

CITY OF ALBUQUERQUE

BOARD OF ETHICS AND CAMPAIGN PRACTICES

NERI HOLGUIN,

Complainant,

v.

Case No. BOE 02-2021

MANUEL GONZALES, III,

Respondent.

RESPONDENT'S § 4(E)(2) NOTICES

Respondent Manuel Gonzales hereby makes the following disclosures under § 4(E)(2) of the Rules and Regulations of the Board of Ethics and Campaign Practices.

WITNESS LIST

1. Gary Ainsworth
Former Special Agent Ainsworth is the Respondent's investigator in this matter and may testify about the subject matter and course of the investigation into this case, as well as his discussions with witnesses.
2. Steve Altman
Mr. Altman is a Salvation Army board member and witness to the events in question and will testify as to his recollection of the events.
3. Greg Brown
Mr. Brown will testify about his percipient observations of the Respondent as he personally collected a double-digit number of qualifying contributions.
4. Sid Covington
Undersheriff Covington assists the Respondent's campaign and was present for and a witness to the events in question and will testify as to his recollection of the events.
5. Jennifer Gonzales
Ms. Gonzales will testify regarding her experience with the management of the qualifying-contribution-collection phase of publicly financed campaigns.

6. Manuel Gonzales III
Manuel Gonzales III is the Respondent and will testify about his percipient observation and recollection of the events in question.
7. Larry Koren
Undersheriff Koren assists the Respondent's campaign and was present for and a witness to the events in question and will testify as to his recollection of the events.
8. Shawn Lawson
Ms. Lawson is a Salvation Army board member and witness to the events in question and will testify as to her recollection of the events.
9. Dean Zantow
Ms. Lawson is a Salvation Army board member and witness to the events in question and will testify as to her recollection of the events.
10. Any witnesses listed by the Complainant or needed to respond to new witnesses untimely disclosed by the Complainant, as well as any witnesses needed for impeachment or rebuttal, but only to the extent that the Board deems such undisclosed testimony by the Complainant is allowed.

EXHIBIT LIST

1. Audio Recording of Statement of Shawn Lawson
2. Audio Recording of Statement of Steve Altman
3. Manuel Gonzales III Qualifying Contribution Books 72 & 74

STATEMENT OF ISSUES

1. Whether Respondent Manuel Gonzales III knowingly submitted fraudulent qualifying contributions to the City Clerk.
2. Whether the number of valid (including non-fraudulent) qualifying contributions submitted to the City Clerk exceeded the recognized, codified threshold indicating sufficient democratic support for a candidate to warrant that candidate's public financing.
3. Whether the Complaint must be dismissed under § 4(E)(2).

4. Whether severe and pervasive violations of §§ 3(B)(3) and 4(E)(4)(e), and correspondingly state law (including the Inspection of Public Records Act), warrant dismissal of some or all of the Complaint or otherwise constrain the ability of the Board or the Clerk to act, or require the granting of additional relief to the Respondent.
5. Whether the Board of Ethics has the authority to grant the relief sought in the Complaint.
6. What relief, if any, should be granted.

Respectfully submitted,

HARRISON & HART, LLC

By: 

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Attorneys for the Respondent

This Filing Has No Exhibits

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of July 2021, I submitted the foregoing Notices via email to the Albuquerque City Clerk (ewatson@cabq.com), the Board of Ethics and Campaign Practices (aschultz@rodey.com), and to the following counsel of record:

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Attorneys for the Plaintiff

HARRISON & HART, LLC

By: /s/ Carter B. Harrison IV
Carter B. Harrison IV