

November 3, 2009

North Carolina State Board of Elections  
506 North Harrington Street  
Raleigh, NC 27603

Dear Ms. Heather Ford:

DavisandHighHouse.org (DHH), a registered Political Action Committee (PAC,) hereby files an official complaint against the person or persons responsible for a deliberately misleading Web site as well as an outbound e-mail sent on November 2, 2009 endorsing the incumbent in the Cary Town Council District A runoff elections held on November 3, 2009.

DavisandHighHouse.org

Please note the .org domain. DavisandHighHouse.org was formed in 2007 and registered at that time with the Wake County Board of Elections as political action committee. DHH has a website at [www.davisandhighhouse.org](http://www.davisandhighhouse.org) and has sent out e-mails over the last two years.

We have provided a screen copy of our legitimate website and the outbound e-mail we sent on November 1, 2009 endorsing Cary District A candidate, Lori Bush, as attachments to this letter.

- 091103 Screen Copy DHH.ORG Website
- 091101 Screen Copy DHH.ORG Outbound Email

DavisandHighHouse.com

Please note the .com domain. An unidentified person or persons have created a look-alike Web site at [www.davisandhighhouse.com](http://www.davisandhighhouse.com). On November 2, 2009, the unidentified person or persons sent a deliberately misleading e-mail to voters. This e-mail makes it appear that DavisandHighHouse is endorsing Cary District A incumbent, Jennifer Robinson. We are providing a screen copy of the imitative Web site and the misleading e-mail as attachments to this letter.

- 091029 Screen Copy DHH.COM Website
- 091102 Screen Copy DHH.COM Outbound Email

We have attempted to determine who is the owner of the davisandhighhouse.com domain but find that the ownership has been hidden via an out-of-state internet services company.

#### Complaint

We (DHH.org) believe that the person or persons who have mimicked both our Web site as well as the look and feel of our outbound e-mails are deliberately attempting to deceive voters.

The person or persons responsible for the Web site and e-mail have not followed North Carolina campaign finance laws. They have clearly advocated against a candidate (Lori Bush) on their Web site;  
091103 Letter to Board of Elections

and they have specifically endorsed a candidate (Jennifer Robinson). They have done both anonymously. They have not stated who has paid for electioneering communications, nor have they stated whether or not the electioneering communications are endorsed by a candidate.

We believe that the actions of davisandhighhouse.com (the party against whom we are filing this complaint) represents the lowest form of political communications, the kind that all election and campaign finance laws intend to prevent.

We would appreciate the Board of Elections investigating this situation and we will provide any assistance that we can to help reach a determination on this situation.

Sincerely,



Vickie Maxwell  
PAC Treasurer  
DavisandHighHouse.org

111 Bathgate Lane  
Cary, NC 27513  
919 677 0955

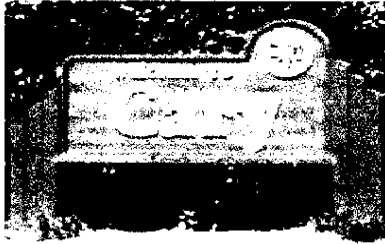
cc: Barbara Sucata  
Wake County Board of Elections  
337 South Salisbury Street  
Raleigh, NC 27601

HOME PAGE  
 NEWS  
 DONATIONS  
 CONTACT US  
 ELECTIONS 2009

# DavisandHighHouse.org

Updated

October 26, 2009 - Elections 2009



City Residents Appear Quiet  
 on the April Night for St. George



The mission of DavisandHighHouse.org is to preserve neighborhood quality of life with development density appropriate to our residential communities. DavisandHighHouse.org continues to serve as a voice for individual citizens, as a focal point for community action, and will encourage voters to support candidates who are committed to a balanced approach to growth.

