

Respondent Names
Seth Landau
Complainant Name
IAFF Local 1762
Complaint Description
<u>Esmeralda Valenzuela</u> reported via email (Tue, 2 Nov 2021 at 2:19 PM) To: "pdc@pdc.wa.gov" pdc@pdc.wa.gov Cc: franco@workerlaw.com External Email Good afternoon, Attached please find additional correspondence and evidence related to the complaint filed by IAFF Local 1762 against Seth Landau. Please reach out to Danielle Franco-Malone with any questions or concerns. Thank you, Esmeralda  BARNARD IGLITZIN & LAVITT LLP ESMERALDA VALENZUELA she/her <i>Paralegal</i> DIR: 206.257.6014 FAX: 206.378.4132 18 West Mercer Street, Suite 400, Seattle, WA 98119 This communication is intended for a specific recipient and may be protected by the attorney-client and work product privilege. If you receive this message in error, please permanently delete it and notify the sender. 2021 11 02_LTR to PDC_IAFF 1762 Complaint Against Landau_FINAL.PDF 592.99 KB
<u>Danielle Franco-Malone</u> reported via the portal (Wed, 10 Nov 2021 at 3:53 PM) 10/28/2021 Letter to PDC re Complaint against Landau.
What impact does the alleged violation(s) have on the public?
See attached correspondence.
List of attached evidence or contact information where evidence may be found
See attached correspondence.
List of potential witnesses with contact information to reach them
See attached correspondence.
I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.



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DANIELLE FRANCO-MALONE
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SENT VIA E-MAIL

October 28, 2021

Peter Lavelle
Executive Director
Washington State Public Disclosure Commission
PO Box 40908
Olympia, WA 98504-0908
pdcc@pdcc.wa.gov

Re: Complaint against Seth Landau
BIL Case File No. 4532-010

Dear Mr. Lavelle:

We write to supply additional information and evidence related to the complaint filed by IAFF Local 1762 against Seth Landau.

Seth Landau filed a complaint against officers of IAFF Local 1762, alleging that they improperly made electoral expenditures without registering as a political committee. As detailed in IAFF Local 1762's response to that complaint, Mr. Landau's complaints were made with reckless disregard for the truth, as any person who cares to check could have confirmed that IAFF Local 1762 has in fact registered a political committee with the PDC. Mr. Landau then proceeded to publish two advertisements in the Mercer Island Reporter in which he repeated his baseless claims, on October 20 and 27. *See Exhibits A & B, enclosed.* In addition to being false and defamatory, Mr. Landau's public tirades against IAFF Local 1762 involve egregious violations of Washington's campaign finance laws.

Mr. Landau's ads failed to contain disclosures required by Washington's Fair Campaign Practices Act, which provides that "Timely disclosure to voters of the identity and sources of funding for electioneering communications is vitally important to the integrity of state, local, and judicial elections." RCW 42.17A.300(1). Both of Mr. Landau's ads constitute "political advertisements" within the meaning of RCW 42.17A.005(40), as both are newspaper ads which appeal to voters to oppose to an election campaign. Mr. Landau's ads failed to contain multiple disclosures required by law.

First, assuming that the ads were independent expenditures (as opposed to coordinated contributions), both ads also failed to include the required disclaimer that, "No candidate authorized this ad."

Second, both of Mr. Landau's ads failed to include his address, as required by RCW 42.17A.320(1).

Third, Mr. Landau's October 27, 2021 advertisement failed to include the required disclaimer disclosing who paid for the ad (presumably Mr. Landau). This omission is particularly egregious, as Mr. Landau's October 20 ad contained the disclaimer, "Paid for by Seth Landau," making clear that Mr. Landau understood the need to disclose that information, but chose not to do so on his October 27 advertisement.

Finally, while it appears that Mr. Landau filed a C-6 report, the report was filed late.

We urge the PDC to conduct an immediate review into these allegations. The serious nature of these actions warrants referral to the Attorney General, pursuant to RCW 42.17A.755(4). *See* RCW 42.17A.755 (PDC Commissioner can refer a matter to attorney general when the commissioner believes that "an apparent violation potentially warrants a penalty greater than the commission's penalty authority" or "the maximum penalty the commission is able to levy is not enough to address the severity of the violation.")). The severity of the FCPA violations committed by the Mr. Landau warrant penalties greater than the maximum the PDC is authorized to impose.

