

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

**GREEN PARTY of Connecticut,
S. Michael DEROSA,
The LIBERTARIAN PARTY
of Connecticut,
Elizabeth GALLO,
Joanne P. PHILIPS,
Ann C. ROBINSON,
Roger C. VANN**

Plaintiffs,

v.

**Jeffrey GARFIELD
in his official capacity as
Executive Director and General
Counsel of the State
Election Enforcement Commission,
Richard BLUMENTHAL, in his
official capacity as Attorney General
of the State of Connecticut**

Defendants.

Civil No. 3:06-01030 (SRU)

JULY 23, 2010

AFFIDAVIT OF DANIEL P. KELLY IN SUPPORT OF MOTION TO INTERVENE

BEFORE ME, the undersigned Notary, personally appeared Daniel P. Kelly, known to me to be a credible person and of lawful age, being by me first duly sworn, on her oath, deposes and says:

1. My name is Daniel P. Kelly.
2. I am over the age of eighteen (18) years and understand the obligations of an oath.
3. I am a citizen of Connecticut residing at 600 Asylum Street, Apartment 825,

Hartford, CT 06105.

4. I am the Campaign Manager of Dan Malloy for Governor (“Committee”), a campaign committee supporting Dannel Malloy’s (“Malloy”) candidacy for governor.

5. I am making this statement in support of Malloy and the Committee’s Motion to Intervene in the civil action, *Green Party of Connecticut v. Garfield*, in the United States District Court, District of Connecticut based on my own personal knowledge.

6. On February 3, 2009, Malloy formed an exploratory committee for statewide office excluding Treasurer, Dan Malloy for Connecticut (CT), by filing an Exploratory Committee Registration (SEEC Form 4) with the State Elections Enforcement Commission (“SEEC”).

7. On March 10, 2010, Malloy performed certain required steps for participation in the Connecticut election process:

- a. Malloy announced his candidacy for Governor;
- b. Malloy dissolved the exploratory committee by filing an Exploratory Committee Notice of Intent to Dissolve (SEEC Form 5); and
- c. Malloy formed the campaign committee, “Dan Malloy for Governor,” and opted into Connecticut’s public financing program, Citizens’ Election Program (“CEP”), by filing an Affidavit of Intent to Abide by Expenditure Limits and Other Citizens’ Election Program Requirements (SEEC Form 10).

9. Malloy was nominated as the Democratic candidate for Connecticut Governor at the Democratic State Convention on May 22, 2010.

10. On May 26, 2010, the Committee filed its grant request with the SEEC, demonstrating that he had qualified for CEP funding as a “major party” candidate by raising more than \$250,000 through small “qualifying contributions” of \$100 or less, as required by Conn. Gen. Stat. § 9-704(a)(1).

11. Had the Committee decided not to participate in the CEP, it could have received fundraising contributions up to \$3,500 from individual donors.

12. The Committee has received the following CEP funding:

a. On June 7, 2010, the Committee received \$2,187,334 for the Democratic primary for Connecticut governor. This included the initial grant of \$1.25 million dollars and a supplemental grant of \$937,334. The supplemental grant was short \$116 due to technical error and the Committee opted not to have the amount corrected.

b. On June 28, 2010, the Committee received a supplemental grant of \$312,500 for a total of \$2,499,834.

13. All CEP funds received for the Democratic primary for Connecticut governor have been spent or legally contracted to be spent.


14. The Democratic primary for Connecticut governor will be held on August 10, 2010.

15. If Malloy wins the Democratic primary for Connecticut governor, the Committee will be entitled to an initial grant of \$3 million for the gubernatorial campaign.

16. In consideration of the foregoing, there is probable cause to believe that the Committee will be entitled to \$3 million initial grant under the CEP on August 10, 2010. There is also the possibility that the Committee will be entitled to supplemental grants.


Daniel P. Kelly

Subscribed and sworn to before me
on this 23rd day of July, 2010.


Notary Public
My commission expires: 7.31.2010