

FEDERAL ELECTION COMMISSION

Matter No: MUR 7725

GREGORY FOURNIER,

Complainant,

v.

CAESAR GONZALES,

Respondent.

RESPONSE

NOW COMES Caesar Gonzales (“Respondent”), responding to Gregory Fournier’s (“Complainant”) complaint pursuant to 52 U.S. Code §30109(a)(1). Respondent respectfully shows to the Federal Election Commission (“FEC”) as follows:

1. On March 4, 2020, Respondent confirmed his candidacy in the Republican Party for the House of Representatives in Georgia’s 13th Congressional District for the 2020 election.
2. On or about March 9, 2020, Respondent filed FEC Form 1, Statement of Organization 2020, with the FEC. A true and accurate copy of Form 1 confirmation email is attached hereto as **Exhibit “A”** and incorporated herein by reference.
3. On or about March 9, 2020, Respondent filed FEC Form 2, Statement of Candidacy, (“Form 2”) with the FEC bearing filing number FEC-1388706 and Identification Number HoGA13149. A true and accurate copy of Form 2 is attached hereto as **Exhibit “B”** and incorporated herein by reference.
4. On or about March 10, 2020, Respondent opened a campaign bank account in the name of “Caesar Gonzales for Congress” with Bank of America (the “Account”). To this date, the Account is the only bank account designated for Respondent’s campaign. A true and accurate copy of the bank statement from March 10, 2020, to March 31, 2020, is attached hereto as **Exhibit “C”** and incorporated herein by reference.
5. On or about March 15, 2020, Respondent created a WinRed account to accept donations on behalf of his campaign. The account was approved on March 17, 2020. A true and accurate copy of the approval notice is attached hereto as **Exhibit “D”** and incorporated herein by reference.
6. On or about March 16, 2020, Respondent contracted with “sign maker” to produce lawn signs (“Signs”) as campaign material for Respondent’s campaign.

7. On or about March 18, 2020, Respondent retrieved the signs from “sign maker”.
8. The original Signs did not contain the disclaimer (“Disclaimer”) as required by FEC rules.
9. Respondent did not distribute or publicly post the original Signs, except for placing one sign at his place of residence and posting a picture of the bundled signs in the back of Respondent’s truck on social media.
10. On or about March 18, 2020, Complainant or his agent intentionally entered Respondent’s real property without permission to take a photograph of the only Sign that Respondent posted.
11. Once Respondent realized the Signs did not contain the Disclaimer, Respondent immediately contacted “sign maker” to produce labels with the Disclaimer to place on the signs that had already been printed. Respondent then began printing labels with the disclaimer to place on the sign at his place of residence until receipt of the other labels from the “sign maker.”.
12. On March 23, 2020, Respondent received the Disclaimer labels from the “sign maker” to place on the Signs.
13. Respondent did not receive any campaign fund donations from individuals prior to placing the Disclaimer on Signs.
14. On March 29, 2020, more than ten (10) days after the filing of the Complaint in this matter, Respondent received the first deposit in his WinRed account. As of March 31, Respondent had received a total of \$50.00 in campaign fund donations with the exception of personal funds. A true and accurate copy of the WinRed transaction history is attached hereto as **Exhibit “E”** and incorporated herein by reference.
 15. Complainant is the campaign manager for Becky E. Hites, Respondent’s only opponent for the Republican primary election for Georgia’s 13 District.
 16. Complainant filed this Complaint with the purpose of forcing Respondent to incur legal fees and spend time responding to these allegations rather than focusing on the substantive policies of the campaign itself.
 17. Respondent immediately corrected the Signs when he realized “sign maker” did not include the Disclaimer.
 18. Complainant has intentionally and falsely alleged that Respondent did not file Form 2.

WHEREFORE, Respondent requests that the FEC members do not take further action in this matter. Respondent immediately cured any deficiencies in the Signs and appropriately filed Form 2 as required by FEC regulations.

