



John J. White
white@livengoodlaw.com

October 22, 2018

via electronic and regular mail
pdc@pdc.wa.gov

Public Disclosure Commission
711 Capitol Way S. #206
Olympia, WA 98504-0908

Re: complaint against Washingtonians and the National Rifle Association for Freedom, 2018

Dear Commission Staff:

This letter supplements the committee's response on October 17, 2018.

DISCUSSION

Allegation 2

Claim: The committee additionally failed to file their C1 Political Committee Registration in a timely manner. RCW 42.17A.205(1) specifies that registration must be filed within two weeks of organization or a committee expecting to make expenditures or receive contributions. The committee filed their C1 on June 27, 2018.

- (1) However, the committee had been active since at least April 26, 2018, as evidenced by the Facebook post screenshotted below.
- (2) Additionally, the officers of "Washingtonians and the National Rifle Association for Freedom, 2018" have participated in active, organized, and organizational activities in opposition to Initiative 1639 since at least May 16, 2018, when the National Rifle Association (the organization bankrolling "Washingtonians and the National Rifle Association for Freedom, 2018" and which employs at least most staff and officers of "Washingtonians and the National Rifle Association for Freedom, 2018") filed a legal challenge against the initiative's ballot title.

Response:

(2) With respect to the litigation involving the title of I-1639, the committee was not a party to the litigation. The NRA Institute for Legislative Action engaged a Seattle law firm to challenge the correctness of the proposed ballot title and summary for I-1639. The firm represented and billed NRA-ILA, not the committee. A copy of the firm's invoices for those services, redacted to protect attorney-client and attorney work product material is attached as Exhibit 2.

The invoices were routed to the committee in error. The committee paid the invoices on August 23, 2018, and timely reported the payments. A copy of the checks with the bank account and vendor number redacted is attached as Exhibit 3. The committee is in the process of obtaining a refund from the firm for the erroneous payment and will reflect the refund in its filings with the PDC.

The actions of NRA-ILA are not attributable to the committee. The committee did not exist at the time NRA-ILA challenged the correctness of the proposed ballot title, and even if it did exist at that time, under established PDC practice a committee is separate from its supporters and contributors.

CONCLUSION

The complaint remains meritless and should be promptly dismissed.

Very truly yours,

Livengood Alskog, PLLC


John J. White

EXHIBIT 2

CORR CRONIN | LLP
A Limited Liability Partnership
1001 Fourth Avenue, Suite 3900
Seattle, WA 98154-1051
TEL: 206-625-8600 FAX: 206-625-0900
Tax ID # 91-1952756

National Rifle Association
c/o NRA Institute for Legis. Action
Accounts Payable - ILA
11250 Waples Mill Road
Fairfax VA 22030

Page: 1
05/31/2018
Account No: 769-00003M
Statement No: 1

Attn: Christopher Conte

Re: Challenge to Initiative 1639

FEES

			<u>RATE</u>	<u>HOURS</u>
05/15/2018	SWF	Telephone conference with [REDACTED] [REDACTED] then work on [REDACTED]	[REDACTED]	550.00
	BB	Research [REDACTED]	[REDACTED]	360.00
	EAL	Research [REDACTED] review [REDACTED] analyze [REDACTED]	[REDACTED]	2,100.00
05/16/2018	BB	[REDACTED]	[REDACTED]	900.00
	EAL	Communicate with [REDACTED] [REDACTED]	[REDACTED]	2,625.00
05/17/2018	BB	Review and research [REDACTED] [REDACTED]	[REDACTED]	630.00
	EAL	Coordinate service; communicate with Attorney General's Office; communicate with [REDACTED] [REDACTED]	[REDACTED]	1,785.00
05/18/2018	SWF	[REDACTED]	[REDACTED]	165.00
	BB	[REDACTED]	[REDACTED]	150.00
	EAL	[REDACTED]	[REDACTED]	1,575.00
05/20/2018	SWF	[REDACTED]	[REDACTED]	110.00

