

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

FINDINGS, CONCLUSIONS, AND ORDER

IN THE MATTER OF RIGHT NOW MINNESOTA, 1854, INC., AND BRICK, INC.

Background

Right Now Minnesota (Right Now MN), Board registration number 41185, registered with the Board as a general purpose political committee in December 2017.¹ After being contacted by Board staff in March 2018 regarding the disclosure of corporate contributions received by the committee, it's treasurer at that time, Richard (Rick) Morgan, amended its registration and stated that Right Now MN had intended to register as an independent expenditure political committee. Initially, Right Now MN's chair was Elliott Olson. On February 8, 2021, the committee's registration was amended to list Mr. Olson as both the chair and treasurer. In May 2024 the committee's registration was amended to list David Fry as both the chair and treasurer.

During the time period relevant to this investigation Brick, Inc. (Brick) and 1854, Inc. (1854) were Minnesota business corporations,² Richard (Dick) Andolshek was the CEO and chairman of Brick, Albin Andolshek was the president of Brick, Anna Lotzer was both the CEO of 1854 and a Brick employee, and Jennifer (Jeni) O'Donnell was a Brick employee or contractor. Front Runner Digital was an assumed name of Brick.³ Dakota Worldwide Corporation was a Minnesota business corporation whose CEO was Mr. Olson.⁴

In October 2023 the *Star Tribune* published an article regarding Right Now MN and one of its vendors, 1854.⁵ The article stated that within campaign finance reports filed with the Board, Right Now MN reported spending approximately \$346,000 in 2022, of which \$319,000 was paid "to an unknown and largely untraceable business called 1854 Inc." for "internet access and web hosting. . . ."⁶ The article noted that the committee did not report making any independent expenditures in 2022.⁷ The article stated that when Mr. Olson was contacted by phone, he:

¹ cfb.mn.gov/reports-and-data/viewers/campaign-finance/political-committee-fund/41185/. A super PAC named [Right Now USA](#) was registered with the Federal Election Commission in October 2017.

² trybrick.com; mblsportal.sos.mn.gov/Business/SearchDetails?filingGuid=7aee288f-183a-e511-b14d-001ec94ffe7f; mblsportal.sos.mn.gov/Business/SearchDetails?filingGuid=058fcaaa-05c0-e711-8189-00155d01c6c6.

³ mblsportal.sos.mn.gov/Business/SearchDetails?filingGuid=f3425719-12fb-ed11-9072-00155d01c440; mblsportal.sos.mn.gov/Business/SearchDetails?filingGuid=fb23b708-c202-e811-9155-00155d0d6f70.

⁴ mblsportal.sos.mn.gov/Business/SearchDetails?filingGuid=36685c57-b7d4-e011-a886-001ec94ffe7f

⁵ Ryan Faircloth & Briana Bierschbach, *Minnesota Republican PAC accused of misleading rich donors, misusing their money*, *Star Tribune*, October 7, 2023, available at startribune.com/minnesota-republican-pac-accused-of-misleading-rich-donors-misusing-their-money/600310518/.

⁶ *Id.*

⁷ *Id.*

described 1854 Inc. as a vendor that places ads for Right Now Minnesota and Right Now USA.

When questioned about the PAC's payments to 1854 Inc. for "internet access and web hosting," Olson said Right Now Minnesota does "more than just web hosting," but "I don't want to tell you." He said he's trying to use his PAC to "educate the voters."⁸

Ryan Faircloth, one of the authors of the *Star Tribune* article, contacted the Board's executive director for information about Right Now MN and also provided information regarding Google search ads purchased by the committee in 2022. Two of the advertisements, which ran during the period leading up to the 2022 general election, referenced Attorney General Keith Ellison by name and included the text "Vote Him Out!". The Google Ads Transparency Center webpage placed the total cost of those two advertisements at between \$3,500 and \$4,500.⁹

No complaint was filed against Right Now MN in the weeks after the *Star Tribune* article was published. Based on the article, Right Now MN's 2022 year-end report, and direct evidence that Right Now MN made independent expenditures in 2022 opposing Attorney General Ellison that were not disclosed within its 2022 year-end report, Board staff recommended that the Board conduct an audit under Minnesota Statutes section 10A.022, subdivision 2, and Minnesota Rules 4525.0550, subpart 1. During its meeting on November 1, 2023, the Board voted to initiate a formal audit of Right Now MN's 2022 year-end report.

Formal Audit

Alec Beck initially served as Right Now MN's legal counsel during the audit. In June 2024 the Board was notified that the committee had retained Nicholas (Nick) Morgan as its legal counsel. In December 2023 Mr. Beck acknowledged that much of the committee's spending in 2022 involved independent expenditures. Mr. Beck provided copies of Right Now MN's bank statements and several invoices issued by 1854. The bank statements and invoices reflected that Right Now MN paid 1854 a total of \$319,000 in 2022. The 1854 invoices were imprecise and did not identify any candidates supported or opposed by Right Now MN's independent expenditures.

In December 2023 Right Now MN filed an amended 2022 year-end report that includes independent expenditures. The portion of the report listing the committee's independent expenditures, schedule B3 - IND, includes independent expenditures totaling \$241,383.55 for or against 22 state candidates.¹⁰ The Board's campaign finance reporting system does not classify an expenditure as an independent expenditure unless the candidate for state office supported or opposed has a principal campaign committee registered with the Board. Right Now MN's

⁸ *Id.*

⁹ adstransparency.google.com/advertiser/AR03602510678306324481

¹⁰ The report incorrectly classifies independent expenditures for a candidate for governor, [Gabrielle Prosser](#), as expenditures related to her candidacy for a seat on the Minneapolis City Council, rather than her candidacy for governor.

amended report includes an additional \$15,361.85 in expenditures for or against two state candidates without a principal campaign committee. In total, the amended report includes \$256,745.40 in independent expenditures that are not classified as independent expenditures within the original report. All but one of the payments for independent expenditures were reportedly made to 1854. By comparison, in the original 2022 year-end report filed by the committee, the independent expenditures paid to 1854 were not identified as independent expenditures, and were instead described as “Internet Access and Web Hosting” without identifying the candidate supported or opposed by each expenditure. Within the original report, an expenditure paid to a different vendor for billboards was described as “Advertising - Billboard: Brand Awareness”, and the same expenditure was classified within the amended report as an independent expenditure for billboards supporting Rich Stanek for governor.

In January 2024 Board staff requested additional information including copies of the independent expenditure advertisements and any other relevant details that would help connect the independent expenditures listed in the amended report to the invoices from 1854. Mr. Beck provided copies of graphics and advertisement samples for the independent expenditures reported within Right Now MN’s amended 2022 year-end report. The advertisements all included one of the following two disclaimers: “THIS IS AN INDEPENDENT EXPENDITURE PREPARED AND PAID FOR BY RIGHT NOW MINNESOTA” or “This IE is paid for by Right Now MN SuperPAC. It is not coordinated with or approved by any candidate nor is any candidate responsible for it.” The disclaimer on independent expenditure billboards supporting Mr. Stanek for governor stated: “Prepared and Paid for by Right Now MN. www.rightnowmn.org”.¹¹

In April 2024 Mr. Beck provided copies of invoices regarding two 30-second radio advertisements supporting Dr. Scott Jensen for governor and Matt Birk for lieutenant governor, which were independent expenditures.¹² The radio advertisements included the following disclaimer: “Paid for by Right Now Minnesota. Not coordinated or approved by any candidate.”

With the exceptions of the billboards supporting Mr. Stanek, the radio advertisements supporting Dr. Jensen and Mr. Birk, and Google search ads opposing Governor Tim Walz and Attorney General Ellison, the independent expenditures paid for by Right Now MN in 2022 consisted of digital advertisements commonly known as display ads. The display ads were hyperlinked to webpages known as landing pages. Mr. Beck explained that the display ads were placed using demand side platform (DSP) software. DSP software allows advertisers to target specific geographic areas and demographic groups when display ads are placed on websites and mobile applications. Board staff eventually located landing pages for 20 of the candidates identified in

¹¹ A photograph of one of the billboards supporting Mr. Stanek for governor is available at pbs.twimg.com/media/FSC0hbSWUAsoO3J?format=jpg&name=large.

¹² Audio recordings of the advertisements are available at rightnowmn.org/radioads; x.com/RightNowMN1/status/1588848706371346440; x.com/RightNowMN1/status/1588848836042436609.

independent expenditure display ads paid for by Right Now MN.¹³ The landing pages included disclaimers that stated:

This is an independent expenditure prepared and paid for by RIGHT NOW MINNESOTA, 8014 Olson Memorial HWY 55 #543 Golden Valley, MN 55427. It is not coordinated with or approved by any candidate nor is any candidate responsible for it.

Within a letter dated April 3, 2024, Mr. Beck explained that “Right Now MN engaged an independent consultant to uncover possible additional information, including through thorough public records searches, and also to make an accurate and complete accounting for response to the Board and any future filing.” Mr. Beck stated that Right Now MN had difficulty responding to the Board’s requests for information because “1854 Inc. has been uncooperative and has terminated operations.”

In June 2024, Board staff requested information regarding invoices from radio stations and Nation Builder that were issued with the names of Albin Andolshek and Brick as the payor, rather than Right Now MN or 1854. Additionally, Board staff inquired as to why Brick’s Facebook page stated that “Right Now MN is responsible for this Page”.¹⁴ Right Now MN’s new legal counsel, Nicholas Morgan, stated that Albin Andolshek only performed services for Right Now MN through 1854. Nicholas Morgan said that while Brick previously did work for Right Now MN, Brick did not provide any services to Right Now MN in 2022. Nicholas Morgan suggested that some of the radio station invoices may have mistakenly listed Brick as the payor due to Albin Andolshek’s history as a representative of Brick. Nicholas Morgan said that Right Now MN is not responsible for Brick’s Facebook page and that the text to the contrary is the result of an error by Facebook. Within written comments submitted to the Board on July 10, 2024, Nicholas Morgan stated:

Right Now would like to emphasize the complete failure of former vendor 1854, Inc. to cooperate with Right Now to answer CFB Staff requests for information. At the beginning of the audit process, Right Now was horrified at the lack of information included in 1854, Inc. invoices and therefore requested additional information from 1854, Inc. to determine the exact spending on Independent Expenditures. While making these requests, Mr. Olson was in possession of all invoices provided to CFB staff except for three.