THIS the 20th day of April, 2020

Caesar Gonzales

Winston, Georgia 30187
Tel:

EXHIBIT A

----- Forwarded Message -----

From: "noreply-efiling@fec.gov" <noreply-efiling@fec.gov>

To: "caesar@caesargonzalesforcongress.us" <caesar@caesargonzalesforcongress.us>

Sent: Monday, March 9, 2020, 09:18:03 PM EDT

Subject: FEC: F1N Filing - Accepted



Federal Election Commission

UNITED STATES - of - AMERICA

FEC electronic filing results

Your filing was received and accepted by our system on 03/09/2020 09:17:55 PM, and was assigned the Filing ID: FEC-1388707

Committee ID: C00741645

Committee name: Caesar Gonzales for Congress

Form type: F1N (New Report)

Schedule:

From/through: -

Filing software/version: FEC Webforms/8.3.0.0

Review your validation warnings:

<https://efoservices.fec.gov/webcheck/services/results/MHPA200309178445>

If you are receiving this email in error or have any questions, please contact the FEC Electronic Filing Office toll-free at (800) 424-9530 ext. 1307 or locally at (202) 694-1307.

[Online webforms](#) | [Reset password](#) | [Download FECFile](#)

[FEC.gov](#) | [Electronic filing overview](#) | [Privacy Policy](#)

FEC FORM 2**STATEMENT OF CANDIDACY****FILING FEC-1388706**

1. Caesar Gonzales2929 Post Rd Unit 28
Winston, GA 30187**2. Identification Number: HoGA13149****3. Party: Republican Party****4. Office Sought: House of Representatives****5-6. State & District of Candidate: Georgia - 13**

DESIGNATION OF PRINCIPAL CAMPAIGN COMMITTEE**7. I hereby designate the following named political committee as my Principal Campaign Committee for the 2020 election(s).****Caesar Gonzales for Congress**2929 Post Rd Unit 28
Winston, GA 30187

DESIGNATION OF OTHER AUTHORIZED COMMITTEES**8. I hereby designate the following named committee, which is NOT my principal campaign committee, to receive and expend funds on behalf of my candidacy.**

DECLARATION OF INTENT TO EXPEND PERSONAL FUNDS (House or Senate Only)**9. I intend to expend personal funds exceeding the threshold amount (see 11 C.F.R. 400.9) by**

- 9A. **0.00** for the primary election, and
- 9B. **0.00** for the general election

Signed as: Caesar Gonzales**Signed by the candidate on: 03/09/2020**

Filed: 03/09/2020

(End FEC FORM 2)

Generated Mon Apr 20 11:50:20 2020

Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (800) 424-9530 In Washington (202) 694-1100
For the hearing impaired, TTY (202) 219-3336 Send comments and suggestions about this site to: webmaster@fec.gov.



P.O. Box 15284
Wilmington, DE 19850

CAESAR GONZALES FOR CONGRESS
CAMPAIGN ACCOUNT

WINSTON, GA 30187-1574

Business Advantage

Customer service information

📞 1.888.BUSINESS (1.888.287.4637)

🌐 bankofamerica.com

✉ Bank of America, N.A.
P.O. Box 25118
Tampa, FL 33622-5118

🔔 Please see the **Important Messages - Please Read** section of your statement for important details that could impact you.

Your Business Fundamentals Checking

for March 10, 2020 to March 31, 2020

Account number:

CAESAR GONZALES FOR CONGRESS CAMPAIGN ACCOUNT

Account summary

Beginning balance on March 10, 2020	\$0.00	# of deposits/credits: 1
Deposits and other credits	100.00	# of withdrawals/debits: 1
Withdrawals and other debits	-0.00	# of items-previous cycle ¹ : 0
Checks	-0.00	# of days in cycle: 22
Service fees	-31.18	Average ledger balance: \$91.49
Ending balance on March 31, 2020	\$68.82	¹ Includes checks paid, deposited items & other debits

Bank of America **Business Advantage**



Sign up for online alerts today¹

Stay up to date on your balances, and receive alerts when transactions have posted and when your payments are due.

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¹You may elect to receive alerts via text or email. Bank of America does not charge for this service but your mobile carrier's message and data rates may apply. Delivery of alerts may be affected or delayed by your mobile carrier's coverage. You must be enrolled in Online Banking. ARJ5TCBJ | SSM-02-19-0703.B

IMPORTANT INFORMATION: BANK DEPOSIT ACCOUNTS

How to Contact Us - You may call us at the telephone number listed on the front of this statement.

