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January 8, 2018

VIA EMAILTony Perkins
Investigator, Campaign Finance Unit
Washington Attorney General's Office
tonyp@atg.wa.gov**Re: Timm Ormsby Campaign — Response to Citizen Action Notice**

Dear Mr. Perkins:

We represent Representative Timm Ormsby and his campaign, People for Timm Ormsby (collectively, the “Ormsby Campaign”). The Ormsby Campaign appreciates the opportunity to respond to the citizen complaint that Mr. Glen Morgan filed with the Attorney General’s Office on November 30, 2017. As explained below, the complaint is speculative, trifling, and warrants no further action. The Ormsby Campaign filed its reports timely and properly reported and described its contributions and expenditures, covering over \$240,000 of financial activity for the 2016 election. Any deviations were based on extenuating circumstances or isolated errors that were inadvertent, minor, and harmless. No further action is warranted here.

The complaint alleges three types of violations, each listed in a separate exhibit: filing of C3 and C4 reports (Exhibit A); reporting of debts (Exhibit B); and expenditure descriptions (Exhibit C). We address each Exhibit in turn below.

Exhibit A: C3 and C4 Reports. The complaint alleges that certain reports were filed untimely. In one instance, the complaint simply identifies the wrong deadline. Otherwise, the reports at issue were filed after the deadline due to extenuating circumstances or because of isolated errors that were inadvertent and minor. There were no material violations.

For item 8, the complaint identifies a holiday (July 4) as the deadline, which is incorrect. This report was filed timely.

For items 4 and 11, these reports were filed late due to a PDC software malfunction on the deadline date. The Ormsby Campaign filed its reports once this malfunction was corrected. The campaign’s communications with the PDC were documented.

Item 3 is an amended report, which added a transfer of surplus funds, within a month of the original reporting deadline. In this instance, there was simply a miscommunication between Representative Ormsby and the campaign's Treasurer regarding whether the funds at issue had been transferred. As soon as the miscommunication was realized, the report was corrected.

Items 1, 2, and 5-6 were reports filed in January of 2016, shortly after applicable deadlines. At the time, the Treasurer was dealing with the illness of his mother, who passed away in February of 2016. This unfortunate circumstance caused an understandable, modest delay.

For item 10, the Treasurer was out of town and traveling at the time of the deadline. As a result, he inadvertently missed the deadline, but he filed the report the very next day. Likewise, items 7 and 9 were filed late as a result of inadvertent oversight, but these were isolated errors, and these reports were filed no more than two days late. There were no material violations.

Exhibit B: Debts. Based on mere speculation, the complaint identifies a number of expenditures that allegedly should have been reported as debts. At the outset, these disputed items represent a very small portion of the Ormsby Campaign's total reported expenditures. Moreover, even these disputed items were reported properly, with only a few isolated errors due to unique circumstances. Again, there were no material violations.

Items 4 and 6 were reimbursements that were made within the same reporting period as the underlying purchases. There were no prior debts to be reported.

Items 2, 5, and 9 were all prepayments for regular services from the campaign's Treasurer and for rent. These were not debts.

Items 7 and 8 were discretionary payments made to certain campaign volunteers for prior work, based on the campaign's finances and without a prior commitment to pay. These were not previously reportable as debts.

For items 1 and 3, the Ormsby Campaign ordered the advertisements at issue, paid for them before the next reporting date and then timely reported the expenditures.

For items 10-12, the Ormsby Campaign sent out checks and was going to report these as expenditures, but the checks were all returned shortly before the reporting date due to a mailing issue. Under these unique circumstances, the Treasurer removed the expenditures from the campaign's reports, eventually sent out new checks—which were received and deposited—and then reported the expenditures on the campaign's next report. The Treasurer was focused on correcting the situation with new checks, and did not think to report these items as debts when canceling the original checks. This was an isolated incident, not a material violation.

Exhibit C: Descriptions. The complaint identifies three items that allegedly should have been described with more detail, specifically to include a subvendor and quantity purchased. But

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these were all purchases of ad space in programs for large gatherings. There were no subvendors to be reported and no quantities ordered.

In conclusion, the Ormsby Campaign complied with applicable reporting requirements. The campaign filed reports timely, with only a limited number of modest and reasonable delays. It properly reported its expenditures, with rare exception due to unique circumstances. And the campaign provided adequate descriptions of its expenditures. The complaint is trifling and warrants no further action.

Sincerely,

PACIFICA LAW GROUP LLP

A handwritten signature in blue ink, appearing to read 'T. V. Flevaris', with a stylized flourish at the end.

Taki V. Flevaris