

BEFORE THE FEDERAL ELECTION COMMISSION

Augustus Invictus for President Inc.
424 E. Central Blvd. #154
Orlando, FL 32801

Mr. Sean Dougherty, Treasurer

Rock Hill, SC 29730

Complainants,

v.

PayPal Holdings Inc.
2211 North First Street
San Jose, CA 95131

MUR # 7649

OFFICE OF
GENERAL COUNSEL
2019 OCT 10 PM 12:36

Respondent.

COMPLAINT

Complainant files this complaint under 52 U.S.C. § 30109 against PayPal Holdings Inc. based on information providing reason to believe that Respondents violated provisions of the Federal Election Campaign Act of 1971, as amended (the “Act”), 52 U.S.C. § 30101, *et seq.* and Federal Election Commission (“FEC” or the “Commission”) regulations, in addition to conspiring to violate several provisions of the Act, as described below.

Complainant has reason to believe that Respondent violated several provisions of the Act to deliberately interfere with the finance of a political campaign. In doing so, Respondent not only directly violated multiple Act provisions, but also conspired to violate several provisions of the Act, including 52 U.S.C. § 30118 and 52 U.S.C. § 30116. The Respondents’ actions are an attack on the freedom of speech and the electoral process and should be investigated promptly to determine the extent of the violations.

On August 10, 2019, Sean Dougherty, as the authorized campaign Treasurer for Augustus Invictus for President Inc. (FEC ID# C00715706), opened an account with PayPal for the sole purpose of raising campaign funds. As articulated by the disclaimer on FEC website¹ the committee was made aware that filing was not required until funds had been raised in the amount of \$5,000.00 or more.

Despite this stipulation, the campaign committee had preemptively started the filing process; the committee FEC Form 2 being filed August 6, 2019 and FEC Form 1 the following week on August 14, 2019 (Filing ID-1347784). A final amendment to the committee's FEC Form 2 to reflect a change in name of the committee was completed and filed August 16, 2019.

Augustus Invictus for President Inc. has been registered with the IRS for legal 501(c)(3) status since August 9, 2019 (EIN: 84-2675366) as well as being current on all subsequent required IRS and FEC filings.

Mr. Augustus Invictus announced his candidacy for the Presidency the night of August 11, 2019 and PayPal was utilized as a payment processor for initial donations to the campaign. On Friday evening August 16, 2019, Mr. Dougherty received a notice from PayPal support that the business account for the campaign of Augustus Invictus for President, Inc. had been "permanently limited" due to a violation of PayPal's "Acceptable Use Policy"² with no additional reasons or explanation given.³ On the same day, the Candidate's law practice, "The Law Office of Augustus Invictus, P.A.", had also had its PayPal processor placed in the same "permanently limited" status.⁴

¹ <https://www.fec.gov/help-candidates-and-committees/guides/>

² <https://www.paypal.com/us/webapps/mpp/ua/acceptableuse-full>

³ Attached email (doc 1) dated 8/16/19

⁴ Attached email (doc 2) dated 8/16/19

Mr. Invictus' personal and business accounts had previously been shut down in late 2017 in retaliation for having organized the Unite the Right rally in Charlottesville, Virginia in August 2017. On October 10, 2018, Mr. Invictus incorporated a new law firm, for which he opened a PayPal account on February 13, 2019. On April 27, 2019, Mr. Invictus spoke with an anonymous source at PayPal who informed Mr. Invictus that his law office account had been allowed to remain open because it was a legitimate law office and was not involved in activism. This account was allowed to remain open from February 13, 2019 until the start of the presidential campaign. Obviously both the law office and campaign accounts being terminated on August 16, 2019 was for political reasons. Neither has PayPal even bothered to deny this.

Mr. Dougherty called PayPal's customer service team to request information as to why both payment processors associated with Mr. Invictus had been terminated the same day with no provided explanation. He was directed to a "security and fraud team" supervisor who informed him that reasons for account termination were not to be released over the phone. Mr. Dougherty asked the supervisor what actions must be taken to obtain information on any alleged violation of said agreement and was instructed to either mail the PayPal corporate office directly or subpoena the information via the police.

We also note that these companies have not terminated the accounts of other candidates, which should be seen as an in-kind contribution to those candidates; which contributions we sincerely doubt are being reported, in violation of campaign finance law.

Due to the aforementioned actions of PayPal, we believe these actions constitute federal election interference by a large publicly traded company with vested private interest and are therefore worthy of investigation by administrative authority.

“A gift, subscription, loan . . . advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office is a contribution.” 11 C.F.R. § 100.52. PayPal has contributed something of value to all other Candidates for the presidential office in terminating the account of Augustus Invictus for President, Inc. while not terminating the accounts of any other Candidate.

