

# Exhibit B

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

FORT LAUDERDALE DIVISION

CASE NO. 16-cv-61511-WJZ

CAROL WILDING; STANLEY RIFKEN;  
SHARON CRAWFORD; WILLIAM SCOTT  
FRANZ; DAVID PULASKI; MARY  
JASMINE WELCH; JOSE ALBERTO  
GONZALEZ; JANE ELLEN PLATTNER;  
KIM MARIE HOULE; TIMOTHY BINGEN;  
SUSAN REED; ANGELA MONSON;  
AIMEE R. COLEMAN; ELESHA SNYDER;  
MATTHEW SHAW; ZACHARY JAMES  
HANEY; ESTRELLA GONZALEZ;  
CATHERINE G. CYKO; LAURA GENNA;  
MARIANNE BLAIR; TAMARA L.  
JOHNSTON; VALERIE ELYSE RASCH;  
BRETT TEEGARDIN; DANIEL O'MEARA;  
PEGGY LEW; DANIEL J. REYNOLDS;  
BRENDA LEE SMITH; MARLOWE ST.  
CLOUD PRIMACK; PATRICIA D.  
CASSIDY; BRITTANY R. MUSICK;  
HARRIS BIERHOFF; FELICIA MICHELLE  
TAYLOR; SUSAN L. SINGER; KYLE G.  
BRAUND; LAUREN HALE; WILLIAM  
CRANDALL; KIRSTEN HURST; DUFFY  
ROBERT WEISS; CONNIE ANDERSON;  
GREGORY WITKOWSKI; ELIZABETH  
FIGUEROA; BRANDY KINCAID;  
KIMBERLY ALBERTS; RACHEL  
RODERICK; LAURA MICHELLE  
VAUGHN; LISA GALE; TAMMY DEITCH-  
COULTER; KAYITE ASHCRAFT; ALECIA  
R. DAVIS; DOMINIC RONZANI; LUKE  
GRIM; ROSALIE CONSIGLIO; EDWIN  
LUGO; HEATHER DADE; MICHAEL S.  
REED; RHIANNON CRANDALL; RYAN  
GHAN; LISA SETTLE; YALONDA DYE  
COOPER; DANIEL S. COOPER;  
MATTHEW JOSEPH BRADY; ANDREW  
ROUSSEAU; SUSAN CATTERALL; JULIE

SECOND AMENDED COMPLAINT –

CLASS ACTION

DEMAND FOR JURY TRIAL

HAMPTON; CHRIS BUBB; ERIK FURREBOE; ZEKE SHAW; BENJAMIN ILARRAZA; LUCILLE GROOMS; CHRISTINE MAIURANO; LEWIS L. HUMISTON, IV; JOHN LYNCH; JAMES SIMON; LESTER JOHN BATES, III; JEFFREY GOLDBERG; RICK WASHIK; RICHARD BOOKER; KARLIE COLE; ERICH SPARKS; PRABU GOPALAKRISHNAN; CARLOS VILLAMAR; CAROLYN JACOBSON; DAN ELLIS DUDLEY; LISA ANNE MENEELY; D.J. BUSCHINI; RAYMOND D. MAXWELL; DAVID L. MEULI; KENNETH E. PUCKETT; DAVID N. PYLES; CYNTHIA T. CHAN; STEFANIE BIRDSONG; AMBER RAE KNOWLTON; TIMO A. JOHANN; JEFF ROGERS; HEATHER JORDAN; RANA KANGAS-KENT; SUSAN FRISBIE; BAKH INAMOV; THEDA LARSON-WRIGHT; KIRSTEN HOFFMAN; ANTHONY GRUDIN; BRUCE BUSTO; SUZANNE M. CORK; EMMA L. YOUNG; SEAN LYNCH; SHERRY DAVIS; NANCY BERNERS-LEE; PHYLLIS CRIDDLE; MELISSA LIANG; JOSEPH GLEASON; GRETA MICKEY; DIANE EMILY DREYFUS; KATHLEEN L. DODGE; CATHERINE WILLOTT; TRISTAN BURGNER; ERIK MICHAEL FERRAGUT; VINCENT CAUCHI; JOSEPH CALLAN; MARK BEDARD; BARBARA BOWEN; STEVE PHILIPP; SUSAN PHILLIPS; RICHARD J. BOYLAN; TERI MONACO; TUKOI JARRETT; ANNMARIE WILSON; ANDREW ORRINO; CRAIG CURRIER; JARATH HEMPHILL; GEORGE THOMAS; REBECCA WHITE-HAYES; ALAINA TALBOY; SARAH LOPEZ; ELIZA FEERO; REBECCA HOHM; GAYLE A. HARROD; ERIKA SITZER; STEPHEN HOUSEKNECHT; DIANE ROBINSON; JEN BETTERLEY; AMALIE DUVALL; JOHN CROWE; CARL MILLER; SUSAN ROPPEL; DIANA FLORES; JULIANNA SEYMOUR; MELISSA MARCOTTE;

DANIELLE INGRASSIA; ALETTE PRICHETT; and TORSHA CHILDS, individually, and on behalf of all those similarly situated,

Plaintiffs,

vs.

DNC SERVICES CORPORATION, d/b/a DEMOCRATIC NATIONAL COMMITTEE; and DEBORAH "DEBBIE" WASSERMAN SCHULTZ,

Defendants.

PLAINTIFFS CAROL WILDING; STANLEY RIFKEN; SHARON CRAWFORD; WILLIAM SCOTT FRANZ; DAVID PULASKI; MARY JASMINE WELCH; JOSE ALBERTO GONZALEZ; JANE ELLEN PLATTNER; KIM MARIE HOULE; TIMOTHY BINGEN; SUSAN REED; ANGELA MONSON; AIMEE R. COLEMAN; ELESHA SNYDER; MATTHEW SHAW; ZACHARY JAMES HANEY; ESTRELLA GONZALEZ; CATHERINE G. CYKO; LAURA GENNA; MARIANNE BLAIR; TAMARA L. JOHNSTON; VALERIE ELYSE RASCH; BRETT TEEGARDIN; DANIEL O'MEARA; PEGGY LEW; DANIEL J. REYNOLDS; BRENDA LEE SMITH; MARLOWE ST. CLOUD PRIMACK; PATRICIA D. CASSIDY; BRITTANY R. MUSICK; HARRIS BIERHOFF; FELICIA MICHELLE TAYLOR; SUSAN L. SINGER; KYLE G. BRAUND; LAUREN HALE; WILLIAM CRANDALL; KIRSTEN HURST; DUFFY ROBERT WEISS; CONNIE ANDERSON; GREGORY WITKOWSKI; ELIZABETH FIGUEROA; BRANDY KINCAID; KIMBERLY ALBERTS; RACHEL RODERICK; LAURA MICHELLE VAUGHN; LISA GALE; TAMMY DEITCH-COULTER; KAYITE ASHCRAFT; ALECIA R. DAVIS; DOMINIC RONZANI; LUKE GRIM; ROSALIE CONSIGLIO; EDWIN LUGO; HEATHER DADE; MICHAEL S. REED;

RHIANNON CRANDALL; RYAN GHAN; LISA SETTLE; YALONDA DYE COOPER;  
DANIEL S. COOPER; MATTHEW JOSEPH BRADY; ANDREW ROUSSEAU; SUSAN  
CATTERALL; JULIE HAMPTON; CHRIS BUBB; ERIK FURREBOE; ZEKE SHAW;  
BENJAMIN ILARRAZA; LUCILLE GROOMS; CHRISTINE MAIURANO; LEWIS L.  
HUMISTON, IV; JOHN LYNCH; JAMES SIMON; LESTER JOHN BATES, III; JEFFREY  
GOLDBERG; RICK WASHIK; RICHARD BOOKER; KARLIE COLE; ERICH SPARKS;  
PRABU GOPALAKRISHNAN; CARLOS VILLAMAR; CAROLYN JACOBSON; DAN  
ELLIS DUDLEY; LISA ANNE MENEELY; D.J. BUSCHINI; RAYMOND D. MAXWELL;  
DAVID L. MEULI; KENNETH E. PUCKETT; DAVID N. PYLES; CYNTHIA T. CHAN;  
STEFANIE BIRDSONG; AMBER RAE KNOWLTON; TIMO A. JOHANN; JEFF ROGERS;  
HEATHER JORDAN; RANA KANGAS-KENT; SUSAN FRISBIE; BAKH INAMOV;  
THEDA LARSON-WRIGHT; KIRSTEN HOFFMAN; ANTHONY GRUDIN; BRUCE BUSTO;  
SUZANNE M. CORK; EMMA L. YOUNG; SEAN LYNCH; SHERRY DAVIS; NANCY  
BERNERS-LEE; PHYLLIS CRIDDLE; MELISSA LIANG; JOSEPH GLEASON; GRETA  
MICKEY; DIANE EMILY DREYFUS; KATHLEEN L. DODGE; CATHERINE WILLOTT;  
TRISTAN BURGNER; ERIK MICHAEL FERRAGUT; VINCENT CAUCHI; JOSEPH  
CALLAN; MARK BEDARD; BARBARA BOWEN; STEVE PHILIPP; SUSAN PHILLIPS;  
RICHARD J. BOYLAN; TERI MONACO; TUKOI JARRETT; ANNMARIE WILSON;  
ANDREW ORRINO; CRAIG CURRIER; JARATH HEMPHILL; GEORGE THOMAS;  
REBECCA WHITE-HAYES; ALAINA TALBOY; SARAH LOPEZ; ELIZA FEERO;  
REBECCA HOHM; GAYLE A. HARROD; ERIKA SITZER; STEPHEN HOUSEKNECHT;  
DIANE ROBINSON; JEN BETTERLEY; AMALIE DUVALL; JOHN CROWE; CARL  
MILLER; SUSAN ROPPEL; DIANA FLORES; JULIANNA SEYMOUR; MELISSA

