidate Seeking Federal Office**

**Summary of the Facts**

Minnesota Statutes section 10A.27, subdivision 9, clause (c), prohibits contributions from a principal campaign committee to a person who seeks nomination or election to the office of senator or representative in Congress of the United States. There is no specified civil penalty for a principal campaign committee that violates this statute, but the amount of a prohibited contribution must be returned to the principal campaign committee.

The 2011 year-end Report of Receipts and Expenditures filed by the Campaign Committee for Brian Gruber (the Gruber Committee) reported a contribution of \$750 to the Michael Katch Progressive for Minnesota Committee. The year-end report was used by the Gruber Committee as a termination report to close its registration with the Campaign Finance and Public Disclosure Board (the Board).

The contribution from the Gruber Committee was not reported as received by the Michael Katch Progressive for Minnesota Committee. In response to a routine reconciliation letter from the Board, Seth Doorn, treasurer for the Gruber Committee, states that the donation in question was actually made to the Michael Katch for Congress Exploratory Committee, a committee for federal office.

By letter dated June 1, 2012, Board staff notified Seth Doorn and Brian Gruber of the potential violation.

The Gruber Committee closed its campaign bank account in conjunction with filing the January 26, 2012, termination report. When the principal campaign committee that made a prohibited contribution has terminated the amount of the prohibited contribution must be forwarded to the Board for deposit in the state general fund.

The matter was considered by the Board in executive session on October 2, 2012. The Board's decision was based on Board records.

**Based on the above Summary of Facts and the Relevant Statute, the Board makes the following:**

**Findings Concerning Probable Cause**

1. There is probable cause to believe that the Campaign Committee for Brian Gruber contributed \$750 to a candidate seeking federal office in violation of Minnesota Statutes section 10A.27, subdivision 9, clause (c).

2. There is no probable cause to believe that this violation was committed with the intent to violate the requirements of Minnesota Statutes, Chapter 10A.

**Based on the above Finding, the Board issues the following:**

**ORDER**

1. Brian Gruber is ordered to recover the contribution from the Michael Katch for Congress Exploratory Committee and to forward the funds to the Board for deposit in the general fund of the state to remedy the violation. The amount of the contribution must be forwarded to the Board within 30 days of receipt of this order.
2. If Brian Gruber does not comply with the provision of this order the Board's Executive Director may request that the Attorney General bring an action on behalf of the Board for the remedies available under Minnesota Statutes section 10A.34.
3. The record in this matter and all correspondence is hereby entered into the public record in accordance with Minnesota Statutes section 10A.02, subdivision 11, and upon payment of the funds specified herein, this matter is closed.

Dated: October 2, 2012

/s/ Greg McCullough  
Greg McCullough, Chair  
Campaign Finance and Public Disclosure Board

**Relevant Statute**

**Minnesota Statutes section 10A.27, subdivision 9, clause (c)** A candidate's principal campaign committee must not accept a contribution from, or make a contribution to, a committee associated with a person who seeks nomination or election to the office of president, senator, or representative in Congress of the United States.