

Orin Smith: PDC Case No. 11-016

Executive Summary and Staff Analysis

I. Introduction

On August 4, 2010, Dmitri Iglitzin, on behalf of his client, UNITE HERE, a labor organization, filed a 45 day citizen action letter, alleging that Orin Smith, a University of Washington Regent, has failed to properly disclose income earned from speaking fees on his Personal Financial Affairs Statement (PDC form F-1), an alleged violation of RCW 42.17.241.

II. 45 Day Letter Allegations

The citizen action letter was filed with the Office of the Washington State Attorney General (AGO) and with the King County Prosecutor in accordance with RCW 42.17.400(4), which provides that if the Attorney General or King County Prosecutor do not take action within the required notice periods, the complainant may take action in the name of the state.

PDC staff received a request from the AGO to conduct an investigation and, as appropriate, schedule an administrative hearing or provide a copy of the Commission's recommendation along with staff's report of investigation. The 45 day citizen action letter alleged that Mr. Smith has reported income from speaking engagements on his F-1, filed January 29, 2010, by listing "*Kepler Associates, Inc., Speaking Fees, Code E (\$100,000 or more)*" and that he is required to list the names of the organizations who have paid him to give speeches rather than his agent's name, Kepler Associates, Inc., as the source of compensation, alleged violations of RCW 42.17.241.

III. Background & Investigative Findings

Orin Smith was appointed to serve as a Regent of the University of Washington, beginning in December 2009. As a Regent, he is required to file a Personal Financial Affairs Statement within two weeks of appointment for the preceding 12 months. He is then required to file an F-1 report by April 15 of each year for activity occurring during the previous calendar year.

On January 29, 2010, the PDC received Mr. Smith's initial F-1, along with an application for a Reporting Modification. At its February 26, 2010 Commission meeting, Mr. Smith was granted a modification stating that he may satisfy the reporting requirements of RCW 42.17.241(1)(g)(ii) without identifying the reportable business and other governmental customers of Nike, Inc. and The Walt Disney Company that paid \$10,000 or more to the entities during the reporting period. The reporting modification was granted on the condition that Mr. Smith must recuse himself from voting on or otherwise participating in any contracting, equipment purchases, or other policy making decisions involving Nike, Inc. and the University of Washington. The order granting the modification was signed March 3, 2010.

Orin Smith
Executive Summary and Staff Analysis
PDC Case No. 11-016

Mr. Smith reported receiving income in Section 1 of the F-1 from Keppler Associates, Inc. for "Speaking Fees" in the amount of Code E. On July 15, 2010, Kevin Smith, on behalf of his brother, Orin Smith, contacted PDC staff and inquired about a letter Orin Smith had received from UNITE HERE, Local 11, a local hotel and restaurant union in Los Angeles, California. The letter stated that according to the website of Mr. Smith's agent, Keppler Associates, Inc., Orin Smith was "*receiving speaker's fees of \$30,000 and up per speech from various entities*" and that instead of disclosing the names of each entity on his F-1 report, Mr. Smith had listed the name of his agent, Keppler Associates, Inc. as the source of the income.

The letter from UNITE HERE, informed Mr. Smith that his F-1 report was not consistent with sample disclosures contained in the PDC F-1 Instruction Manual, and was not consistent with how other public officials reported speakers' fees. The letter went on to provide examples of reports filed by federal officials, and also alleged that Mr. Smith's reporting was not consistent with RCW 42.17.242, which states that payments required to be reported under RCW 42.17.240 shall not be accepted in a fictitious name, anonymously, or by one person through an agent, relative or other person in such a manner as to conceal the identity of the source of the payment. The letter asked Mr. Smith to confirm that he would amend his F-1 report within seven days of June 30, 2010.

Through his brother Kevin Smith, Orin Smith corresponded with PDC staff and explained that he had received payments for speeches from Keppler Associates, Inc, and that he had received IRS Form 1099 for income earned as an independent contractor with Keppler Associates, Inc. Mr. Smith was told that based on the information provided to PDC staff, the F-1 did not need to be amended.

After receiving the 45 day citizen action letter on August 4, 2010, PDC staff contacted Orin Smith to verify whether the income for speaking fees was being reported properly. It was found that Orin Smith is not an employee of Keppler Associates, Inc. who is paid wages or a salary to make speeches. Instead, he is an independent contractor, working for Keppler Associates, Inc. Orin Smith is paid a fee by Keppler Associates, Inc. for each speech, and he is issued IRS Form 1099 from Keppler Associates, Inc. for payments to Mr. Smith for giving speeches.

PDC staff reviewed a copy of Form 1099-MISC issued to Orin Smith, showing Nonemployee compensation paid to Mr. Smith by Keppler Associates, Inc. for work performed during 2009. The amount in Box 7 of the Form 1099 corresponds to the range known as "Code D" on the F-1 report.

Although not required to disclose the individual speeches for which he was paid by Keppler Associates, Inc., Orin Smith has voluntarily disclosed, in his response to the complaint, that he gave one speech during 2009 to Aditya Birla Group, a multi-billion corporation, headquartered in Mumbai, India.

IV. Conclusion and Recommendation

Orin Smith filed an F-1 report showing income from Keppler Associates, Inc. for Speaking Fees. The investigation showed that Mr. Smith is an independent contractor with Keppler Associates, Inc. He contracts with, and is paid by, Keppler Associates, Inc. for speeches given. He does not contract with, nor is he paid by the organizations where he speaks.