MARCOTTE; DANIELLE INGRASSIA; ALETTE PRICHETT; and TORSHA CHILDS (collectively, “Plaintiffs”), individually and on behalf of all those similarly situated, by and through undersigned counsel, hereby sue Defendants, DNC SERVICES CORPORATION d/b/a DEMOCRATIC NATIONAL COMMITTEE and DEBORAH “DEBBIE” WASSERMAN SCHULTZ (collectively, “Defendants”), and allege the following:

**JURISDICTION AND VENUE**

1. This Court has original jurisdiction over the claims asserted herein individually and on behalf of the class pursuant to 28 U.S.C. §1332(d), as amended in February 2005 by the Class Action Fairness Act. Alternatively, this Court has original jurisdiction under 28 U.S.C. §1332(a). Subject matter jurisdiction is proper because: (1) the amount in controversy in this class action exceeds five million dollars, exclusive of interest and costs; and (2) a substantial number of the members of the proposed classes are citizens of a state different from that of Defendants. Personal jurisdiction is proper as both Defendants have purposefully availed themselves of the privilege of conducting business activities within this District, and Defendant, Deborah “Debbie” Wasserman Schultz resides in and is a Congresswoman representing portions of this District. Venue is proper in this judicial district under 28 U.S.C. §1391(b)(1) because both Defendants are deemed to reside in this District and under 28 U.S.C. §1391(b)(2) because both Defendants conduct business in this District and a substantial part of the acts or omissions giving rise to the claims set forth herein occurred in this District.

**THE PARTIES AND CERTAIN RELEVANT NON-PARTIES**

**Plaintiffs**

2. Plaintiff Carol Wilding (“Wilding”) is a citizen of Florida. She contributed a total of \$445.50 to Bernie Sanders’ presidential campaign via ActBlue.

3. Plaintiff Stanley Rifken (“Rifken”) is a citizen of New York. He contributed a total of \$552.00 to Bernie Sanders’ presidential campaign via ActBlue.

4. Plaintiff Sharon Crawford (“Crawford”) is a citizen of North Carolina. She contributed a total of \$600.00 to Bernie Sanders’ presidential campaign via ActBlue.

5. Plaintiff William Scott Franz (“Franz”) is a citizen of California. He contributed a total of \$2,447.00 to Bernie Sanders’ presidential campaign via ActBlue.

6. Plaintiff David Pulaski (“Pulaski”) is a citizen of Texas. He contributed a total of \$254.10 to Bernie Sanders’ presidential campaign via ActBlue.

7. Plaintiff Mary Jasmine Welch (“Welch”) is a citizen of Oregon. She contributed a total of \$2,447.00 to Bernie Sanders’ presidential campaign via ActBlue.

8. Plaintiff Jose Alberto Gonzalez (“J. Gonzalez”) is a citizen of Texas. He contributed a total of \$25.00 to Bernie Sanders’ presidential campaign via ActBlue.

9. Plaintiff Jane Ellen Plattner (“Plattner”) is a citizen of Colorado. She contributed a total of \$1,700.00 to Bernie Sanders’ presidential campaign via ActBlue.

10. Plaintiff Kim Marie Houle (“Houle”) is a citizen of Connecticut. She contributed a total of \$445.00 to Bernie Sanders’ presidential campaign via ActBlue.

11. Plaintiff Timothy Bingen (“Bingen”) is a citizen of North Dakota. He contributed a total of \$379.00 to Bernie Sanders’ presidential campaign via ActBlue.

12. Plaintiff Susan Reed (“S. Reed”) is a citizen of Maryland. She contributed a total of \$1,289.00 to Bernie Sanders’ presidential campaign via ActBlue.

13. Plaintiff Angela Monson (“Monson”) is a citizen of Minnesota. She contributed a total of \$350.00 to Bernie Sanders’ presidential campaign via ActBlue.

14. Plaintiff Aimee R. Coleman (“Coleman”) is a citizen of Tennessee. She contributed a total of \$2,544.13 to Bernie Sanders’ presidential campaign via ActBlue.

15. Plaintiff Elesha Snyder (“Snyder”) is a citizen of Ohio. She contributed a total of \$365.50 to Bernie Sanders’ presidential campaign via ActBlue.

16. Plaintiff Matthew Shaw (“M. Shaw”) is a citizen of Kansas. He contributed a total of \$222.00 to Bernie Sanders’ presidential campaign via ActBlue.

17. Plaintiff Zachary James Haney (“Haney”) is a citizen of Massachusetts. He contributed a total of \$91.50 to Bernie Sanders’ presidential campaign via ActBlue.

18. Plaintiff Estrella Gonzalez (“E. Gonzalez”) is a citizen of Ohio. She contributed a total of \$5.00 to Bernie Sanders’ presidential campaign via ActBlue.

19. Plaintiff Catherine G. Cyko (“Cyko”) is a citizen of Illinois. She contributed a total of \$1,156.00 to Bernie Sanders’ presidential campaign via ActBlue.

20. Plaintiff Laura Genna (“Genna”) is a citizen of New Jersey. She contributed a total of \$87.80 to Bernie Sanders’ presidential campaign via ActBlue.

21. Plaintiff Marianne Blair (“Blair”) is a citizen of Illinois. She contributed a total of \$2,669.50 to Bernie Sanders’ presidential campaign via ActBlue.

22. Plaintiff Tamara L. Johnston (“Johnston”) is a citizen of Missouri. She contributed a total of \$87.00 to Bernie Sanders’ presidential campaign via ActBlue.

23. Plaintiff Valerie Elyse Rasch (“Rasch”) is a citizen of Wisconsin. She contributed a total of \$47.00 to Bernie Sanders’ presidential campaign via ActBlue.

24. Plaintiff Brett Teegardin (“Teegardin”) is a citizen of Washington. He contributed a total of \$192.00 to Bernie Sanders’ presidential campaign via ActBlue.



25. Plaintiff Daniel O'Meara ("O'Meara") is a citizen of New Hampshire. He contributed a total of \$153.00 to Bernie Sanders' presidential campaign via ActBlue.

26. Plaintiff Peggy Lew ("Lew") is a citizen of Washington. She contributed a total of \$480.00 to Bernie Sanders' presidential campaign via ActBlue.

27. Plaintiff Daniel J. Reynolds ("Reynolds") is a citizen of Arkansas. He contributed a total of \$182.81 to Bernie Sanders' presidential campaign via ActBlue.

28. Plaintiff Brenda Lee Smith ("Smith") is a citizen of Florida. She contributed a total of \$4.00 to Bernie Sanders' presidential campaign via ActBlue.

29. Plaintiff Marlowe St. Cloud Primack ("Primack") is a citizen of California. She contributed a total of \$1,082.58 to Bernie Sanders' presidential campaign via ActBlue.

30. Plaintiff Patricia D. Cassidy ("Cassidy") is a citizen of Pennsylvania. She contributed a total of \$1,036.00 to Bernie Sanders' presidential campaign via ActBlue.

31. Plaintiff Brittany R. Musick ("Musick") is a citizen of Georgia. She contributed a total of \$19.00 to Bernie Sanders' presidential campaign via ActBlue.

32. Plaintiff Harris Bierhoff ("Bierhoff") is a citizen of California. He contributed a total of \$215.00 to Bernie Sanders' presidential campaign via ActBlue.

33. Plaintiff Felicia Michelle Taylor ("Taylor") is a citizen of Utah. She contributed a total of \$82.00 to Bernie Sanders' presidential campaign via ActBlue.

34. Plaintiff Susan L. Singer ("Singer") is a citizen of Illinois. She contributed a total of \$223.00 to Bernie Sanders' presidential campaign via ActBlue.

35. Plaintiff Kyle G. Braund ("Braund") is a citizen of Alabama. He contributed a total of \$54.00 to Bernie Sanders' presidential campaign via ActBlue.

36. Plaintiff Lauren Hale (“Hale”) is a citizen of Maine. She contributed a total of \$35.00 to Bernie Sanders’ presidential campaign via ActBlue.

37. Plaintiff William Crandall (“W. Crandall”) is a citizen of California. He contributed a total of \$1,705.34 to Bernie Sanders’ presidential campaign via ActBlue.

38. Plaintiff Kirsten Hurst (“Hurst”) is a citizen of Idaho. She contributed a total of \$2,447.00 to Bernie Sanders’ presidential campaign via ActBlue.

