



Bob Ferguson
ATTORNEY GENERAL OF WASHINGTON

Campaign Finance Unit
PO Box 40100 • Olympia WA 98504-0100 • (360) 753-6200

Delivered via electronic mail

April 18, 2017

Glen Morgan
1001 Cooper Point Road SW #140-222
Olympia, WA 98502
Glenmorgan89@gmail.com

**RE: Citizen Action Notice – Nancy Tosta
Notice of Results**

Dear Mr. Morgan:

The Attorney General's Office has completed its initial review of your citizen action notice. In the review, we noted that the following allegations are outside the two year statute of limitations for citizen actions. As a result, this office will defer to the Public Disclosure Commission to review, and possibly investigate, those allegations; the Commission may take any action it deems appropriate, including possible referral to this office for enforcement.

1. Failure to timely file campaign reporting, including contributions and expenditures, for campaign in election year 2013 (allegations 1-4).
2. Failure to include sponsor identification on campaign website for election year 2013. (allegation 5).

Additionally, we have insufficient detail from the notice and accompanying materials to suggest that a violation of the law occurred with regard to the remaining allegations:

3. Failure to register 2017 election campaign (allegation 6): there is no evidence that Tosta has become a candidate as defined by law so as to trigger a duty to file form C-1.
4. Failure to disclose offices held on form F-1 (allegation 8): participation on this board and committee is not required to be reported on form F-1.

Finally, you alleged that Tosta filed her Personal Financial Affairs statement (F-1) due on April 15, 2016 late (allegation 7). It appears that Tosta filed this form 29 days late. However, this single allegation, even if true, provides an insufficient basis to justify using superior court resources to address it. As such, the Attorney General's Office, in exercising its prosecutorial

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discretion, is declining to file an action on this single claim. The Commission has jurisdiction over the allegations; any decision on how to respond to the allegations will be left with the Commission. Following review, the Commission may institute an enforcement proceeding related to your notice.

If you have any questions about these decisions, please advise.

Sincerely,



WALTER M. SMITH
Assistant Attorney General

WMS:kj

cc: Darwin Roberts, Deputy Attorney General
Nancy Tosta, Respondent
John Gerberding, King County Prosecutor's Office
Elizabeth Petrich, Thurston County Prosecutor's Office
Evelyn Fielding Lopez, Executive Director – Public Disclosure Commission