In June 2024, Right Now MN filed a second amended 2022 year-end report to address issues discovered during the course of the audit. The portion of the report listing the committee’s independent expenditures, schedule B3 - IND, includes independent expenditures totaling

¹³ rightnowmn.org/reelectabeler; rightnowmn.org/voteattia; rightnowmn.org/danbohmer; rightnowmn.org/roger_chamberlain_for_senate; rightnowmn.org/votecoleman; rightnowmn.org/crockettforsos; rightnowmn.org/timdavis; rightnowmn.org/votetomdippel; rightnowmn.org/elliott_engen_for_state_representative; rightnowmn.org/votefowke; rightnowmn.org/votedougfulton; rightnowmn.org/votehousley; rightnowmn.org/votekruse; rightnowmn.org/jamesmccaskel; rightnowmn.org/hughmctavish; rightnowmn.org/stevepatterson; rightnowmn.org/gabrielleprosser; rightnowmn.org/tamatheis; rightnowmn.org/tim_walz_let_the_twin_cities_burn; rightnowmn.org/voteandrea.

¹⁴ facebook.com/BRICK.inc1/about_profile_transparency

\$266,638.66 for or against 21 state candidates. The Board’s campaign finance reporting system does not classify an expenditure as an independent expenditure unless the candidate for state office supported or opposed has a principal campaign committee registered with the Board. Right Now MN’s second amended report includes an additional \$23,489.81 in expenditures for three state candidates without a principal campaign committee.¹⁵ In total, Right Now MN reported making \$290,128.47 in independent expenditures in 2022, and spending \$56,363.45 on other expenditures. All but one of the payments for independent expenditures were reportedly made to 1854. As with the first amended report, the amended report reflected that a separate vendor was paid for the billboards supporting Mr. Stanek for governor. All but two of the itemized payments for other expenditures were reportedly paid to 1854 as well. Separate vendors were paid for mapping services and for the rental of a venue during the 2022 Republican State Convention.

The second amended 2022 year-end report includes a grand total of \$346,491.92 in expenditures, while the original and first amended reports include a grand total of \$346,460.92, a difference of only \$31.

During its meeting on July 10, 2024, the Board considered a draft audit report. Nicholas Morgan appeared before the Board on behalf of Right Now MN and provided written comments regarding the draft audit report. A final audit report was signed by the Board’s chair and provided to Nicholas Morgan on July 18, 2024, pursuant to Minnesota Statutes section 10A.022, subdivision 2, and Minnesota Rules 4525.0550, subpart 3.¹⁶ Within the final audit report, the Board ordered a formal investigation, pursuant to Minnesota Statutes section 10A.022, subdivision 3d, and Minnesota Rules 4525.0340, “regarding possible violations of Minnesota Statutes sections 10A.13, 10A.025, 211B.04, and 211B.12, by Right Now Minnesota and Elliott Olson.”

Formal Investigation

Over the course of the investigation Board staff conducted five depositions. Throughout the investigation Right Now MN, 1854, Brick, and each of the individuals deposed, with the exception of Anna Lotzer, were represented by Nicholas Morgan.

Deposition of Elliott Olson

Mr. Olson was deposed on September 12, 2024 in the presence of Nicholas Morgan. Mr. Olson testified that he was asked to be the chair of Right Now MN by Richard Andolshek, and took on the role of treasurer after Richard Morgan ceased to be the treasurer.¹⁷ Mr. Olson stated that he

¹⁵ Right Now MN made independent expenditures for three candidates for governor in 2022 that did not register a principal campaign committee with the Board, including [Gabrielle Prosser](#), [Steve Patterson](#), and [James McCaskel](#). Those expenditures are included within schedule B1 - EXP of the committee’s 2022 year-end report.

¹⁶ cfb.mn.gov/pdf/bdactions/1715_Final_Audit_Report.pdf

¹⁷ Olson Dep. 5:16–6:4, Sept. 12, 2024.

was not compensated for serving as chair and treasurer of Right Now MN.¹⁸ Mr. Olson testified that the committee's campaign finance reports were not prepared by him personally, but rather were prepared by Jennifer O'Donnell using the Board's Campaign Finance Reporter (CFR) software.¹⁹ Mr. Olson stated that Ms. O'Donnell would typically send him copies of reports to be filed with the Board for him to review.²⁰ Mr. Olson said he believed that Ms. O'Donnell worked for 1854.²¹

When asked what information he relied on in order to verify that Right Now MN's 2022 campaign finance reports were accurate, Mr. Olson said that he ensured that addresses and occupations were listed for the committee's contributors.²² Mr. Olson stated his belief that the data entered into the CFR software was provided to Ms. O'Donnell by Albin Andolshek.²³ Mr. Olson stated he assumed that the data entered regarding expenditures was accurate because Ms. O'Donnell was provided copies of the committee's bank statements by Mr. Olson.²⁴

Mr. Olson testified that his understanding was that Right Now MN was an educational organization, based on what he was told by Richard Morgan.²⁵ Mr. Olson stated:

we were set up to do -- not direct political action, but to do education, so -- and that's what we were doing, so it was -- my assumption was that the stuff that we were doing was not really political action and was exempt and that that's the way we were set up, as I was told by our first treasurer.²⁶

Mr. Olson testified that his understanding was that Right Now MN's communications were reviewed for compliance purposes by an attorney, Richard Morgan, while he served as the committee's treasurer, and were reviewed by a different attorney after Richard Morgan ceased to be the committee's treasurer.²⁷ Mr. Olson testified that he believed an independent expenditure to be "an expenditure that is not associated with a campaign."²⁸ Mr. Olson was asked to explain his belief that Right Now MN only engaged in educational activities despite being an independent expenditure political committee.²⁹ Mr. Olson initially expressed a lack of understanding regarding the distinction between education and independent expenditures.³⁰ However, Mr. Olson demonstrated some understanding of the distinction between communications that expressly advocate for the election or defeat of a candidate, and those that do not, when asked whether he was aware of Right Now MN's independent expenditures:

¹⁸ Olson Dep. 6:12–6:14.

¹⁹ Olson Dep. 7:4–7:15.

²⁰ Olson Dep. 7:16–8:13.

²¹ Olson Dep. 16:21–17:4.

²² Olson Dep. 8:14–9:16.

²³ Olson Dep. 9:17–9:21.

²⁴ Olson Dep. 9:22–10:4.

²⁵ Olson Dep. 10:21–10:25.

²⁶ Olson Dep. 10:7–10:13.

²⁷ Olson Dep. 11:5–11:14. Nicholas Morgan later explained that Right Now MN retained Alec Beck as the committee's attorney in 2022.

²⁸ Olson Dep. 10:15–10:20.

²⁹ Olson Dep. 12:2–12:5.

³⁰ Olson Dep. 12:2–12:22.

- Q So you weren't aware in 2022 that the committee Right Now Minnesota was purchasing advertisements naming specific candidates?
- A Well, if they did, they didn't say -- or they were going to say Jack Schmidt is -- believes we should have more police or something like that, it wasn't go out and vote for Jack Schmidt; and that -- that's what I was told the difference was between them.
- Q So to your knowledge, the advertisements that were purchased by Right Now Minnesota in 2022 did not ask individuals to vote for or against any specific candidate; is that correct?
- A That is my -- correct.³¹

When asked whether he knew that Right Now MN purchased advertisements naming specific candidates in 2022, Mr. Olson said "yeah, I assume they were probably doing that, yes."³² When asked whether Ms. O'Donnell knew that Right Now MN purchased advertisements naming specific candidates in 2022, Mr. Olson said "Only if Albin [Andolshek] told her."³³ Mr. Olson testified that Albin Andolshek provided information to Ms. O'Donnell so that she knew what expenditures to enter in the CFR software, including invoices from 1854.³⁴ When asked whether he felt it was appropriate to describe expenditures naming specific candidates as "Internet access and web hosting" Mr. Olson stated "As far as the invoices go, I didn't try to break those down."³⁵

With respect to its 2022 independent expenditures, Mr. Olson was asked "How did Right Now Minnesota decide which candidates would be named in those advertisements?" and answered "I don't know", despite the fact that he was the committee's treasurer in 2022.³⁶ Mr. Olson stated his belief that the independent expenditure advertisements were purchased by 1854.³⁷ Mr. Olson testified that the billboards supporting Mr. Stanek for governor were purchased by Richard (Rich) Anderson, a contributor to Right Now MN.³⁸

Mr. Olson said his understanding is that 1854, which registered as a Minnesota business corporation in November 2017, was created specifically to provide services to Right Now MN, and to a federal super PAC named Right Now USA.³⁹ Mr. Olson provided the following testimony regarding 1854's involvement in selecting candidates and making decisions regarding independent expenditures:

³¹ Olson Dep. 12:23–13:10.

³² Olson Dep. 13:25–14:4.

³³ Olson Dep. 14:14–14:17.

³⁴ Olson Dep. 25:5–25:18, 27:15–27:20.

³⁵ Olson Dep. 14:5–14:13.

³⁶ Olson Dep. 18:7–18:12.

³⁷ Olson Dep. 18:13–18:14.

³⁸ Olson Dep. 20:14–21:5.

³⁹ Olson Dep. 22:12–22:22.

Q Did you authorize any of the expenditures? Did you review any of the expenditures before they were made?

A If they were done by 1854, no.

Q Okay. Who made decisions on whether to spend money or not? Was that entirely the decision of 1854?

A Yes.

Q Okay. So I don't want to ask you to speculate, but to the best of your knowledge, 1854 was deciding which candidates were going to be named in the advertisements?

A Yes.

Q Okay. Do you have any idea how 1854 decided which candidates would be named in those advertisements?