39. Plaintiff Duffy Robert Weiss (“Weiss”) is a citizen of North Dakota. He contributed a total of \$121.00 to Bernie Sanders’ presidential campaign via ActBlue.

40. Plaintiff Connie Anderson (“Anderson”) is a citizen of Texas. She contributed a total of approximately \$900.00 to Bernie Sanders’ presidential campaign via ActBlue.

41. Plaintiff Gregory Witkowski (“Witkowski”) is a citizen of New York. He contributed a total of \$445.00 to Bernie Sanders’ presidential campaign via ActBlue.

42. Plaintiff Elizabeth Figueroa (“Figueroa”) is a citizen of California. She contributed a total of \$246.50 to Bernie Sanders’ presidential campaign via ActBlue.

43. Plaintiff Brandy Kincaid (“Kincaid”) is a citizen of Tennessee. She contributed a total of \$314.24 to Bernie Sanders’ presidential campaign via ActBlue.

44. Plaintiff Kimberly Alberts (“Alberts”) is a citizen of Pennsylvania. She contributed a total of \$24.48 to Bernie Sanders’ presidential campaign via ActBlue.

45. Plaintiff Rachel Roderick (“Roderick”) is a citizen of Rhode Island. She contributed a total of \$599.15 to Bernie Sanders’ presidential campaign via ActBlue.

46. Plaintiff Laura Michelle Vaughn (“Vaughn”) is a citizen of Alaska. She contributed a total of \$238.80 to Bernie Sanders’ presidential campaign via ActBlue.

47. Plaintiff Lisa Gale (“Gale”) is a citizen of North Carolina. She contributed a total of \$730.37 to Bernie Sanders’ presidential campaign via ActBlue.

48. Plaintiff Tammy Deitch-Coulter (“Deitch-Coulter”) is a citizen of Michigan. She contributed a total of \$228.00 to Bernie Sanders’ presidential campaign via ActBlue.

49. Plaintiff Kayite Ashcraft (“Ashcraft”) is a citizen of Virginia. He contributed a total of \$2,447.00 to Bernie Sanders’ presidential campaign via ActBlue.

50. Plaintiff Alecia R. Davis (“A. Davis”) is a citizen of Montana. She contributed a total of \$531.00 to Bernie Sanders’ presidential campaign via ActBlue.

51. Plaintiff Dominic Ronzani (“Ronzani”) is a citizen of Florida. He contributed a total of \$38.54 to Bernie Sanders’ presidential campaign via ActBlue.

52. Plaintiff Luke Grim (“Grim”) is a citizen of Pennsylvania. He contributed a total of \$30.00 to Bernie Sanders’ presidential campaign via ActBlue.

53. Plaintiff Rosalie Consiglio (“Consiglio”) is a citizen of Maryland. She contributed a total of \$260.00 to Bernie Sanders’ presidential campaign via ActBlue.

54. Plaintiff Edwin Lugo (“Lugo”) is a citizen of New York. He contributed a total of \$53.00 to Bernie Sanders’ presidential campaign via ActBlue.

55. Plaintiff Heather Dade (“Dade”) is a citizen of Washington, DC. She contributed a total of \$110.00 to Bernie Sanders’ presidential campaign via ActBlue.

56. Plaintiff Michael S. Reed (“M. Reed”) is a citizen of Wyoming. He contributed a total of \$75.00 to Bernie Sanders’ presidential campaign via ActBlue.

57. Plaintiff Rhiannon Crandall (“R. Crandall”) is a citizen of Texas. She contributed a total of approximately \$1.00 to Bernie Sanders’ presidential campaign via ActBlue.

58. Plaintiff Ryan Ghan (“Ghan”) is a citizen of Nevada. He contributed a total of \$431.25 to Bernie Sanders’ presidential campaign via ActBlue.

59. Plaintiff Lisa Settle (“Settle”) is a citizen of California. She contributed a total of \$1,255.40 to Bernie Sanders’ presidential campaign via ActBlue.

60. Plaintiff Yalonda Dye Cooper (“Y. Cooper”) is a citizen of Michigan. She contributed a total of 139.00 to Bernie Sanders’ presidential campaign via ActBlue.

61. Plaintiff Daniel S. Cooper (“D. Cooper”) is a citizen of Michigan. He contributed a total of \$110.00 to Bernie Sanders’ presidential campaign via ActBlue.

62. Plaintiff Matthew Joseph Brady (“Brady”) is a citizen of Delaware. He contributed a total of \$1,220.00 to Bernie Sanders’ presidential campaign via ActBlue.

63. Plaintiff Andrew Rousseau (“Rousseau”) is a citizen of Vermont. He contributed a total of \$290.00 to Bernie Sanders’ presidential campaign via ActBlue.

64. Plaintiff Susan Catterall (“Catterall”) is a citizen of Indiana. She contributed a total of \$127.00 to Bernie Sanders’ presidential campaign via ActBlue.

65. Plaintiff Julie Hampton (“Hampton”) is a citizen of Iowa. She contributed a total of \$277.00 to Bernie Sanders’ presidential campaign via ActBlue.

66. Plaintiff Chris Bubb (“Bubb”) is a citizen of North Carolina. He contributed a total of \$92.39 to Bernie Sanders’ presidential campaign via ActBlue.

67. Plaintiff Erik Furreboe (“Furreboe”) is a citizen of Arizona. He contributed a total of \$13.00 to Bernie Sanders’ presidential campaign via ActBlue.

68. Plaintiff Zeke Shaw (“Z. Shaw”) is a citizen of Georgia. He contributed a total of \$3.00 to Bernie Sanders’ presidential campaign via ActBlue.

69. Plaintiff Benjamin Ilarraza (“Ilarraza”) is a citizen of Texas. He contributed a total of \$225.00 to Bernie Sanders’ presidential campaign via ActBlue.

70. Plaintiff Lucille Grooms (“Grooms”) is a citizen of Idaho. She contributed a total of \$284.00 to Bernie Sanders’ presidential campaign via ActBlue.

71. Plaintiff Christine Maiurano (“Maiurano”) is a citizen of New York. She contributed a total of \$530.50 to Bernie Sanders’ presidential campaign via ActBlue.

72. Plaintiff Lewis L. Humiston, IV (“Humiston”) is a citizen of Washington. He contributed a total of \$108.00 to Bernie Sanders’ presidential campaign via ActBlue.

73. Plaintiff John Lynch (“J. Lynch”) is a citizen of Florida. He contributed a total of \$1,349.00 to Bernie Sanders’ presidential campaign via ActBlue.

74. Plaintiff James Simon (“Simon”) is a citizen of New York. He contributed a total of \$2,700.00 to Bernie Sanders’ presidential campaign via ActBlue.

75. Plaintiff Lester John Bates, III (“Bates”) is a citizen of Hawaii. He contributed a total of approximately \$390.00 to Bernie Sanders’ presidential campaign via ActBlue.

76. Plaintiff Jeffrey Goldberg (“Goldberg”) is a citizen of Colorado. He contributed a total of \$82.00 to Bernie Sanders’ presidential campaign via ActBlue.

77. Plaintiff Rick Washik (“Washik”) is a citizen of New York. He contributed a total of \$304.20 to Bernie Sanders’ presidential campaign via ActBlue.

78. Plaintiff Richard Booker (“Booker”) is a citizen of Virginia. He contributed a total of \$228.37 to Bernie Sanders’ presidential campaign via ActBlue.

79. Plaintiff Karlie Cole (“Cole”) is a citizen of Minnesota. She contributed a total of \$226.00 to Bernie Sanders’ presidential campaign via ActBlue.

80. Plaintiff Erich Sparks (“Sparks”) is a citizen of New York. He contributed a total of \$382.80 to Bernie Sanders’ presidential campaign via ActBlue.

81. Plaintiff Prabu Gopalakrishnan (“Gopalakrishnan”) is a citizen of Illinois. He contributed a total of \$191.00 to Bernie Sanders’ presidential campaign via ActBlue.

82. Plaintiff Carlos Villamar (“Villamar”) is a citizen of Virginia. He contributed a total of \$195.00 to Bernie Sanders’ presidential campaign via ActBlue.

83. Plaintiff Carolyn Jacobson (“Jacobson”) is a citizen of California. She contributed a total of \$300.00 to Bernie Sanders’ presidential campaign via ActBlue.

84. Plaintiff Dan Ellis Dudley (“Dudley”) is a citizen of Massachusetts. He contributed a total of \$773.50 to Bernie Sanders’ presidential campaign via ActBlue.

85. Plaintiff Lisa Anne Meneely (“Meneely”) is a citizen of California. She contributed a total of \$105.00 to Bernie Sanders’ presidential campaign via ActBlue.

86. Plaintiff D.J. Buschini (“Buschini”) is a citizen of Massachusetts. He contributed a total of \$13.00 to Bernie Sanders’ presidential campaign via ActBlue.

87. Plaintiff Raymond D. Maxwell (“Maxwell”) is a citizen of Washington, District of Columbia. He contributed a total of \$114.00 to Bernie Sanders’ presidential campaign via ActBlue.

