



**State of Washington  
PUBLIC DISCLOSURE COMMISSION**

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August 22, 2019

Delivered electronically to "[lynnwoodforward@gmail.com](mailto:lynnwoodforward@gmail.com)," "[nick4lynnwood@gmail.com](mailto:nick4lynnwood@gmail.com)," "[electashkan@gmail.com](mailto:electashkan@gmail.com)," and "[nazlashgari@gmail.com](mailto:nazlashgari@gmail.com)"

Subject: PDC Case 54873

Dear Lynnwood Forward PAC:

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

As noted below to Glen Morgan, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and 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 Tabatha Blacksmith at 360-586-8929, toll-free at 1-877-601-2828 or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)

Sincerely,

/s\_\_\_\_\_  
Tabatha Blacksmith  
Compliance Coordinator

Endorsed by,

/s\_\_\_\_\_  
Barbara Sandahl  
Deputy Director  
For Peter Lavalley  
Executive Director

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August 22, 2019

Delivered electronically to "[m-eckart@hotmail.com](mailto:m-eckart@hotmail.com)" "[ceakins@gmail.com](mailto:ceakins@gmail.com)" and "[glen@wethegoverned.com](mailto:glen@wethegoverned.com)"

Subject: Complaint regarding Lynnwood Forward, PDC Case 54873

Dear Marylou Eckart, Charles Eakins and Glen Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaints you filed July 11, 2019 through July 16, 2019. Your complaints alleged that Lynnwood Forward (the "Respondent") may have violated RCW 42.17A.205, .235, .240, .255 and .320 for failure to register as a political committee, report contributions & expenditures, disclose independent expenditures or electioneering communications, and identify the sponsor on political advertising (e.g. Lynnwood Forward website).

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; and the response provided by the Respondent to determine whether the record supports a finding of one or more violations.

Based on staff's review, we found the following:

- RCW 42.17A.005 defines a "political committee" as "any person<sup>1</sup> (except a candidate or an individual dealing with his or her own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or ballot proposition."
- The Respondent, Lynnwood Forward, is a slate<sup>2</sup> website co-owned by three first-time candidates for Lynnwood City Council (Nicholas Coelho, Ashkan Amouzegar and Naz Lashgari), all of which are registered as candidates with the PDC. Lynnwood Forward's Facebook page is run under Nicholas Coelho's Facebook account. The Respondent website is a cost-sharing measure and each candidate was billed and paid separately for web design work from their respective bank accounts. Based on these factors, Lynnwood Forward is not a political committee.
- Ashkan Amouzegar registered with the PDC as a candidate on May 16, 2019 and selected the mini-reporting option. As a mini-reporter, Ashkan Amouzegar is not required to file monthly and weekly reports of contributions & expenditures with the PDC pursuant to RCW 42.17A.235 & .240.

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<sup>1</sup> "Person" includes both individuals and organizations.

<sup>2</sup> A "slate" is a group of candidates that run in multi-seat or multi-position elections on a common platform.

- Nicholas Coelho registered with the PDC as a candidate on May 17, 2019 and selected the mini-reporting option. As a mini-reporter, Nicholas Coelho is not required to file monthly and weekly reports of contributions & expenditures with the PDC pursuant to RCW 42.17A.235 & .240.
- Naz Lashgari registered with the PDC as a candidate on May 22, 2019 and selected the mini-reporting option. As a mini-reporter, Naz Lashgari is not required to file monthly and weekly reports of contributions & expenditures with the PDC pursuant to RCW 42.17A.235 & .240,
- RCW 42.17A.005(29)(a) defines “independent expenditure” as an expenditure for political advertising that is made in support of or in opposition to a clearly identified candidate for office by a person who 1) is not a candidate for that office or an authorized committee thereof; 2) has not collaborated with the candidate; and 3) has not received the candidate’s encouragement or approval to make the expenditure. RCW 42.17A.255 further clarifies that an independent expenditure is not otherwise required to be reported pursuant to RCW 42.17A.220, .235 and .240.
- The costs associated with the Respondent website were incurred by its co-owners, in support of their respective candidacies, who collaborated on and approved the expenditures. Such expenditures would be reportable under RCW 42.17A.235 & .240 if the candidates had not selected the mini-reporting option. Based on these factors, the cost of the Respondent website is not an “independent expenditure.”
- “Electioneering communication” is defined as any broadcast, cable or satellite television, radio transmission, digital communication, US Postal Service mailing, billboard, newspaper or periodical that 1) clearly identifies a candidate for state, local or judicial office; 2) is broadcast, transmitted, mailed, erected, distributed or published within 60 days of an election; and 3) has a fair market value of \$1,000 or more. RCW 42.17A.005.
- The Lynnwood Forward website, which was created on May 22, 2019, was not launched within 60 days of an election and is therefore not an “electioneering communication.”
- Pursuant to RCW 42.17A.320, all written political advertising shall include the sponsor’s name and address, which must 1) be set apart from other printed matter; 2) appear on the first page of the advertisement or communication; 3) be in at least 10-point type or 10% of the largest type used in the advertising, whichever is larger; and 4) not be subject to a half-tone or screening process. RCW 42.17A.005(46)(a) defines “sponsor” as the person paying for the political advertising.
- When the complaints were filed in mid-July, the candidates that sponsored of the Respondent website were not clearly identified on the political advertising (website) as required under RCW 42.17A.320. After being notified of the missing sponsor identification, the co-owners updated the Home and Candidate pages of the Respondent website to include each sponsor’s name and address; this information was added to the site sometime between 7/26/19-8/2/19.
- As the Respondent is a website and therefore cannot violate RCW 42.17A.320, the obligation to disclose sponsor ID lies with the candidates who sponsored the political advertising (website). Please note:
  - Separate cases were opened to address the alleged violation of RCW 42.17A.320 by Nicholas Coelho, Ashkan Amouzegar and Naz Lashgari; these case numbers are 55603, 55605, and 55606 respectively.
- While reviewing the Respondent website, PDC staff noticed that it contained hyperlinks to the government websites of state and local officials who had endorsed the candidates. Upon being notified that the links might constitute a use of public office/agency facilities under RCW 42.17A.555, the co-owners of the Respondent website deactivated the links. The PDC later

determined that independently posting a link to a government website does not constitute a facial violation of .555.

Based on these findings, staff has determined that, in this instance, no evidence supports a finding of a violation warranting further investigation.

Based on this information, the PDC finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at [pdcc@pdc.wa.gov](mailto:pdcc@pdc.wa.gov)

Sincerely,

/s \_\_\_\_\_  
Tabatha Blacksmith  
Compliance Coordinator

Endorsed by,

/s \_\_\_\_\_  
Barbara Sandahl  
Deputy Director  
For Peter Lavalley  
Executive Director

cc: Nicholas Coelho, Ashkan Amouzegar and Naz Lashgari (collectively "Lynnwood Forward")