A They didn't consult me on it, so I don't know. ⁴⁰

Mr. Olson provided the following testimony regarding his communication with 1854:

Q Did you communicate with 1854 at all in 2022 regarding how money was being spent or what they should spend money on?

A The only communication there was I would tell them that I did -- I had cash or I didn't have cash. So I told them -- if I didn't have cash, I would say don't do anything.

Q And feel free to rephrase what I'm saying, but what I'm hearing is, essentially, the decision of what to spend money on was, essentially, outsourced to 1854. Is that correct?

A Correct.

Mr. Olson said that he issued checks to 1854 to pay the amounts invoiced by 1854.⁴¹ Mr. Olson testified that 1854 was operated primarily by Albin Andolshek and Anna Lotzer.⁴² Mr. Olson stated that Front Runner Digital, an assumed name of Brick, has provided services to Right Now MN that are similar to those previously provided by 1854.⁴³

Mr. Olson expressed uncertainty as to who prepared the disclaimers used within Right Now MN's independent expenditures in 2022. Mr. Olson testified that Richard Morgan had previously drafted disclaimer language for the committee, and said that the disclaimers used in 2022, aside from the disclaimer used on the billboards supporting Mr. Stanek, may have been drafted by a consultant, Kip Christianson, or by Alec Beck.⁴⁴ Mr. Olson also testified that Right Now MN did not have any direct legal counsel in 2022 and that Mr. Beck provided legal counsel

⁴⁰ Olson Dep. 19:3–19:17.

⁴¹ Olson Dep. 39:16–40:6.

⁴² Olson Dep. 19:18–20:9, 21:9–21:13, 25:16–25:18, 34:1–34:15, 34:19–34:22, 43:12–44:4.

⁴³ Olson Dep. 33:17–34:18.

⁴⁴ Olson Dep. 28:11–30:18.

indirectly through 1854.⁴⁵ Mr. Olson stated that he did not review the disclaimer language used within the advertisements Right Now MN purchased in 2022.⁴⁶ Mr. Olson testified that he had no ongoing involvement with Right Now MN following his resignation as the committee's treasurer.⁴⁷ That statement was contradicted by other information gathered during the investigation, including within a letter dated June 12, 2024, in which Nicholas Morgan stated that "Mr. Olson still provides valued guidance and support to Right Now and its executive leadership and contractors, but no longer holds a formal role with the organization."

Expansion of Investigation to Include 1854

During its meeting on October 2, 2024, the Board considered expanding the scope of the investigation to include possible violations by 1854. That morning, Ms. Lotzer emailed Board staff and explained that "1854 Inc was a vendor and all the political campaigns, IE decisions, and reporting was subcontracted to Brick, Inc. Contrary to the deposition you sent me,⁴⁸ many of the people named were never employed by 1854 but were Brick employees, including myself." The Board approved an expansion of the investigation "to include 1854 Inc. and related parties regarding possible violations of Minnesota Statutes sections 10A.025, subdivision 2, 10A.14, subdivision 1a, 10A.20, subdivision 2, and 211B.04."⁴⁹

Deposition of Anna Lotzer

Ms. Lotzer was deposed on October 17, 2024. Ms. Lotzer stated that she "was approached by Richard Andolshek" regarding the formation of 1854, was named as 1854's CEO at the outset, and was, at the time, a Brick employee.⁵⁰ Ms. Lotzer testified that 1854 "was created to serve as a buffer between the digital ad agency Brick, Inc., and any political clients that they may have."⁵¹ Ms. Lotzer explained that "Brick, Inc. has been the target of some hit pieces and lost some big clients prior to the formation of 1854 due to politics."⁵² Ms. Lotzer stated she believed that Front Runner Digital served as a buffer between Brick and its clients, similarly to 1854.⁵³

Ms. Lotzer confirmed that 1854 did not provide any services directly, and instead acted as a pass-through entity for Brick.⁵⁴ Ms. Lotzer testified that 1854 did not make any profits.⁵⁵ Ms. Lotzer said that 1854 did not have any shareholders and that she did not have any

⁴⁵ Olson Dep. 41:17–42:5.

⁴⁶ Olson Dep. 32:11–32:17, 39:16–39:18.

⁴⁷ Olson Dep. 33:9–33:11.

⁴⁸ This is a reference to the transcript of the deposition of Elliott Olson.

⁴⁹ cfb.mn.gov/pdf/bdactions/1715_1854_Order_for_Formal_Investigation.pdf

⁵⁰ Lotzer Dep. 4:19–5:14, Oct. 17, 2024.

⁵¹ Lotzer Dep. 4:13–4:18. See also, Lotzer Dep. 23:23–24:7.

⁵² Lotzer Dep. 7:25–8:2.

⁵³ Lotzer Dep. 22:24–23:14.

⁵⁴ Lotzer Dep. 7:22–7:25.

⁵⁵ Lotzer Dep. 12:3–12:4.

knowledge of 1854 having a board of directors.⁵⁶ Ms. Lotzer did not recall 1854 providing services to entities other than Right Now MN and Right Now USA.⁵⁷

Ms. Lotzer stated that she communicated with Right Now MN's first treasurer, Richard Morgan, about 1854:

Q And how about Richard Morgan, what was his role in all of this?

A Richard Morgan, when we first started 1854, I believe he was -- he's a lawyer, and so I asked him all the questions, as far as whether or not what we were doing with 1854 was legal, and I was assured that this is normal practice for political stuff.⁵⁸

Ms. Lotzer testified that she communicated with Richard Morgan by phone, through Richard Andolshek.⁵⁹ Ms. Lotzer stated that she was paid between \$4,000 and \$6,000 per year for her role as 1854's CEO, which consisted of managing paperwork, a bank account, and a mailbox.⁶⁰ Ms. Lotzer testified that a Brick employee "did all the reporting and invoicing for 1854 to Right Now Minnesota" and stated she believed that Albin Andolshek and Ms. O'Donnell were the individuals who "sent invoices for 1854 to Right Now Minnesota."⁶¹ Ms. Lotzer stated that Albin Andolshek created the invoices that were sent to Right Now MN under the name 1854.⁶² Ms. Lotzer testified that the names of the candidates supported or opposed by Right Now MN's independent expenditures were available within Brick's internal ticketing system, and said that she does not know why the invoices issued by 1854 did not provide a breakdown of which candidates were supported or opposed.⁶³ Ms. Lotzer explained that 1854's bank account was closed at the end of 2023.⁶⁴

Expansion of Investigation to Include Brick and Related Individuals

During its meeting on November 6, 2024, the Board considered expanding the scope of the investigation to include possible violations by Brick and related individuals. The Board approved an expansion of the investigation "to include Brick, Inc. and related parties, including Jennifer O'Donnell, Albin Andolshek, and Richard Andolshek, regarding possible violations of Minnesota Statutes sections 10A.025, subdivision 2, 10A.14, subdivision 1a, 10A.20, subdivision 2, and 211B.04."⁶⁵

⁵⁶ Lotzer Dep. 8:15–9:3.

⁵⁷ Lotzer Dep. 24:8–24:11.

⁵⁸ Lotzer Dep. 25:19–25:25.

⁵⁹ Lotzer Dep. 26:3–26:8.

⁶⁰ Lotzer Dep. 12:7–12:9.

⁶¹ Lotzer Dep. 9:6–9:11.

⁶² Lotzer Dep. 12:17–12:25.

⁶³ Lotzer Dep. 13:22–14:8.

⁶⁴ Lotzer Dep. 7:15–7:16.

⁶⁵ cfb.mn.gov/pdf/bdactions/1715_Brick_Order_for_Formal_Investigation.pdf

Deposition of Jennifer (Jeni) O'Donnell

Ms. O'Donnell was deposed on January 16, 2025 in the presence of Nicholas Morgan. Ms. O'Donnell said that she worked as a salaried controller for Brick from 2015 to 2018, handling financial matters such as payroll, accounts payable, and accounts receivable.⁶⁶ Ms. O'Donnell testified that she entered Right Now MN's campaign finance data in the CFR software as part of her work for Brick.⁶⁷ Ms. O'Donnell stated that she provided services to Right Now MN at the direction of Richard Andolshek and Albin Andolshek.⁶⁸ Ms. O'Donnell said that she believes she started entering Right Now MN's campaign finance data in 2018.⁶⁹ Ms. O'Donnell explained that she ceased working for Brick as a salaried employee in 2018, that she resumed performing data entry services for Right Now MN approximately a year to 18 months thereafter as a part-time hourly employee, and that "I work very part-time for Brick right now."⁷⁰ Ms. O'Donnell testified that she was not involved in Right Now MN's day-to-day operations.⁷¹

Ms. O'Donnell stated that she was provided bank statements and copies of checks and invoices by Mr. Olson, that Richard Andolshek and Albin Andolshek provided additional financial records used for data entry purposes, and that only Mr. Olson had access to Right Now MN's bank account.⁷² Ms. O'Donnell testified that Ms. Lotzer also provided her with copies of invoices.⁷³ Ms. O'Donnell said that when she needed additional information to perform her duties she communicated with Mr. Olson, Richard Andolshek, and Albin Andolshek.⁷⁴ Ms. O'Donnell explained that Albin Andolshek, Richard Andolshek, and Mr. Olson provided her with direction regarding how to classify Right Now MN's expenses "if the invoices didn't have enough detail included."⁷⁵

Ms. O'Donnell testified that she certified Right Now MN's campaign finance reports as being complete, true, and correct only after getting approval from Right Now MN's treasurer.⁷⁶ Ms. O'Donnell stated she assumes that Right Now MN's campaign finance reports were reviewed by the committee's treasurer prior to being approved.⁷⁷ Ms. O'Donnell said that she communicated with Right Now MN's treasurer regarding draft campaign finance reports by email, and that Richard Andolshek and Albin Andolshek were copied on those emails.⁷⁸ With respect to Right Now MN's original 2022 year-end report, Ms. O'Donnell testified that she initially was not

⁶⁶ O'Donnell Dep 5:9–5:19, 16:25–17:2, Jan. 16, 2025.

⁶⁷ O'Donnell Dep. 5:24–6:13.

⁶⁸ O'Donnell Dep. 6:14–6:16, 26:11–26:19.

