



STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

MIKE HATCH
ATTORNEY GENERAL

January 16, 2004

SUITE 1800
445 MINNESOTA STREET
ST. PAUL, MN 55101-2134
TELEPHONE: (651) 297-2040

Carol A. Overland
Pottery Place
P.O. Box 559
Red Wing, MN 55066

Re: *Campaign Finance and Public Disclosure Board v. Carol A. Overland*

Dear Ms. Overland:

Enclosed and served upon you by U.S. Mail please find the Summons and Complaint, and two copies of the Notice and Acknowledgment of Service by Mail regarding the above-named matter.

Pursuant to Minnesota law, the Office of the Attorney General represents the Campaign Finance and Public Disclosure Board ("the Board"). The Board has advised the Attorney General's Office that you have failed to pay the required Lobbyist Fee for Calendar Year 2002. The Board requested that you pay the fee on June 30 August 14, September 5, and October 10, 2003. On November 12, 2003, the Office of the Attorney General requested that such a fee be paid to the Board by December 15, 2003. The Board has indicated that it has not yet received the required lobbyist fee.

Accordingly, the Board has requested this Office to initiate legal action with regard to this matter. Note that the enclosed documents indicate that you may seek Alternative Dispute Resolution, including mediation, of this matter. If you would like to discuss mediation, or any other questions you may have, I ask that you please contact me at the number listed below.

In the meantime, I ask that you sign one of the enclosed Notice of Acknowledgement of Service by Mail forms and return it to me at the address noted above.

Sincerely,

GREGORY P. HUWE
Assistant Attorney General
(651) 297-1223

cc: Leah Drilias, Board Office
Enclosures

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: Other Civil
(Campaign Disclosure Law)

Campaign Finance and Public Disclosure
Board,

Court File No. _____

Plaintiff,

SUMMONS

vs.

Carol A. Overland,

Defendant.

THE STATE OF MINNESOTA TO THE ABOVE-NAMED DEFENDANT:

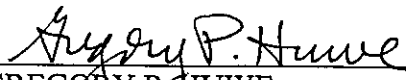
You are hereby summoned and required to serve upon Plaintiff's attorney an answer to the Complaint which is herewith served upon you within twenty (20) days after service of the Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

You may seek alternative dispute resolution of the issues in this Complaint as set forth in the Minnesota General Rules of Practice for the District Courts. Alternative dispute resolution includes mediation, arbitration, and other processes as set forth in those rules. You may contact the court administrator for further information or about resources in your area. If you cannot pay

for alternative dispute resolution, in some counties assistance may be available to you through a nonprofit provider or a court program.

Dated: January 15, 2004

MIKE HATCH
Attorney General
State of Minnesota



GREGORY P. HUWE
Assistant Attorney General
Atty. Reg. No. 48574

445 Minnesota Street, Suite 1800
St. Paul, MN 55101-2134
(651) 297-1223 (Voice)
(651) 282-2525 (TTY)

ATTORNEYS FOR PLAINTIFF

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: Other Civil
(Campaign Disclosure Law)

Campaign Finance and Public Disclosure
Board,

Court File No. _____

Plaintiff,

COMPLAINT

vs.

Carol A. Overland ,

Defendant.

Plaintiff Campaign Finance and Public Disclosure Board for its complaint states as follows:

1. This is an action for injunctive relief to compel Defendant to pay a lobbyist fee of \$50 for each individual, association, political subdivision or public higher education system on whose behalf the lobbyist is registered and to pay a late filing fee of \$100 and a civil penalty of \$1,000 for each lobbyist fee not paid.

PARTIES

2. Plaintiff Campaign Finance and Public Disclosure Board ("Board") is an agency of the State of Minnesota duly created by the Minnesota Ethics in Government Act, Minn. Stat. ch. 10A (2002) ("Act"). Among the Board's responsibilities is the administration and enforcement of the laws governing the filing of lobbyist fees by lobbyist pursuant to Minn. Stat. § 10A.04, subd. 6(a), as amended by Act of May 28, 2003, ch. 1, art. 2, § 27, 2003 Minn. Laws Ex. Sess. 1322. Pursuant to Minn. Stat. § 10A.34, subd. 2 (2002), the Board may seek an injunction in the district court to enforce the provisions of the Act. Pursuant to Minn. Stat.

§ 10A.34, subd. 1(a), as amended, the Board may bring an action to recover a fee, late filing fee or penalty imposed.

3. Defendant Carol A. Overland is a lobbyist as defined by Minn. Stat. § 10A.01, subd. 21 (2002).

4. Defendant Carol A. Overland registered as a lobbyist for Public Intervenor Network on November 15, 2002 and to date, has not terminated her registration.

