



Advisory Opinion Request For Candidates and Committees

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION
P.O. Box 185, Trenton, NJ 08625-0185
(609) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532)
Website: www.elec.state.nj.us

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PLEASE PROVIDE THE INFORMATION REQUESTED BELOW

A person, committee or entity subject to, or reasonably believing he, she or it may be subject to, any provision or requirement of the Campaign Reporting Act may request that the Commission provide an advisory opinion pursuant to N.J.S.A. 19:44A-6. Such request must include the following:

1. This request for an Advisory Opinion is being submitted on behalf of:

Full name of Person, Committee, or Entity:
Mark Sheridan on behalf of Ciattarelli for Governor

Mailing Address:
Squire Patton Boggs 382 Springfield Ave, Suite 300, Summit
NJ 07901

*Day Telephone Number:
973-848-5681

*Evening Telephone Number:
908-410-6230

2. Indicate if the above named person, committee, or entity currently files reports with the Commission:

[X] Yes [] No

a. If yes, indicate in what capacity it is filing:

- Candidate committee [X]
Joint candidates committee []
Political committee []
Continuing political committee []
Political party committee []
Legislative leadership committee []
Recall committee []
Recall defense committee []
Personal financial disclosure statement []
Other (please describe): []

b. If no, indicate if the above named person, committee, or entity has in the past filed reports with the Commission, giving elections (i.e., 2005 general election) or calendar years, and identify filing capacity:

c. If reports are or were filed under a different name than that appearing in Question #1 above, provide that name:

3. Please provide below a statement of the cognizable question of law arising under the Campaign Reporting Act, including specific citations to pertinent sections of the Campaign Reporting Act and Commission regulations (if known).

See Attached Letter

*Leave this field blank if your telephone number is unlisted. Pursuant to N.J.S.A. 47:1A-1.1, an unlisted telephone number is not a public record and must not be provided on this form.

February 27, 2025

New Jersey Election Law Enforcement Commission
25 S Stockton Street
Trenton, NJ 08608

Re: Advisory Opinion

Commissioners:

I write on behalf of Ciattarelli for Governor ("Ciattarelli") to request an advisory opinion pursuant to *N.J.A.C. 19:25-18.1* as to whether certain expenditures contemplated by Ciattarelli fall within the expenditure limits of *N.J.A.C. 19:25-16.9(a)(3)* or fall outside of the expenditure limit pursuant to *N.J.A.C. 19:25-16.27(a)1*.

Recent reports revealed that Spadea for Governor ("Spadea") deceived elderly contributors on fixed incomes into unknowingly making recurring contributions to his gubernatorial campaign. Despite these reports, no governmental entity acted to regulate, restrict or police Spadea's actions. Accordingly, Ciattarelli seeks to assist these individuals in recouping the money Spadea gifted from them.

Ciattarelli plans to incur expenses to communicate with Spadea donors who made recurring contributions to notify them of Spadea's actions and to provide them with a letter they can send to Spadea requesting a refund for any recurring contributions that they were not aware they made. Ciattarelli's expenditures will include costs associated with printing a letter to the aggrieved contributors, a copy of the recent Politico article, postage to the contributor, a self-addressed envelope to the Spadea campaign along with a letter requesting a refund and postage for the request to be sent to Spadea.

Ciattarelli's communication with these contributors will advise the contributor that Ciattarelli is a gubernatorial candidate but will make no request for a contribution nor will it advocate for the election of Ciattarelli or the defeat of Spadea.¹ The sole purpose of the letter is to inform these contributors that they may unwittingly have contributed to Spadea on a recurring basis and provide them with a means to cancel the recurring nature of their contributions and request a refund. The letter will also ask that the contributor email Ciattarelli if and when they request a refund from Spadea. A copy of the proposed letter is attached as Exhibit A.

Because these expenses relate to reasonable and necessary compliance with the reporting and certification requirements imposed by the public finance provisions of the act Ciattarelli for Governor respectfully submits that these expenditures should not be subject to the expenditure limit of *N.J.A.C. 19:25-16.9(a)3* and instead are exempt pursuant to *N.J.A.C. 19:25-16.27(a)1*. Nevertheless, given the lack of certainty surrounding Ciattarelli's interpretation, we request that the Commission issue an opinion on whether these expenses fall inside or outside of the expenditure cap.

Unfortunately, due to the financial harm Spadea's actions are imposing on certain unwitting contributors, Ciattarelli for Governor is unable to consent to a 30-day period for the issuance of the Commission's opinion under *N.J.A.C. 19:25-18.1(a)7*.

Thank you for your considerations in this matter.

Respectfully submitted,

Squire Patton Boggs (US) LLP



Mark D. Sheridan

¹ In most instances, these contributors are elderly residents of states other than New Jersey and, as such, are not able to vote for Ciattarelli or Spadea.

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[Contributor]
[Address]

Re: You may have been scammed by Bill Spadea

Dear [Contributor]:

My name is Jack Ciattarelli, and I am a pro-Trump candidate in the Republican primary for Governor of the State of New Jersey. I am not writing to solicit contributions or your support. Regrettably, I am reaching out to let you know you may have been scammed by one of my opponents and his unethical fundraising solicitation. I encourage you to check your credit cards or bank account for charges to Spadea for Governor and protect yourself.

Recent news reports (enclosed) show that Mr. Spadea deceived conservative, MAGA donors across the country - like you - by soliciting contributions via email and text message that gave the appearance the contribution was supporting President Trump when the money funneled to Mr. Spadea's gubernatorial campaign. To make it worse, Spadea did this after attacking President Trump as a "failure" and saying President Trump should resign. Can you believe that?!

Mr. Spadea's online solicitations had a pre-checked box that enabled his campaign to charge or debit your credit card or bank account multiple times, even if you only intended to make a single contribution. In fact, one contributor, a 73 old woman from Washington State, unknowingly made more than twenty (20) contributions totaling more than \$1,000 to Mr. Spadea. When she learned what occurred, she called it "dirty and rotten." Another contributor, an 84-year-old retiree from Nebraska, unknowingly contributed thirty-four (34) times to Mr. Spadea. These are just a few examples.

The reason I am contacting you is Mr. Spadea's campaign finance reports show that you contributed to Bill Spadea for Governor of New Jersey ___ times and contributed a total of \$_____. I want to make sure you knew what was going on and protected yourself from this potential fraud.

If you intended to make these contributions, you do not have to do anything further. I respect every donor's decision to donate their own money as they see fit. However, if you did not intend to make these contributions, attached is a letter and postage paid envelope that you can send to Spadea for Governor asking for the return of your contributions. I wish I could give you an email address or phone number for the Spadea campaign to immediately request a refund, but, not surprisingly, given what he has done, Mr. Spadea does not list a campaign email or phone number.

If you were scammed and do request a refund, I ask that you please let me know so that I can ensure Spadea returns your money. You can let me know that you requested a refund by emailing me your name and the amount of the refund you requested at billspadeascammedme@jack4nj.com

Sincerely

Jack Ciattarelli

Bill Spadea for Governor
P.O. Box 307
Bayville, NJ 08721

Re – I want my money back

Bill –

I contributed to your campaign, and I want a refund. Records show I contributed ____ times to your campaign for a total of \$____. I want you to refund my money immediately.

I also did not intend to authorize recurring contributions to my credit card. Please stop all recurring contributions being charged to my credit card immediately and refund any and all contributions I made to your campaign.

Sincerely

Contributor