⁶⁹ O'Donnell Dep. 5:24–6:10, 7:9–7:12.

⁷⁰ O'Donnell Dep. 8:2–9:1, 10:1–10:3, 16:13–17:5, 17:10–17:12.

⁷¹ O'Donnell Dep. 15:18–15:19, 24:18–24:25.

⁷² O'Donnell Dep. 7:17–8:1.

⁷³ O'Donnell Dep. 20:25–21:4.

⁷⁴ O'Donnell Dep. 9:4–9:12, 17:13–18:8.

⁷⁵ O'Donnell Dep. 18:9–18:23.

⁷⁶ O'Donnell Dep. 9:13–9:25, 30:22–31:19.

⁷⁷ O'Donnell Dep. 11:5–11:14.

⁷⁸ O'Donnell Dep. 11:11–11:21.

aware that Right Now MN had made independent expenditures.⁷⁹ Ms. O'Donnell stated that she did not have access to Right Now MN's financial records, aside from the bank statements supplied by Mr. Olson, and did not have access to Right Now MN's bank account.⁸⁰

Ms. O'Donnell explained that her role in preparing Right Now MN's campaign finance reports was limited to data entry and that she entered data based on the information she was provided.⁸¹ Ms. O'Donnell confirmed that she prepared Right Now MN's amended 2022 year-end reports.⁸²

Ms. O'Donnell testified that prior to approximately the beginning of 2024, checks were made out to 1854 rather than Brick.⁸³ Ms. O'Donnell confirmed that Brick has provided services to Right Now MN under the name Front Runner Digital.⁸⁴ Ms. O'Donnell said that Mr. Olson and Richard Andolshek have continued to be involved in the operation of Right Now MN, including after David Fry was named as the committee's chair and treasurer.⁸⁵

Ms. O'Donnell authenticated several emails produced by Nicholas Morgan during her deposition.⁸⁶ Ms. O'Donnell testified that she typically emailed a draft copy of Right Now MN's campaign finance report to Mr. Olson, Albin Andolshek, and Richard Andolshek for review and approval prior to the report being filed with the Board.⁸⁷ One email exchange occurred on January 21, 2022, and appears to pertain to Right Now MN's 2021 year-end report.⁸⁸

Ms. O'Donnell emailed Mr. Olson, Albin Andolshek, and Richard Andolshek stating "Please review and let me know if its ok to process."⁸⁹ Mr. Olson replied less than two hours later stating "Looks good".⁹⁰ Right Now MN's original 2021 year-end report, filed on January 27, 2022, included no receipts or expenditures and stated a beginning and ending cash balance of \$6,700.42. More than a year later, on March 16, 2023, Right Now MN filed an amended 2021 year-end report that includes \$16,932.62 in receipts, includes \$22,245.00 in expenditures, and states an ending cash balance of \$1,388.04. One expense omitted from the original 2021 year-end report was a \$950 expenditure paid to Mr. Olson's own business, Dakota Worldwide Corporation.

One email exchange occurred on June 1, 2022, and pertained to Right Now MN's 2022 June report.⁹¹ Within a reply email to Ms. O'Donnell, Mr. Olson listed an expenditure described as "\$21,478.00 Alfred Mitchell Advertising", without explaining that the expenditure was an independent expenditure consisting of billboards supporting Mr. Stanek for governor.⁹² Right

⁷⁹ O'Donnell Dep. 11:22–12:14, 13:17–15:15.

⁸⁰ O'Donnell Dep. 13:1–13:8.

⁸¹ O'Donnell Dep. 6:4–6:10, 24:18–24:21.

⁸² O'Donnell Dep. 23:18–23:21.

⁸³ O'Donnell Dep. 22:7–22:11.

⁸⁴ O'Donnell Dep. 23:24–24:5.

⁸⁵ O'Donnell Dep. 10:4–10:14.

⁸⁶ O'Donnell Dep. 26:20–28:5.

⁸⁷ O'Donnell Dep. 28:6–28:25.

⁸⁸ O'Donnell Dep. Ex. 1, at 1.

⁸⁹ O'Donnell Dep. Ex. 1, at 1.

⁹⁰ O'Donnell Dep. Ex. 1, at 1.

⁹¹ O'Donnell Dep. Ex. 1, at 8.

⁹² O'Donnell Dep. Ex. 1, at 8.

Now MN's 2022 June report described that expense as "Advertising - Billboard: Brand Awareness" and did not classify the expense as an independent expenditure.

Within one email exchange that occurred on August 11, 2022, Albin Andolshek noted that a Right Now MN report lacked employment information for a specific contributor, and stated that employment information could be added prior to filing the committee's year-end report.⁹³ One email exchange occurred on October 28, 2022, and pertained to Right Now MN's 2022 pre-general report, which covers the period from January 1 through October 24, 2022.⁹⁴ Ms. O'Donnell emailed Mr. Olson and copied Albin Andolshek and Richard Andolshek, stating "Please review this report so I can submit to the board."⁹⁵ Mr. Olson replied less than an hour later stating "Looks accurate. Please send."⁹⁶ Right Now MN's 2022 pre-general report, which was filed the same day, includes a total of \$68,236.92 in expenditures, none of which are classified as independent expenditures. In addition to misclassifying tens of thousands of dollars in independent expenditures as general expenditures, Right Now MN's 2022 pre-general report omits \$203,770.40 in expenditures that were later reported to have been made by the committee during the time period covered by the pre-general report.⁹⁷

Deposition of Albin Andolshek

Albin Andolshek was deposed on February 19, 2025, in the presence of Nicholas Morgan. Albin Andolshek testified that he was Brick's president until April 2023.⁹⁸ Albin Andolshek stated that Brick began producing political advertising for clients around 2017 or 2018, and began providing services to Right Now MN around the same time.⁹⁹ Albin Andolshek testified that Right Now MN was formed following conversations involving Richard Andolshek, Mr. Olson, and Mr. Fry.¹⁰⁰

Albin Andolshek described 1854 as a contractor and Brick as a subcontractor that provided services to Right Now MN through 1854.¹⁰¹ Albin Andolshek explained that 1854 was formed because Brick had lost clients in the past due to its work for political groups.¹⁰² Albin Andolshek stated that legal counsel was consulted about the formation of 1854, including Richard Morgan.¹⁰³ Albin Andolshek said that he was not aware of 1854 providing services to any entity other than Right Now MN and Right Now USA.¹⁰⁴ Albin Andolshek testified that he was not

⁹³ O'Donnell Dep. Ex. 1, at 7. This email exchange appears to have pertained to Right Now MN's 2022 pre-primary report, which was filed on July 22, 2022.

⁹⁴ O'Donnell Dep. Ex. 1, at 3.

⁹⁵ O'Donnell Dep. Ex. 1, at 3.

⁹⁶ O'Donnell Dep. Ex. 1, at 3.

⁹⁷ Right Now MN's second amended 2022 year-end report includes a total of \$272,007.32 in expenditures that occurred during the period from January 1 through October 24, 2022, while the 2022 pre-general report only includes a total of \$68,236.92 in expenditures during that period.

⁹⁸ Albin Andolshek Dep. 5:6–5:19, Feb. 19, 2025.

⁹⁹ Albin Andolshek Dep. 5:24–6:7.

¹⁰⁰ Albin Andolshek Dep. 55:18–56:4. See also, Albin Andolshek Dep. 83:4–83:20.

¹⁰¹ Albin Andolshek Dep. 6:24–7:11.

¹⁰² Albin Andolshek Dep. 7:15–8:7, 8:20–9:18.

¹⁰³ Albin Andolshek Dep. 7:15–9:4.

¹⁰⁴ Albin Andolshek Dep. 9:19–9:21.

aware of 1854 having any directors, officers, or employees other than Ms. Lotzer,¹⁰⁵ and was not aware of 1854 having any shareholders or a board of directors¹⁰⁶.

Albin Andolshek confirmed that Ms. Lotzer's job duties as a Brick employee included providing services to Right Now MN.¹⁰⁷ Albin Andolshek stated that he created the invoices issued to Right Now MN under the name 1854, and that Right Now MN told him the amount they should be invoiced:

Q Did you create invoices in the name of 1854 that were issued to Right Now Minnesota?

A Yes.

Q What financial records did you access in order to gather the information needed to generate those invoices?

A Those were typically at the direction of Elliot at Right Now to -- you know, that -- those would be where I would get that guidance. I wouldn't access financial systems to do that.

...

Q How did you know how much to bill Right Now Minnesota when you were drafting those invoices?

A Because Right Now would request services in the amounts of whatever the invoices would be.

Q So Right Now Minnesota told you the amount to invoice them for?

A Yes.¹⁰⁸

Albin Andolshek stated that the invoices were provided to Ms. Lotzer or directly to Right Now MN, and that Ms. O'Donnell was likely provided copies as well.¹⁰⁹

Albin Andolshek testified that Right Now MN had a website with a variety of content including a blog and landing pages for advertisements, and also maintained social media pages.¹¹⁰ Albin Andolshek explained that Brick managed a series of contribution platforms utilized by Right Now MN, including Stripe, NationBuilder, Revv, and WinRed.¹¹¹ Despite acknowledging that he created the invoices that were issued to Right Now MN under the name 1854, Albin Andolshek testified that he does not know whether those invoices encompassed independent expenditures paid for by Right Now MN, including display ads and landing pages.¹¹²

¹⁰⁵ Albin Andolshek Dep. 10:10–10:12, 79:20–79:22.

¹⁰⁶ Albin Andolshek Dep. 10:18–11:1.

¹⁰⁷ Albin Andolshek Dep. 11:16–11:23.

¹⁰⁸ Albin Andolshek Dep. 14:2–15:16. See also, Albin Andolshek Dep. Ex. 1; Albin Andolshek Dep. 30:6–30:7, 74:20–77:19, 80:10–81:12.

¹⁰⁹ Albin Andolshek Dep. 15:17–15:24.

¹¹⁰ Albin Andolshek Dep. 16:9–16:17.

¹¹¹ Albin Andolshek Dep. 21:15–22:1.