88. Plaintiff David L. Meuli (“Meuli”) is a citizen of Alaska. He contributed a total of \$423.50 to Bernie Sanders’ presidential campaign via ActBlue.

89. Plaintiff Kenneth E. Puckett (“Puckett”) is a citizen of Oregon. He contributed a total of \$1,972.26 to Bernie Sanders’ presidential campaign via ActBlue.

90. Plaintiff David N. Pyles (“Pyles”) is a citizen of New Hampshire. He contributed a total of \$1,005.50 to Bernie Sanders’ presidential campaign via ActBlue.

91. Plaintiff Cynthia T. Chan (“Chan”) is a citizen of Georgia. She contributed a total of \$111.00 to Bernie Sanders’ presidential campaign via ActBlue.

92. Plaintiff Stefanie Birdsong (“Birdsong”) is a citizen of Colorado. She contributed a total of \$159.00 to Bernie Sanders’ presidential campaign via ActBlue.

93. Plaintiff Amber Rae Knowlton (“Knowlton”) is a citizen of Massachusetts. She contributed a total of \$277.50 to Bernie Sanders’ presidential campaign via ActBlue.

94. Plaintiff Timo A. Johann (“Johann”) is a citizen of North Carolina. He contributed a total of \$35.00 to Bernie Sanders’ presidential campaign via ActBlue.

95. Plaintiff Jeff Rogers (“Rogers”) is a citizen of Washington. He contributed a total of \$160.00 to Bernie Sanders’ presidential campaign via ActBlue.

96. Plaintiff Heather Jordan (“Jordan”) is a citizen of Arkansas. She contributed a total of \$26.50 to Bernie Sanders’ presidential campaign via ActBlue.

97. Plaintiff Rana Kangas-Kent (“Kangas-Kent”) is a citizen of California. She contributed a total of \$156.00 to Bernie Sanders’ presidential campaign via ActBlue.

98. Plaintiff Susan Frisbie (“Frisbie”) is a citizen of California. She contributed a total of \$1,456.80 to Bernie Sanders’ presidential campaign via ActBlue.

99. Plaintiff Bakh Inamov (“Inamov”) is a citizen of California. He contributed a total of \$187.00 to Bernie Sanders’ presidential campaign via ActBlue.

100. Plaintiff Theda Larson-Wright (“Larson-Wright”) is a citizen of New Mexico. She contributed a total of \$1,012.65 to Bernie Sanders’ presidential campaign via ActBlue.

101. Plaintiff Kirsten Hoffman (“Hoffman”) is a citizen of Massachusetts. She contributed a total of \$2,700.00 to Bernie Sanders’ presidential campaign via ActBlue.

102. Plaintiff Anthony Grudin (“Grudin”) is a citizen of Vermont. He contributed a total of \$64.00 to Bernie Sanders’ presidential campaign via ActBlue.

103. Plaintiff Bruce Busto (“Busto”) is a citizen of Florida. He contributed a total of \$375.00 to Bernie Sanders’ presidential campaign via ActBlue.

104. Plaintiff Suzanne M. Cork (“Cork”) is a citizen of Nevada. She contributed a total of \$10 to the Defendant, DNC Services Corporation D/B/A Democratic National Committee (the “DNC”) in 2016.

105. Plaintiff Emma L. Young (“Young”) is a citizen of Illinois. She contributed a total of \$15 to the DNC between December 2015 and January 2016. She contributed online.

106. Plaintiff Sean Lynch (“S. Lynch”) is a citizen of Virginia. He contributed a total of \$3 to the DNC in 2016. He contributed online.

107. Plaintiff Sherry Davis (“S. Davis”) is a citizen of Washington. She contributed a total of \$173 to the DNC in 2015-2016. She contributed in various ways, including online at [www.democrats.org](http://www.democrats.org).

108. Plaintiff Nancy Berners-Lee (“Berners-Lee”) is a citizen of Massachusetts. She contributed a total of \$100 to the DNC on or about July 20, 2015. She contributed by check.

109. Plaintiff Phyllis Criddle (“Criddle”) is a citizen of Massachusetts. She contributed a total of \$18 to the DNC on or about May 16, 2016. She contributed by check.

110. Plaintiff Melissa Liang (“Liang”) is a citizen of Michigan. She is a registered Democrat, and has been for the past 16 years.

111. Plaintiff Joseph Gleason (“Gleason”) is a citizen of Washington. He is a registered Democrat, and has been for the past eight years.



112. Plaintiff Greta Mickey (“Mickey”) is a citizen of New York. She is a registered Democrat, and has been for over 10 years.

113. Plaintiff Diane Emily Dreyfus (“Dreyfus”) is a citizen of Maryland. She is a registered Democrat, and has been for over 40 years.

114. Plaintiff Kathleen L. Dodge (“Dodge”) is a citizen of Massachusetts. She is a registered Democrat, and has been for 46 years.

115. Plaintiff Catherine Willott (“Willott”) is a citizen of California. She is a registered Democrat, and has been for 32 years.

116. Plaintiff Tristan Burgener (“Burgener”) is a citizen of Arizona. He is a registered Democrat, and has been for three years.

117. Plaintiff Erik Michael Ferragut (“Ferragut”) is a citizen of Tennessee. He is a registered Democrat, and has been for 20 years.

118. Plaintiff Vincent J. Cauchi, Jr. (“Cauchi”) is a citizen of California. He is a registered Democrat, and has been for 40 years.

119. Plaintiff Joseph Callan (“Callan”) is a citizen of California. He is a registered Democrat, and has been for over five years.

120. Plaintiff Mark Bedard (“Bedard”) is a citizen of New York. He is a registered Democrat, and has been for eight years.

121. Plaintiff Barbara Bowen (“Bowen”) is a citizen of Louisiana. She is a registered Democrat, and has been for the past 15 years.

122. Plaintiff Steve Philipp (“Philipp”) is a citizen of New York. He is a registered Democrat, and has been for the past 16 years.

123. Plaintiff Susan Phillips (“Phillips”) is a citizen of Wisconsin. She is a registered Democrat, and has been for over 40 years.

124. Plaintiff Richard Boylan (“Boylan”) is a citizen of California. He is a registered Democrat, and has been for over 35 years.

125. Plaintiff Teri Monaco (“Monaco”) is a citizen of Florida. She is a registered Democrat, and has been for over 10 years.

126. Plaintiff Tukoi Jarrett (“Jarrett”) is a citizen of Illinois. He is a registered Democrat, and has been for 22 years.

127. Plaintiff AnnMarie Wilson (“Wilson”) is a citizen of Texas. She is a registered Democrat, and has been for 41 years.

128. Plaintiff Andrew Orrino (“Orrino”) is a citizen of Connecticut. He is a registered Democrat, and has been for nine years.

129. Plaintiff Craig Richard Currier (“Currier”) is a citizen of Oregon. He is a registered Democrat, and has been for approximately 12 years.

130. Plaintiff Jarath Hemphill (“Hemphill”) is a citizen of New York. He is a registered Democrat, and has been for the past 34 years.

131. Plaintiff George Thomas (“Thomas”) is a citizen of Washington. He is a registered Democrat, and has been for the past 35 years.

132. Plaintiff Rebecca White-Hayes (“White-Hayes”) is a citizen of Illinois. She is a registered Democrat, and has been for the past 22 years.

133. Plaintiff Alaina Talboy (“Talboy”) is a citizen of Florida. She is a registered Democrat, and has been for over 10 years.

134. Plaintiff Sarah López (“López”) is a citizen of Oregon. She is a registered Democrat, and has been for the past 16 years.

135. Plaintiff Eliza Feero (“Feero”) is a citizen of New York. She is a registered Democrat, and has been for the past 13 years.

136. Plaintiff Rebecca Hohm (“Hohm”) is a citizen of Missouri. She is a registered Democrat, and has been for the past 30 years.

137. Plaintiff Gayle Ann Harrod (“Harrod”) is a citizen of Maryland. She is a registered Democrat, and has been for approximately 30 years.

138. Plaintiff Erika Sitzer (“Sitzer”) is a citizen of North Carolina. She is a registered Democrat, and has been for approximately eight years.

139. Plaintiff Stephen Houseknecht (“Houseknecht”) is a citizen of New York. He is a registered Democrat, and has been for the past 44 years.

140. Plaintiff Diane Robinson (“Robinson”) is a citizen of California. She is a registered Democrat, and has been for approximately 28 years.

141. Plaintiff Jen Betterley (“Betterley”) is a citizen of Washington. She is a registered Democrat, and has been for at least 10 years.

142. Plaintiff Amalie Duvall (“Duvall”) is a citizen of Missouri. She is a registered Democrat, and has been for approximately 23 years.

143. Plaintiff John Crowe (“Crowe”) is a citizen of Nebraska. He is a registered Democrat, and has been for approximately five years.

144. Plaintiff Carl Miller (“Miller”) is a citizen of North Carolina. He is a registered Democrat, and has been for the past 24 years.

145. Plaintiff Susan Roppel (“Roppel”) is a citizen of Michigan. She is a registered Democrat, and has been for approximately 32 years.

146. Plaintiff Diana Flores (“Flores”) is a citizen of Tennessee. She is a registered Democrat, and has been for the past eight years.