PDC staff has carefully reviewed the August 4, 2010 citizen action letter, the information provided by Mr. Smith, and the relevant statutes, regulations, and reporting requirements, and concludes that Mr. Smith is in compliance with RCW 42.17.241. PDC staff recommends that the Commission recommend that the Attorney General take no action with regard to the citizen action letter.



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112
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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN RE COMPLIANCE)	PDC CASE NO: 11-016
WITH RCW 42.17)	
)	Report of Investigation
Orin Smith)	
)	
Respondent)	
_____)	

I.

Complaint

- 1.1 On August 4, 2010, a 45 day citizen action Letter was received by the Attorney General's Office from Dmitri Iglitzin on behalf of his client, UNITE HERE, a labor organization. The complaint was filed pursuant to RCW 42.17.400 against Orin Smith for alleged violations of the campaign finance disclosure laws, RCW 42.17. The 45 day citizen action letter was also addressed to the King County Prosecutor, Daniel T. Satterberg. **(Exhibit 1)**
- 1.2 On August 10, 2010, the Public Disclosure Commission (PDC) received a request from the Attorney General's Office to investigate the complaint, and as appropriate, to schedule an administrative hearing or provide a copy of the Commission's recommendation, along with staff's report of investigation.
- 1.3 The complaint alleged that Mr. Smith has reported income from speaking engagements on his Personal Financial Affairs Statement (PDC form F-1), filed January 29, 2010, by listing "*Kepler Associates, Inc., Speaking Fees, Code E (\$100,000 or more)*" and that he is required to list the names of the organizations who have paid him to give speeches rather than his agent's name, Kepler Associates, Inc., as the source of compensation.
- 1.4 Under RCW 42.17.400(4), after 45 days has elapsed from the date of notice to the Attorney General's Office and the King County Prosecutor, the complainant can provide a final 10 day notice (after September 18, 2010) and if neither the Attorney General nor the King County Prosecutor has commenced an action, can then bring an action in the name of the state.

II. Background & Findings

- 2.1 Orin Smith was appointed to serve as a Regent of the University of Washington, beginning in December 2009. As a Regent, he is required to file a Personal Financial Affairs Statement (PDC form F-1) within two weeks of appointment for the preceding 12 months. He is then required to file an F-1 report by April 15 of each year for activity occurring during the previous calendar year. Mr. Smith served as President and Chief Executive Officer for the Starbucks Coffee Company from 2000-2005, and was first hired by the company in 1990.
- 2.2 On January 29, 2010, the PDC received Mr. Smith's initial F-1, along with an application for a Reporting Modification. At its February 26, 2010 Commission meeting, Mr. Smith was granted a modification stating that he may satisfy the reporting requirements of RCW 42.17.241(1)(g)(ii) without identifying the reportable business and other governmental customers of Nike, Inc. and The Walt Disney Company that paid \$10,000 or more to the entities during the reporting period. The modification was granted on the condition that Mr. Smith must recuse himself from voting on or otherwise participating in any contracting, equipment purchases, or other policy making decisions involving Nike, Inc. and the University of Washington. The order granting the modification was signed March 3, 2010.
- 2.3 On the F-1 report Mr. Smith filed on January 29, 2010, he reported receiving income in Section 1 from Keppler Associates, Inc. for "Speaking Fees" and he listed the amount of income as Code "E." **(Exhibit 2)** Specifically, the 45 day citizen action letter alleged that Mr. Smith failed to disclose the name of each organization that paid him to give a speech. The complaint alleged that Mr. Smith incorrectly listed his agent, Keppler Associates, Inc., as the source of compensation for giving speeches.
- 2.4 On July 15, 2010, Kevin Smith, on behalf of his brother, Orin Smith, contacted PDC staff and inquired about a letter that Orin Smith had received on June 30, 2010, from UNITE HERE, Local 11, a local hotel and restaurant union in Los Angeles, California. The letter stated that according to the website of Mr. Smith's agent, Keppler Associates, Inc., Orin Smith was "*receiving speaker's fees of \$30,000 and up per speech from various entities*" and instead of disclosing the names of each entity on his F-1 report, Mr. Smith had listed the name of his agent, Keppler Associates, Inc.
- 2.5 The letter from UNITE HERE, informed Mr. Smith that his F-1 report was not consistent with sample disclosures contained in the PDC F-1 Instruction Manual, and was not consistent with how other public officials reported speakers' fees. The letter went on to provide examples of reports filed with a federal agency by two federal officials, including Secretary of State Hillary Clinton and National Security Council Executive, Lawrence Summers. Finally, the letter from UNITE HERE stated that Mr. Smith's F-1 report was not consistent with RCW 42.17.242, which states that payments required to be reported under RCW 42.17.240 shall not be accepted in a fictitious name, anonymously, or by one person through an agent, relative or other person in such a manner as to conceal the

identity of the source of the payment, and asked him to confirm that he would amend his F-1 report within seven days of June 30, 2010.

