

NEBRASKA
ACCOUNTABILITY AND
DISCLOSURE COMMISSION
1225 L St. #400
P.O. Box 95086
Lincoln, NE 68509
(402) 471-2522

POSTMARK
DATE

COMPLAINT
NUMBER

OFFICE USE ONLY

COMPLAINT

BEFORE COMPLETING THIS FORM
READ THE INSTRUCTIONS ON
REVERSE SIDE

CONFIDENTIALITY: ONCE A COMPLAINT IS FILED WITH THE COMMISSION, ALL COMMISSION PROCEEDINGS AND RECORDS RELATING TO THE COMPLAINT ARE CONFIDENTIAL EXCEPT AS PROVIDED IN SECTION 49-14124.01 AND COMMISSION RULE 1.

A. Complainant (Person Filing Complaint)

Name Geis Gavin L Telephone 402-710-0583
(LAST) (FIRST) (MIDDLE)

Address 2621 Wimbledon Ct. Lincoln NE 68506
STREET ADDRESS OR RURAL ROUTE CITY STATE ZIP

B. Name and address of the person alleged to have violated the Nebraska Political Accountability and Disclosure Act (section 49-1401 to 49,14,141, Revised Statutes.)

Name: Kuehn John Telephone 308-830-1514
(LAST) (FIRST) (MIDDLE)

Address 1101 43 Road 68945
STREET ADDRESS OR RURAL ROUTE CITY STATE ZIP

C. Complainant alleges: (Include names, dates and places. Use a separate sheet of paper if needed.)

Complaint regarding failure to disclose legal expenditures connected to the challenge of
ballot question qualification. See Attachment A.

D. Verification:

State of Nebraska)

County of Lincoln)

SS

General Notary - State of Nebraska
KIM MARIE SCHRADER-EBERSPACHER
My Comm. Exp. April 26, 2027.

I, Gavin Geis, do swear (or affirm) that I am the complainant as alleged above
and that this complaint and all attachments thereto have been examined by me and that the allegations
contained therein are true to the best of my knowledge and belief.

Gavin Geis
(Signature of Complainant)

Subscribed and sworn before me this 23rd day of April, 2025
DAY MONTH YEAR

Kim Marie Schrader-
Notary Public Eberspacher

INSTRUCTIONS FOR FILING A COMPLAINT

CONFIDENTIALITY: ONCE A COMPLAINT IS FILED WITH THE COMMISSION, ALL COMMISSION PROCEEDINGS AND RECORDS RELATING TO THE COMPLAINT ARE CONFIDENTIAL EXCEPT AS PROVIDED IN SECTION 49-14,124.01 AND COMMISSION RULE 1.

WHO MAY FILE

Any Individual may file a complaint

WHEN TO FILE

A complaint may be filed within 3 years of the alleged violation.

WHERE TO FILE

Complaints are to be filed with the Nebraska Accountability and Disclosure Commission at the following address:

Nebraska Accountability and Disclosure Commission
1225 L Street #400
PO Box 95086
Lincoln, NE 68509

GUIDE TO ITEMS ON FORM

- Item A.** Insert the name, address and phone number of the individual who files the complaint
- Item B.** Insert the name, address and phone number of person who is alleged to violated the provisions of the Act.
- Item C.** In simple and concise statements, set forth the facts on which the allegation is based. Include, where known, the date and place of the occurrences that are described and names of the participants. If known state the section of the law which is alleged to have been violated. Included the names and address of the witnesses. Use additional sheets of paper if necessary.
- Item D.** Insert name of person filing the complaint. **DO NOT SIGN** the complaint until appearing before a notary public.

CONFIDENTIALITY Commission proceedings and records relating to a complaint are confidential unless the Commission enters an order finding that the respondent has violated the NPADA, or the respondent notifies the Commission in writing that he or she wants the matter to be made public.