147. Plaintiff Julianna Seymour (“Seymour”) is a citizen of New York. She is a registered Democrat, and has been for the last 13 years.

148. Plaintiff Melissa Marcotte (“Marcotte”) is a citizen of Rhode Island. She is a registered Democrat, and has been for approximately 13 years.

149. Plaintiff Danielle Ingrassia (“Ingrassia”) is a citizen of California. She is a registered Democrat, and has been for over eight years.

150. Plaintiff Alette Prichett (“Prichett”) is a citizen of California. She is a registered Democrat, and has been for over 15 years.

151. Plaintiff Torsha Childs (“Childs”) is a citizen of New York. She is a registered Democrat, and has been for over 25 years.

152. Plaintiffs represent only a fraction of the individuals who are willing and able to serve as class representatives in this action. In the past several weeks, over 1,000 additional members of the proposed classes have volunteered to be class representatives, and have retained undersigned counsel in order to do so. Within the same timeframe, undersigned counsel have received over 13,000 inquiries from potential class members seeking information about the suit, and inquiries continue to come in.

### **Defendants**

153. Defendant, DNC Services Corporation, d/b/a Democratic National Committee (the “DNC”), at all times relevant hereto, was and is a not-for-profit corporation organized under

the laws of the District of Columbia and is the operating body of the United States Democratic Party. The DNC maintains its principal place of business at 430 South Capitol Street Southeast in Washington, District of Columbia.

154. Defendant, Deborah “Debbie” Wasserman Schultz (“Wasserman Schultz”) has been the Chairperson of the DNC since 2011. Wasserman Schultz is a citizen of Florida with offices in Pembroke Pines, Florida, and Aventura, Florida, in addition to offices in Washington, D.C.

**Non-Party**

155. Non-party ActBlue is a United States political action committee established in June 2004 that enables online fundraising for Democratic Party campaigns. ActBlue charges a 3.95% “processing” fee for each contribution. Some Plaintiffs utilized ActBlue’s online services to make the contributions referred to herein.

**GENERAL FACTS**

156. The DNC is the formal governing body for the United States Democratic Party. The DNC is responsible for coordinating strategy in support of Democratic Party candidates for local, state, and national office.

157. As part of its duties, the DNC organizes the Democratic National Convention every four years to nominate and confirm a candidate for President, and establishes rules for the state caucuses and primaries that choose delegates to the convention.

158. Since 2011, Wasserman Schultz has been Chairperson of the DNC. Wasserman Schultz has also served as the U.S. Representative for Florida’s 23rd congressional district since 2013; before then, she represented Florida’s 20th district in the U.S. House of Representatives starting in 2005.

159. The DNC is governed by the Charter and Bylaws of the Democratic Party. These governing documents expressly obligate the DNC to maintain a neutral posture with respect to candidates seeking the party's nomination for President during the nominating process. Article 5, Section 4 of the Charter states:

The National Chairperson shall serve full time and shall receive such compensation as may be determined by agreement between the Chairperson and the Democratic National Committee. In the conduct and management of the affairs and procedures of the Democratic National Committee, particularly as they apply to the preparation and conduct of the Presidential nominating process, the Chairperson **shall exercise impartiality and evenhandedness** as between the Presidential candidates and campaigns. The Chairperson shall be responsible for ensuring that the national officers and staff of the Democratic National Committee **maintain impartiality and evenhandedness** during the Democratic Party Presidential nominating process.

(emphasis added).

160. Consistent with what the Charter requires, the DNC, through Wasserman Schultz and other employees, and from the very beginning of the presidential race, has consistently and publicly affirmed its impartiality and evenhandedness with respect to the nominating process for the Democratic nominee for President in 2016. For example:

- a) A September 3, 2015 article in *Politico* reporting on Wasserman Schultz's relationships with Hillary Clinton and Joe Biden quoted Wasserman Schultz as saying, "I count both Secretary Clinton and Vice President Biden as dear friends,

but no matter who comprises our field of candidates it's my job to run a neutral primary process and that's what I am committed to doing[.]”<sup>1</sup>

b) A September 16, 2015 article in *The Daily Beast* on the Democratic candidate debate schedule quoted DNC spokesperson Holly Shulman (“Shuman”) as stating, “[t]he DNC runs an impartial primary process.”<sup>2</sup>

c) Shulman was also quoted in an article appearing in the Daily Mail Online (UK) on October 16, 2015, as stating, “[t]he DNC runs an impartial primary process, period.”<sup>3</sup>

d) In a CNN appearance on May 17, 2016, where she discussed alleged “violence” by supporters of Bernie Sanders at the Nevada State Democratic

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<sup>1</sup> See Edward-Isaac Dovere & Marc Caputo, “Wasserman Schultz’s divided loyalties,” **Politico**, available at <http://www.politico.com/story/2015/09/debbie-wasserman-schultz-joe-biden-hillary-clinton-2016-loyalty-213294> (last visited June 20, 2016).

<sup>2</sup> See Olivia Nuzzi, “Is the Democratic National Committee in the Tank for Hillary?,” **The Daily Beast**, available at <http://www.thedailybeast.com/articles/2015/09/16/is-the-democratic-national-committee-in-the-tank-for-hillary.html> (last visited June 20, 2016).

<sup>3</sup> See David Martosko, “Democratic National Committeewoman says her party is ‘clearing a path’ for Hillary because ‘the women in charge’ want it that way,” available at <http://www.dailymail.co.uk/news/article-3273404/Democratic-National-Committeewoman-says-party-clearing-path-Hillary-women-charge-want-way.html> (last visited June 20, 2016).

Convention, Wasserman Schultz stated that, “[t]he Democratic National Committee remains neutral in this primary, based on our rules.”<sup>4</sup>

e) In a statement quoted by the Associated Press on May 21, 2016, while discussing Sanders’ endorsement of her primary opponent for Congress, Wasserman Schultz stated, “[e]ven though Senator Sanders has endorsed my opponent, I remain, as I have been from the beginning, neutral in the presidential Democratic primary.”<sup>5</sup>

161. Despite the requirements in the Charter, and in spite of the multiple public declarations of neutrality and impartiality with respect to the Democratic primary process, the DNC was not neutral. To the contrary, the DNC was biased in favor of one candidate – Hillary Clinton (“Clinton”) – from the beginning and throughout the process. The DNC devoted its considerable resources to supporting Clinton above any of the other Democratic candidates. Through its public claims to being neutral and impartial, the DNC actively concealed its bias from its own donors as well as donors to the campaigns of Clinton’s rivals, including Bernie Sanders (“Sanders”).

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<sup>4</sup> The video may be viewed on the internet at [http://www.realclearpolitics.com/video/2016/05/17/debbie\\_wasserman\\_schultz\\_what\\_happened\\_at\\_nevada\\_convention\\_was\\_unacceptable\\_sanders\\_added\\_fuel\\_to\\_the\\_fire.html](http://www.realclearpolitics.com/video/2016/05/17/debbie_wasserman_schultz_what_happened_at_nevada_convention_was_unacceptable_sanders_added_fuel_to_the_fire.html) (last visited June 20, 2016).

<sup>5</sup> See Tribune news services, “Sanders says he is backing opponent of DNC chair Wasserman Schultz,” **Chicago Tribune** (May 21, 2016), *available at* <http://www.chicagotribune.com/news/nationworld/politics/ct-sanders-dnc-chair-20160521-story.html> (last visited June 20, 2016).



162. The truth of the DNC's deception started to come to public light in June 2016.

163. On June 14, 2016, officials of the DNC announced that Russian government hackers had penetrated its computer network. The hackers had access to the network for approximately one year. According to the Washington Post, "[t]he intruders so thoroughly compromised the DNC's system that they also were able to read all email and chat traffic" – but in the same article, "[t]he DNC said that no financial, donor or personal information appears to have been accessed or taken[.]"<sup>6</sup>

164. The same day, CrowdStrike – a network security consulting firm retained by the DNC to investigate and respond to the breach – publicly released more details. According to CrowdStrike, two separate hacker groups affiliated with the Russian government, codenamed "Cozy Bear" and "Fancy Bear," were detected as having infiltrated the DNC network. Both groups have a long history of successfully targeting sensitive government and industry computer networks in both the United States and other countries, often using "sophisticated phishing attacks." CrowdStrike concluded that Cozy Bear's intrusion of the DNC network began in summer of 2015, while Fancy Bear separately breached it in April 2016.<sup>7</sup>

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<sup>6</sup> See Ellen Nakashima, "Russian government hackers penetrated DNC, stole opposition research on Trump," **The Washington Post** (June 14, 2016), *available at* [https://www.washingtonpost.com/world/national-security/russian-government-hackers-penetrated-dnc-stole-opposition-research-on-trump/2016/06/14/cf006cb4-316e-11e6-8ff7-7b6c1998b7a0\\_story.html](https://www.washingtonpost.com/world/national-security/russian-government-hackers-penetrated-dnc-stole-opposition-research-on-trump/2016/06/14/cf006cb4-316e-11e6-8ff7-7b6c1998b7a0_story.html) (last visited June 23, 2016).