* Email	<input type="text"/>
* First Name	<input type="text"/>
* Last Name	<input type="text"/>
Phone	<input type="text"/>
Address	<input type="text"/>
* City	<input type="text"/>
* Zip	<input type="text"/>
Subdivision	<input type="text"/>
I Can Help!	<input type="checkbox"/> Anything <input type="checkbox"/> Flyers <input type="checkbox"/> Donations <input type="checkbox"/> Committees <input type="checkbox"/> Other

Additional Info or Comments	<input type="text"/>
	* = Required Field
	<input type="submit" value="Submit"/>

Email Marketing You Can Trust

### DHH ENDORSEMENTS

The DavisandHighHouse.org (DHH) steering committee has met with all Cary Town Council candidates who requested a meeting. For the Cary Town Council runoff election on **November 3**, DavisandHighHouse.org endorses:

## District A      **Lori Bush**

### District A

Lori Bush will provide the new leadership that District A needs. As an individual of demonstrated integrity, capability and accomplishments, Lori will work to maintain the residential neighborhoods and quality of life that Cary residents value. Lori will advocate balanced growth and adequate public facilities including appropriate roads, schools, water, sewer and infrastructure.

While we thank Jennifer Robinson for her service, her own views reported in The Cary News, ("District A Candidates Vie for Seat", August 19) define the need for new leadership. "Because the recession has slowed development, she [Jennifer Robinson] doesn't think growth will be the chief concern in the next several years".

To the contrary, we believe that responsible growth is the most important issue in Cary. Consider the acres of land west of Highway 55 that have been clear cut to allow for incredibly dense development, the huge projects (including hotels, hundreds of apartments, and hundreds of thousands of square feet of retail space) proposed by large development corporations that have been approved for intersections within residential neighborhoods in Cary.

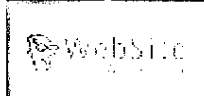
Market fluctuations, and the interests of out-of-town and out-of-state corporations, cannot be allowed to determine Cary's future. It is clear that we need an elected official who listens to and represents the community's desire to protect Cary from exploitation by profiteers and who will work to enhance Cary by voting for appropriate, balanced growth. Lori Bush stands out as the District A candidate who will represent the expressed interests of Cary residents. [www.LoriForCary.org](http://www.LoriForCary.org)

### DavisandHighHouse.org

Cary is known for its pleasant neighborhoods of single-family homes and its small-town feel. The members of DavisandHighHouse.org view Cary as a great place to live. Residents value family neighborhoods, good schools, adequate infrastructure, tree-lined streets, uncongested roadways and the resulting attractive quality of life.

DavisandHighHouse.org was formed in Spring 2007 when a group of residents gathered to oppose the intense and inappropriately dense development proposed for the intersection of Davis Drive and High House Road.

Copyright 2009. DavisandHighHouse.org. All rights reserved.



From: [davisandhighhouse.org](mailto:info@davisandhighhouse.org) <info@davisandhighhouse.org>

Date: Sun, Nov 1, 2009 at 3:30 PM

Subject: Run- Off Voting Tuesday

To: ~~mailto:billmaxwell@comcast.net~~

**November 1, 2009**

[www.DavisandHighHouse.org](http://www.DavisandHighHouse.org)

**IN THIS ISSUE:     Election 2009**

**Cary Town Council Runoff Election -  
District A - Lori Bush**

**Election Day - Tuesday, November 3**

In the Cary Town Council runoff election for **District A**, please vote for

**Lori Bush**

**How Can I Help?**

Every vote counts!

Please take a moment and forward this email to ten of your friends with your personal encouragement to vote for Lori Bush.

Thank you.

[www.davishighhouse.org](http://www.davishighhouse.org)

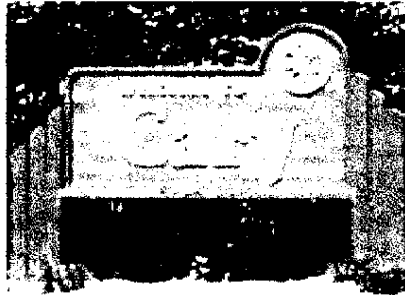
**The mission of Davis and High House.org is to preserve neighborhood quality of life, with development density appropriate for our residential community. DHH will continue to serve Cary as a voice for individual citizens, as a focal point for community action, and will encourage voters to support candidates who are committed to “a balanced approach to growth”.**

This message was sent from [davisandhighhouse.org](http://davisandhighhouse.org) to [trishkirk@gmail.com](mailto:trishkirk@gmail.com). It was sent from: Davis and High House.org, Davis and High House, Cary, NC 27513. You can modify/update your subscription via the link below.