- 2.6 Kevin Smith sent an e-mail to PDC staff on July 21, 2010, regarding the June 30, 2010 letter from UNITE HERE. Kevin Smith stated in the e-mail that Orin Smith had disclosed the income he had received from Keppler Associates, Inc. during 2009 for speaking fees, and that Keppler Associates, Inc. had provided Mr. Smith with IRS Form 1099-Miscellaneous Income for income earned during 2009. Kevin Smith asked whether the F-1 needed to be amended. PDC staff advised Kevin Smith that based on the information provided to PDC staff, the F-1 did not need to be amended.
- 2.7 After receiving the 45 day citizen action letter on August 4, 2010, PDC staff contacted Orin Smith to verify whether the income for speaking fees was being reported properly. PDC staff questioned how Orin Smith was paid speaking fees for speeches arranged by Keppler Associates, Inc.
- 2.8 Through Kevin Smith, Orin Smith stated that he is not an employee of Keppler Associates, Inc. who is paid wages or a salary to make speeches, but instead is an independent contractor, working for Keppler Associates, Inc. Orin Smith said he is paid a fee or contracted amount by Keppler Associates, Inc. for each speech, and said he is issued IRS Form 1099 from Keppler Associates, Inc. for payments received during each calendar year.
- 2.9 On September 2, 2010, PDC staff reviewed (but returned and did not retain) a copy of Form 1099-MISC for Orin Smith, showing Nonemployee compensation paid to Mr. Smith by Keppler Associates, Inc. for work performed during 2009. The amount in Box 7 of the Form 1099 corresponds to the range known as "Code D" on the F-1 report.
- 2.10 On September 7, 2010, PDC staff received a letter in response to the 45 day citizen action letter from Orin Smith in which he stated that in 2009 he was an independent contractor working for Keppler Associates, Inc., and stating that he received a fee from Keppler Associates, Inc. for one speech given during 2009. He stated that he received IRS Form 1099 from Keppler Associates, Inc. for the 2009 income. The letter also named the organization Orin Smith spoke to in 2009 to earn the speaking fees disclosed on his F-1. He disclosed that he spoke to Aditya Birla Group, a multi-billion corporation, headquartered in Mumbai, India.

III. **Scope**

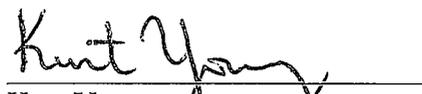
- 3.1 Public Disclosure Commission (PDC) staff reviewed the 45 day citizen action letter filed by Dmitri Iglitzin on behalf of his client, UNITE HERE, against Orin Smith.
- 3.2 PDC staff reviewed the F-1 report filed by Orin Smith on January 29, 2010, the information he sent to PDC staff by email on September 2, 2010, and the Keppler Associates, Inc. website.

IV.
Relevant Laws & Regulations

- 4.1 **RCW 42.17.240** requires all elected officials to file a Personal Statement of Financial Affairs (PDC Form F-1) by April 15th of each year. The F-1 report shall include detailed personal information such as income sources and amounts, real estate holdings, assets and investments including banking information, creditor information and supplemental information about business ownerships for the preceding calendar year, including business and other governmental customer information.
- 4.2 **RCW 42.17.241** states in part that the Statement of Financial Affairs required by RCW 42.17.240 shall disclose for the reporting individual and each member of his or her immediate family, the occupation of the filer and the name and business address of the employer. In addition, the statute requires the following disclosure: ...
- (g) The name of any corporation, partnership, joint venture, association, union, or other entity in which is held any office, directorship, or any general partnership interest, or an ownership interest of ten percent or more; the name or title of that office, directorship, or partnership; the nature of ownership interest; and with respect to each such entity: (i) With respect to a governmental unit in which the official seeks or holds any office or position, if the entity has received compensation in any form during the preceding twelve months from the governmental unit, the value of the compensation and the consideration given or performed in exchange for the compensation; (ii) the name of each governmental unit, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from which the entity has received compensation in any form in the amount of *two thousand five hundred dollars or more during the preceding twelve months and the consideration given or performed in exchange for the compensation....”
- 4.3 **RCW 42.17.242** states that “No payment shall be made to any person required to report under RCW 42.17.240 and no payment shall be accepted by any such person, directly or indirectly, in a fictitious name, anonymously, or by one person through an agent, relative, or other person in such a manner as to conceal the identity of the source of the payment or in any other manner so as to effect concealment except that the commission may issue categorical and specific exemptions to the reporting of the actual source when there is an undisclosed principal for recognized legitimate business purposes.”
- 4.4 **WAC 390-24-203** describes the reporting of field trips and other excursions to include the following:
- (1) All persons required to file reports pursuant to RCW 42.17.170 who provide field trips or other excursions to elected and appointed officials, and other individuals required to file the Personal Financial Affairs Statement (PDC Form F-1) shall file, on the appropriate monthly L-2 or L-2 Memo Report, the identity of persons attending the field trip or other excursion along with the date, pro rata cost, and a brief description of the field trip or other excursion.
- (2) All persons required to file pursuant to RCW 42.17.241 who attend a field trip or

other excursion paid for or provided by a lobbyist, lobbyist employer, or other person paying for or providing field trips or other excursions shall report the date, name of the person paying for or providing the field trip or excursion, pro rata cost attributable to the filer, applicable code value, and a brief description of the field trip or other excursion as part of the F-1 statement that covers the date of the field trip or other excursion.

Respectfully submitted this 16th day of September, 2010.


