

June 29, 2021

Shreve Marshall
Director of Review and Investigation
Review and Investigation Section
Election Law Enforcement Commission
P.O. Box 185
Trenton, New Jersey 08625-0185

Re: Request For Investigation – Murphy for Governor

Mr. Marshall:

This firm represents Ciattarelli for Governor, Inc. The Commission should immediately investigate and penalize Murphy for Governor's failure to repay the Commission as required by law. Governor Murphy was obligated to settle the debts of his publicly financed gubernatorial campaign and return unspent money to the taxpayers of New Jersey years ago. Instead, he has continued to incur debt and failed to repay tens of thousands of dollars to the Commission. While tens of thousands of dollars may be meaningless to Governor Murphy and his campaign, they are not to New Jersey taxpayers especially as he applies for public financing in the current election.

As detailed below, Murphy for Governor continues to utilize its 2017 Candidate Committee in violation of *N.J.A.C. 19:25-15.47*. It continues to incur debt after legally allowed, and continues to receive and hold monies, all while failing to satisfy its outstanding debts or repay the Commission as required by law. In light of Murphy for Governor's failure to repay the Commission and its ongoing violations with respect to the last publicly financed election, the Commission should reject Murphy for Governor's application for matching funds in 2021 until Governor Murphy's campaign repays the Commission and addresses its outstanding violations. In the alternative, the Commission should immediately initiate an action pursuant to *N.J.A.C. 19:25-15.66* for the return of funds Murphy for Governor wrongfully refuses to repay the State of New Jersey.¹

N.J.A.C. 19:25-15.47(b) prohibits a candidate receiving public funds from incurring debt after the date of the election other than to satisfy outstanding debts obligations incurred prior to the date of the election. Despite this requirement, Murphy for Governor incurred and reported debts totaling \$44,118 in 2019.² This is a clear violation of *N.J.A.C. 19:25-15.47(b)*. Moreover, Murphy

¹ The Commission should have undertaken this action in 2018 or at a minimum, after the conclusion of the required audit of Murphy for Governor.

² Murphy for Governor Form G-1 filed April 8, 2021 shows debt of \$42,000 to Duane Morris and \$2,118 to Perkins Coie incurred in March 2019. (Attached)

for Governor has not satisfied these debts despite maintaining a positive net worth nearly 4 years after the 2017 general election.

In addition to prohibiting candidates receiving matching funds from incurring the type of debt incurred by Murphy for Governor in 2019, *N.J.A.C. 19:25-15.47(a)* requires that “[a]ll moneys other than public moneys, remaining available to any qualified candidate after the liquidation of all other obligations, shall also be repaid to the Commission (for return to the Treasurer of the State of New Jersey) **not later than six months after the date of the general election...**” (emphasis added). Nearly 4 years after the date of the last gubernatorial election, Murphy for Governor continues to report \$99,386.10 in cash on hand.³ It continues to report a positive net worth of \$55,268.10.⁴ In short, it continues to flout its obligation to repay the taxpayers of New Jersey.

Until Murphy for Governor can demonstrate compliance with the public financing laws from the last election, the Commission should not allow Governor Murphy to participate in public financing with respect to this election.

Respectfully submitted,

Squire Patton Boggs (US) LLP



Mark D. Sheridan

³ This includes the \$24,085.80 Murphy for Governor (2017) received from Murphy for Governor 2021 Inc. on March 1, 2021.

⁴ The amount withheld by Governor Murphy is equal to the average salary of a public employee of the State of New Jersey.

FORM G-1	REPORT OF CONTRIBUTIONS AND EXPENDITURES	REPORT FILED:
NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION		(2021-Q1) QUARTER 1 (APR 15TH)
P.O. BOX 185, Trenton, NJ 08625-0185 (609) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532) Web site: http://www.elec.nj.gov		Filed On 4/8/2021 1:34:40 PM
		<input type="checkbox"/> Amendment

CANDIDATE OR COMMITTEE NAME
 PHILLIP MURPHY MURPHY FOR GOVERNOR

STREET ADDRESS
 C/O MURPHY FOR GOVERNOR P.O. BOX 8816

CITY RED BANK	STATE NJ	ZIP CODE 07701
COUNTY	ELECTION DISTRICT OR MUNICIPALITY STATEWIDE	
POLITICAL PARTY, IF ANY DEMOCRAT	OFFICE SOUGHT GOVERNOR	
ELECTION DATE 11/07/2017	ELECTION TYPE GENERAL	

RECEIPTS AND EXPENDITURES SUMMARY

OPENING BALANCE		\$75,394.72
RECEIPTS	(+)	\$24,085.80
EXPENDITURES	(-)	\$94.42
CLOSING BALANCE		\$99,386.10

NET FINANCIAL SUMMARY

CLOSING BALANCE		\$99,386.10
Debt Owed to Committee	(+)	\$0.00
Debt Owed by Committee	(-)	\$44,118.00
Total Net Worth		\$55,268.10

