

# Schwerin Campbell Barnard Iglitzin & Lavitt LLP

ATTORNEYS AT LAW

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*Original via electronic mail to:  
Jacob.Berkey@pdc.wa.gov*

February 21, 2017

Jacob Berkey  
Public Disclosure Commission  
711 Capitol Way, Rm. 206  
P. O. Box 40908  
Olympia, WA 98504-0908

Re: Response To PDC Complaint # 13641 (People for Thurston County)  
SCBIL File No. 6548-001

Dear Mr. Berkey:

We write to you today on behalf of our client, People for Thurston County (“the Committee”), in response to an additional complaint submitted by Glen Morgan. As you are undoubtedly aware, Mr. Morgan has submitted numerous complaints against the Committee, many with overlapping or repetitive assertions. This letter will address the above-referenced complaint.

This complaint relates to the most recent C-4 submitted by the Committee (due 2/10/17, covering the period 1/1/17-1/31/17). The Committee’s only activity in this reporting period involves incurring legal fees responding to Mr. Morgan’s complaints. The Committee submitted its C-4 to the PDC via ORCA prior to the deadline; however, the Committee’s treasurer accidentally uploaded an “amended” C-4 for the period 12/1/16-12/31/16 instead of the new C-4.

The error stems from both inexperience and confusion from the ORCA’s report manager screen—which, for a single-year campaign like the Committee’s, only loads a certain number of C-4 report periods depending on the campaign that is created. The report manager screen only loaded C-4 reports through the December report period; additional steps are required to add additional report periods, which the Committee did not realize it needed to do.

Upon opening the report manager, the Committee’s treasurer ended up amending the prior C-4 while intending to upload a new C-4. She did not notice that the reporting period dates were for the wrong period at the time, or when she received the confirmation email from the PDC (which she took as confirmation that the report had been properly submitted).

On February 13, the Committee was made aware of the error. The Committee took the required steps to expand the C-4 report periods so the C-4 for January could be reported by the end of the day.

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While the error was unfortunate, it was clearly unintentional. The Committee's submission of the wrong C-4 by the new reporting period's due date stands as evidence of the Committee's efforts to comply with State campaign finance law, and its efforts to immediately fix the error—within *days* of the error being committed, and within the *day* of the error being brought to the Committee's attention—show that any sort of punishment or penalty for the Committee over such a slight error would not further the State's interest in securing compliance.

If you have any questions, or if there is anything we can do to be of assistance to you, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura Ewan", written in a cursive style.

Laura Ewan

cc: Jay Manning (*via email, jmanning@cascadialaw.com*)  
Walter Smith (*via email, walters@atg.wa.gov*)