Kurt Young
PDC Compliance Officer

List of Exhibits

- Exhibit 1** 45 day citizen action letter filed by UNITE HERE against Orin Smith
- Exhibit 2** F-1, Pages 1 & 2, received January 29, 2010
- Exhibit 3** Response to 45 day citizen action letter from Orin Smith

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AUG 10 2010

Schwerin Campbell Barnard Iglitzin & Lavitt LLP

ATTORNEYS AT LAW

Of Counsel Lawrence Schwerin

Public Disclosure Commission

DMITRI IGLITZIN
Iglitzin@workerlaw.com

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2010 AUG -4 A 8: 28

ATTORNEY GENERAL
OF
WASHINGTON

Original via US First Class Mail

August 3, 2010

Attorney General Rob McKenna
Office of the Attorney General
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100

King County Prosecutor Daniel T. Satterberg
516 Third Avenue
Seattle, Washington 98104-2362

Re: Notice of Violations of RCW 42.17.241
Our File No. 2500-999

Dear Attorney General McKenna and King County Prosecutor Satterberg:

We represent UNITE HERE, a labor organization which has as members several thousand Washington taxpayers. We write on its behalf pursuant to RCW 41.17.400 to complain of violations of the State's financial disclosure requirements by a public official, UW Regent Orin Smith, and to request you take action so as to make a private lawsuit unnecessary.

As you know, UW Regents are required to list in their F-1 financial disclosure statements with the state Public Disclosure Commission all sources of over \$2000 in income. RCW 42.17.241. Mr. Smith, as retired Starbucks executive, is paid by various organizations to give speeches. According to the website of his agent Keppler Associates, he receives speakers fees of \$30,000 and up per speech. However, instead of disclosing the names of these organizations in his F-1 report filed 1/29/10, he just listed his agent's name, which is meaningless in terms of the purposes for requiring the disclosure in the first place.

This reporting is not consistent with the sample disclosure contained in the Commission's Instruction Manual of January 2010 at p. 29, which shows the identity of a trade association paying for a speech.

PDC Exhibit # 1
Page 1 of 10

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Seattle, Washington 98119 | (800) 238.4231 TEL
workerlaw.com | (206) 378.4132 FAX

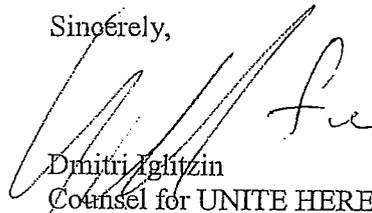
Rob McKenna & Daniel T. Satterberg
August 3, 2010
Page 2 of 2

This reporting is also not consistent with how other public officials report their speakers' fees (see enclosed sample of officials disclosing each entity paying for speeches, rather than their agent).

This reporting is also not consistent with RCW 42.17.242 ("no payment shall be accepted ... through an agent, relative or other person in such a manner as to conceal the identity of the source of the payment"). See also WAC 390-24-203(2) ("All persons required to file pursuant to RCW 42.17.241 who attend a *** excursion paid for or provided by a * * * person paying for or providing field trips or other excursions shall report the date, *name of the person paying for or providing the field trip or other excursion*, pro rata cost attributable to the filer, applicable code value, and a brief description of the field trip or other excursion as part of the F-1 statement that covers the date of the field trip or other excursion.").

My client complained of these violations directly to Mr. Smith on June 30, 2010. Receiving no response directly from him, my client's in-house counsel doublechecked with PDC to see if it had received a corrected report from Mr. Smith. No response was received. Demand is hereby made pursuant to RCW 42.17.400 that your offices obtain compliance by Mr. Smith with RCW 42.17.241(1)(f)-(g).

Sincerely,



Dmitri Iglitzin
Counsel for UNITE HERE

Enclosure

cc: Erik Van Rossum

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AUG 10 2010

Public Disclosure Commission

SP278 (Rev. 02/2009)

U.S. Office of Congressional Ethics

Date of Appointment, Confirmation, Election or Re-election (Month, Day, Year)

January 20, 2009

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Form Approved OMB No. 5709-0001

Reporting Individual's Name	Reporting State	Foundational	Calendar Year Covered by Report	New Report Number, or Certificate	Termination	Expiration Date, if Applicable (Month, Day, Year)
SUMMERS	VA	<input type="checkbox"/>	2009	<input checked="" type="checkbox"/>	Other	
Position for Which Filing	Title of Position	First Name and Middle Initial				
	DIRECTOR	LAWRENCE H.				
Location of Present Office (or forwarding address)	Department of Energy (Washington, DC)					
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)	NATIONAL ECONOMIC COUNCIL					
President(s) Name(s) Subject to Senate Confirmation	Name of Congressional Committee, Committee Name, or Member					
	Do You Understand the Reporting Requirements? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
Other Name(s) (If defined by agency)	Do You Understand the Reporting Requirements? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
Signature of Reporting Individual	Signature of Reporting Individual	Date (Month, Day, Year)	Date (Month, Day, Year)	Date (Month, Day, Year)		
<i>[Signature]</i>	<i>[Signature]</i>	03/23/09	03/23/09	03/23/09		
Agency, Office, Official's Position	Signature of Department Administrator, Senior Official, or Reporting Official					
On the basis of information contained in this report, I certify that the filer is in compliance with applicable laws and regulations (subject to any comments in the box below)	Date (Month, Day, Year)					
Office of Government Ethics	3/23/09					
Comments of Reporting Official (If additional space is required, see the reverse side of this report)	Date (Month, Day, Year)					
	3/23/09					

Supersedes Prior Editions, Which Cannot Be Used

Check box if comments are contained on the reverse side

Check box if filing extension granted & number of days

278-112

Form Designed in Microsoft Excel 2000

NSN 7540-01-070-8444

SUMMERS, LAWRENCE H.

