

Cuccinelli Claims 'Scam PAC' Rolled Him

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ALEXANDRIA, Va. (CN) - Former Virginia Attorney General Ken Cuccinelli sued a conservative political action committee, claiming it swiped the lion's share of the \$2.2 million it raised for his failed gubernatorial bid.

Cuccinelli sued Conservative StrikeForce PAC, Strategic Campaign Group, Mackenzie & Company and four people in Federal Court, claiming the PAC scammed Republican donors nationwide.



"(A) substantial proportion of the approximately \$2.2 million that defendants raised through political fundraising in 2013 was directly attributable to solicitations invoking Ken Cuccinelli, as Virginia's gubernatorial election was the marquee contested race of American politics in 2013," the lawsuit states.

"Defendants, however, have admitted that they did not use the money raised invoking Ken Cuccinelli to actually aid the Cuccinelli campaign, either through direct contributions to the campaign or through independent expenditures in support of the campaign, other than a single \$10,000 contribution to the campaign on October 4, 2013 - which amounted to less than one-half of one percent of the approximately \$2.2 million that defendants raised in 2013."

Cuccinelli, a Republican, was attorney general during the administration of now-disgraced Gov. Bob McDonnell, who was convicted in August of federal corruption charges.

Democrat Terry McAuliffe defeated Cuccinelli in 2013 by a little over 56,000 votes.

According to Cuccinelli's complaint, Conservative StrikeForce is an FEC-registered PAC.

The group's top advisors and officials - Dennis Whitfield, Scott Mackenzie, Kelley Rogers and Chip O'Neil - are also listed as defendants.

"In short, defendants' political fundraising in 2013 invoking Ken Cuccinelli was not a means to the legitimate end of supporting the Cuccinelli campaign, but rather was an illegitimate end in itself, with the Virginia gubernatorial election merely serving as 'cover' for defendants to prey on unsuspecting small donors across the country," Cuccinelli says in the complaint. "In addition to being an egregious abuse of the political process, defendants' malicious 'Scam PAC' operation violated the federal Lanham Act, two Virginia statutes, and the common law of Virginia."

According to the complaint, the PAC solicited donations by hitting the phones, mail, rallies, and sending emails addressed to "Patriots," asking for money because "Conservative superstar Ken Cuccinelli is in real trouble in his race to be Virginia's governor."

Cuccinelli says the emails also stated: "McAuliffe and his liberal allies have more money for hate ads than they know what to do with."

Cuccinelli claims the PAC never got his consent to use his name or picture, but kept peddling his likeness to enrich themselves to the tune of millions.

According to the complaint, the PAC raised money for other Republican candidates, but kept most of that money, too.

"(A)ccording to its own FEC report, only 3 percent of Conservative StrikeForce's \$871,803.06 receipts in the first half of 2013 were spent in support of any candidate - and that candidate was a Republican who faced another Republican, and the entity [that] actually paid for the purported expenditures was one of the defendants that controls Conservative StrikeForce. That is to say, the 3 percent of their receipts in the first half of 2013 that defendants purportedly spent in support of a candidate was paid by defendants to themselves."

Cuccinelli says the scam PAC hurt his campaign by redirecting money meant for him. He seeks treble damages and punitive damages for breach of contract, false advertising, unfair competition, and unauthorized use of persona.

He is represented by Patrick McSweeney with McSweeney, Cynkar & Kachouroff, of Woodbridge, Va. 

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