TABLE I. RECEIPTS	Column A	Column B
	This Report	Cumulative-to-Date
1. Monetary Contributions, \$300 or less	\$0.00	\$553,911.83
2. Monetary Contributions (In Excess of \$300 and all Currency Contributions) (Schedule 1)	\$0.00	\$4,950,974.19
3. In-kind contributions, \$300 or less	\$0.00	\$973.29
4. In-kind contributions, more than \$300 (Schedule 2)	\$0.00	\$6,604.83
5. Dividends/Interest (Schedule 3)	\$0.00	\$2.44
6. Refunded Disbursements / Reimbursements to Committee (Schedule 4)	\$24,085.80	\$24,085.80
7. Loans Received, \$300 or less	\$0.00	\$0.00
8. Loans Received, more than \$300 and all Currency Loans (Schedule 5)	\$0.00	\$0.00
9. Adjustments (Refund of Contributions) (Schedule 6) (-)	\$0.00	\$95,131.00
10. Public Funds Received	\$0.00	\$9,300,000.00
11. Total Receipts	\$24,085.80	\$14,741,421.38
TABLE II. EXPENDITURES		
1. Expenditures not subject to limit (Schedule 8)	\$94.42	\$14,634,457.16
1a. Expenditures subject to limit (Schedule 8)	\$0.00	\$0.00
Contributions (from the Committee) to:		
2a. NJ Gubernatorial Candidates/Committees (Schedule 10)	\$0.00	\$0.00
2b. NJ Legislative Candidates/Committees (Schedule 10)	\$0.00	\$0.00
2c. All other Candidates/Committees (Schedule 10)	\$0.00	\$0.00
Expenditures Made on Behalf of:		
3a. NJ Gubernatorial Candidates/Committees (Schedule 11)	\$0.00	\$0.00
3b. NJ Legislative Candidates/Committees (Schedule 11)	\$0.00	\$0.00
3c. All other Candidates/Committees (Schedule 11)	\$0.00	\$0.00
3d. Independent Expenditures (Schedule 11)	\$0.00	\$0.00
4. In-kind contributions, 300 or less (Table I, line 3)	\$0.00	\$973.29
5. In-kind contributions, more than 300 (Table I, line 4)	\$0.00	\$6,604.83
6. Total Expenditures	\$94.42	\$14,642,035.28

DEPOSITORY SUMMARY
BANK ACCOUNT AND OTHER ASSETS INFORMATION

Asset Name MURPHY FOR GOVERNOR GENERAL MATCHING ACCOUNT		Asset Type Depository Bank	
Name AMALGAMATED BANK		Telephone Number 2126208836	
Address 275 SEVENTH AVE, NEW YORK NY 10001			
Account Number ****1191			
Opening Balance \$28,968.64	Deposits \$0.00	Disbursements \$0.00	Closing Balance \$28,968.64
Value of Asset at Purchase (if applicable)		Maturity Date	

Asset Name MURPHY FOR GOVERNOR GENERAL NON-MATCHING ACCOUNT		Asset Type Depository Bank	
Name AMALGAMATED BANK		Telephone Number 2126208836	
Address 275 SEVENTH AVE, NEW YORK NY 10001			
Account Number ****0706			
Opening Balance \$46,426.08	Deposits \$24,085.80	Disbursements \$94.42	Closing Balance \$70,417.46
Value of Asset at Purchase (if applicable)		Maturity Date	

SCHEDULE 4 - Refunded Disbursements / Reimbursements to Committee

Account: MURPHY FOR GOVERNOR GENERAL NON-MATCHING ACCOUNT **0706**

Name

MURPHY FOR GOVERNOR 2021 INC

Address

196 WEST STATE STREET, TRENTON NJ 08608

Date Received

Amount

Comments

03/01/2021

24085.80

ASSET PURCHASE - DATA

SCHEDULE 8 - Expenditures (Campaign/Operating)

Account: MURPHY FOR GOVERNOR GENERAL NON-MATCHING ACCOUNT **0706**

Check No.	Payee Name And Address	Date	Balance Amount	Date Disbursed	Subject to Limit	Not Subject to Limit
NMDC13	AMALGAMATED BANK 275 SEVENTH AVE, NEW YORK NY 10001		\$0.00	02/25/2021		\$0.21
Purpose		COMPLIANCE/ LEGAL/ACCOUNTING - BANK SERVICE CHARGE		Comments		
1059	US POSTMASTER 171 BROAD ST, RED BANK NJ 07701		\$0.00	02/27/2021		\$94.00
Purpose		COMPLIANCE/ LEGAL/ACCOUNTING - PO BOX RENTAL FEE		Comments		
NMDC14	AMALGAMATED BANK 275 SEVENTH AVE, NEW YORK NY 10001		\$0.00	03/29/2021		\$0.21
Purpose		COMPLIANCE/ LEGAL/ACCOUNTING - BANK SERVICE CHARGE		Comments		
Total Subject To Limit: \$0.00 Total Not Subject To Limit: \$94.42 Total Disbursements: \$94.42						

SCHEDULE 12 - Outstanding Loans and Obligations Owed by Committee

Obligations

Name and Address	Date	Outstanding Balance	Purpose	Comments
DUANE MORRIS 30 S 17TH ST, PHILADELPHIA PA19103	03/31/2019	\$42,000.00	COMPLIANCE/ LEGAL/ACCOUNTING - LEGAL SERVICES	
PERKINS COIE P O BOX 24643, SEATTLE WA 98124	03/31/2019	\$2,118.00	COMPLIANCE/ LEGAL/ACCOUNTING - LEGAL SERVICES	

Total Outstanding Loans	\$0.00
Total Forgiven Loans (-)	\$0.00
Total Outstanding Obligations	\$44,118.00
Total Outstanding Loans and Obligations owed by Committee	\$44,118.00

CERTIFICATION

I certify that the statements on this document are true, and that the contribution amounts received conform with the limitations designated by law. I am aware that if any of the statements are willfully false, I may be subject to punishment.

<u>04/08/2021</u> Date	<u>PHILIP MURPHY</u> Full Name (Candidate)	<u>*****</u> Signature (Candidate)
<u>04/08/2021</u> Date	<u>PETER NICHOLS</u> Full Name (Treasurer)	<u>*****</u> Signature (Treasurer)
<u>04/08/2021</u> Date	<u>SHEILA OLIVER</u> Full Name (Lieutenant)	<u>*****</u> Signature (Lieutenant)