

July 11, 2022

Jared DeMarinis
Director of Candidacy and Campaign Finance
Maryland State Board of Elections
151 West St #200
Annapolis, MD 21401

Dear Mr. DeMarinis,

My name is Sam Malhotra and I am the Treasurer of the Kelly Schulz for Governor campaign. I am contacting you on behalf of the organization in regards to the highly publicized advertising campaign that the Democratic Governors Association (DGA) has recently launched in Maryland. As detailed below, we believe there is ample evidence that the DGA is not only purposefully misleading Maryland voters in violation of current Maryland law, but has also committed perjury by falsely registering their activities with the Maryland State Board of Elections (SBE).

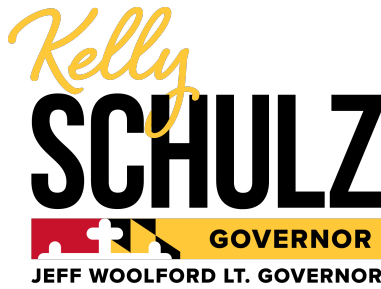
Over the course of this last year, national Democratic groups have spent over \$40 million interfering in Republican primaries. Their actions have garnered significant national press and attention. As a state election official, I am sure you are aware of these developments. While a number of organizations have been involved in these efforts, the DGA has been the primary funder and force behind the majority of them.

While these inference campaigns have taken place in different states, they share common characteristics. In what can only be described as extreme political subterfuge, the advertisements are designed to trick voters into believing they are watching an attack ad, when in reality they are meant to promote what the candidate in question routinely says themselves.

The latest State this is taking place in is Maryland. As made public on June 29, 2022, the DGA is spending more than \$1 million, perhaps even closer to \$1.5 million, to bolster the campaign of Dan Cox, a candidate they believe has little chance at winning a general election in Maryland.

Dan Cox perfectly fits the mold of the other candidates they have sought to support. He is a virulent conspiracy theorist, called Vice President Mike Pence a traitor on January 6, and has accomplished almost nothing as an elected official. In other words, he is their dream candidate to run against in a general election.

AUTHORITY: KELLY SCHULZ FOR GOVERNOR, INC.; TREASURER: SAM MALHOTRA



A quick Google search of this issue will reveal the near total consensus from both national and local news outlets that these advertisements are meant to help not hurt the candidates they target. The DGA has of course denied that this is their true intent, but the location of their placements betray their obviously false statements.

For instance, in Maryland, they have purchased substantial time on the conservative leaning Fox News and are sending mail with similar messages to Republican households. If you are seeking to hurt Dan Cox with general election voters, as the DGA claims, the majority of which are Democrats and Independents, this is the exact opposite of what would be recommended. It is a fact that the DGA has lost three out of the last five Maryland gubernatorial contests, but even they are not this incompetent.

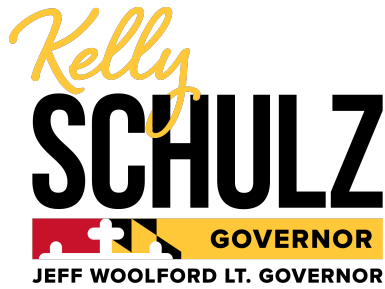
The DGA's actions are not surprising, given that Kelly Schulz is the only Republican candidate capable of building a winning coalition in the general election, and the only one who will provide a check on the progressive policies in Annapolis.

The DGA's own polling, which they aggressively promoted with Maryland media outlets, confirms the very strategy they are now pursuing to help the Cox campaign. As reported by Maryland Matters, according to the DGA, the most effective way to ensure a Cox victory is to promote his endorsement by former President Trump, which is exactly what they are doing now.

DGA Poll: Trump's Endorsement Could Sway GOP Voters Toward Cox

When pollsters informed voters that Trump has endorsed Cox and that Gov. Lawrence J. Hogan Jr. (R) has endorsed Schulz, Cox's lead grows to 52%-18%. The number of undecideds plummets from 69% to 30%.

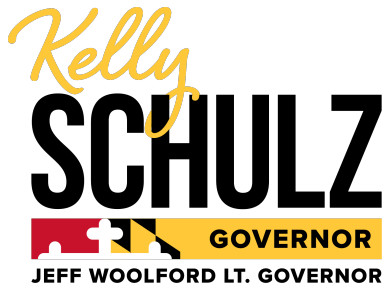
There is little doubt these advertisements are targeted to Maryland Republican voters. Below is one example, among hundreds, of voters who have been tricked into supporting Dan Cox as a result of this campaign:



These underhanded tactics have no place in our political discourse. Republican voters in Maryland should determine their nominee for governor, not national Democratic groups.

Most importantly, and the reason for this communication, Maryland has long established laws meant to prevent this type of deliberately misleading political communication. SBE has a legal and moral duty to enforce these laws and to do so immediately:

- Election Law Article, Annotated Code of Maryland, § 13-601(a), provides that “[a] person may not willfully make a false, fraudulent, or misleading statement or entry in any campaign finance report or other filing that is under oath and is required by this article.”
- § 13-601(c) provides: “A person who violates this section is guilty of perjury and on conviction subject to the penalty provided under the Criminal Law Article.”
- § 13-605(a) provides: “The Secretary of State may seek an immediate injunction against any violation of this title.” Violators of such an injunction are in criminal contempt and guilty of a misdemeanor and on conviction are subject to a fine not exceeding \$250 or imprisonment not exceeding 30 days, or both. §13-605(b).



The DGA registration with SBE is under oath, and it qualifies as “any other filing” in §13-601(a). Violators are subject to both civil fines, and criminal sanctions, which includes jail time or fines up to \$25,000, or both. See §13-603.

Below you will find the DGA’s registration of this activity from the SBE website. As you can see, they have filed it as opposing Dan Cox when common sense and all available facts prove otherwise.

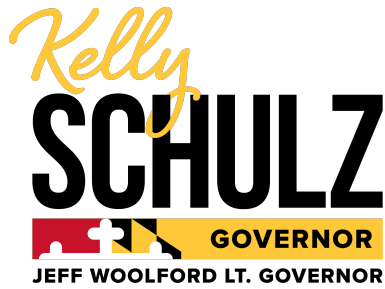
Committee Name Amended Information				
Committee Name	Updated By	Updated Date		
DGA Action	Whalen Andrew	06/27/2022		
Displaying page 1 of 1, records 1 to 1 of 1				

Candidate Activity Information				
Election Year	Candidate Name	Candidate Committee Name	Position	Start Date
2022	DanielCox	Cox, Dan for Governor	Oppose	06/27/2022
2022	DANIEL LEWISCOX	Dan Cox for Delegate	Oppose	06/24/2022

We are seeking immediate action by the SBE, including but not limited to referral of this violation to the Secretary of State and the Office of State Prosecutor for further investigation. The DGA has submitted a false statement under oath to a government body – it cannot be ignored.

Early voting is underway and primary Election Day is less than 10 days away. This matter deserves your immediate attention and action.

Despite these toxic tactics from the DGA, our campaign will win and remains focused on delivering real results for the people of Maryland. Nothing will stop us from continuing to move our state in the right direction to ensure that families have a safe, steady, and prosperous future in Maryland.



You can contact our campaign manager Hunter Mullins about this matter. His contact information is below:

info@kellyschulzfor governor.com
410-305-9172

Thank you,

Sam Malhotra

Sam Malhotra
Treasurer
Kelly Schulz for Governor