STEPS IN THE COMPLAINT PROCESS

1. Complaint reviewed to determine if alleged facts could constitute a violation of the Nebraska Political Accountability and Disclosure Act (NPADA). If the complaint is unclear, the complainant will be given an opportunity to amend the complaint. A complaint which does not allege a violation of the NPADA will be dismissed.
2. The respondent (the accused person) is provided a copy of the complaint.
3. A Commission investigator conducts an investigation and prepares a written report for the Commission.
4. The Commission, based upon the report, determines if there is probable cause to believe that the violation has occurred and that there is sufficient evidence to reasonably believe that the respondent could be found to have violated the NPADA. If not, the matter is dismissed. If probable cause is found, the matter is scheduled for a hearing. The hearing is an administrative hearing which is normally held before a hearing officer. The respondent is notified of the time and place of the hearing.
5. After the hearing, the Commission determines if there has been a violation of the NPADA. If it finds no violation, the matter is dismissed. If it finds a violation, it may: A) assess a civil penalty of up to \$2,000 per violation; b) order the filing of certain reports or documents as required by the NPADA; or c) enter a cease and desist order.
6. Decisions of the Commission may be appealed by the respondent to the appropriate state district court.

Attachment A

To: Nebraska Accountability and Disclosure Commission

From: Gavin Geis

Subject: Complaint Regarding John Kuehn's Legal Expenditures Connected to Medical Marijuana Ballot Question Qualification

Date: 4/24/2025

This complaint is filed pursuant to § 49-14, 124 of the Nebraska Political Accountability and Disclosure Act (NPADA) and is based on information providing reason to believe that expenditures related to the qualification of the Nebraska Medical Cannabis Patient Protection initiative petition and the Nebraska Medical Cannabis Regulation initiative petition were not properly disclosed as required by § 49-1467 of the Nebraska Political Accountability and Disclosure Act.

In 2024, before the general election, a legal challenge to the qualification of two ballot questions pertaining to medical marijuana (the Nebraska Medical Cannabis Patient Protection initiative petition and the Nebraska Medical Cannabis Regulation initiative petition) was filed in the District Court of Lancaster County (Kuehn v. Evnen, CI 24-3244). In the lawsuit, Plaintiff John Kuehn made it explicit that he was challenging the qualification of the initiatives. He asked the Court to “find that the Petitions are legally insufficient . . . that the measure is invalid; and that the Secretary's September 13, 2024 certification thereof is invalid and without legal effect.” (Attachment B, p. 19, paragraph D).

An examination of Nebraska Accountability and Disclosure Commission (NADC) records shows that legal fees likely related to the defense of the ballot measures were reported by NMM. For example, on 10/28/2024, a campaign expense in the amount of \$39,570.00 was reported to the Law Office of Daniel Gutman. Likewise, an additional in-kind contribution of \$55,240.50 was reported on 12/19/2024 from the Second House Collaborative to NMM for the Law Firm of Daniel Gutman LLC.

Alternatively, there does not appear to be any reporting by plaintiff John Kuehn, or anyone else connected to the challenge, of the expenditures related to the plaintiff's case challenging the ballot questions' qualification.

This lack of disclosure is not likely due to an absence of expenditure on the legal challenge. Court records show that the legal case against the ballot questions involved multiple depositions, other discovery, extensive pre- and post-trial briefing, and a 4-day trial. Plaintiff John Kuehn retained both local and out-of-state counsel, including Anna Marie Mackin, Andrew La Grone, Steven Guenzel, and Cameron Guenzel.

Additionally, according to court records Kuehn hired Kory Langhofer and his firm Signafide, to verify signatures submitted by NMM to qualify the ballot questions. Langhofer testified that his firm spent 3600 hours on signature verification to prepare for the lawsuit at Kuehn's request. (Attachment C, p. 337, lines 9-13).

The NPADA requires disclosure of all expenditures in support of or opposition to the **qualification**, passage, or defeat of a ballot question, whether by a registered campaign (§ 49-1455 and § 49-1461), an independent source (§ 49-1467), or other entity (§ 49-1469). This includes all expenditures, whether monetary or in-kind (§ 49-1419). In the case of expenditures in opposition, these disclosure requirements do not demand the formation of a registered opposition campaign.

As such, it follows that all expenditures related to legal proceedings regarding the qualification of a ballot question should be subject to NPADA disclosure requirements. This is the case regardless of whether those expenses were incurred via a challenge to the qualification of a ballot question or in defense of a ballot question's qualification.

Given the disparity in reporting between the expenses in support of and in opposition to the qualification of the medical marijuana ballot questions, I request clarity from the NADC, stating whether disclosure is required for expenditures related to any legal challenge of the qualification of a ballot question.

If disclosure of such expenditures is required under the NPADA, I request full disclosure be required for all entities and individuals contributing or spending in support of or opposition to these questions.

If disclosure is required, I request that John Kuehn and/or the appropriate parties disclose their expenditures connected to the above referenced legal case and that the requirements of the NPADA be enforced to the full extent of the law.