

EXHIBIT 1

John White

From: John White
Sent: Monday, September 21, 2009 1:02 PM
To: Pharris, James (ATG); Even, Jeff (ATG)
Subject: WSRP v. State fees

Dear Messrs. Pharris and Even:

I would like to speak with you regarding the portion of Judge Coughenour's order regarding fees paid in connection with the Ninth Circuit proceeding and to discuss how the WSRP may comply with the order as a practical matter.

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EXHIBIT 2

PUBLIC DISCLOSURE COMMISSION
 711 CAPITOL WAY RM 206
 PO BOX 40908
 OLYMPIA WA 98504-0808
 (360) 753-1111 or 1-877-501-2828 (toll free in WA State)



CONTRIBUTION LIMITS

CONTRIBUTORS

State Party	County and LD Party Committees	Caucus Political Committee (House or Senate)	Candidate Committees	Pacs, Unions, Corps and other entities	Individuals
State Party	No Limit	No Limit	Only from Surplus Funds No Limit	\$4,000 per calendar year (non-exempt)	No Limit
County or LD Committee	No Limit	No Limit	Only from Surplus Funds No Limit	\$4,000 per calendar year (non-exempt)	No Limit
Caucus Political Committee	No Limit	No Limit	Only from Surplus Funds No Limit	\$800 per calendar year	No Limit
Statewide Executive Candidate Committee	\$0.40 per Reg. Voter per cycle (Joint Limit)	\$0.80 per Reg. Voter per cycle	Prohibited	\$1,600 per election	\$1,600 per election
Legislative Candidate Committee	\$0.40 per Reg. Voter per cycle (Joint Limit)	\$0.80 per Reg. Voter per cycle	Prohibited	\$800 per election	\$800 per election
Judicial	\$1,600 per election	\$1,600 per election	Prohibited	\$1,600 per election	\$1,600 per election
Clark, King, Pierce, Spokane, or Snohomish County Office Candidate Committee	\$0.40 per Reg. Voter per cycle (Joint Limit)	\$0.80 per Reg. Voter per cycle	Prohibited	\$500 per election	\$800 per election
Port of Seattle or Tacoma Commissioner Candidate Committee	\$0.40 per Reg. Voter per cycle (Joint Limit)	\$0.80 per Reg. Voter per cycle	Prohibited	\$1,600 per election	\$1,600 per election
PACS	No Limit	No Limit	Prohibited	No Limit	No Limit

RECIPIENTS

County office and port commissioner candidates running for office in jurisdictions with more than 200,000 registered voters are subject to contribution limits.

- **Per cycle** means aggregate during the period from January 1 after the date of the previous general election for the office through December 31 after the upcoming general election for the office.
- **Per election** means per each primary, general, or special election for that office.
- **Per calendar year** means aggregate during the period from January 1 through December 31 each year.
- Contributions designated for the exempt account of a bona fide political party are NOT subject to limit, except during the 21 days before the general election when the \$5,000 maximum applies. See next column.

- **During the 21 days before the general election**, no contributor may donate over \$50,000 in the aggregate to a candidate for statewide office, or over \$5,000 in the aggregate to a candidate for any other office or to a political committee. This includes contributions to a party committee, as well as a candidate's personal contributions to his/her own campaign. It does not apply to contributions from the state committee of the WA State Democratic or Republican Party or from the state committee of a minor party.

Contribution Limits to Candidates Subject to Limits

A candidate subject to limits is prohibited from accepting aggregate contributions exceeding the following amounts:

Source of Contribution	To State Executive or Port Commissioner* Candidates	To Legislative or County Office* Candidates
Individual	\$1,600 ¹	\$800 ¹
Union or Business	1,600 ¹	800 ¹
Political Action Committee	1,600 ¹	800 ¹
State Party Central Committee	.80/voter ²	.80/voter ²
County Party Central Committee	.40/voter ³	.40/voter ⁴
Legislative District Committee	.40/voter ³	.40/voter ⁴
Minor Party Committee	.80/voter ⁵	.80/voter ⁵
Legislative Caucus Committee	.80/voter ⁵	.80/voter ⁵

*only in jurisdictions with more than 200,000 registered voters as of the last General Election

Any judicial candidate is prohibited from accepting aggregate contributions exceeding \$1,600 per election from any source.

1 This is a per election limit; each primary, general and special election is considered a separate election. This limit does not apply to the candidate using personal funds to give to his or her own campaign. The limit does apply to the candidate's spouse.

Primary election contributions must be made on or before the date of the primary unless a candidate lost the primary and has debt to retire. Contributors may continue to make contributions to a candidate who loses the primary election and has insufficient funds to pay debts outstanding until the debt is retired or 30 days after the primary, whichever comes first.

General election contributions must be made no later than December 31 of the election year.

During the 21 days before the general election, no candidate for legislative office or local office may contribute to his or her own campaign more than \$5,000 in the aggregate, and no candidate for state executive office or supreme court justice may contribute to his or her own campaign more than \$50,000 in the aggregate.

2 The limit amount of \$.80 times the number of registered voters in the jurisdiction (as of the last general election) is for the entire election cycle. The election cycle is from January 1 after the last election for the office or the start of the candidate's campaign -- whichever is later -- through December 31 of the election year in which election is sought. Contributions must be made no later than December 31 of the election year.

3 During the election cycle (defined in #2 above), all county central committees and legislative district committees in the state share a combined limit to each candidate of \$.40 times the number of registered voters statewide as of the last general election. (However, during the 21 days before the general election, neither a county central committee nor a legislative district committee may give a state executive office candidate more than \$50,000 in the aggregate.) Contributions must be made no later than December 31 of the election year.