SCHEDULE A continued

(Use only if needed)

Page Number

12

Assets and Income	Valuation of Assets at close of reporting period					Type	Amount					Other Income (Specify Type & Amount)	Date Acq. (Or if Eminent Domain)	
	Block A	Block B					Block C	None (or less than \$201)	\$1,001 - \$2,500	\$5,001 - \$15,000	\$50,001 - \$100,000			Over \$1,000,000*
None <input type="checkbox"/>														
1 SKAGEN FUNDS		\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$250,001 - \$500,000	Over \$1,000,000*	Over \$5,000,000	Excepted Trust	Dividends	Interest				
2 SKAGEN FUNDS														
3 JP MORGAN														
4 PRICEWATERHOUSE COOPERS LLP														
5 TAX COUNCIL POLICY INSTITUTE														
6 CITIGROUP														
7 PENSION REAL ESTATE ASSOCIATION														
8 ASOCIACION DE BANCOS DE MEXICO														
9 GOLDMAN, SACHS & CO.														

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other highest categories of value as appropriate.

Please Explain Cannot Be Used



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Public Disclosure Commission

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UNITED STATES SENATE FINANCIAL DISCLOSURE REPORT FOR ANNUAL AND TERMINATION REPORTS

1 Last Name CLINTON	2 First Name and Middle Initial HILARY RODHAM	3 Annual Report Calendar Year Covered by Report 2007	4 Senate Office / Agency in Which Employed U.S. SENATE
5 Senate Office Address: Room, Street, City, State, and Zip Code 418 RUSSELL OFFICE BUILDING, WASHINGTON, D. C. 20510	6 Senate Office Telephone Number (include Area Code) 202-224-4451	7 Termination Report (Indicate Date if Available)	8 Prior Office / Agency in Which Employed

AFTER READING THE INSTRUCTIONS - ANSWER EACH OF THESE QUESTIONS AND ATTACH THE RELEVANT PART

QUESTIONS	YES	NO	QUESTIONS	YES	NO
Did any individual or organization make a donation to charity in lieu of paying you for a speech, appearance, or article in the reporting period? If Yes, Complete and Attach PART I.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Did you, your spouse, or dependent child receive any reportable travel or reimbursements for travel in the reporting period (i.e., worth more than \$335 from one source)? If Yes, Complete and Attach PART VI.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Did you or your spouse have earned income (e.g., salaries or honor) or non-investment income of more than \$200 from any reportable source in the reporting period? If Yes, Complete and Attach PART II.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Did you, your spouse, or dependent child have any reportable liability (more than \$10,000) during the reporting period? If Yes, Complete and Attach PART VII.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you, your spouse, or dependent child hold any reportable asset worth more than \$1,000 at the end of the period, or receive unearned or investment income of more than \$200 in the reporting period? If Yes, Complete & Attach PART IIIA and/or III B.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Did you hold any reportable positions (or or believe the date of filing in the current calendar year)? If Yes, Complete and Attach PART VIII.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you, your spouse, or dependent child purchase, sell, or exchange any reportable asset worth more than \$1,000 in the reporting period? If Yes, Complete and Attach PART IV.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Do you have any reportable agreement or arrangement with an outside entity? If Yes, Complete and Attach PART IX.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you, your spouse, or dependent child receive any reportable gift in the reporting period (i.e., aggregating more than \$200 and not otherwise exempt)? If Yes, Complete and Attach PART V.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Did you receive FIRST Report: Did you receive compensation of more than \$5,000 from a single source in the two prior years? If Yes, Complete and Attach PART X.	<input type="checkbox"/>	<input type="checkbox"/>

Each question must be answered and the appropriate PART attached for each "YES" response.

File this report and any amendments with the Secretary of the Senate, Office of Public Records, Room 232, Hart Senate Office Building, U.S. Senate, Washington, DC 20510. \$200 Penalty for filing more than 30 days after due date.

This Financial Disclosure Statement is required by the Ethics in Government Act of 1976, as amended. The statement will be made available by the Office of the Secretary of the Senate to any requesting person upon written application and will be reviewed by the Select Committee on Ethics. Any individual who knowingly and willfully falsifies, or who knowingly and willfully fails to file this report may be subject to civil and criminal sanctions. (See 5 U.S.C. app. 5, 104, and 18 U.S.C. 1001.)

1 CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge and belief.	2 Signature of Reporting Individual	3 Date (Month, Day, Year)
		6/22/07
4 Is the Officer of the reporting individual's statements made on this form true to compliance with 18 U.S.C. 1001 and the Ethics in Government Act.	5 Signature of Reporting Officer	Date (Month, Day, Year)

PHD

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Reporting Individual's Name
Hillary Rodham Clinton

PART II. EARNED AND NON-INVESTMENT INCOME

Page Number
2

Report the source (name and address), type, and amount of earned income to you from any source aggregating \$200 or more during the reporting period. For your spouse, report the source (name and address) and type of earned income which aggregate \$1,000 or more during the reporting period. No amount needs to be specified for your spouse. (See p.3, CONTENTS OF REPORTS Part B of Instructions.) Do not report income from employment by the U.S. Government for you or your spouse.

