

Friends of Elaine Phelps
c/o Janet Way
905 NW Richmond Beach Road
Shoreline, WA 98177

Monday, November 19, 2018

Washington Public Disclosure Commission

711 Capitol Way S. #206
PO BOX 40908
Olympia, WA 98504-0908

Subject: Response to Complaint Filed Against Friends of Elaine Phelps PAC

Dear Mr Fox Blackthorn:

We are respectfully responding to the complaint filed against our PAC called Friends of Elaine Phelps by Mr Michael Pollowitz of Shoreline, WA. Per *Allegation: Violation of RCW 42.17A.235, .240 for failure to timely or accurately file contribution or expenditure reports.*

When we created our PAC, it was in direct response to the dying wishes of Mrs Elaine Phelps, our friend and longtime Democratic Party supporter. Her most sincere wish was that she could help in the Re-election campaign of Senator Maralyn Chase as an outside contributor AND to help other Progressive candidates in the future, beyond what she had been able to do as a direct supporter. She had intended to take this action herself with one of our board, except for her untimely death which happened quite suddenly July 17th. All four of our board members are all friends and admirers of Elaine and active in Democratic Party activities and values over many years.

From the outset, we called and conferred the PDC and asked for their guidance and tried our best to follow their rules to the letter.

We will respond to Mr Pollowitz' issues, point by point:

1. Starting off he makes this statement, which is factually incorrect. "The address for the committee is 905 NW Richmond Beach Road, Shoreline, WA 98177 that I believe was the home of Ms. Phelps." The address is not the late Elaine Phelps' address, it is actually at the home of one of our board members, Marcy Bloom. Elaine Phelps lived on 10th Ave NW. The phone number belongs to Janet Way.
2. There were admittedly complexities of the rules we may not have fully understood. We talked to the extremely courteous and helpful PDC staff several times in our set up and ongoing reporting process. We were not aware or understanding, however that a C 3, C 4 or C6 was

required at the very outset. We did file a number of C 3's for subsequent donations and expenses after the primary with the help of the PDC staff and updated our record. And we have since filed and updated the record with our C4 and C6 reports, again with the direction of the helpful PDC staff.

3. Mr Pollowitz makes an allegation that names of contributors were falsified. We cannot imagine what he might be alleging here. Every contributor was included. As was every payment for expenses.
4. Elaine Phelps gave Janet Way a gift of approximately \$14k to assist her after her husband's sudden death on April 4, 2018. At the time of the work to create the PAC and get a mailing designed and sent shortly after Elaine's death, Janet Way decided to use some of the funds Elaine had given her to fund the effort for the mailing. We had two other contributions from our board members as well. Janet Way contributed the \$4,300 from her own bank account (which had come originally from Elaine Phelps). To be completely honest and transparent, our PAC members decided to declare that some of the funds had originally come from Elaine, though she did not intend those funds to be used for the mailing. These were originally intended for Janet Way to meet her living expenses. Elaine would have preferred to use her own funds if she had survived. But Janet Way decided that she wanted to contribute to this cause as well in Elaine Phelps' memory as a legacy, hence the name of our PAC. Elaine Phelps' estate has not been distributed, and will not be until later in 2019, so no funding from her estate has been utilized for the Friends of Elaine Phelps PAC.
5. Our bank records from Key Bank could be made available at the request of the PDC.
6. Mr Pollowitz alleges some plot where those of us in the PAC were involved with a mailing made by Elaine Phelps against Jesse Salomon in 2015. That is completely false. None of us participated in that effort by Elaine. That was an "independent expenditure" effort made by Elaine Phelps alone. Friends of Elaine Phelps PAC was established in 2018, and any activities on a different election earlier are irrelevant.
7. We called the PDC as soon as I saw the complaint and discussed the situation and got their recommendations on how to respond correctly.

These are our responses to the complaints made by Michael Pollowitz. They are true and correct to the best of our knowledge and belief and records.

Respectfully Submitted,

Janet Way, Chair
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206-734-5545

Ps. You may notice that some ID shows up with this file stating the writer is Alan Worthington. That is because it originates from my deceased husband's laptop. Thank you.