4 A county central and legislative district committee may only contribute to a candidate if voters residing in the county or legislative district are entitled to elect the candidate to the office sought. During the election cycle (defined in #2 above), a legislative district committee, in conjunction with all county central committees in that district, share a combined per candidate limit of \$.40 times the number of registered voters in the legislative district as of the last general election. (However, during the 21 days before the general, neither a county central committee nor a legislative district committee may give a legislative candidate more than \$5,000 in the aggregate.) Contributions must be made no later than December 31 of the election year.

5 The limit amount is for the entire election cycle. The election cycle is from January 1 after the last election for the office or the start of the candidate's campaign -- whichever is later -- through December 31 of the year in which election is sought. (However, during the 21 days before the general, a caucus political committee may not give a state executive candidate more than \$50,000 in the aggregate or a legislative candidate more than \$5,000 in the aggregate.) Contributions must be made no later than December 31 of the election year.

EXHIBIT 3

Show

Home > Party Committees > State Party Committees



State Party Committees

Search Criteria: Committee Name, Election Year, Committee Type

Search Results: Committee Name, Party, Contributions, Expenditures

The state committee of a political party. Washington State law allows a political party to control two separate bank accounts: exempt and non-exempt. Contributions to the non-exempt account not given by individuals are subject to contribution limits. The non-exempt account must be used for individual candidate support. Contributions given to the exempt account are not limited, but the political party committee is restricted in how it spends the exempt account. The exempt account may not be used to support individual candidates.

Search Party Committees back to the 2000 Election

Search Party Committees by party type

State **Legislative** County Associated Minor

Committee Name: TOTAL RAISED AND SPENT = Raised: \$2,720,753.45 Spent: \$1,918,094.36

Election Year:

Committee Type:

Click a name to view details Try paging, sorting, column resizing and column reordering			
Name	Pty	Contributions	Expenditures
WA ST DEMO CENT COMM EXEMPT	D	\$1,208,134.66	\$836,239.87
WA ST DEMO CENT COMM NON EXEMPT	D	\$792,627.24	\$611,322.34
WA ST REPUB PARTY EXEMPT	R	\$642,323.92	\$430,532.15
WA ST REPUB PARTY NON EXEMPT	R	\$77,667.63	\$40,000.00

Double click a Committee Name for more detailed contribution data

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EXHIBIT 4

The Honorable Jeffrey Ramsdell
Hearing Date: October 9, 2009 @ 10 a.m.

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**STATE OF WASHINGTON
KING COUNTY SUPERIOR COURT**

STATE OF WASHINGTON, *ex rel.*
WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION,

Plaintiff,

v.

WASHINGTON STATE
REPUBLICAN PARTY,

Defendant.

NO. 08-2-34030-9SEA

MOTION FOR PARTIAL SUMMARY
JUDGMENT AND MEMORANDUM
IN SUPPORT THEREOF

The Plaintiff, STATE OF WASHINGTON, *ex rel.* WASHINGTON STATE PUBLIC DISCLOSURE COMMISSION ("State"), moves this Court for partial summary judgment finding the Defendant, WASHINGTON STATE REPUBLICAN PARTY's ("WSRP") actions violated state campaign finance disclosure laws and directing that the trial currently set for March 29, 2010 adjudicate the issue of the appropriate penalty. In support of this motion, the State files this Motion and Memorandum for Partial Summary Judgment pursuant to Civil Rule 56.

I. RELIEF REQUESTED

The State asks this Court to grant its motion and enter an order finding that the WSRP, by paying for activities not statutorily enumerated in RCW 42.17.640(15) with funds from its exempt account, violated RCW 42.17.640 and WAC 390-17-065(1). The State further requests

1 funds are those that are fully exempt from contribution limits but may only be expended on
 2 specific, statutorily identified purposes enumerated in RCW 42.17.640(15), referred to as exempt
 3 funds or "soft-money." *See also* Declaration of Doug Ellis at ¶6.

4 Any bona fide political party that receives exempt fund contributions is required to deposit
 5 those contributions into a bank account separate from non-exempt contributions. WAC 390-17-
 6 065(1). A political party maintaining an exempt contributions account, simply referred to as an
 7 exempt account, must file separate campaign disclosure reports for that account. WAC 390-17-
 8 065(2)(a). Exempt contributions commingled with non-exempt contributions in an account
 9 designated for non-exempt funds are presumed to be subject to all statutory contribution limits.
 10 WAC 390-17-065.

11 As noted, a political party's exempt account funds may only be spent on activities
 12 enumerated in RCW 42.17.640(15). *See also* WAC 390-17-065(1). Most importantly, exempt
 13 funds may not be utilized for expenditures that promote a candidate or oppose a candidate's
 14 opponents. RCW 42.17.640(15); WAC 390-17-060(3), (4)(a), (6)(c), (7); WAC 390-17-065(1).
 15 If a political party wants to make expenditures on activities not specified in RCW 42.17.640(15),
 16 it must use funds from its non-exempt account. *See* WAC 390-17-060(3).

17 C. Complaint Against WSRP

18 On August 18, 2008, Commission staff received a complaint alleging that the WSRP used
 19 funds from its exempt account contrary to state law. Ellis Decl. at ¶11, Attachment C. The
 20 Commission staff investigated the claims in August and September 2008. Declaration of Tony
 21 Perkins at ¶6. The staff presented their investigative report to the Commission at the
 22 Commission's September 25, 2008 meeting. Perkins Decl. at ¶8, Attachment A. The staff
 23 recommended to the Commission that it refer the matter to the Attorney General because the
 24 WSRP committed multiple apparent violations of state law. *Id.* The WSRP participated in the
 25 proceedings at the Commission level by responding to the complaint, receiving a copy of the
 26