Updating your contact information - We encourage you to keep your contact information up-to-date. This includes address, email and phone number. If your information has changed, the easiest way to update it is by visiting the Help & Support tab of Online Banking.

Deposit agreement - When you opened your account, you received a deposit agreement and fee schedule and agreed that your account would be governed by the terms of these documents, as we may amend them from time to time. These documents are part of the contract for your deposit account and govern all transactions relating to your account, including all deposits and withdrawals. Copies of both the deposit agreement and fee schedule which contain the current version of the terms and conditions of your account relationship may be obtained at our financial centers.

Electronic transfers: In case of errors or questions about your electronic transfers - If you think your statement or receipt is wrong or you need more information about an electronic transfer (e.g., ATM transactions, direct deposits or withdrawals, point-of-sale transactions) on the statement or receipt, telephone or write us at the address and number listed on the front of this statement as soon as you can. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

- Tell us your name and account number.
- Describe the error or transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
- Tell us the dollar amount of the suspected error.

For consumer accounts used primarily for personal, family or household purposes, we will investigate your complaint and will correct any error promptly. If we take more than 10 business days (10 calendar days if you are a Massachusetts customer) (20 business days if you are a new customer, for electronic transfers occurring during the first 30 days after the first deposit is made to your account) to do this, we will provisionally credit your account for the amount you think is in error, so that you will have use of the money during the time it will take to complete our investigation.

For other accounts, we investigate, and if we find we have made an error, we credit your account at the conclusion of our investigation.

Reporting other problems - You must examine your statement carefully and promptly. You are in the best position to discover errors and unauthorized transactions on your account. If you fail to notify us in writing of suspected problems or an unauthorized transaction within the time period specified in the deposit agreement (which periods are no more than 60 days after we make the statement available to you and in some cases are 30 days or less), we are not liable to you and you agree to not make a claim against us, for the problems or unauthorized transactions.

Direct deposits - If you have arranged to have direct deposits made to your account at least once every 60 days from the same person or company, you may call us to find out if the deposit was made as scheduled. You may also review your activity online or visit a financial center for information.

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Your checking account

CAESAR GONZALES FOR CONGRESS | Account #

| March 10, 2020 to March 31, 2020

Deposits and other credits

Date	Description	Amount
03/10/20	Counter Credit	100.00
Total deposits and other credits		\$100.00

Service fees

Date	Transaction description	Amount
03/26/20	CHECK ORDER00172 DES:FEE ID:1N5D8241 PMT INFO: PRODUCT(S): 23.56 S&H: 5.58 GA TAX: 2.04	-31.18
Total service fees		-\$31.18

Note your Ending Balance already reflects the subtraction of Service Fees.

BANK OF AMERICA BUSINESS ADVANTAGE

What's on your mind?

Business owners like you can join the Bank of America® Advisory Panel to help us understand what you like and don't like. Enter code **SBDD** at bankofamerica.com/AdvisoryPanel to learn more and join.

Inclusion on the Advisory Panel subject to qualifications.

SSM-09-19-0761.D1 | ARG5T4RM

Daily ledger balances

Date	Balance (\$)	Date	Balance(\$)
03/10	100.00	03/26	68.82

Important Messages - Please Read

We want to make sure you stay up-to-date on changes, reminders, and other important details that could impact you.

On May 21, 2020, we are increasing the amount of funds that will be available when a check deposit is put on hold.

Here are the updates to your Deposit Agreement and Disclosures. You can see these updates at bankofamerica.com/depositagreement after the May effective date.

When a hold is placed on your check deposit:

- The first \$225 (previously \$200) of your check deposit will be available the next business day (see “Longer Delays May Apply”).
- For certain check deposits into new accounts, the first \$5,525 (previously \$5,000) of a day’s total deposits will be available the next business day (see “Special Rules for New Accounts”).
- Cash withdrawal limitations will no longer apply (previously \$400) (see “Cash-Withdrawal Limitation,” to be deleted in May).

In addition, we may place a longer hold when you deposit checks totaling more than \$5,525 (previously \$5,000) on any one day (see “Longer Delays May Apply”).

