

For two years, Attorney General Ellison's office has held Feeding Our Future accountable

Federal investigation and indictments would not have happened without Attorney General's involvement

AG's Office plays three roles in holding Feeding Our Future accountable: 1) representing MDE in court and with FBI, 2) conducting civil charities investigation, 3) overseeing FOF's dissolution in court

September 26, 2022 (SAINT PAUL) — Minnesota Attorney General Keith Ellison and his office have been deeply involved for two years in holding Feeding Our Future accountable. The Attorney General's Office worked closely with the Minnesota Department of Education as they provided suspicions of fraud and other evidence and information to the FBI, which directly led to the federal investigation and indictments of Feeding Our Future and its founder Aimee Bock. Without the Attorney General's involvement alongside MDE in flagging that fraud and turning it over to the criminal investigative power of the federal government, there would likely have been no federal investigation or indictments. The FBI has praised this cooperation.

"For two solid years, Attorney General Ellison's office has been holding Feeding Our Future accountable," said John Stiles, deputy chief of staff and spokesperson for Attorney General Ellison's office. "Early on, the Attorney General's Office worked side by side with MDE to flag evidence of fraud, demand correction from Feeding Our Future, defend MDE from Feeding Our Future's scurrilous lawsuit — and most importantly, bring evidence of criminal fraud to the FBI, which led directly to the federal criminal investigation and criminal indictments of Feeding Our Future for fraud. Attorney General Ellison's office has also used its civil charities-enforcement authority to investigate for violating state charities law and make sure a court is supervising its dissolution so it can't misuse any of its remaining assets.

"A long, complex criminal investigation such as this involves many law-enforcement partners and different levels of jurisdiction. MDE and Attorney General Ellison's office brought their suspicions of fraud to the FBI and fully cooperated with the investigation that they jump-started because the federal government has criminal jurisdiction over fraud involving federal programs, which neither MDE nor the Attorney General's office have, and because the penalties for this kind of fraud in federal law are hefty. In addition to having criminal jurisdiction, the federal government also has massive investigative power and resources that dwarf those of State government: indeed, four federal law-enforcement agencies have said that hundreds of agents were involved for many months in collecting evidence of fraud across multiple continents, and that their work is not yet done. The 48 indictments that the U.S. Attorney announced last week are a direct result of the choice the Attorney General's office and MDE made chose to turn their concerns over to the federal government and to cooperate fully with them. The FBI praised this cooperation in the press conference where the Department of Justice announced these indictments.

"This is what true law-enforcement cooperation looks like. It is the opposite of grandstanding. At no time was Attorney General Ellison willing to compromise the integrity of the investigation by grandstanding either to reveal it or get in the way of it, which would have tipped off the perpetrators and stopped the investigation in its tracks. Instead, he sacrificed scoring political points to make sure these perpetrators of fraud were held accountable to the greatest extent.

"The facts that Attorney General Ellison has used the power of his office to hold Feeding Our Future accountable are overwhelming," Stiles concluded.

For more than two years, the Attorney General Ellison's office has played three important and distinct roles in holding Feeding Our Future accountable.

1) Being at the origin of federal criminal investigation and indictments; no federal indictments without MDE and AGO

The Minnesota Department of Education and the Attorney General's Office are at the origin of the federal criminal investigation and 48 indictments. Without their efforts, there would have been no criminal investigation or indictments.

The Attorney General's Office represents more than 100 State of Minnesota agencies, boards, and commissions — like the Minnesota Department of Education — in all litigation. This is a core function of the Attorney General's Office.

In the fall of 2020, when MDE first confronted Feeding Our Future about its suspicious growth, Feeding Our Future responded by threatening a lawsuit. This is when the Attorney General's Office stepped in. From that point forward, the Attorney General's Office was by MDE's side through all stages of the litigation and investigation. In November 2020, Feeding Our Future sued MDE. This timeline is laid out in the [affidavit in support of the FBI's January 2022 search warrants against Feeding Our Future](#) (see paragraphs 73-75).

In the spring of 2021, MDE contacted the FBI with its concern that Feeding Our Future was committing criminal fraud, and the FBI began to investigate. This timeline is laid out in the [FBI's January 2022 affidavit](#) (see paragraphs 51-53). Subsequently, representatives of Attorney General Ellison's office met confidentially with the FBI on a regular basis to cooperate fully with the investigation. The FBI repeatedly made it clear to the Attorney General's Office and MDE that it should not disclose the existence of the investigation in Feeding Our Future's state court lawsuit so that it could proceed without tipping off Feeding Our Future and the target of the investigation.