Augustus Invictus for President, Inc. raised roughly \$1,000 through PayPal in the roughly five (5) days the account was live. This means that, had this account not been terminated, the account would have raised \$73,000 before the primary election in August 2020. This means that PayPal has contributed \$73,000 to every other candidate in violation of 52 U.S.C. § 30116 by willfully terminating Complainant’s account.

PayPal being a corporation, this is also a violation of 52 U.S.C. § 30118.

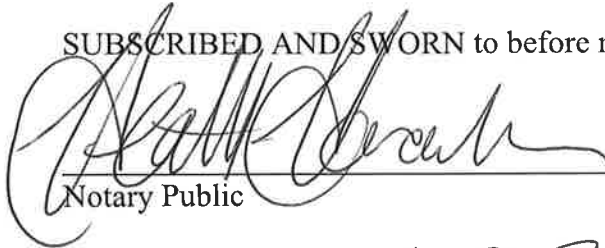
As we have shown, Respondents have violated federal law by conspiring to violate federal campaign finance law and directly or indirectly violated the contribution limit restrictions and prohibitions and the reporting requirements of the Act. Complainant respectfully requests that the Federal Election Commission promptly investigates these violations, fines the Respondents the maximum amount permitted by law, and refers any relevant violations to the Department of Justice for criminal prosecution, as deemed appropriate.

Sincerely,



Sean Dougherty
for Augustus Invictus for President, Inc.

SUBSCRIBED AND SWORN to before me on this 8th day of October 2019.



Notary Public

My Commission Expires: 6-28-28



doc 1

Your account has been limited

Received: Friday, August 16, 2019 5:59 PM

From: **service@paypal.com** service@paypal.com

To: **Augustus Invictus for President INC.** revcontreasury@protonmail.com

Hello, Sean Dougherty



We've permanently limited your account

After a recent review of your account activity, we've determined you are in violation of PayPal's Acceptable Use Policy. As a result, we've permanently limited your account.

Please remove all references to PayPal from your website(s) and/or auction(s). This includes not only removing PayPal as a payment option, but also the PayPal logo and PayPal shopping cart.

Per the User Agreement, when PayPal permanently limits an account due to an Acceptable Use Policy violation, any funds on your account are held for 180 days. After 180 days, if applicable, we'll contact you with information on how to withdraw any money in your PayPal account.

Should any chargebacks result in your account balance falling below zero, then you'll also need to settle the amount owed to PayPal to avoid further action.

You can find the complete PayPal Acceptable Use Policy by clicking Legal at the bottom of any PayPal page.



[Help & Contact](#) | [Security](#) | [Apps](#)



PayPal is committed to preventing fraudulent emails. Emails from PayPal will always contain your full name. Learn to identify phishing

doc 2 (1)

Fw: Your account has been limited

Sent:  Monday, September 2, 2019 2:10 PM

From: RevConTreasury RevConTreasury@protonmail.com

To: n

Sent with ProtonMail Secure Email.

----- Original Message -----

On Friday, August 30, 2019 7:16 PM, The Law Office of Augustus Invictus, P.A. <InvictusPA@protonmail.com> wrote:

See below.

Best Regards,

Augustus Invictus, Esq.
The Law Office of Augustus Invictus, P.A.
Email: InvictusPA@protonmail.com
Phone: 310.824.3725

This electronic communication is privileged and confidential. DO NOT read, copy, or disseminate this communication unless you are the intended addressee.

This email communication contains confidential and/or privileged information intended only for the addressee. Anyone who receives this email by error should treat it as confidential and is asked to reply by email: InvictusPA@protonmail.com.

This email transmission may not be secure and may be illegally intercepted. Do not forward or disseminate this email to any third party. Unauthorized interception of this email is a violation of federal law.

Sent with ProtonMail Secure Email.

----- Original Message -----

On Friday, August 16, 2019 10:01 PM, service@paypal.com <service@paypal.com> wrote:

Hello, Augustus Invictus



We've permanently limited your

account

After a recent review of your account activity, we've determined you are in violation of PayPal's Acceptable Use Policy. As a result, we've permanently limited your account.

Please remove all references to PayPal from your website(s) and/or auction(s). This includes not only removing PayPal as a payment option, but also the PayPal logo and PayPal shopping cart.

Per the User Agreement, when PayPal permanently limits an account due to an Acceptable Use Policy violation, any funds on your account are held for 180 days. After 180 days, if applicable, we'll contact you with information on how to withdraw any money in your PayPal account.

Should any chargebacks result in your account balance falling below zero, then you'll also need to settle the amount owed to PayPal to avoid further action.

You can find the complete PayPal Acceptable Use Policy by clicking Legal at the bottom of any PayPal page.



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PayPal is committed to preventing fraudulent emails. Emails from PayPal will always contain your full name. [Learn to identify phishing](#)

Please don't reply to this email. To get in touch with us, click [Help & Contact](#).

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PayPal PPC001544:1.1:5ab5f4c6ea384