Individuals not covered by the Honorary Ban:
For you and for your spouse, report honorary income received which aggregates \$200 or more by exact amount, give the date of, and describe the activity (speech, appearance or article) generating such honorary payment. Do not include payments in lieu of honoraria reported on Part I.

Line Number	Name of Income Source		Address (City, State)		Type of Income		Amount
	Example: ABC (Spouse)		Example Washington, VA		Example Salary	Example Date	Example Amount
1	General Electric (Spouse)		Boca Raton, FL		Speech	01/03/07	\$150,000
2	AEG Live Productions (Spouse)		Grand Prairie, TX		Speech	02/08/07	\$200,000
3	Goldman Sachs (Spouse)		Miami, FL		Speech	03/01/07	\$150,000
4	North American Association of Food Equipment Managers (Spouse)		Tucson, AZ		Speech	03/05/07	\$150,000
5	United Jewish Federation of San Diego County (Spouse)		San Diego, CA		Speech	03/06/07	\$100,000
6	Boys and Girls Club of Los Angeles (Spouse)		Los Angeles, CA		Speech	03/06/07	\$150,000
7	Autodesk Inc. (Spouse)		Las Vegas, NV		Speech	03/07/07	\$150,000
8	Goldman Sachs (Spouse)		Phoenix, AZ		Speech	03/08/07	\$150,000
9	Novo Nordisk A/S (Spouse)		New York, NY		Speech	03/13/07	\$150,000
10	TV Land (Spouse)		New York, NY		Speech	03/23/07	\$150,000
11	McKinsey & Co. (Spouse)		Orlando, FL		Speech	03/28/07	\$150,000
12	GTECH Corporation (Spouse)		Amelia Island, FL		Speech	03/28/07	\$150,000
13	Cisco Systems (Spouse)		Kiawah Island, SC		Speech	03/29/07	\$100,000
14	CTIA The Wireless Association (Spouse)		Orlando, FL		Speech	03/29/07	\$125,000

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Public Disclosure Commission

PERSONAL FINANCIAL DISCLOSURE
"TIER 1"
LSA-R.S. 42:1124

ORIGINAL REPORT AMENDED REPORT This Report Covers Calendar Year 2009

I hold an office that would require a filing under Tier 2, Tier 2.1 or Tier 3. If this box is checked, filer must complete Schedule K.

Full Name of Filer: John L. Dardenne, Jr.

Residence Address: 8855 Brookwood Drive
Street
Baton Rouge LA Apt. # 70809
City State Zip Code

Public Office or Position Held: Secretary of State

Full Name of Spouse: Catharine McDonald Dardenne

Spouse's Occupation: Director of Administration, St. Aloysius Catholic Church

Principal Business Address of Spouse:
2025 Stuart Avenue
Street LA State # 70808
Baton Rouge State Zip Code

Select One: (A) I certify that I have filed my federal income tax return for the previous year.
 (A) I certify that I have filed for an extension of my federal income tax return for the previous year.

Select One: (B) I certify that I have filed my state income tax return for the previous year.
 (B) I certify that I have filed for an extension of my state income tax return for the previous year.

CERTIFICATION OF ACCURACY

I do hereby certify that the information contained in this personal financial disclosure form is true and correct to the best of my knowledge, information, and belief.

Signature of Filer: [Handwritten Signature]

Sworn to and subscribed before me this 13th day of May, 2010.

Merietta Spencer Norton
Notary Public

Printed Name: Merietta Spencer Norton
ID# 20990 Commission Expires At Death

**SCHEDULE B
POSITIONS - BUSINESS**

Check if Not Applicable

The name, address, brief description, nature of association, and the amount of interest in each business in which you or your spouse is a director, officer, owner, partner, member, or trustee, OR in which you or your spouse, either individually or collectively, owns an interest which exceeds ten percent of that business.

Note: For this page ONLY, the "amount of interest" must be reported as a percentage figure.

<input checked="" type="checkbox"/> Filer	<input type="checkbox"/> Spouse	<input type="checkbox"/> Both	Amount of Interest <u>50</u>	%
Name of Business <u>Kennon, Odorn & Dardenne (APLC)</u>				
Address <u>358 St. Charles Street</u>				
Street		City		Suite #
<u>Baton Rouge</u>		<u>LA</u>		<u>70802</u>
City		State		Zip Code
Business Description <u>Law practice</u>				
Nature of Association <u>Shareholder and president</u>				
<input checked="" type="checkbox"/> Filer	<input type="checkbox"/> Spouse	<input type="checkbox"/> Both	Amount of Interest <u>100</u>	%
Name of Business <u>WLAM LLC</u>				
Address <u>358 St. Charles Street</u>				
Street		City		Suite #
<u>Baton Rouge</u>		<u>LA</u>		<u>70802</u>
City		State		Zip Code
Business Description <u>Lecture, Informative series; presentation of "Why Louisiana Ain't Mississippi" 5M</u>				
Nature of Association <u>Owner and presenter</u>				
<input type="checkbox"/> Filer	<input type="checkbox"/> Spouse	<input type="checkbox"/> Both	Amount of Interest _____	%
Name of Business _____				
Address _____				
Street		City		Suite #
_____		_____		_____
City		State		Zip Code
Business Description _____				
Nature of Association _____				

AUG 10 2010

Public Disclosure Commission

SCHEDULE E
INCOME

Check if Not Applicable

The name, address, type, nature of services rendered, and amount of each source of income in excess of \$1,000 received by you or your spouse.