¹¹² Albin Andolshek Dep. 24:14–25:23.

Albin Andolshek confirmed that he or Richard Andolshek directed Ms. O'Donnell to provide services to Right Now MN.¹¹³ Albin Andolshek stated that Right Now MN's campaign finance reports were prepared by Ms. O'Donnell and sent to Right Now MN for approval.¹¹⁴ Albin Andolshek said that Brick would help supply the information Ms. O'Donnell needed to complete the reports, and that Ms. O'Donnell would not file a report without the approval of Right Now MN.¹¹⁵ Despite acknowledging that he created the invoices that were issued to Right Now MN under the name 1854, Albin Andolshek testified that he does not know why the invoices did not break down the costs of independent expenditures by candidate.¹¹⁶ Albin Andolshek explained that "A lot of the independent expenditures would happen within, you know, four to eight weeks of the election, so a lot of the work would be kind of getting ready for those decisions to be made."¹¹⁷

Albin Andolshek acknowledged that in order to prepare accurate campaign finance reports for Right Now MN, Ms. O'Donnell necessarily would have needed to obtain information from Brick regarding how much was spent with respect to each candidate.¹¹⁸ Albin Andolshek testified that himself, and sometimes Richard Andolshek, were copied on emails from Ms. O'Donnell to Mr. Olson seeking review of or information needed to complete Right Now MN's campaign finance reports, because there were times when Mr. Olson was not responsive to emails from Ms. O'Donnell.¹¹⁹ Albin Andolshek said that he played a lesser role in the process in 2022 due to personal reasons, and did not have a specific explanation for why Right Now MN's original 2022 year-end report failed to classify any of the committee's expenditures as independent expenditures.¹²⁰

Albin Andolshek stated that Brick used a DSP platform to disseminate Right Now MN's display ads, including independent expenditures.¹²¹ Albin Andolshek explained that an advertiser could obtain a list of the websites where their display ads appeared after an advertising campaign concluded, but that information typically was not available at the outset.¹²²

Albin Andolshek testified that while he may have been involved in some research regarding state legislative districts, he did not otherwise play a role in determining which candidates would be supported or opposed by Right Now MN's independent expenditures.¹²³ Albin Andolshek stated that while Richard Andolshek may have been involved in conversations regarding strategy and the content of Right Now MN's advertising, his understanding is that Right Now MN ultimately decided which candidates to support or oppose.¹²⁴ Albin Andolshek said that he

¹¹³ Albin Andolshek Dep. 48:6–48:18.

¹¹⁴ Albin Andolshek Dep. 27:11–27:15.

¹¹⁵ Albin Andolshek Dep. 27:16–27:25, 44:9–44:14, 69:5–69:15.

¹¹⁶ Albin Andolshek Dep. 30:2–30:18.

¹¹⁷ Albin Andolshek Dep. 30:14–30:18.

¹¹⁸ Albin Andolshek Dep. 30:25–31:4.

¹¹⁹ Albin Andolshek Dep. 43:14–44:8, 50:18–51:3.

¹²⁰ Albin Andolshek Dep. 51:8–52:6. See also, Albin Andolshek Dep. 66:17–69:15.

¹²¹ Albin Andolshek Dep. 31:5–32:13. AppNexus was renamed Xandr Invest in June 2019.

¹²² Albin Andolshek Dep. 31:23–32:10.

¹²³ Albin Andolshek Dep. 32:14–32:24, 49:24–50:17.

¹²⁴ Albin Andolshek Dep. 32:25–33:19, 38:4–38:13.

participated in conversations in which Mr. Olson specified which candidates would be supported or opposed by Right Now MN.¹²⁵

Albin Andolshek testified that the content of Right Now MN's independent expenditures, including display ads and landing pages, were approved by either Mr. Olson or by Right Now MN's legal counsel, which initially was Richard Morgan, and later was Alex Beck.¹²⁶ Albin Andolshek said that Mr. Olson discussed Right Now MN's independent expenditures with himself or with Richard Andolshek.¹²⁷

Despite having signed multiple agreements with radio stations placing independent expenditure radio advertisements with those stations on behalf of Right Now MN supporting Dr. Jensen for governor and Mr. Birk for lieutenant governor, and opposing Governor Walz, Albin Andolshek testified that he does not know whether Brick produced the audio for those advertisements and that he does not know who drafted the disclaimer language used within those advertisements.¹²⁸

Albin Andolshek acknowledged that he may have participated in "web programs" or conference calls in which the impact of Right Now MN was reviewed with potential contributors,¹²⁹ and that he sometimes picked up contributions from individuals to Right Now MN¹³⁰. Albin Andolshek stated that Richard Andolshek solicited contributions to Right Now MN.¹³¹ Albin Andolshek testified that contributions to Right Now MN were occasionally mailed to Brick.¹³²

Deposition of Richard (Dick) Andolshek

Richard Andolshek was deposed on April 15, 2025, in the presence of Nicholas Morgan. Richard Andolshek testified that he is the chairman and CEO of Brick.¹³³ Richard Andolshek stated that Brick began producing political advertising for clients around 2016 to 2018, and began providing services to Right Now MN right after it was founded.¹³⁴ Richard Andolshek said that he was involved in conversations with Mr. Olson and Mr. Fry in 2016 or 2017 that led to the formation of Right Now MN.¹³⁵ Richard Andolshek described Mr. Olson as Right Now MN's founder.¹³⁶ Richard Andolshek described himself as an advisor to Right Now MN.¹³⁷ Richard Andolshek testified that he typically attended Right Now MN's board meetings.¹³⁸

¹²⁵ Albin Andolshek Dep. 34:13–35:1.

¹²⁶ Albin Andolshek Dep. 36:24–38:3, 80:14–81:9, 84:12–84:15.

¹²⁷ Albin Andolshek Dep. 49:13–49:23.

¹²⁸ Albin Andolshek Dep. Ex. 2; Albin Andolshek Dep. 39:7–40:17, 78:5–78:9.

¹²⁹ Albin Andolshek Dep. 60:15–61:12.

¹³⁰ Albin Andolshek Dep. 62:2–63:9, 63:19–63:25, 83:21–84:7.

¹³¹ Albin Andolshek Dep. 64:14–64:21.

¹³² Albin Andolshek Dep. 64:1–64:13.

¹³³ Richard Andolshek Dep. 5:8–5:9, 44:11–44:18, Apr. 15, 2025.

¹³⁴ Richard Andolshek Dep. 5:22–6:3.

¹³⁵ Richard Andolshek Dep. 35:10–35:20.

¹³⁶ Richard Andolshek Dep. 36:20–36:23, 37:4–37:9. See also, rightnowmn.org/about.

¹³⁷ Richard Andolshek Dep. 6:4–6:7, 20:25–21:1, 38:6–38:7, 39:3–39:4, 43:23–43:25, 46:25–49:14.

¹³⁸ Richard Andolshek Dep. 61:21–62:8.

Richard Andolshek confirmed that 1854 was formed as a buffer between Brick and its political clients because Brick lost clients in the past due to political advertising.¹³⁹ Richard Andolshek stated that he was not involved in the formation of 1854, that he does not know whether 1854 provided services to any entities other than Right Now MN and Right Now USA, that he does not know whether 1854 had any directors, officers, or employees other than Ms. Lotzer, and that he does not know whether 1854 had any shareholders or a board of directors.¹⁴⁰ Richard Andolshek testified that Albin Andolshek was responsible for creating 1854, but stated that he does not know whether Albin Andolshek chose Ms. Lotzer to serve as 1854's CEO.¹⁴¹ Richard Andolshek said that he did not direct the selection of Ms. Lotzer as 1854's CEO and that he did not talk to Ms. Lotzer about serving as 1854's CEO.¹⁴²

Richard Andolshek described the role that Brick staff played in making recommendations to Right Now MN as follows:

Q Elliott Olson previously testified that he would communicate how much money was available to be spent by Right Now Minnesota, but that decisions regarding how Right Now Minnesota's money would be spent were, essentially, outsourced to 1854. Is that an accurate description, to your knowledge?

A I would say that's accurate in the fact that the creative work, the copy, those type of things were not things that Right Now Minnesota typically would do and that that type of work would go to the creative people and it would go under Albin's purview of being the chief operating officer and it would funnel down to the different departments at Brick and the work would be created -- a lot of it would be created based on what the staff had recommended for Right Now Minnesota.¹⁴³

Richard Andolshek was asked about the role he played in determining which candidates would be supported or opposed by Right Now MN's expenditures:

Q What role did you play in determining which candidates would be supported or opposed by the expenditures made on behalf of Right Now Minnesota?

...

A I think that's -- I think that's one of the things that differentiates Right Now Minnesota from a lot of PACs that are out there, and that is that we didn't pick the candidates, we didn't really pick the districts. The science, the information, the data showed the districts where there was opportunities to have a close race and where there was a chance that if Right Now Minnesota participated, that they could succeed in, you know, influencing and educating the public to the differences between the candidates.¹⁴⁴

¹³⁹ Richard Andolshek Dep. 6:13–6:17, 7:21–8:4, 42:7–42:16.

¹⁴⁰ Richard Andolshek Dep. 6:18–7:15.

¹⁴¹ Richard Andolshek Dep. 7:21–8:9.

¹⁴² Richard Andolshek Dep. 8:10–8:15.

¹⁴³ Richard Andolshek Dep. 13:19–14:9.

¹⁴⁴ Richard Andolshek Dep. 14:19–15:9.