For additional information regarding the availability of funds after a check deposit, please review the “When Funds are Available for Withdrawal and Deposit Holds” section of our Deposit Agreement at www.bankofamerica.com/depositagreement.

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EXHIBIT D

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

Subject: Welcome to WinRed

From: "WinRed" <confirmation@winred.com>

Date: Sun, March 15, 2020 6:37 pm

To: caesar@caesargonzalesforcongress.us



WinRed

Welcome to WinRed!

Caesar Gonzales for Congress

Hi, caesar@caesargonzalesforcongress.us!

Your committee in WinRed is almost ready! It's currently being reviewed for approval. Thanks!

Need help?

Visit WinRed [support](#)

Manage account

Sign into your [account](#).



This was sent to caesar@caesargonzalesforcongress.us.

You received this because you signed up at WinRed.

[Unsubscribe](#)

Paid for by WinRed. Not authorized by any candidate or candidate's committee. winred.com.

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

Subject: You're Ready to Raise Money on WinRed_ \$ 📧

From: WinRed Team <win@winred.com>

Date: Wed, March 18, 2020 9:21 am
To: caesar@caesargonzalesforcongress.us



WinRed

You're Live!

Hey Caesar —

Looks like your WinRed registration is fully complete. We've created your first WinRed page here to get you started!

Caesar Gonzales for Congress

<https://secure.winred.com/caesar-gonzales-for-congress/donate>

Add this to your homepage and promote it on social so you can start raising money right now. You can also receive donations raised by other committees through WinRed.

Next Steps

We recommend these next steps:

- **Sign in to the WinRed Portal at portal.winred.com.** This is your central hub for managing your account
- **Update your website homepage links** to point to your new WinRed donation page
- **[Build your own page](#)** to get a feel for how the portal works
- **Connect us with your compliance team** so we can make sure they get payouts, can integrate with your compliance software, and edit the payout schedule.

You're currently set to receive nightly deposits. We also have weekly (every Monday) or every 3 days (Monday, Wednesday, Friday) as options.

[We've also attached a quick start guide to help you get the best out of the portal.](#)

What You Can Do in the Portal

Here is an overview of some of the features you have access to in the portal.

Note: You need to be logged in to view these support articles

- [Create donation pages](#) and split donations with other candidates
- Search, filter and manage donors, donations and subscriptions
- [Issue refunds](#) and [cancel recurring donations](#)
- Download detailed, compliance-friendly [reports](#)
- [Add upsells](#) to your donation pages to boost revenue and grow your recurring program

Please let us know if you need any help or have any feedback by replying to this email.

If you have more questions you can check our [FAQs here](#), or see quick links below:

[Compliance Information](#)

[WinRed Pricing](#)

Thanks for joining WinRed!

Need help?

Visit WinRed [support](#)

Manage account

Sign into your [account](#).



This was sent to caesar@caesargonzalesforcongress.us.

You received this because you signed up at WinRed.

[Unsubscribe](#)

Paid for by WinRed. Not authorized by any candidate or candidate's committee. winred.com.

1776 Wilson Blvd
Arlington, Virginia



Pages ▾

People ▾

Revenue ▾

Transactions

Utilities ▾



Transactions

Search Payouts



Download

All

Donations

Count: 3 Total: \$200.00

Refunds

Count: 0 Total: \$0.00

Payouts

Count: 0 Total: \$0.00

TYPE	DATE	NAME	GROSS	FEE	NET	BALANCE
Donation	4/11/2020	Donor: Lynette Reese	\$50.00	\$2.20	\$47.80	\$47.80
Payout	4/8/2020	Caesar Gonzales for Congress (****6690)	\$0.00	\$0.00	\$-95.90	\$0.00
Donation	4/3/2020	Donor: Fred Stoddard	\$100.00	\$4.10	\$95.90	\$95.90
Payout	4/1/2020	Caesar Gonzales for Congress (****6690)	\$0.00	\$0.00	\$-47.80	\$0.00
Donation	3/29/2020	Donor: David Bennett	\$50.00	\$2.20	\$47.80	\$47.80



Terms

Privacy

Support

Sign Out