NOTE: If the income is derived from professional or consulting services and the disclosure of the name or address of the source of income is prohibited by law or by professional code, such income should be disclosed on Schedule F.

DO NOT include income derived from child support and alimony payments contained in a court order OR from disability payments from any source. INCOME SHALL BE REPORTED BY CATEGORY.

DO NOT INCLUDE INFORMATION WITH RESPECT TO INCOME DISCLOSED ON SCHEDULE D.

<input checked="" type="checkbox"/> Filer	<input type="checkbox"/> Spouse	Amount of Income: <input type="checkbox"/> I <input type="checkbox"/> II <input type="checkbox"/> III <input type="checkbox"/> IV <input checked="" type="checkbox"/> V <input type="checkbox"/> VI					
Name of Source of Income		State of Louisiana				Type:	
Address		8585 Archives Avenue				Suite #	
Street		Baton Rouge				LA 70809	
City		State				Zip Code	
Nature of Services Rendered		Secretary of State					
<input checked="" type="checkbox"/> Filer	<input type="checkbox"/> Spouse	Amount of Income: <input type="checkbox"/> I <input checked="" type="checkbox"/> II <input type="checkbox"/> III <input type="checkbox"/> IV <input type="checkbox"/> V <input type="checkbox"/> VI					
Name of Source of Income		Kerwon, Odorn & Dardenne (APLC)				Type:	
Address		356 St. Charles Street				Suite #	
Street		Baton Rouge				LA 70802	
City		State				Zip Code	
Nature of Services Rendered		Legal					
<input checked="" type="checkbox"/> Filer	<input type="checkbox"/> Spouse	Amount of Income: <input type="checkbox"/> I <input checked="" type="checkbox"/> II <input type="checkbox"/> III <input type="checkbox"/> IV <input type="checkbox"/> V <input type="checkbox"/> VI					
Name of Source of Income		WLAM LLC				Type:	
Address		356 St. Charles Street				Suite #	
Street		Baton Rouge				LA 70802	
City		State				Zip Code	
Nature of Services Rendered		Presentation of "Why Louisiana Ain't Mississippi" SM (see attached list)					

Addendum to Schedule E

WLAM LLC Presentations in 2009:

Council for A Better Louisiana

Quota International of Monroe

New Iberia Rotary Foundation, Inc.

Independent Agents Service Corporation

Louisiana Society of Enrolled Agents, Inc.

Greater New Orleans Inc.

Louisiana Realtors

Louisiana Association of Wholesalers, Inc.



711 CAPITOL WAY RM 206
 PO BOX 40908
 OLYMPIA WA 98504-0908
 (360) 753-1111
 TOLL FREE 1-877-601-2828

F-1
 (11/08)

**PERSONAL FINANCIAL
 AFFAIRS STATEMENT**

STATE OF WASHINGTON
 PUBLIC DISCLOSURE COMMISSION

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 PUBLIC DISCLOSURE COMMISSION

Refer to instruction manual for detailed assistance and examples.

Deadlines: Incumbent elected and appointed officials -- by April 15.
 Candidates and others -- within two weeks of becoming a candidate or being newly appointed to a position.

DOLLAR CODE	AMOUNT
A	\$1 to \$3,999
B	\$4,000 to \$19,999
C	\$20,000 to \$39,999
D	\$40,000 to \$99,999
E	\$100,000 or more

SEND REPORT TO PUBLIC DISCLOSURE COMMISSION

Last Name: Smith
 First: Orin
 Middle Initial: C.

Names of immediate family members, including registered domestic partner. If there is no reportable information to disclose for dependent children, or other dependents living in your household, do not identify them. Do identify your spouse or registered domestic partner. See F-1 manual for details.

Mailing Address (Use PO Box or Work Address) *
 1239 Shenandoah Drive East

Spouse: Janet Smith

City: Seattle
 County: WA
 Zip + 4: 98112

Filing Status (Check only one box.)
 An elected or state appointed official filing annual report
 Final report as an elected official. Term expired: _____
 Candidate running in an election: month _____ year _____
 Newly appointed to an elective office
 Newly appointed to a state appointive office
 Professional staff of the Governor's Office and the Legislature

Office Held or Sought
 Office title: Regent
 County, city, district or agency of the office, name and number: Univ. of Washington
 Position number: _____
 Term begins: Dec 2009 ends: _____

1 INCOME List each employer, or other source of income (pension, social security, legal judgment, etc.) from which you or a family member, including registered domestic partner, received \$2,000 or more during the period. (Report interest and dividends in Item 3 on reverse)

Show Self (S) Spouse (SP/DP) Dependent (D)	Name and Address of Employer or Source of Compensation	Occupation or How Compensation Was Earned	Amount: (Use Code)
S	Nike Inc	Board of Directors	E
S	The Walt Disney Company	Board of Directors	E
S	Washington Mutual	Board of Directors	D
S	Keppler Associates Inc	Speaking Fees	E
S	Starbucks Coffee Company	Consultant	C
S	Deloitte Pension	Pension	B

Check Here if continued on attached sheet

2 REAL ESTATE List street address, assessor's parcel number, or legal description AND county for each parcel of Washington real estate with value of over \$10,000 in which you or a family member, including registered domestic partner, held a personal financial interest during the reporting period. (Show partnership, company, etc. real estate on F-1 supplement.)