Richard Andolshek repeatedly stated that candidates were picked based on science and data, and explained that “Elliott Olson has been, and is probably, one of the most knowledgeable data people in the country, if not in the world.”¹⁴⁵ Richard Andolshek explained that “Elliott would present the different races and look at the numbers and he would make a recommendation” and “I would look at the recommendation.”¹⁴⁶ Richard Andolshek said “I cannot recall overriding any recommendations by anyone that [Mr. Olson] made.”¹⁴⁷ When asked who Mr. Olson made recommendations to, Richard Andolshek said that the recommendations were made to Right Now MN, and that Right Now MN had a board of directors, but in 2022 only persons he could recall serving on the board were Mr. Olson and Mr. Fry.¹⁴⁸

Richard Andolshek acknowledged that he and Mr. Olson talked about the candidates to be supported or opposed by Right Now MN’s independent expenditures “at some point in the races” and said that Mr. Olson identified or approved the candidates, or at least the legislative districts, to be targeted.¹⁴⁹ With respect to Mr. Olson, Richard Andolshek said “he made recommendations on the races and that he wanted to spend money in districts and it pretty much all came down to who was running in those districts.”¹⁵⁰ Richard Andolshek stated he does not believe that Albin Andolshek played a role in selecting candidates to be supported or opposed by Right Now MN’s independent expenditures.¹⁵¹ Richard Andolshek explained that once a district or candidate was selected by Right Now MN, Albin Andolshek would initiate the process of delegating tasks such as creative work for advertisements.¹⁵² Richard Andolshek testified that Mr. Olson would typically review content before it was published, such as on Right Now MN’s website.¹⁵³

Richard Andolshek stated that decisions regarding how much to spend targeting a given race were fluid and based on a number of factors, and that Albin Andolshek provided input and recommendations, but that Right Now MN, typically acting through Mr. Olson, ultimately decided how much was going to be spent.¹⁵⁴

Richard Andolshek testified that he solicited contributions from eight specific individuals to Right Now MN.¹⁵⁵ Richard Andolshek confirmed that Albin Andolshek occasionally picked up contribution checks from individuals to Right Now MN, and that Brick managed online contribution platforms used to make contributions to Right Now MN.¹⁵⁶

¹⁴⁵ Richard Andolshek Dep. 15:1–18:11. See *also*, Richard Andolshek Dep. 49:15–50:20, 52:21–53:14.

¹⁴⁶ Richard Andolshek Dep. 18:21–18:23.

¹⁴⁷ Richard Andolshek Dep. 19:11–19:12.

¹⁴⁸ Richard Andolshek Dep. 19:2–20:22, 39:19–40:15, 67:3–67:11. Richard Andolshek testified that Richard Morgan served on Right Now MN’s Board of directors prior to 2022.

¹⁴⁹ Richard Andolshek Dep. 22:9–22:17, 24:4–26:3.

¹⁵⁰ Richard Andolshek Dep. 26:4–26:23.

¹⁵¹ Richard Andolshek Dep. 23:13–24:3.

¹⁵² Richard Andolshek Dep. 53:15–53:24.

¹⁵³ Richard Andolshek Dep. 54:11–55:11.

¹⁵⁴ Richard Andolshek Dep. 63:10–67:2.

¹⁵⁵ Richard Andolshek Dep. 28:3–29:20, 55:12–57:4, 62:9–63:8.

¹⁵⁶ Richard Andolshek Dep. 30:11–30:23.

Richard Andolshek stated that Ms. O'Donnell is compensated by Brick as a part-time contractor to enter data and prepare Right Now MN's campaign finance reports.¹⁵⁷ Richard Andolshek said he does not recall any Brick employees reviewing the campaign finance reports prepared by Ms. O'Donnell prior to being submitted to Right Now MN.¹⁵⁸ Richard Andolshek explained that his understanding is that Mr. Olson remains on Right Now MN's board of directors.¹⁵⁹

Conflicting Testimony and Clarification Regarding Approval of Spending and Disclaimers

Mr. Olson provided deposition testimony that in some instances appeared to conflict with the testimony of Richard Andolshek or Albin Andolshek. Also, the testimony given was not entirely clear with respect to who drafted or approved the disclaimers for Right Now MN's independent expenditures. Board staff asked Nicholas Morgan to address those issues on April 28, 2025. Nicholas Morgan provided a written response on May 12, 2025.

Nicholas Morgan confirmed that Mr. Olson remains on Right Now MN's board of directors. Nicholas Morgan stated that during his deposition, Mr. Olson "wanted to distance himself from Right Now as much as possible" due to fallout from the October 2023 *Star Tribune* article. Nicholas Morgan said that Mr. Olson's:

testimony failed to accurately recall his involvement in Right Now activity. As President and Treasurer of the organization, he was the main driver of identifying targeted districts for independent expenditure activity. As Richard Andolshek described in his testimony, Mr. Olson's company, Dakota World Wide, is relied on by major Fortune 500 companies to target and identify locations for their brick-and-mortar stores to maximize customer attendance and profit based on local population densities and customer needs. According to Richard Andolshek's testimony, Mr. Olson, in his personal capacity, utilized his knowledge to develop algorithms to identify state house and senate districts that would be ideal targets for independent expenditures. He would present this data at Right Now Board meetings along with data driven recommendations. The board, which at that time was himself and David Fry, would also take in guidance from Richard Andolshek to pick targeted districts. Then Mr. Olson would communicate these decisions to Brick, Inc. Chief Operating Officer Albin Andolshek. Mr. Andolshek and his team would then develop creative materials that would be used for online independent expenditures to elect conservative political candidates.

While it is true that Mr. Olson was more involved in the detailed selection of targeted districts, he was always aware of what Brick was doing in regard to specific candidates and would view the creative materials before they were posted to the website. Problems developed in two areas. One, the legal counsel since the formation of Right Now, Rick Morgan, ended his relationship with Right Now following the 2019-2020 election segment. This meant for most of the 2021-2022 election segment Elliott lacked formal legal counsel. Next, by the

¹⁵⁷ Richard Andolshek Dep. 34:24–35:5.

¹⁵⁸ Richard Andolshek Dep. 38:9–38:20.

¹⁵⁹ Richard Andolshek Dep. 40:16–40:24.

summer and fall of 2022, Albin Andolshek was engaged in a bitter fight with his father Richard Andolshek. As a result, Albin began to check out of work and failed to provide the details normally expected of Brick invoices. This meant another layer of protection for Elliott to prevent compliance failures by Right Now was absent.

Nicholas Morgan stated that “Mr. Olson did authorize the overall budget for District expenditure but allowed Brick to engage in determining the best path to spend within that budget because as the vendor they were more intimately aware of the vagaries of spending on online campaign independent expenditures.” Nicholas Morgan said:

If it looked like a chosen campaign was going to go over budget, Brick would go back to Elliot to see if more money could be allocated to campaigns or whether there was no money available for further action. Mr. Olson was involved, aware, and the originator of all general budget authorizations for Right Now.

With respect to Right Now MN’s reporting issues, Nicholas Morgan said that “When the vendor failed to provide detailed invoices, Elliott, viewed the advertisements but failed to follow up or alert his counsel. He also failed to note to Ms. O’Donnell to separate the advertisements out as Independent Expenditures.”

With respect to disclaimers on Right Now MN’s independent expenditures, Nicholas Morgan said that Mr. Olson “relied heavily on his experienced political vendors, who had partnered with him for a 3rd cycle by the time of the violations, to add disclaimers where needed.” Nicolas Morgan stated that “the disclaimers utilized by Right Now in the 2021-2022 election segment were based on guidance gleaned from Alec Beck, who provided informal and by the end of the election segment formal compliance guidance to Right Now.” Nicholas Morgan stated that “when independent expenditures were not published on the internet, like radio and billboard ads, Mr. Beck failed to provide accurate legal counsel for those advertising mediums. . . .” Nicholas Morgan also explained that Brick was not involved in developing the content of the billboards supporting Mr. Stanek for governor.

Nicholas Morgan produced copies of several emails regarding Right Now MN’s legal representation. In an email exchange on September 26, 2022, Albin Andolshek explained that “with the election coming up” Right Now MN “will need some approvals on ads and creative” and asked Mr. Beck to “take them on” and bill Right Now MN directly on an hourly basis. Mr. Beck replied that he would be glad to do so, and Albin Andolshek asked him to invoice “Right Now MN for the approvals we will be seeking on ads and landing pages.” In an email exchange on November 3-4, 2022, Albin Andolshek said “Please approve disclaimer on this radio ad”, Mr. Beck replied “Approved!”, and Albin Andolshek forwarded that email to Mr. Olson. While the body of the email does not include the disclaimer language or identify the candidates referenced in the advertisement, the dates of that email exchange match the dates on which Albin Andolshek placed orders for the broadcasting of Right Now MN’s independent expenditure radio advertisements supporting Dr. Jensen for governor and Mr. Birk for lieutenant governor, as well as the date listed for the cost of those advertisements on Right Now MN’s amended 2022

year-end report. Mr. Olson was also included in other emails in which Albin Andolshek explicitly sought Mr. Beck's approval of disclaimers for Right Now MN's 2022 independent expenditures. None of the emails appear to refer to the disclaimer on the billboards supporting Mr. Stanek for governor.

The Board considered this matter at its meeting on June 16, 2025.

Analysis

False Certification

Minnesota Statutes section 10A.025, subdivision 2, provides that "An individual shall not sign and certify to be true a report or statement knowing it contains false information or knowing it omits required information." The Board may impose a civil penalty of up to \$3,000 on a person who knowingly signs and certifies a report knowing it contains false information or knowingly omits required information, as well as an additional civil penalty of up to \$3,000 on a political committee affiliated with that person. Minn. Stat. § 10A.025, subd. 2.

Right Now MN's original 2021 year-end, 2022 pre-general, and 2022 year-end reports were filed using the Board's CFR software with Elliott Olson's electronic signature. While Ms. O'Donnell entered the committee's data in the software, testimony and other statements provided to the Board are consistent in demonstrating that Mr. Olson approved the application of his signature, thereby certifying those reports to be complete, true, and correct, prior to them being filed with the Board. Mr. Olson had access to Right Now MN's bank account, reviewed campaign finance reports prepared by Ms. O'Donnell prior to being filed with the Board. The original 2021 year-end report approved by Mr. Olson filed on January 27, 2022, included no receipts and no expenditures, and stated a beginning and ending cash balance of \$6,700.42. The amended 2021 year-end report included \$16,932.62 in receipts and \$22,245.00 in expenditures, and stated an ending cash balance of \$1,388.04. Mr. Olson also authorized and approved hundreds of thousands of dollars in independent expenditures in 2022 that were not disclosed within Right Now MN's 2022 pre-general and year-end reports.