In April 2021, MDE issued Feeding Our Future a serious deficiency and issued a stop-pay to allow MDE to validate the legitimacy of Feeding Our Future's claims for reimbursement before paying them. Feeding Our Future immediately sought court intervention to force MDE to lift the stop pay. At the hearing on Feeding Our Future's motion, the court told MDE it had "a big problem" with its decision to stop payments to Feeding Our Future. That hearing did not result in any written order from the court, so there was nothing to appeal. MDE and the Attorney

General's Office did not pursue the stop-pay through other legal channels because to do so would have risked having to disclose to Feeding Our Future MDE's report of suspected fraud to the FBI and the subsequent federal criminal investigation.

In June 2021, the same court found MDE in contempt of court for not processing Feeding Our Future's applications to open more food sites, many of which we now know were fraudulent, quick enough. The court imposed a total \$47,500 in fines and fees on MDE, including requiring it to pay the fees of Feeding Our Future's attorneys.

The suspicions of fraud that MDE and the Attorney General's Office presented to the FBI was the trigger for the FBI's criminal investigation, which eventually involved hundreds of agents, investigators, and attorneys from the FBI, the U.S. Department of Justice, the IRS, and the U.S. Postal Service. This investigation led to the January 20, 2022 execution of search warrants against Feeding Our Future, and the September 20, 2022 federal criminal indictments of 48 people, notably including Feeding Our Future founder Aimee Bock, for alleged fraud in the amount of \$250 million.

Feeding Our Future asked to dismiss its lawsuit against MDE on the day the federal search warrants were executed. MDE is now seeking to recover the fees and costs it incurred defending itself against Feeding Our Future's baseless legal attacks.

At the September 20, 2022 press conference announcing the indictments of 48 people connected with Feeding Our Future, including Aimee Bock, for alleged fraud in the amount of \$250 million, FBI Special Agent in Charge Michael Paul offered this praise (at 29:14-29:22): "I want to thank the Minnesota Department of Education for their cooperation and their continued transparency throughout the investigation." Attorney General Ellison's office was by MDE's side supporting and representing the agency throughout the federal investigation.

2) Investigating Feeding Our Future for violations of State charity and nonprofit law

In addition to holding Feeding Our Future accountable through its representation of the Minnesota Department of Education, the Attorney General's Office has been holding feeding our future accountable through its authority to regulate charities and nonprofits. Under State law, the Attorney General is the chief civil regulator and registrar of charities in Minnesota.

In January 2019, the Attorney General's office issued a letter to Feeding Our Future stating that it needed to register as a charity as required by Minnesota law. Feeding Our Future did not respond, so in February 2019, the Attorney General's Office sent another letter. Feeding Our Future finally registered as a charity in Minnesota in March 2019. However, for the next two years, Feeding Our Future failed to file any of the documents required to keep its registration active. On October 25, 2021, the Attorney General's Office withdrew Feeding Our Future's registration to solicit funds after it failed for two years to file annual reports and financial records. Feeding Our Future also failed to file its financial records with the IRS. (See paragraphs 18-21 of this [petition](#).) Feeding Our Future only rectified its failure to file in late January 2022, after the FBI executed search warrants against it.

In the same role, the Attorney General's Office has been conducting a civil investigation into potential violations of Minnesota's nonprofit and charities laws by Feeding Our Future.

In February 2022, Attorney General Ellison's office sent a civil investigative demand to Feeding Our Future in which the Office alleged that it "has reasonable grounds to believe that Feeding Our Future and its officers and directors have, among other things, failed to properly administer and use assets held for charitable purposes; breached fiduciary duties; failed to comply with statutory requirements for nonprofit corporations; made false and/or deceptive representations in connection with the solicitation of donations; and engaged in charitable solicitation without registration." (See paragraph 42 of this petition.)

The investigation is ongoing.

3) Overseeing Feeding Our Future's dissolution in court

Using the same civil authority to regulate charities, when Feeding Our Future announced its intent to dissolve in the wake of the federal search warrants, Attorney General Ellison's office petitioned a Dakota County court in March 2022 to supervise Feeding Our Future's dissolution. If the Attorney General's office had not used its authority in this way, Feeding Our Future's founder Aimee Bock — the ringleader of the alleged fraud — would have had been in control of disposing of Feeding Our Future's assets.

In April 2022, the court granted Attorney General Ellison's request to supervise the dissolution. As a result of this successful request, Feeding Our Future is now restricted from being able to do anything with their remaining assets other than what the court approves, with input from Attorney General Ellison's office. The supervised dissolution proceedings are ongoing.