Re: Challenge to Initiative 1639

			RATE	HOURS	
	EAL	Communicate with [REDACTED]	[REDACTED]	[REDACTED]	70.00
05/21/2018	SWF	Review and exchange email re: [REDACTED]	[REDACTED]	[REDACTED]	165.00
	EAL	Teleconference with [REDACTED] communicate with Attorney General's Office re [REDACTED]	[REDACTED]	[REDACTED]	1,890.00
05/22/2018	EAL	Analyze [REDACTED]	[REDACTED]	[REDACTED]	420.00
05/24/2018	BB	Review [REDACTED]	[REDACTED]	[REDACTED]	720.00
	SWF	Review and exchange email re: [REDACTED]	[REDACTED]	[REDACTED]	440.00
	EAL	Analyze [REDACTED] legal research re [REDACTED]	[REDACTED]	[REDACTED]	2,975.00
05/25/2018	SWF	Review and exchange email re: [REDACTED]	[REDACTED]	[REDACTED]	165.00
	BB	Update on [REDACTED]	[REDACTED]	[REDACTED]	60.00
	EAL	[REDACTED]	[REDACTED]	[REDACTED]	455.00
05/29/2018	EAL	[REDACTED]	[REDACTED]	[REDACTED]	560.00
05/31/2018	SWF	Review and exchange email re: [REDACTED]	[REDACTED]	[REDACTED]	220.00
	EAL	Communicate with [REDACTED]	[REDACTED]	[REDACTED]	315.00
				FOR LEGAL SERVICES RENDERED THROUGH 05/31/2018	54.90 19,405.00

SUMMARY OF TIME				
Timekeeper	Title	Hours	Rate	Amount
Steven W. Fogg	Partner	[REDACTED]	[REDACTED]	\$1,815.00
Eric Lindberg	Associate	[REDACTED]	[REDACTED]	14,770.00
Benjamin Byers	Associate	[REDACTED]	[REDACTED]	2,820.00

ADVANCES

05/31/2018	Process Service - KNR Couriers LLC (5/17/18 service on Attorney General's Office, Olympia)	95.00
05/31/2018	Process Service - KNR Couriers LLC (5/17/18 service on Secretary of State, Olympia)	20.00
	Process Service -	115.00
05/21/2018	Filing fee - Thurston County Superior Court- E-Filing (judge's	

National Rifle Association

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05/31/2018

Account No: 769-00003M
Statement No: 1

Re: Challenge to Initiative 1639

	copy of NRA's opening brief)	12.50
	Filing fee -	12.50
05/30/2018	Miscellaneous advance - Christopher Laporte (Thurston County pleadings purchases 5/17/18)	25.25
	Miscellaneous advance -	25.25
	TOTAL ADVANCES THROUGH 05/31/2018	152.75
	Total Due for Current Invoice 05/31/2018	19,557.75
	TOTAL DUE	<u>\$19,557.75</u>

Billing History

<u>Fees</u>	<u>Expenses</u>	<u>Advances</u>	<u>Finance Charge</u>	<u>Payments</u>
19,405.00	0.00	152.75	0.00	0.00

Payment is due upon receipt of invoice.

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 Fairfax VA 22030

Page: 1
 06/30/2018
 Account No: 769-00003M
 Statement No: 2

Attn: Christopher Conte

Re: Challenge to Initiative 1639

FEES

			RATE	HOURS	
06/01/2018	BB	Research [REDACTED] review [REDACTED]			180.00
	EAL	Discuss [REDACTED] with client; discuss [REDACTED]			1,050.00
	SWF	Email with [REDACTED]			385.00
06/03/2018	SWF	[REDACTED]			330.00
06/04/2018	SWF	[REDACTED]			440.00
	EAL	[REDACTED]			1,260.00
06/05/2018	BB	[REDACTED]			90.00
	SL	Prepare [REDACTED]			105.00
	SWF	Continue [REDACTED]			660.00
06/06/2018	BB	[REDACTED]			480.00
	EAL	Communicate with client re [REDACTED]			1,995.00
	SWF	[REDACTED]			1,925.00
06/07/2018	BB	[REDACTED]			90.00
	EAL	[REDACTED]			

Re: Challenge to Initiative 1639

			RATE	HOURS	
					1,610.00
	CL	Research and correspond with			15.00
	SWF	Prepare			2,860.00
06/28/2018	BB				180.00
	EAL	Communicate with			525.00
06/29/2018	EAL				630.00
	BB				630.00
06/30/2018	EAL				595.00
FOR LEGAL SERVICES RENDERED THROUGH 06/30/2018				40.30	16,035.00

<u>Timekeeper</u>		<u>SUMMARY OF TIME</u>		
	Title	Hours	Rate	Amount
Steven W. Fogg	Partner			\$6,600.00
Eric Lindberg	Associate			7,665.00
Benjamin Byers	Associate			1,650.00
Sheila LaRussa	Paralegal			105.00
Christopher Laporte	Paralegal Assistant			15.00