Disclaimers

Minnesota Statutes section 211B.04 requires independent expenditures prepared or disseminated by a committee required to be registered with the Board to include a disclaimer in the form provided in Minnesota Statutes section 211B.04, subdivision 2. Broadcast independent expenditures, including radio advertisements, must include a disclaimer in the following format: "This independent expenditure is paid for by [name of entity participating in the expenditure]. It is not coordinated with or approved by any candidate nor is any candidate responsible for it." Written independent expenditures must include a disclaimer in the following format: "This is an independent expenditure prepared and paid for by [name of entity participating in the expenditure], [address]. It is not coordinated with or approved by any candidate nor is any candidate responsible for it." "The address must be either the entity's

mailing address or the entity's website, if the website includes the entity's mailing address." Minn. Stat. § 211B.04, subd. 2. The Board may impose a civil penalty of up to \$3,000 for a violation Minnesota Statutes section 211B.04. Minn. Stat. § 10A.34, subd. 4.

The 2022 independent expenditure radio advertisements supporting Dr. Jensen for governor and Mr. Birk for lieutenant governor did not include language stating that they were independent expenditures and that no candidate was responsible for them. The 2022 independent expenditure billboards supporting Mr. Stanek for governor did not include language stating that they were independent expenditures, that they were not coordinated with or approved by any candidate, and that no candidate was responsible for them.

Counsel for Right Now MN provided copies of graphics depicting Right Now MN's 2022 independent expenditures that were disseminated as display ads, and Board staff eventually located landing pages linked to within almost all of those display ads. The display ads included disclaimers that stated either "THIS IS AN INDEPENDENT EXPENDITURE PREPARED AND PAID FOR BY RIGHT NOW MINNESOTA" or "This IE is paid for by Right Now MN SuperPAC. It is not coordinated with or approved by any candidate nor is any candidate responsible for it." The 2022 Google search ads included disclaimers that only said "Paid for by RIGHT NOW MINNESOTA" followed by Right Now MN's website address. Those disclaimers, alone, do not satisfy the disclaimer requirement. However, the display ads linked to one of several landing pages within Right Now MN's website, and the Google search ads also linked to Right Now MN's website, which contained a complete disclaimer stating "This is an independent expenditure prepared and paid for by RIGHT NOW MINNESOTA, 8014 Olson Memorial HWY 55 #543 Golden Valley, MN 55427. It is not coordinated with or approved by any candidate nor is any candidate responsible for it."

Recordkeeping and Accounting

Minnesota Statutes section 10A.025, subdivision 3, paragraph (a) provides that:

A person required to file a report or statement or who has accepted record-keeping responsibility for the filer must maintain records on the matters required to be reported, including vouchers, canceled checks, bills, invoices, worksheets, and receipts, that will provide in sufficient detail the necessary information from which the filed reports and statements may be verified, explained, clarified, and checked for accuracy and completeness. The person must keep the records available for audit, inspection, or examination by the board or its authorized representatives for four years from the date of filing of the reports or statements or of changes or corrections to them.

The Board may impose a civil penalty of up to \$3,000 on a person who knowingly fails to keep those records, as well as an additional civil penalty of up to \$3,000 on a political committee affiliated with that person. Minn. Stat. § 10A.025, subd. 3 (b).

Minnesota Statutes section 10A.13, subdivision 1, requires the treasurer of a political committee to keep accounting records including “an account of . . . each expenditure made by the committee . . . together with the date and amount. . . .” The Board may impose a civil penalty of up to \$1,000 on a person who knowingly fails to keep proper accounts. Minnesota Statutes section 10A.13, subdivision 2, requires a treasurer to “obtain a receipted bill, stating the particulars, for every expenditure over \$100 made by” their committee.

During the course of the Board’s audit of Right Now MN it quickly became clear that Mr. Olson did not maintain the records he was required to maintain under Minnesota Statutes section 10A.025, subdivision 3. The invoices produced by counsel for Right Now MN under the name 1854 did not contain a breakdown of how much was spent relative to any candidate, or even identify any expense as an independent expenditure. The invoices thereby lacked the detail necessary to verify that the total amount of disbursements on Right Now MN’s campaign finance reports was accurate and complete. Counsel for Right Now MN was able to produce records showing how much was spent relative to each candidate identified within Right Now MN’s independent expenditures only by obtaining that information from Brick, which was described to the Board as a subcontractor to one of Right Now MN’s vendors.

It is less clear whether Mr. Olson kept accounting records to the extent required by Minnesota Statutes section 10A.13, subdivision 1. Mr. Olson had access to Right Now MN’s bank account and at least some invoices that were issued to the committee. The invoices obtained by Mr. Olson likely were not specific enough to satisfy Minnesota Statutes section 10A.13, subdivision 2, but Chapter 10A does not grant the Board power to impose a civil penalty for violating that subdivision.

Use of Money Collected for Political Purposes

Minnesota Statutes section 211B.12 generally provides that “Use of money collected for political purposes is prohibited unless the use is reasonably related to the conduct of election campaigns. . . .” At the outset of its investigation of this matter, the Board noted the close relationships between Right Now MN and its vendors, including Brick, operated by Richard Andolshek and Albin Andolshek, 1854, which was known to be associated with Albin Andolshek, and Dakota Worldwide Corporation, whose CEO is Mr. Olson. Given those relationships, the Board was concerned about whether transactions between Right Now MN and its vendors were negotiated at arm’s length.

The close relationship between Right Now MN and the Andolsheks, and between Mr. Olson and the Andolsheks, and the fact that the business the Andolsheks operated ultimately received a significant proportion of the money spent by Right Now MN, is unusual. The fact that the Andolsheks solicited or retrieved individual contributions for Right Now MN, and that Richard Andolshek testified to doing so in his personal capacity, while their business was serving as a vendor to Right Now MN, is also unusual. However, the investigation did not reveal evidence that Right Now MN paid more than the fair market value of the services that Brick provided.

Failure to Register and Failure to File Campaign Finance Reports

Minnesota Statutes section 10A.01, subdivision 6, defines an “association” as “a group of two or more persons, who are not all members of an immediate family, acting in concert.” Minnesota Statutes section 10A.01, subdivision 27, defines a “political committee” as “an association whose major purpose is to influence the nomination or election of one or more candidates or local candidates or to promote or defeat a ballot question, other than a principal campaign committee, local candidate, or a political party unit.” Minnesota Statutes section 10A.01, subdivision 28, defines a “political fund” as money accumulated “by an association other than a political committee, principal campaign committee, or party unit, if the accumulation is collected or expended to influence the nomination or election of one or more candidates or local candidates or to promote or defeat a ballot question.” Independent expenditure political committees and funds are defined as political committees and political funds that make “only independent expenditures and disbursements permitted under section 10A.121, subdivision 1.” Minn. Stat. § 10A.01, subs. 18a-18b.

Minnesota Statutes section 10A.14, subdivision 1a, generally requires an independent expenditure political committee or fund to register with the Board within 14 days after raising or spending more than \$1,500 in a calendar year. Minnesota Statutes section 10A.20, subdivisions 1 and 2, generally require a political committee or fund to file periodic campaign finance reports with the Board, starting with the first report due after being required to register with the Board. Minnesota Statutes section 10A.17, subdivision 1, provides that political committees and funds cannot spend money unless authorized by that committee or fund’s treasurer or deputy treasurer.

The investigation, and particularly the testimony of Mr. Olson, raised concerns regarding whether 1854 or Brick were functioning as a political committee or fund. Mr. Olson’s testimony indicated that he did not select candidates to be targeted by independent expenditures and did not approve those expenditures, and that those decisions were instead outsourced in their entirety to 1854. If that were true, and if 1854 was an association, it likely would have been an independent expenditure political committee and Right Now MN would have been a contributor to that committee. In other words, when an association paying money affords another association control over how its money is spent, to the extent that the recipient of the money decides which candidates to target with the money, the recipient of the money ceases to be a vendor, and is instead a political committee or fund.

However, it is permissible for a political committee such as Right Now MN to pay a vendor to provide a variety of services, including determining the content and placement of advertisements. It is also permissible for a company to create a shell company and serve as a vendor to that shell company. The testimony of Richard Andolshek and Albin Andolshek, and the explanation offered by Nicholas Morgan regarding the factual errors in Mr. Olson’s testimony, demonstrate that Mr. Olson approved Right Now MN’s expenditures and selected the candidates targeted by its independent expenditures. While others provided input regarding those decisions as vendors, as members of Right Now MN’s board of directors, and as advisors

or supporters of Right Now MN, the evidence in the record reflects that Mr. Olson was the final decisionmaker in 2021 and 2022, which were the years of primary focus for this investigation.

Civil Penalties

In determining the appropriate penalty for a violation for which a penalty may be imposed, the Board considers multiple factors.¹⁶⁰ When a violation involves the disclaimer requirement, the Board considers whether it was clear who was responsible for the independent expenditure and how to contact them, whether the violation has been remedied, whether there were prior violations of the disclaimer requirement, the cost of the independent expenditure and how widely it was disseminated, whether the violation was self-reported, and whether the violation was willful.

Based on the above and the record of this matter, the Board makes the following:

Findings of Fact

1. Right Now Minnesota (Right Now MN) is an independent expenditure political committee registered with the Board.
2. Elliott Olson was Right Now MN's chair from its inception until May 2024, and was Right Now MN's treasurer from February 2021 until May 2024.
3. Brick, Inc. (Brick) is a Minnesota business corporation.
4. 1854, Inc. (1854) was a Minnesota business corporation. 1854 was a shell corporation formed to shield the identity of Brick as a vendor that provided services to Right Now MN and Right Now USA.
5. Richard (Dick) Andolshek is the CEO and chairman of Brick.
6. Albin Andolshek was the president of Brick.
7. Anna Lotzer was the CEO of 1854 and a Brick employee.
8. Jennifer (Jeni) O'Donnell was a Brick employee and is a part-time Brick contractor.
9. Alec Beck provided legal services to Right Now MN during a portion of 2022, including reviewing the disclaimer for independent expenditure radio advertisements supporting Dr. Jensen for governor and Mr. Birk for lieutenant governor.
10. Mr. Olson approved expenditures made by Right Now MN in 2021 and 2022 and had access to Right Now MN's bank account.