Sincerely,

A handwritten signature in black ink, appearing to read "Danielle Franco-Malone". The signature is fluid and cursive, with the first name "Danielle" being more prominent and the last name "Franco-Malone" following in a similar style.

Danielle Franco-Malone
Counsel for IAFF Local 1762

Paid for by Seth Landau

EXHIBIT B

Mercer Island Reporter Wednesday, October 27, 2021 9

THIS IS A CRITICAL MESSAGE TO ALL ISLANDERS

Our Mercer Island Firefighters are the best; they are kind, caring, trained to the maximum and respond as fast as anyone could want. We already know the amazing things they do for us; the picnics, the potlucks, etc. We know and love them for it. That issue is done. We do not need to be constantly reminded of their commitment to the community.

This message is about a union president (who is a Mercer Island Fire Fighter and thus receives the raises too) who is constantly fighting for higher pay for the fire fighters and himself.

Posted on the app Next Door, by others to my surprise, are these facts:

The cost of the 29 firefighters here is \$5,000,000 annually. It was \$4,000,000 a few years ago.

They average in wages and benefits \$200,000+ annually.

Seven of the top ten city employees are fire fighters.

A veiled threat in their letter of October 21, 2021 in the Reporter states,

"No amount of negativity, false accusations, or paid newspaper claims will stop our firefighters from doing the right thing." (Nothing is false, the negativity is because they tried to scam us, the ad is to point this out.) The fact that they actually thought about this is very weird.

This is a good segue into the illegal and unethical things done by the Union President and the Union representative from the Mercer Island Fire House on 78th.

TO MAKE IT SIMPLE FOLLOW THE BELOW:

SECRET NON-PROFIT STARTED 8.4.2021	UNION REPRESENTING M.I. FIRE FIGHTERS
"Mercer Island Professional Firefighters"	"Mercer Island Firefighters Union"
• Purpose of this Non-Profit started by the Union Rep: • Funnel secret cash contributions to three candidates: Akyuz, Becker and Weinberg. • Collected \$3,000.00 secretly and gave it to Akyuz, Becker and Weinberg. There is no mention of Union in this non-profit. • It ILLEGALLY collected campaign contributions out of the M.I. Fire station, knowing it was an illegal \$3,000.	• There is no mention of the Union in the non-profit. • Union wanted to hide where the money to the candidates was coming from. • If the money was from Union members, the Union could have given the money to the candidates from the Union. • In the past seven council campaigns the "Union" has contributed a total of \$1,400 to candidates.

WHY THIS ONE \$3,000?

Negotiations for a new contract with the firefighters start six months after this election. Look at the wages now!!!!

This has been exposed. The PDC is going to punish this illegal and unethical behavior.

AKYUZ, BECKER AND WIENBERG TOOK ILLEGAL CAMPAIGN CONTRIBUTIONS FROM A SECRET, ILLEGAL, UNETHICAL NON-PROFIT FRONTING FOR THE UNION AND HAVE NOT GIVEN THE SECRET CASH BACK KNOWING THIS NOW.

WHY? THEY ARE DESPERATE TO GET ELECTED. ONE TO SUPPORT THE COUNTY HERE, THE OTHER TO CHANGE US TO SEATTLE'S WAYS.

FINALLY, IF ANY CANDIDATE HAD STATED THEY WANT TO GET RID OF OUR FIREFIGHTERS I WOULD NOT SUPPORT THEM.

I STILL WOULD HAVE RUN THESE ADS. ILLEGAL IS ILLEGAL. CHEATING IS CHEATING.

WE DO NOT FALL FOR THAT HERE ON M.I.—WE ARE WAY TOO SMART.

KATE IS NOW LYING AND SAYING LISA WANTS TO GET RID OF THE DEPARTMENT. DESPERATION ABOUND. **NO LISA DOESN'T. SHE IS CAREFUL ABOUT OUR MONEY.**

VIVA MERCER ISLAND — A WONDERFUL, PEACEFUL, FRIENDLY PARADISE.