EXPENSES

06/05/2018	Color copy charge, 78 copies	27.30
06/06/2018	Color copy charge, 83 copies	29.05
	Color copy charge	56.35
06/27/2018	Lexis/Westlaw Research Thomson Reuters (May 2018)	18.26
06/27/2018	Lexis/Westlaw Research Thomson Reuters (May 2018)	56.73
	Lexis/Westlaw Research	74.99
05/17/2018	Copying, 86 copies, NRA I-1639	12.90
05/17/2018	Copying, 43 copies, NRA I-1639	6.45
06/05/2018	Copying, 35 copies	5.25
06/06/2018	Copying, 30 copies	4.50
06/06/2018	Copying, 29 copies	4.35
06/06/2018	Copying, 326 copies	48.90
	Copying	82.35
TOTAL EXPENSES THROUGH 06/30/2018		213.69

Re: Challenge to Initiative 1639

ADVANCES

06/06/2018	Filing fee - Thurston County Superior Court- E-Filing (judge's copy of reply in support of Challenge to Initiative I-1639)	12.50
	Filing fee -	12.50
	TOTAL ADVANCES THROUGH 06/30/2018	<u>12.50</u>
	Previous Balance	\$19,557.75
	<u>Total Due for Current Invoice 06/30/2018</u>	16,261.19
	TOTAL DUE	<u>\$35,818.94</u>

	Aged Due Amounts					
	<u>0-30</u>	<u>31-60</u>	<u>61-90</u>	<u>91-120</u>	<u>121-180</u>	<u>181+</u>
	35,818.94	0.00	0.00	0.00	0.00	0.00

Billing History

	<u>Fees</u>	<u>Expenses</u>	<u>Advances</u>	<u>Finance Charge</u>	<u>Payments</u>
	35,440.00	213.69	165.25	0.00	0.00

Payment is due upon receipt of invoice.

EXHIBIT 3

WASHINGTONIANS & THE NRA FOR FREEDOM

Vendor No: [REDACTED] / Name: Corr Cronin Michelson Baumgardner &

001012

Invoice	Ref	Inv Date	Inv Amt	Discount	Adj Amt	Amt Paid
STMT1 MAY	CHALLI1693	05/31/18	19557.75	0.00	0.00	19557.75

Acct:
10118-000

Check Date 08/23/18 Total 19557.75

WASHINGTONIANS & THE NRA FOR FREEDOM
11250 WAPLES MILL ROAD-NORTH TOWER
FAIRFAX, VA 22030-7400

Wells Fargo Bank, N.A.
11-24/1210

001012

***Nineteen Thousand Five Hundred Fifty-Seven & 75/100 Dollars

VOID AFTER 90 DAYS

DATE
08/23/18

AMOUNT
\$19,557.75

PAID TO THE
ORDER OF:

Corr Cronin Michelson Baumgardner &
Preece LLP
1001 Fourth Avenue, Suite 3900
Seattle, WA 98154-1051

AUTHORIZED SIGNATURE
NON-NEGOTIABLE
AUTHORIZED SIGNATURE

⑈001012⑈ [REDACTED]

Security features. Details on back.

WASHINGTONIANS & THE NRA FOR FREEDOM

001012

WASHINGTONIANS & THE NRA FOR FREEDOM

Vendor No: [REDACTED] / Name: Corr Cronin Michelson Baumgardner &

001011

Invoice	Ref	Inv Date	Inv Amt	Discount	Adj Amt	Amt Paid
2 JUN 2018	CHALLI1639	06/30/18	16261.19	0.00	0.00	16261.19

Acct:

10118-000

Check Date 08/23/18

Total

16261.19

WASHINGTONIANS & THE NRA FOR FREEDOM

11250 WAPLES MILL ROAD-NORTH TOWER
FAIRFAX, VA 22030-7400

Wells Fargo Bank, N.A.

11-24/1210

001011

***Sixteen Thousand Two Hundred Sixty-One & 19/100 Dollars

VOID AFTER 90 DAYS

DATE

08/23/18

AMOUNT

\$16,261.19

PAY TO THE
ORDER OF:

Corr Cronin Michelson Baumgardner &
Praece LLP
1001 Fourth Avenue, Suite 3900
Seattle, WA 98154-1051

AUTHORIZED SIGNATURE
NON - NEGOTIABLE
MP
MP

⑈001011⑈ [REDACTED]

Security features. Details on back.

WASHINGTONIANS & THE NRA FOR FREEDOM

001011