

## FLOYD, PFLUEGER & RINGER

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January 22, 2016

**VIA EMAIL ONLY: PHIL.STUTZMAN@PDC.WA.GOV**

Phillip Stutzman  
Sr. Compliance Officer  
State of Washington  
Public Disclosure Commission  
711 Capitol Way, Room 206  
PO Box 40908  
Olympia, WA 98504-0908

RE: Complaints filed by Ann Unruh and Jim Cooper, PDC Case No. 15-080

Dear Mr. Stutzman:

As you know, I represent Ken Greene and Jerry Moberg in the above-referenced matter. Pursuant to our phone conversation of January 19, 2016, I will respond to the questions raised in your November 9, 2015 letter.

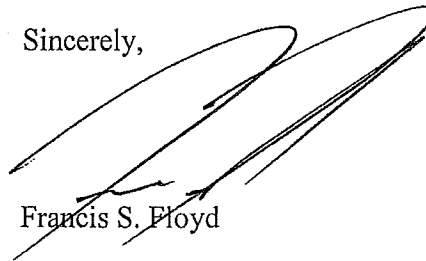
1. Grant County Concerned Voters was merely the name utilized by Ken Greene for the flyer regarding Garth Dano. Ken Greene came up with the name and did not know there were any PDC requirements for this activity. The Garth Dano flyer was the only activity attributed to Grant County Concerned Voters. Mr. Greene was friends with Garth Dano but did not consider him to be a qualified candidate for prosecuting attorney and he did not think it was necessary to reveal his identity on the flyer.
2. Grant County Concerned Voters had no members, was not an organization, was never a legal entity and no one else was involved except Ken Greene. Ken Greene was the sole decision-maker and financial contributor. It was Ken Greene's sole idea to prepare the flyer regarding Garth Dano and he was solely responsible for its preparation and content.
3. Ken Greene never contacted Angus Lee or anyone else regarding the content of the flyer or the fact that it would be mailed.
4. Ken Greene believed the flyer was within his constitutional right of free speech. He was unaware of any of the PDC requirements for registration and his only concern was the possibility of civil liability for defamation. This was the first time Mr. Greene had ever engaged in this type of political / free speech activity.

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5. Ken Greene and Jerry Moberg have been friends for a number of years. Ken Greene asked Jerry Moberg as a friend for an informal opinion on whether the content of the flyer was defamatory and for help in finding someone to mail the flyer. Mr. Moberg was not involved in any way with the content of the flyer and merely advised Ken that it was factually true that there was no exposure for defamation. Mr. Moberg was merely acting as a friend with no expectation of any payment. Mr. Moberg helped Mr. Greene contact The Borns Group regarding the mailing. This was an incidental activity as a friend and was not an activity he would do as part of his practice as an attorney. As a result, this should not and could not be characterized as any type of in-kind contribution.
6. Attached is a copy of the check from Ken Greene to Borns Group.
7. Ken Greene had nothing to do with the flyer regarding Tom Dent and has no idea who was responsible or involved with that flyer.

Let me know if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Francis S. Floyd', with a large, sweeping flourish above it.

cc: Jerry Moberg  
Ken Greene

**SPECIALTY GRANT**