<sup>7</sup> See Dmitri Alperovitch, "Bears in the Midst: Intrusion into the Democratic National Committee," **CrowdStrike Blog** (June 14, 2016, updated June 15, 2016), *available at* <https://www.crowdstrike.com/blog/bears-midst-intrusion-democratic-national-committee/> (last visited June 23, 2016); Michael Kan, "Russian hackers breach DNC computers, steal data on Donald Trump," **PCWorld** (June 14, 2016), *available at* <http://www.pcworld.com/article/3083440/security/russian-hackers-breach-dnc-computers-steal-data-on-trump.html> (last visited June 23, 2016).

165. On June 15, 2016, an individual using the name “Guccifer 2.0” established a publicly accessible website (<https://guccifer2.wordpress.com>) and posted a statement taking credit for the DNC server hack.<sup>8</sup> Below the statement, Guccifer 2.0 posted a series of documents purportedly taken from the DNC’s servers including: (a) a 281-page confidential “Donald Trump Report” purportedly submitted to the DNC on 12/19/15 and containing extensive research on the presumptive Republican presidential nominee; (b) Excel spreadsheets containing the names and personal information of donors to the Democratic Party and Hillary Clinton’s campaign; and (c) a 59-page memorandum marked “Secret” setting forth national security and foreign policy “promises and proposals” and purportedly obtained from Clinton’s personal computer.<sup>9</sup>

166. Among the documents released by Guccifer 2.0 on June 15th is a two-page Microsoft Word file with a “Confidential” watermark that appears to be a memorandum written to the Democratic National Committee regarding “2016 GOP presidential candidates” and dated May 26, 2015. A true and correct copy of this document (hereinafter, “DNC Memo”) is attached as **Exhibit 1**.<sup>10</sup>

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<sup>8</sup> See Ellen Nakashima, “‘Guccifer 2.0’ claims credit for DNC hack,” **The Washington Post** (June 15, 2016), *available at* [https://www.washingtonpost.com/world/national-security/guccifer-20-claims-credit-for-dnc-hack/2016/06/15/abdcdf48-3366-11e6-8ff7-7b6c1998b7a0\\_story.html](https://www.washingtonpost.com/world/national-security/guccifer-20-claims-credit-for-dnc-hack/2016/06/15/abdcdf48-3366-11e6-8ff7-7b6c1998b7a0_story.html) (last visited June 23, 2016).

<sup>9</sup> Guccifer 2.0, “DNC’s Servers Hacked By A Lone Hacker,” *available at* <https://guccifer2.wordpress.com/2016/06/15/dnc/> (last visited June 23, 2016).

<sup>10</sup> Despite being asked the question repeatedly, the DNC has never confirmed or denied the authenticity of any of the documents released by Guccifer 2.0. See Reno Berkeley, “DNC Tight-Lipped About Authenticity Of Documents From Guccifer 2.0 Hack,” **Inquisitr** (June 17, 2016), *available at* <http://www.inquisitr.com/3212344/dnc-tight-lipped-about-authenticity-of-documents-from-guccifer-2-0-hack/> (last visited June 24, 2016).

167. The DNC Memo presents, “a suggested strategy for positioning and public messaging around the 2016 Republican presidential field.” It states that, “Our goals in the coming months will be to frame the Republican field and the eventual nominee early and to provide a contrast between the GOP field and HRC.<sup>11</sup>” (emphasis added). The DNC Memo also advises that the DNC, “[u]se specific hits to muddy the waters around ethics, transparency and campaign finance attacks on HRC.” In order to “muddy the waters” around Clinton’s perceived vulnerabilities, the DNC Memo suggests “several different methods” of attack including: (a) “[w]orking through the DNC” to “utilize reporters” and create stories in the media “with no fingerprints”; (b) “prep[ping]” reporters for interviews with GOP candidates and having off-the-record conversations with them; (c) making use of social media attacks; and (d) using the DNC to “insert our messaging” into Republican-favorable press.

168. By the date of the DNC Memo, the Democratic presidential nomination field already included, in addition to Clinton, Bernie Sanders, who announced his candidacy on April 30, 2015.<sup>12</sup> And at the time, there was also widespread speculation that others would soon enter the primary race including Joe Biden, Lincoln Chafee, Martin O’Malley, Elizabeth Warren, and Jim Webb.<sup>13</sup>

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<sup>11</sup> “HRC” is short for Hillary Rodham Clinton.

<sup>12</sup> See Dan Merica, “Bernie Sanders is running for president,” **CNN Politics** (Apr. 30, 2015), available at <http://www.cnn.com/2015/04/29/politics/bernie-sanders-announces-presidential-run/> (last visited June 23, 2016).

<sup>13</sup> See Newsday.com with the Associated Press, “2016 presidential race: Possible Democratic candidates,” **Newsday** (Apr. 29, 2015), available at <http://www.newsday.com/news/nation/democrats-who-may-run-for-president-in-2016-from-clinton-to-biden-1.9988978> (last visited June 23, 2016). Of these, only Joe Biden and Elizabeth Warren ultimately decided not to run.

169. Despite there being every indication that the 2016 Democratic primary would be contested by multiple candidates, including Sanders, the DNC Memo makes *no mention* of any Democratic candidate except Clinton, and builds the DNC's election strategy on the assumption that Clinton *will be* the nominee, with no doubts attached. Rather than reflecting an "impartial" or "evenhanded" approach to the nominating process, as required by the Charter, the DNC Memo strongly indicates that the DNC's entire approach to the process was guided by the singular goal of elevating Clinton to the general election contest.

170. On June 18 and 21, 2016, Guccifer 2.0 released additional files purportedly taken from the DNC's servers. Among these documents are even more items that appear to be of a highly sensitive nature including: (a) multiple spreadsheets of donors to the DNC and other organizations, including the Clinton Foundation, containing personal information such as names, email addresses, and phone numbers; (b) a "private and confidential" memorandum to Secretary of Defense Ashton Carter from a senior advisor regarding appointments to the Joint Chiefs of Staff; (c) fee, travel, and lodging requirements for Clinton's paid speeches; (d) Clinton's tax returns; and (e) thousands of pages of research, apparently prepared by DNC staff as well as Clinton's campaign staff, relating to Clinton's candidacy including her "vulnerabilities," potential attacks, rebuttals, policy positions, and opposition research on the other Democratic candidates.<sup>14</sup>

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<sup>14</sup> See "DNC Researched Clinton Speeches, Travel Records," **The Smoking Gun** (June 21, 2016), available at <http://www.thesmokinggun.com/documents/crime/dnc-researched-clinton-speeches-travel-records-621985> (last visited June 24, 2016); Salam Marcos, "Guccifer 2.0: 'Neutral' DNC Staff Conducted Research for Clinton," **Progressive Army**, (June 21, 2016) available at <http://progressivearmy.com/2016/06/21/guccifer-2-0-dnc-conducted-research-clinton/> (last visited June 24, 2016); Stephen K. Bannon & Alexander Marlow, "Secret Memo: 42-Page Leaked DNC Document Reveals Clinton Foundation Scandal 'Vulnerabilities' For Hillary Clinton," **Breitbart** (June 21, 2016),

171. These additional files entail further, substantial evidence that the DNC was anything but “impartial,” “evenhanded,” or “neutral” with respect to the Democratic nominating process. To the contrary, and in spite of the governing Charter and its multiple public statements, the DNC devoted its resources to propelling Clinton’s candidacy ahead of all of her rivals, even if this meant working directly against the interests of Democratic Party members, including Bernie Sanders’ supporters.

172. All conditions precedent to the commencement and prosecution to final judgment of this civil action have taken place, have been performed, or have been waived or excused by Defendants.

173. Plaintiffs have been compelled to engage the services of the undersigned attorneys and to pay them a reasonable fee.

### **CLASS ACTION ALLEGATION**

174. Plaintiffs bring this lawsuit on behalf of themselves and the proposed class members under Rules 23(b)(1), (b)(2), and (b)(3) of the Federal Rules of Civil Procedure, as noted below.

175. There are three proposed classes (hereinafter collectively referred to as the “Classes”):

- a) All people or entities who have contributed to the DNC from January 1, 2015 through the date of this action (“DNC Donor Class”);

- b) All people or entities who have contributed to the Bernie Sanders campaign from January 1, 2015 through the date of this action (“Sanders Donor Class”); and
- c) All registered members of the Democratic Party (“Democratic Party Class”).<sup>15</sup>

176. Plaintiffs, Cork, Young, S. Lynch, S. Davis, Berners-Lee, and Criddle bring this action on behalf of themselves and the DNC Donor Class. Hereinafter, they will be referred to collectively as the “DNC Donor Class Plaintiffs.”