¹⁶⁰ See [Minn. Stat. § 14.045, subd. 3.](#)

11. Right Now MN's original 2021 year-end report of receipts and expenditures, filed January 27, 2022, was certified to be complete, true, and correct, by Mr. Olson. The report omitted \$16,932.62 in receipts and \$22,245.00 in expenditures. Those omissions were not corrected until an amended 2021 year-end report was filed on March 16, 2023. One of the expenses omitted from the original 2021 year-end report was a \$950 expenditure paid to Mr. Olson's own business, Dakota Worldwide Corporation. Mr. Olson knew that the original report contained false information or omitted required information when it was filed with the Board.
12. Right Now MN's 2022 pre-general report, filed October 28, 2022, was certified to be complete, true, and correct, by Mr. Olson. The report omitted \$203,770.40 in expenditures. The report also misclassified tens of thousands of dollars in independent expenditures as general expenditures, including a \$21,478 expenditure dated April 27, 2022, that was described as "Advertising - Billboard: Brand Awareness" despite the expenditure being an independent expenditure for electronic billboards supporting Mr. Stanek for governor. Mr. Olson knew that the report contained false information or omitted required information when it was filed with the Board.
13. Right Now MN's original 2022 year-end report of receipts and expenditures, filed January 27, 2023, was certified to be complete, true, and correct, by Mr. Olson. The report misclassified \$266,638.66 in independent expenditures as general expenditures, which aside from the \$21,478 expenditure dated April 27, 2022, were each described as "Internet Access and Web Hosting" despite being independent expenditures supporting or opposing specific candidates. Those errors were not corrected until amended 2022 year-end reports were filed on December 19, 2023, and June 24, 2024. Mr. Olson knew that the original report contained false information or omitted required information when it was filed with the Board.
14. Right Now MN's 2022 independent expenditure radio advertisements supporting Dr. Jensen for governor and Mr. Birk for lieutenant governor stated "Paid for by Right Now Minnesota. Not coordinated or approved by any candidate." The advertisements did not include language stating that they were independent expenditures and that no candidate was responsible for them. The disclaimer was reviewed and approved by Right Now MN's legal counsel. Right Now MN reported that the cost of the advertisements was \$45,201.55.
15. Right Now MN's 2022 independent expenditure billboards supporting Mr. Stanek for governor stated that they were "Prepared and Paid for by Right Now MN" and included Right Now MN's website address, which included Right Now MN's mailing address. The billboards did not include language stating that they were independent expenditures, that they were not coordinated with or approved by any candidate, and that no candidate was responsible for them. Right Now MN reported that the cost of the billboards was \$21,478.

16. The disclaimers on the radio advertisements and electronic billboards did not make it clear that the advertisements were independent expenditures, but did make it clear who paid for the advertisements. The radio advertisements did not provide any contact information for Right Now MN. Neither of the disclaimer violations were remedied or self-reported. Right Now MN has no prior violations of the disclaimer requirement, and the evidence in the record indicates that neither violation was willful.
17. In 2022, Right Now MN's website included a disclaimer that stated "This is an independent expenditure prepared and paid for by RIGHT NOW MINNESOTA, 8014 Olson Memorial HWY 55 #543 Golden Valley, MN 55427. It is not coordinated with or approved by any candidate nor is any candidate responsible for it." The independent expenditure display ads and Google search ads paid for by Right Now MN in 2022 each contained a direct link to that website.
18. With respect to expenditures made by Right Now MN in 2022, Mr. Olson did not maintain records that detailed the purpose of each expenditure and how the expenditure was used, and did not maintain records that detailed how much was spent with respect to each candidate for independent expenditures. When asked what records he used to verify that Right Now MN's campaign finance reports were accurate, Mr. Olson stated he assumed the reports were accurate because Jennifer (Jeni) O'Donnell was provided copies of the committee's bank statements by Mr. Olson. Neither the committee's bank statements nor the invoices issued under the name 1854 listed the names of candidates. Mr. Olson approved Right Now MN's independent expenditures targeting specific candidates. Mr. Olson was included in email conversations between Albin Andolshek and Alec Beck in which Albin Andolshek sought approval of disclaimers to be used for independent expenditures. Because he knew that Right Now MN made independent expenditures and the records he maintained did not identify any candidate, Mr. Olson knew that the records he maintained did not contain the detail necessary to verify whether Right Now MN's campaign finance reports were accurate and complete.
19. The record of this investigation does not indicate that Right Now MN paid more than the fair market value of the services that Brick provided, or that Right Now MN funds were otherwise used for non-political purposes.
20. In 2022, Mr. Olson selected the candidates, or at least the legislative districts, to be targeted by Right Now MN's independent expenditures, approved Right Now MN's independent expenditures, and authorized Brick to create and place advertisements and otherwise spend money to the extent that Right Now MN had money available to be spent.
21. Richard Andolshek, Albin Andolshek, and others made recommendations and perhaps influenced which candidates were targeted by Right Now MN's independent expenditures in 2022, and may have otherwise influenced how Right Now MN's money was spent, but Mr. Olson was the final decisionmaker.

22. During his deposition Mr. Olson stated that he did not know how Right Now MN selected candidates to be named within its independent expenditure advertisements, and that those decisions were outsourced to 1854. That testimony is not credible because Richard Andolshek and Albin Andolshek testified that they discussed specific candidates or legislative districts to be targeted with Mr. Olson, and Nicholas Morgan said that Mr. Olson identified districts to be targeted by Right Now MN's independent expenditures. During his deposition Mr. Olson also testified that to his knowledge, the advertisements that were purchased by Right Now MN in 2022 did not ask individuals to vote for or against any specific candidate. That testimony is not credible because Nicholas Morgan stated that Mr. Olson reviewed Right Now MN's expenditures, including the creative material produced by Brick.

Based on the above facts and the record of this matter, the Board makes the following:

Conclusions of Law

1. Elliott Olson violated Minnesota Statutes section 10A.025, subdivision 2, paragraph (b), by signing and certifying to be true Right Now Minnesota's original 2021 year-end, 2022 pre-general, and original 2022 year-end reports of receipts and expenditures, knowing they contained false information or omitted required information.
2. Right Now Minnesota (Right Now MN) violated Minnesota Statutes section 211B.04, subdivision 2, in 2022 by preparing and disseminating independent expenditure radio advertisements and electronic billboards without disclaimers in the form required by law.
3. Mr. Olson knowingly violated Minnesota Statutes section 10A.025, subdivision 3, by failing to maintain records that would provide in sufficient detail the information needed to verify whether Right Now MN's campaign finance reports covering 2022 were accurate and complete.
4. Mr. Olson did not knowingly violate the requirement to keep the accounts required in Minnesota Statutes section 10A.13, subdivision 1. Mr. Olson may have violated Minnesota Statutes section 10A.13, subdivision 2, but no civil penalty may be imposed by the Board for a violation of that subdivision.
5. Right Now MN did not use committee funds for purposes that violate Minnesota Statutes section 211B.12.
6. The expenditures encompassed by this investigation were made by Right Now MN and not by any other political committee or political fund. Therefore, the investigation does not indicate that any association violated Minnesota Statutes sections 10A.14, subdivision 1a, or 10A.20, subdivisions 1 and 2, by failing to register as a political committee or fund and file campaign finance reports with the Board.

Based on the above findings of fact, conclusions of law, and the record of this matter, the Board issues the following:

Order

1. A civil penalty of \$3,000 is assessed against Elliott Olson for violating Minnesota Statutes section 10A.025, subdivision 2, paragraph (b), by falsely certifying as true the 2021 year-end report of receipts and expenditures of Right Now Minnesota (Right Now MN). This civil penalty may be paid by Right Now MN or by Mr. Olson using his personal funds.
2. A civil penalty of \$3,000 is assessed against Mr. Olson for violating Minnesota Statutes section 10A.025, subdivision 2, paragraph (b), by falsely certifying as true the 2022 pre-general report of Right Now MN. This civil penalty may be paid by Right Now MN or by Mr. Olson using his personal funds.
3. A civil penalty of \$3,000 is assessed against Mr. Olson for violating Minnesota Statutes section 10A.025, subdivision 2, paragraph (b), by falsely certifying as true the 2022 year-end report of Right Now MN. This civil penalty may be paid by Right Now MN or by Mr. Olson using his personal funds.
4. A civil penalty of \$3,000 is assessed against Right Now MN for being affiliated with an individual who violated Minnesota Statutes section 10A.025, subdivision 2, paragraph (b).
5. A civil penalty of \$3,000 is assessed against Right Now MN for violating Minnesota Statutes section 211B.04, subdivision 2, by preparing and disseminating independent expenditure radio advertisements in 2022 without a proper disclaimer.
6. A civil penalty of \$3,000 is assessed against Right Now MN for violating Minnesota Statutes section 211B.04, subdivision 2, by preparing and disseminating independent expenditure electronic billboards in 2022 without a proper disclaimer.
7. A civil penalty of \$1,000 is assessed against Mr. Olson for knowingly violating the record keeping requirements of Minnesota Statutes section 10A.025, subdivision 3. This civil penalty may be paid by Right Now MN or by Mr. Olson using his personal funds.
8. A civil penalty of \$1,000 is assessed against Right Now MN for being affiliated with an individual who violated Minnesota Statutes section 10A.025, subdivision 3.
9. Payment of the civil penalties must be made within 60 days of the date of this order by check or money order payable to the State of Minnesota.
10. If Right Now MN and Mr. Olson do not comply with 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.

11. The investigation of this matter is concluded and hereby made a part of the public records of the Board pursuant to Minnesota Statutes section 10A.022, subdivision 5.

A handwritten signature in black ink, appearing to read 'F. Rashid', written over a horizontal line.

Faris Rashid, Chair
Campaign Finance and Public Disclosure Board

Date: June 17, 2025