Property Sold or Interest Divested	Assessed Value (Use Code)	Name and Address of Purchaser	Nature and Amount (Use Code) of Payment or Consideration Received
See Property Owned Section			PDC Exhibit # <u>2</u> Page <u>1</u> of <u>2</u>

3 ASSETS / INVESTMENTS - INTEREST / DIVIDENDS

List bank and savings accounts, insurance policies, stock, bonds and other intangible property held during the reporting period.

A. Name and address of each bank or financial institution in which you, a family member, including registered domestic partner, had an account over \$20,000 any time during the report period.	Type of Account or Description of Asset	Asset Value (Use Code)	Income Amount (Use Code)
Key Private Bank 1301 Fifth Avenue Suite 2400 Seattle, WA 98101	Checking Account	E	A
B. Name and address of each insurance company where you, a family member, including registered domestic partner, had a policy with a cash or loan value over \$20,000 during the period. None			
C. Name and address of each company, association, government agency, etc. in which you, a family member, including registered domestic partner, owned or had a financial interest worth over \$2,000. Include stocks, bonds, ownership, retirement plan, IRA, notes, and other intangible property. If you, your spouse, registered domestic partner and/or dependents had decision making authority regarding individual assets/investments list each asset or investment, the value and any income amount. EXAMPLE: If you self-directed an investment account identify each stock or other asset in that account. See Attached Exhibit A for Details			

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Check here if continued on attached sheet.

4 CREDITORS	List each creditor you or a family member, including registered domestic partner, owed \$2,000 or more any time during the period. Don't include retail charge accounts, credit cards, or mortgages or real estate reported in Item 2.		AMOUNT (USE CODE)	
Creditor's Name and Address	Terms of Payment	Security Given	Original	Present
None				

Check here if continued on attached sheet.

5 All filers answer questions A thru D below. If the answer is YES to any of these questions, the F-1 Supplement must also be completed as part of this report. If all answers are NO and you are a candidate for state or local office, an appointee to a vacant elective office, or a state executive officer filing your initial report, no F-1 Supplement is required.

Incumbent elected officials and state executive officers filing an annual financial affairs report also must answer question E. An F-1 Supplement is required of these officeholders unless all answers to questions A thru E are NO.

A. At any time during the reporting period were you, your spouse, registered domestic partner or dependents (1) an officer, director, general partner or trustee of any corporation, company, union, association, joint venture or other entity or (2) a partner or member of any limited partnership, limited liability partnership, limited liability company or similar entity including but not limited to a professional limited liability company? YES If yes, complete Supplement, Part A.

B. Did you, your spouse, registered domestic partner or dependents have an ownership of 10% or more in any company, corporation, partnership, joint venture or other business at any time during the reporting period? No If yes, complete Supplement, Part A.

C. Did you, your spouse, registered domestic partner or dependents own a business at any time during the reporting period? No If yes, complete Supplement, Part A.

D. Did you, your spouse, registered domestic partner or dependents prepare, promote or oppose state legislation, rules, rates or standards for compensation or deferred compensation (other than pay for a currently-held public office) at any time during the reporting period? No If yes, complete Supplement, Part B.

E. **Only for Persons Filing Annual Report.** Regarding the receipt of items not provided or paid for by your governmental agency during the previous calendar year: 1) Did you, your spouse, registered domestic partner or dependents (or any combination thereof) accept a gift of food or beverages costing over \$50 per occasion? No or 2) Did any source other than your governmental agency provide or pay in whole or in part for you, your spouse, registered domestic partner and/or dependents to travel or to attend a seminar or other training? No If yes to either or both questions, complete Supplement, Part C.

ALL FILERS EXCEPT CANDIDATES. Check the appropriate box.

I hold a state elected office, am an executive state officer or professional staff. I have read and am familiar with RCW 42.52.180 regarding the use of public resources in campaigns.

I hold a local elected office. I have read and am familiar with RCW 42.17.130 regarding the use of public facilities in campaigns.

CERTIFICATION: I certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.

David Smith Signature January 11, 2010 Date

Contact Telephone: (206) *324 2628

Email: osmith30@comcast.net (work) *

Email: (Home) Optional

*CANDIDATES: Do not use public agency addresses or telephone numbers for

Received by Email
9/7/10

Philip E. Stutzman
Director of Compliance
Washington State Public Disclosure Commission

Dear Mr. Stutzman

I have received your letter of September 1, 2010 requesting additional information regarding my PDC form F-1 which was filed on January 29, 2010. In specific response to your question regarding Keppler Associates Inc, In 2009 I was an independent contractor, working for Keppler Associates, Inc and I received a fee from Keppler Associates for the one speech I delivered in 2009.

In addition, Keppler Associates, Inc. issued me an IRS Form 1099 for tax year 2009.

In previous discussions with your staff, I was under the impression that I have completed my PDC disclosure forms accurately. However, if you require additional information I am happy to provide it.

It is my understanding that the complaint issued in the 45-day Citizen Action Letter requests that I list the name of the organization I spoke to in 2009. I delivered my speech to Aditya Birla Group, a multi-billion corporation, headquartered in Mumbai, India.

Sincerely yours,

(Kevin Smith replying on behalf of)

Orin Smith
CEO, Retired
Starbucks Coffee Company