177. Plaintiffs, Wilding, Rifken, Crawford, Franz, Pulaski, Welch, J. Gonzalez, Plattner, Houle, Bingen, S. Reed, Monson, Coleman, Snyder, M. Shaw, Haney, E. Gonzalez, Cyko, Genna, Blair, Johnston, Rasch, Teegardin, O’Meara, Lew, Reynolds, Smith, Primack, Cassidy, Musick, Bierhoff, Taylor, Singer, Braund, Hale, W. Crandall, Hurst, Weiss, Anderson, Witkowski, Figueroa, Kincaid, Alberts, Roderick, Vaughn, Gale, Deitch-Coulter, Ashcraft, A. Davis, Ronzani, Grim, Consiglio, Lugo, Dade, M. Reed, R. Crandall, Ghan, Settle, Y. Cooper, D. Cooper, Brady, Rousseau, Catterall, Hampton, Bubb, Furreboe, Z. Shaw, Ilarraza, Grooms, Maiurano, Humiston, J. Lynch, Simon, Bates, Goldberg, Washik, Booker, Cole, Sparks, Gopalakrishnan, Villamar, Jacobson, Dudley, Meneely, Buschini, Maxwell, Meuli, Puckett, Pyles, Chan, Birdsong, Knowlton, Johann, Rogers, Jordan, Kangas-Kent, Frisbie, Inamov, Larson-Wright, Hoffman, Grudin, and Busto bring this action on behalf of themselves and the

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<sup>15</sup> Specifically excluded from the class definitions are Defendants; the officers, directors, or employees of Defendants; any entity in which Defendants have a controlling interest; and any affiliate, legal representative, heir, or assign of Defendants. Also excluded are any federal, state, or local governmental entities, any judicial officer presiding over this action and the members of his/her immediate family and judicial staff, and any juror assigned to this action.

Sanders Donor Class. Hereinafter, they will be referred to collectively as the “Sanders Donor Class Plaintiffs.”

178. Plaintiffs, Liang, Gleason, Mickey, Dreyfus, Dodge, Willott, Burgener, Ferragut, Cauchi, Callan, Bedard, Bowen, Philipp, Phillips, Boylan, Monaco, Jarrett, Wilson, Orrino, Currier, Hemphill, Thomas, White-Hayes, Talboy, Lopez, Feero, Hohm, Harrod, Sitzer, Houseknecht, Robinson, Betterley, Duvall, Crowe, Miller, Roppel, Flores, Seymour, Marcotte, Ingrassia, Prichett, and Childs bring this action on behalf of themselves and the Democratic Party Class. Hereinafter, they will be referred to collectively as the “Democratic Party Class Plaintiffs.”

179. **Numerosity.** The members of each of the Classes are so numerous that their individual joinder is impracticable.

180. **Existence and Predominance of Common Questions of Law and Fact.** Common questions of law and fact exist as to all members of the Classes and predominate over any questions affecting only individual members of the Classes.

181. **Typicality.** Plaintiffs’ claims are typical of the claims of the members of the Classes they seek to represent, and Plaintiffs have the same claims as those of the other class members they seek to represent.

182. **Adequacy of Representation.** Plaintiffs will fairly and adequately protect the interests of the members of their respective Classes. Plaintiffs have retained counsel highly experienced in class action litigation, and Plaintiffs intend to prosecute this action vigorously. Plaintiffs have no adverse or antagonistic interests to those of the Classes.

183. The prosecution of separate actions by individual members of the Classes would create a risk of inconsistent or varying adjudications with respect to individual members of the

Classes which would establish incompatible standards of conduct for the parties opposing the Classes.

184. Defendants acted on grounds generally applicable to the Classes with respect to the matters complained of herein, thereby making appropriate the relief sought herein with respect to each of the Classes as a whole.

**CAUSES OF ACTION**

**COUNT I**

**(Fraud)  
(DNC Donor Class & Sanders Donor Class)**

185. The DNC Donor Class Plaintiffs and the Sanders Donor Class Plaintiffs re-allege paragraphs 1 through 184 above as if fully set forth herein.

186. Defendants knowingly made false statements and omissions concerning material facts.

187. Defendants intended that the false statements and omissions would induce the DNC Donor Class Plaintiffs, the Sanders Donor Class Plaintiffs, and members of the DNC Donor Class and the Sanders Donor Class, to rely on them.

188. The DNC Donor Class Plaintiffs, the Sanders Donor Class Plaintiffs, and members of the DNC Donor Class and the Sanders Donor Class, relied on Defendants' false statements and omissions to their injury.

189. Defendants' conduct was intentional, willful, wanton, and malicious. Defendants had actual knowledge of the wrongfulness of the conduct and the high probability that injury to the DNC Donor Class Plaintiffs, the Sanders Donor Class Plaintiffs, and members of the DNC Donor Class and the Sanders Donor Class would result and, despite that knowledge, intentionally pursued that course of conduct, resulting in injury.



190. Defendants' conduct was so reckless or wanting in care that it constituted a conscious disregard or indifference to the rights of the DNC Donor Class Plaintiffs, the Sanders Donor Class Plaintiffs, and members of the DNC Donor Class and the Sanders Donor Class.

**COUNT II**

**(Negligent Misrepresentation)  
(DNC Donor Class & Sanders Donor Class)**

191. The DNC Donor Class Plaintiffs and the Sanders Donor Class Plaintiffs re-allege paragraphs 1 through 184 above as if fully set forth herein.

192. Defendants made misrepresentations and omissions concerning material facts.

193. At the time of the misrepresentations and omissions, Defendants either knew them to be false, made them without knowledge of the truth or falsity, or should have known them to be false.

194. Defendants intended that the misrepresentations and omissions would induce the DNC Donor Class Plaintiffs, the Sanders Donor Class Plaintiffs, and members of the DNC Donor Class and the Sanders Donor Class, to rely on them.

195. The DNC Donor Class Plaintiffs, the Sanders Donor Class Plaintiffs, and members of the DNC Donor Class and the Sanders Donor Class, justifiably relied on Defendants' misrepresentations and omissions to their injury.

196. Defendants' conduct was intentional, willful, wanton, and malicious. Defendants had actual knowledge of the wrongfulness of the conduct and the high probability that injury to the DNC Donor Class Plaintiffs, the Sanders Donor Class Plaintiffs, and members of the DNC Donor Class and the Sanders Donor Class would result and, despite that knowledge, intentionally pursued that course of conduct, resulting in injury.

197. Defendants' conduct was so reckless or wanting in care that it constituted a conscious disregard or indifference to the rights of The DNC Donor Class Plaintiffs, the Sanders Donor Class Plaintiffs, and members of the DNC Donor Class and the Sanders Donor Class and members of the DNC Donor Class and Sanders Donor Class.

**COUNT III**

**(Violation of § 28-3904 of the D.C. Code)  
(DNC Donor Class & Sanders Donor Class)**

198. The DNC Donor Class Plaintiffs, the Sanders Donor Class Plaintiffs, and members of the DNC Donor Class and the Sanders Donor Class re-allege paragraphs 1 through 184 above as if fully set forth herein.

199. For purposes of the allegations in this complaint, the DNC Donor Class Plaintiffs, the Sanders Donor Class Plaintiffs, and members of the DNC Donor Class and the Sanders Donor Class, are "consumers" pursuant to subsection 28-3901(a)(2) of the District of Columbia Code.

200. For purposes of the allegations in this complaint, Defendants are "persons" pursuant to subsection 28-3901(a)(1) of the District of Columbia Code.

201. Defendants misrepresented as to material facts that had a tendency to mislead the DNC Donor Class Plaintiffs, the Sanders Donor Class Plaintiffs, and members of the DNC Donor Class and the Sanders Donor Class.

202. Defendants failed to state material facts, and such failure tended to mislead the DNC Donor Class Plaintiffs, the Sanders Donor Class Plaintiffs, and members of the DNC Donor Class and the Sanders Donor Class.

203. As such, Defendants violated subsections 28-3904(e) and 28-3904(f) of the District of Columbia Code.

204. Defendants' conduct was intentional, willful, wanton, and malicious. Defendants had actual knowledge of the wrongfulness of the conduct and the high probability that injury to the DNC Donor Class Plaintiffs, the Sanders Donor Class Plaintiffs, and members of the DNC Donor Class and the Sanders Donor Class would result and, despite that knowledge, intentionally pursued that course of conduct, resulting in injury.

205. Defendants' conduct was so reckless or wanting in care that it constituted a conscious disregard or indifference to the rights of The DNC Donor Class Plaintiffs, the Sanders Donor Class Plaintiffs, and members of the DNC Donor Class and the Sanders Donor Class.

**COUNT IV**

**(Unjust Enrichment)  
(DNC Donor Class)**

206. The DNC Donor Class Plaintiffs re-allege paragraphs 1 through 184 above as if fully set forth herein.

207. The DNC Donor Class Plaintiffs and members of the DNC Donor Class conferred benefits on the Defendants, who had knowledge thereof.

208. Defendants voluntarily accepted and retained the benefits conferred.

209. The circumstances are such that it would be inequitable for the Defendants to retain the benefits without paying the value thereof to the DNC Donor Class Plaintiffs and members of the DNC Donor Class.

210. Defendants' conduct was intentional, willful, wanton, and malicious. Defendants had actual knowledge of the wrongfulness of the conduct and the high probability that injury to the DNC Donor Class Plaintiffs and members of the DNC Donor Class would result and, despite that knowledge, intentionally pursued that course of conduct, resulting in injury.

211. Defendants' conduct was so reckless or wanting in care that it constituted a conscious disregard or indifference to the rights of the DNC Donor Class Plaintiffs and members of the DNC Donor Class.

