

November 22, 2017

Delivered electronically to "vbpaganelli@comcast.net"

Subject: PDC Case 27284

Dear Valerie Paganelli:

Below is a copy of an electronic letter sent to Ryan Miner concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted below to Ryan Miner, the PDC will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter.

If you have questions, you may contact Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at fox.blackhorn@pdc.wa.gov.

Sincerely,

/s \_\_\_\_\_  
Fox Blackhorn  
Compliance Coordinator

Endorsed by,

/s \_\_\_\_\_  
Peter Lavallee  
Executive Director

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November 22, 2017

Delivered electronically to "ryan\_miner26@hotmail.com"

Subject: Complaint regarding Valerie Paganelli, PDC Case 27284

Dear Ryan Miner:

The Public Disclosure Commission (PDC) has completed its initial review of the complaint you filed on October 19, 2017. Your complaint alleged that Valerie Paganelli may have violated RCW 42.17A.335 for false claim of endorsement through use of the Tahoma School District Slogan "Future Ready" on political advertising.

PDC staff reviewed your allegations, and as a result of staff's initial review, we found the following:

- Both the Tahoma School District and the campaign of Valerie Paganelli use the slogan "Future Ready."
- The prohibition in RCW 42.17A.335 against false claims of endorsement requires the statements to constitute "libel or defamation per se" and be made with "actual malice."
- "Libel or defamation per se" is defined by RCW 42.17A.335(2) as only those statements which, "*tend (a) to expose a living person to hatred, contempt, ridicule, or obloquy, or to deprive him or her of the benefit of public confidence or social intercourse, or to injure him or her in his or her business or occupation, or (b) to injure any person, corporation, or association in his, her, or its business or occupation.*"

- RCW 42.17A.005(1) defines "Actual malice" as, "*to act with knowledge of falsity or with reckless disregard as to truth or falsity.*"

Based on these initial findings, staff has determined that in this instance, replicating the slogan does not amount to a material violation warranting further investigation.

The PDC has closed the matter, and will not be conducting a more formal investigation into your complaint or pursuing further enforcement action in this case.

If you have questions, you may contact Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at [fox.blackhorn@pdc.wa.gov](mailto:fox.blackhorn@pdc.wa.gov).

Sincerely,

/s \_\_\_\_\_  
Fox Blackhorn  
Compliance Coordinator

Endorsed by,

/s \_\_\_\_\_  
Peter Lavalley  
Executive Director

cc: Valerie Paganelli