

CITY OF ALBUQUERQUE

BOARD OF ETHICS AND CAMPAIGN PRACTICES

NERI HOLGUIN,

Complainant,

v.

CASE NO. BOE 01-2021

MANUEL GONZALES, III,

Respondent.

**COMPLAINANT'S LIST OF ISSUES TO BE CONSIDERED
BY THE BOARD OF ETHICS AND CAMPAIGN PRACTICES**

Neri Holguin, by and through her counsel of record, provides the following list of issues to be considered by the Board of Ethics and Campaign Practices at the hearing on July 16, 2021. Given the ongoing nature of the investigation into Mr. Gonzales's willful submission of Fraudulent Qualifying Contributions, Complainant reserves the right to supplement this list as needed.

1. Whether Manuel Gonzales III submitted Fraudulent Qualifying Contributions to the Office of the City Clerk.
2. Whether Manuel Gonzales III violated the laws and regulations governing the collection of Qualifying Contributions by refusing to collect \$5 from a voter who was signing a Qualifying Contribution receipt, and nonetheless submitted a receipt reflecting that the voter had provided a \$5 Qualifying Contribution.
3. Whether Manuel Gonzales III violated NMSA 1978, § 1-19-34.3(A) by making a campaign contribution in the name of another person.

4. Whether Manuel Gonzales III violated the 2021 Regulations of the Albuquerque City Clerk for the Election Code Part I(1) by making a contribution in the name of another person and submitting a report to the City Clerk identifying a contributor who is not the actual source of funds for the contribution.

5. Whether Manuel Gonzales III violated the 2021 Regulations of the Albuquerque City Clerk for the Open and Ethical Elections Code Part (C)(6) by failing to ensure that receipts are fully and correctly filled out and that all \$5 Qualifying Contributions are made by the named contributor.

6. Whether Manuel Gonzales III violated the 2021 Regulations of the Albuquerque City Clerk for the Open and Ethical Elections Code Part B(5) by failing to report seed money contributions.

7. Whether the Board should invoke its powers, pursuant to Section 4(C) of the Rules and Regulations of the Board of Ethics and Campaign Practices Relation to the Election Code, the Open and Ethical Election Code, and the Code of Ethics of the City Charter, to investigate the practices of the Gonzales Campaign, including but not limited to whether the campaign engaged in a pattern and practice of submitting Qualifying Contribution receipts without collecting \$5 contributions.

Respectfully submitted,

KEEFE LAW FIRM

By: /s/ Lauren Keefe

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Attorney for Complainant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 2nd day of July, 2021, the foregoing was sent via email to ewatson@cabq.gov, Aschultz@rodey.com, and carter@harrisonhartlaw.com.

KEEFE LAW FIRM

By: /s/ Lauren Keefe
Lauren Keefe