 **Contact**

 [Manage your subscription](#)  **FORWARD TO A FRIEND**

# DavisAndHighHouse.com



Seeking the truth about  
DavisAndHighHouse.org



Welcome to DavisAndHighHouse.com. We do not require that you belong to any particular affiliation or possess any previous memberships to know the truth.

The mission of DavisandHighHouse.com is to preserve Cary as one of the best places to live, with the lowest tax rate of any town in the Southeast - by exposing the NIMBY's for what they are.

## How much do you really know about the Political Action Committee

### "DavisAndHighHouse.org" ?

**They complained about the scale of the project, implying that the developer had their way with the Cary Town Council. The facts tell a much different story...**

Use (Maximums)	Date of Plan Submittal			Net Change
	11/27/06 (Public Hearing)	3/8/07 (P&Z)	7/10/07 (TC)	
Acreage	67.90 ±	47.61 ±	41.84 ±	- 26.06
Commercial (Sq. Ft.)	350,000	200,000	200,000	- 150,000
Office/Ins (Sq. Ft.)	90,000	70,000	50,000	- 40,000
Non-Residential (Sq. Ft.)	370,000	250,000	220,000	- 150,000
Residential (Dwelling Units)	450 MF & 4 Single-Family	414 MF & 36 Townhomes	Max. 320 MF & Min. 20 Townhomes	- 130 MF Units
Building Height	5 Stories	4 Stories	4 Stories	- 1 Story

Single Commercial Tenant (Sq. Ft.)	60,000	60,000	50,000	- 10,000
------------------------------------	--------	--------	--------	----------

The developer's preferred plan was scaled back by almost 1/3 by a council that "didn't care about the citizens."

**So are they ethical or not?**

We will let you decide that one....

Let's take a look at their organizational and financial reports as recorded at the Wake Co Board of Elections:

They claim to be registered with the North Carolina Board of Elections but they aren't, they are registered with Wake Co and not the State of North Carolina. Because they do business in both Wake & Chatham Co, they are required to be a state-wide PAC.

**They claim NC wide status but they don't have it.**

DHH formed a legal defense to recoup losses suffered after their disastrous lawsuit against the Town of Cary and its taxpayers. They said it was going to be used 100% for attorneys fees.

DHH then accepted funds from their Legal Defense non-profit to instead help Lori Bush go on the attack.

**NOT IN REPORT FILE**

Amount of  Yes  No

Use this form to report income not reported on another form (i.e. interest income, not for profit contributions, etc.)

**1. Contributor Full Name (and Fund if applicable)** **2. ID Number**

david.sand@highhouse.org

---

**3. Type of Receipt Source** *(Please use separate CRF-1250 forms for each type of Receipt Source.)*

Interest  Contributions from Not-for-Profit Organizations  Other Sources of Income

---

**4. Contributor Information**  Add  Remove

<b>a. Full Name, Mailing Address &amp; Phone</b> (include city, state, & zip)	<b>b. Not-for-Profit Federal ID #</b>	<b>c. Comments</b>
Legal Defense Fund 65 Hidden Rock Court Cary NC 27513	26-1294158	
<b>d. Quick Street Explanation</b>		<b>e. Election Sum to Date</b>
Legal Defense Funds Transferred Directly Into DHH PAC		\$ 3574.10

---

f. Account Code	g. Form of Payment	h. Itemized Description	i. Date (mm/dd/yyyy)	j. Amount
	check		1-10-2009	\$ 3574.10
				\$

DHH's financial reports are - in a word - terrible.

Late filing of financial reports, errors, omissions, failure to report identities of contributors, failure to report a \$2000 contribution. Failure to report in-kind contributions.... the list goes on and on.