**COUNT V**

**(Breach of Fiduciary Duty)  
(Democratic Party Class)**

212. The Democratic Party Class Plaintiffs re-allege paragraphs 1 through 184 above as if fully set forth herein.

213. Defendants had a fiduciary duty to the Democratic Party Class Plaintiffs and members of the Democratic Party Class.

214. Defendants breached their fiduciary duty to the Democratic Party Class Plaintiffs and members of the Democratic Party Class.

215. The Democratic Party Class Plaintiffs and members of the Democratic Party Class have been proximately damaged by Defendants' breach.

216. Defendants' conduct was intentional, willful, wanton, and malicious. Defendants had actual knowledge of the wrongfulness of the conduct and the high probability that injury to the Democratic Party Class Plaintiffs and members of the Democratic Party Class would result and, despite that knowledge, intentionally pursued that course of conduct, resulting in injury.

217. Defendants' conduct was so reckless or wanting in care that it constituted a conscious disregard or indifference to the rights of the Democratic Party Class Plaintiffs and members of the Democratic Party Class.

**COUNT VI**

**(Negligence)  
(DNC Donor Class)**

218. The DNC Donor Class Plaintiffs as re-allege paragraphs 1 through 184 above as if fully set forth herein.

219. Defendants owed a duty to the DNC Donor Class Plaintiffs and members of the DNC Donor Class to use and exercise reasonable and due care in obtaining, retaining, and securing the personal and financial information provided to them in connection with their contributions to the DNC.

220. Defendants owed a duty to the DNC Donor Class Plaintiffs and members of the DNC Donor Class to provide security, consistent with industry standards and requirements, to ensure that the DNC's computer systems and networks, and the personnel responsible for them, adequately protected the personal and financial information of the DNC Donor Class Plaintiffs and members of the DNC Donor Class.

221. Defendants owed a duty of care to the DNC Donor Class Plaintiffs and members of the DNC Donor Class because they were a foreseeable and probable victim of any inadequate data security practices. Defendants solicited, gathered, and stored the sensitive financial and personal data provided by the DNC Donor Class Plaintiffs and members of the DNC Donor Class to facilitate their contributions. Defendants knew they inadequately safeguarded this information on the DNC computer systems and that sophisticated hackers routinely attempted to access this valuable data without authorization. Defendants knew that a breach of the system would inflict considerable damages upon the DNC Donor Class Plaintiffs and members of the DNC Donor Class, and Defendants were therefore charged with a duty to adequately protect this critically sensitive information.

222. Defendants maintained a special relationship with the DNC Donor Class Plaintiffs and members of the DNC Donor Class. The DNC Donor Class Plaintiffs and members of the DNC Donor Class entrusted Defendants with their personal and financial information on the assumption that Defendants would safeguard this information, and Defendants were in a position to protect against the harm suffered by the DNC Donor Class Plaintiffs and members of the DNC Donor Class as a result of the network breaches.

223. In light of their special relationship with the DNC Donor Class Plaintiffs and members of the DNC Donor Class, Defendants knew, or should have known, of the risks inherent in collecting and storing the personal and financial information of the DNC Donor Class Plaintiffs and members of the DNC Donor Class, and the importance of providing adequate security of that information.

224. Defendants breached the duties they owed to the DNC Donor Class Plaintiffs and members of the DNC Donor Class by failing to exercise reasonable care and implement adequate security protocols – including protocols consistent with industry standards – sufficient to protect the personal and financial information of the DNC Donor Class Plaintiffs and members of the DNC Donor Class.

225. Defendants breached the duties they owed to the DNC Donor Class Plaintiffs and members of the DNC Donor Class by failing to properly implement technical systems or security practices that could have prevented the theft of the information at issue.

226. Defendants breached the duties they owed to the DNC Donor Class Plaintiffs and members of the DNC Donor Class by failing to properly maintain the sensitive personal and financial information of the DNC Donor Class Plaintiffs and members of the DNC Donor Class.

Given the risk involved and the amount of data at issue, Defendants breach of their duties was entirely unreasonable.

227. As a direct and proximate result of Defendants' negligent conduct, the DNC Donor Class Plaintiffs and members of the DNC Donor Class have suffered injury and are entitled to damages in an amount to be proven at trial.

228. Defendants' conduct was so reckless or wanting in care that it constituted a conscious disregard or indifference to the safety and rights of the DNC Donor Class Plaintiffs and members of the DNC Donor Class.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs pray for a judgment:

229. For declaratory and injunctive relief declaring illegal and enjoining, preliminarily and permanently, Defendants' violation of and failure to follow the Charter and Bylaws of the Democratic Party;

230. Certification of this action as a class action, designation of Plaintiffs as class representatives and undersigned counsel as class counsel;

231. For compensatory, general, restitutionary, restorative, statutory, treble, and special damages for Plaintiffs against Defendants;

232. Exemplary/punitive damages as against Defendants in an amount sufficient to deter and to make an example of Defendants;

233. Attorneys' fees and costs;

234. Prejudgment and post-judgment interest; and

235. The cost of this suit and such other relief as the court finds just and proper.

**JURY DEMAND**

236. Plaintiffs demand a jury trial on all issues so triable.

DATED: November 24, 2017

RESPECTFULLY SUBMITTED,

/s/ Jared H. Beck

By: Jared H. Beck

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Counsel for Plaintiffs and the Proposed Classes



# Exhibit 1

To: The Democratic National Committee  
Re: 2016 GOP presidential candidates  
Date: May 26, 2015

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Below, please find a suggested strategy for positioning and public messaging around the 2016 Republican presidential field. Ultimately, we need to

## **Our Goals& Strategy**

Our goals in the coming months will be to frame the Republican field and the eventual nominee early and to provide a contrast between the GOP field and HRC. Over the long-term, these efforts will be aimed at getting us the best match-up in the general election, and weakening the eventual nominee through the course of the primary. We have outlined three strategies to obtain our goal:

- 1) Highlight when GOP candidates are outside of the mainstream on key issues, ideally driving the rest of the field to follow with positions that will hurt them in a general election;
- 2) Damage Republican presidential candidates' credibility with voters by looking for targeted opportunities to undermine their specific messaging;
- 3) Use specific hits to muddy the waters around ethics, transparency and campaign finance attacks on HRC

## **Operationalizing the Strategy**

### *Highlighting Extreme or Unpopular Positions*

There are two ways to approach the strategies mentioned above. The first is to use the field as a whole to inflict damage on itself similar to what happened to Mitt Romney in 2012. The variety and volume of candidates is a positive here, and many of the lesser known can serve as a cudgel to move the more established candidates further to the right. In this scenario, we don't want to marginalize the more extreme candidates, but make them more "Pied Piper" candidates who actually represent the mainstream of the Republican Party. In these issues, we would elevate statements and policies from any candidate—including second and third-tier candidates—on issues that will make them seem too far to the right on social issues and too far from the priorities of everyday Americans on economic issues.

### *Undermining Their Message& Credibility, Based on our General Election Priorities*

In addition to pinning down the field on key issues, we will work to undermine the Republican candidate's specific messaging, while keeping in mind which candidates and which messages we believe are most powerful. These messages and the responses to them will change given new campaign positioning and new learnings from polling and research, but on these issues, we will keep the focus on the most likely candidates to allow some possibility for growth with the weaker candidates.

- Jeb Bush
  - What to undermine: the notion he is a "moderate" or concerned about regular Americans; perceived inroads with the Latino population.
- Marco Rubio

- What to undermine: the idea he has “fresh” ideas; his perceived appeal to Latinos and younger voters
- Scott Walker
  - What to undermine: his Wisconsin record, particularly on jobs; the idea he can rally working- and middle class Americans.
- Rand Paul
  - What to undermine: the idea he is a “different” kind of Republican; his stance on the military and his appeal to millennials and communities of color.
- Chris Christie
  - What to undermine: his success as governor, his hypocrisy in telling it like it is vs. his ethical issues and acts of a typical politician.

### *Muddying the Waters*

As we all know, the right wing attack machine has been building its opposition research on Hillary Clinton for decades. HRC's critics have been telegraphing they are ready to attack and do so with reckless abandon. While reporters have much less of an appetite for ethics stories about GOP candidates, we will utilize the research to place highly targeted hits—for example, GOP candidates taking positions supported by their major super PAC donors.

### **Tactics**

Working with the DNC and allied groups, we will use several different methods to land these attacks, including:

- **Reporter Outreach:** Working through the DNC and others, we should use background briefings, prep with reporters for interviews with GOP candidates, off-the-record conversations and oppo pitches to help pitch stories with no fingerprints and utilize reporters to drive a message.
- **Releases and Social Media:** Where appropriate these attacks can be leveraged for more public release, particularly the attacks around specific issues where a public release can point out that Republicans are outside of the mainstream.
- **Bracketing Events:** Both the DNC and outside groups are looking to do events and press surrounding Republican events to insert our messaging into their press and to force them to answer questions around key issues.

We look forward to discussing this strategy further. Our goal is to use this conversation to answer the questions who do we want to run against and how best to leverage other candidates to maneuver them into the right place.