CAUSE OF ACTION

5. The lobbyist fee requirement set forth in Minn. Stat. § 10A.04, as amended, requires that on January 15 of each year, each lobbyist must pay a \$50 fee for each individual, political subdivision or public higher education system on whose behalf the lobbyist is registered. The required January 15, 2003 fee was due on August 1, 2003. Minn Stat. § 10A.04, subd. 5, as amended, provides that the Board may impose a late filing fee of \$5 per day, not to exceed \$100 and a civil penalty up to \$1000 for each lobbyist fee Defendant failed to pay to the Board.

6. By a certified letter dated June 30, 2003, the Board notified Carol A. Overland that it had not received as of that date the lobbyist fee required by Minn. Stat. § 10A.04, subd. 6(a) as amended.

7. By a certified letter dated August 14, 2003, the Board notified Carol A. Overland the second official notice that it had not received as of that date the lobbyist fee as required by Minn. Stat. § 10A.04, subd. 6(a) as amended, and notified Carol A. Overland that late filing fees had begun to accrue.

8. By a certified letter dated September 5, 2003, the Board sent Carol A. Overland the third official notice that it had not received the required lobbyist fee, and notified Carol A. Overland that the Board may impose late fees and a \$1000 civil penalty.

9. By a certified letter dated October 10, 2003, the Board sent Carol A. Overland the fourth official notice that it had not received the required lobbyist fee and notified Carol A. Overland that the Board may impose late fees and a \$1000 civil penalty.

10. By a letter dated November 12, 2003, the Office of the Attorney General requested the lobbyist fee be paid, and notified Carol A. Overland that she could be subject to the appropriate legal action if the fee was not received by December 15, 2003.

11. To date, Carol A. Overland has failed to pay the lobbyist fee to the Board or the Office of the Attorney General.

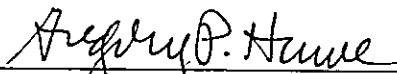
WHEREFORE, Plaintiff demands judgment and an order of the Court:

1. Granting to Plaintiff Minnesota State Campaign Finance and Public Disclosure Board a mandatory injunction ordering and directing Defendant to pay the lobbyist fee of \$50, for Carol A. Overland's failure to pay the lobbyist fee for Public Intervenors Network, within 10 days of service of such Order on her.

2. Granting to Plaintiff Minnesota Campaign Finance and Public Disclosure Board its costs and disbursements herein and any other relief as may be just and equitable.

Dated: January 15, 2004

MIKE HATCH
Attorney General
State of Minnesota



GREGORY P. HUWE
Assistant Attorney General
Atty. Reg. No. 48574

445 Minnesota Street, Suite 1800
St. Paul, MN 55101-2134
(651) 297-1223 (Voice)
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ATTORNEYS FOR PLAINTIFF

ACKNOWLEDGMENT

The party or parties on whose behalf the attached pleading is served acknowledge through their undersigned counsel that costs, disbursements, and reasonable attorney and witness fees may be awarded to the opposite party or parties pursuant to Minn. Stat. § 549.211 (2002).

Dated: January 15, 2004

Gregory P. Howe
GREGORY P. HOWE

Case Title: *Campaign Finance and Public Disclosure Board v. Carol A. Overland*

NOTICE AND ACKNOWLEDGMENT OF SERVICE BY MAIL

NOTICE

TO: Carol A. Overland, Pottery Place, P.O. Box 559, Red Wing, MN 55066

The enclosed summons and complaint are served pursuant to Rule 4.05 of the Minnesota Rules of Civil Procedure.

You must complete the acknowledgment part of this form and return one copy of the completed form to the sender within 20 days.

Signing this Acknowledgment of Receipt is only an admission that you have received the summons and complaint, and does not waive any other defenses.

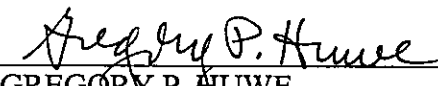
You must sign and date the acknowledgment. If you are served on behalf of a corporation, unincorporated association (including a partnership), or other entity, you must indicate under your signature your relationship to that entity. If you are served on behalf of another person and you are authorized to receive process, you must indicate under your signature your authority.

If you do not complete and return the form to the sender within 20 days, you (or the party to whose behalf you are being served) may be required to pay any expenses incurred in serving a summons and complaint in any other manner permitted by law.

If you do complete and return this form, you (or the party on whose behalf you are being served) must answer the complaint within 20 days. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

I declare, under penalty of perjury, that this Notice and Acknowledgment of Receipt of Summons and Complaint were mailed on 1/16/04.

Dated: January 15, 2004


GREGORY P. HUWE