...and yet one of their founding members had the audacity to file a complaint with the BoE against the Jennifer Robinson campaign over some 4-year - and perfectly legal - campaign contributions. The complaint was quickly and summarily dismissed but what does it say about the individual who filed the

Originally Posted by **daveu**

Quote:

Originally Posted by **Brent**



We certainly don't want those folks living anywhere near here!!!

DavisAndHighHouse.org attempted to sue the Town of Cary but there case was so weak it never saw the light of day, they couldn't even figure out who to serve the papers to.

DHH claims that citizen's right to protest the Crosland development, forcing a super-majority vote, was wrongly abrogated but they have no evidence except their own hate mail that such a thing ever happened.

The development they clamor on about had been planned for years prior to their so called civic involvement. As long as the growth was in Western Cary, they didn't care.

complaint and about the organization he helped found?

Vendetta - from whiny and spoiled adults who didn't get their way, that's what it says.

Harvested email addresses from the Town's public record for the purpose of sending their SPAM to citizens.

## Not very ethical at all.

DavisAndHighHouse.org makes the claim that they "serve as a voice for individual citizens" and act "as a focal point for community action".

### **But is it true?**

The only 'news' on their site is a listing of campaign contributions from 2005. The list of Jennifer Robinson's donors is made up of solid citizens from Cary, Raleigh, and other nearby communities.

DHH must think that if you live, work, play - and invest - in Cary, that you are a sub-standard citizen. Your donations are tainted because you work to provide housing and employment for other Cary citizens and those that would like to live here.

DHH might as well say:

**Stay away!!! We don't want you in Cary! You're not welcome here!**

DavisAndHighHouse.org claims they are for "*balanced growth*".

### **The truth?**

**They don't want Cary to grow any more at all.  
Especially not anywhere near them.**

When it was within a few blocks, they went ballistic.

The project they complained about was granted FOUR public hearings when most projects get one. Somehow, **four public hearings added up to "not being listened to", like a whiny child that doesn't get their way.**

And what does it say about a candidate whose main endorsement comes from such a group?

DavisAndHighHouse.org carries Lori Bush on their shoulders.

Remember that on November 3rd.

Content copyright 2009. User Name. All rights reserved.



[Register Domain](#)

**Vickie Maxwell**

---

**From:** davisandhighhouse.com [info@davisandhighhouse.com]  
**Sent:** Monday, November 02, 2009 12:42 PM  
**To:** wessexhoa1@nc.rr.com  
**Subject:** Vote! Tomorrow is Election Day!

November 2, 2009

[www.DavisandHighHouse.com](http://www.DavisandHighHouse.com)

Election 2009

Make a Difference!

**Cary Town Council Runoff Election  
- District A -  
Jennifer Robinson**

**Election Day - Tuesday, November 3**

**In the Cary Town Council runoff election for  
District A, please vote for**

**Jennifer Robinson**

**How Can I Help?**

If everyone who receives this message votes for Jennifer Robinson, she will win.

But to make a difference, YOU have to VOTE.

Every vote counts!

**Action** - Please take a moment and forward this email to ten of your friends with your personal encouragement to vote for Jennifer Robinson.

Nov 04 09 02:42p

Bill Maxwell

9196501900

p.13

**Thank you,**  
DavisandHighhouse.com

**The mission of DavisandHighhouse.com is to preserve Cary as one of the best places to live, with the lowest tax rate of any town in the Southeast - by exposing the NIMBY's for what they are.**

This message was sent from [davisandhighhouse.com](mailto:davisandhighhouse.com) to [wessexhoal@nc.rr.com](mailto:wessexhoal@nc.rr.com). It was sent from: , Davis and High House.com Davis and High House, Cary, NC 27519. You can [modify/update](#) your subscription via the link below.

[Contact](#)

Manage your subscription



**FORWARD TO A FRIEND**

No virus found in this incoming message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 8.5.423 / Virus Database: 270.14.44/2475 - Release Date: 11/02/09 07:51:00