

Largo Wales

[lmt](#) reported (Mon, 12 Mar at 2:08 PM) via Email

To: pdc@pdc.wa.gov

Cc: lawales@comcast.net

Dear Commission,

My office represents Largo Wales. Recently Largo asked us to look into a complaint filed by Elizabeth Miller with the PDC on or about Jan 2018. As I reviewed the complaint it became immediately apparent that this was the exact complaint we have previously answered to Attorney General Robert Ferguson around October of 2018. Our answer there is attached hereto.

What concerns me is that Ms. Miller's January 2018 complaint had no acknowledgment of our previous answer. I find it to be a bit of forum and venue shopping but more disturbing representing a lack of candor to the PDC. Further, her complaint has been answered. As an example, Ms. Wales self funded most her campaigns so the only person she need to advise she was transferring money between campaigns was arguably herself.

As I reviewed your complaint database I came across Ms. Miller's August 2017 complaint. It is interesting that that particular complaint was drafted before the AG Ferguson complaint. So we stand with complaint after complaint essentially regurgitating the same allegations.

Whereas I want to ensure these complaints do not go unacknowledged or unanswered I have provided the above mentioned response. I will also reviewing our clients provided records and recollections to determine if we can augment our answer.

Cordially,

John M. Torres, Jr.

WSBA# 26287

Office Hours M-Th, 9-5, pst

253-288-8015

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November 21, 2017

Honorable Bob Ferguson
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Elizabeth Miller
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Auburn, WA 98092

Bailey Stober
1349 51 St PL NE
Auburn, WA 98002

Re: Formal Complaint date October 23, 2017

Dear Mr. Ferguson,

Our office represents Largo Wales. Ms. Wales has provided us the referenced complaint and directed us to provide a preliminary answer. As you may recall I was in Hanoi, Vietnam when the complaint originally arrived, returning November 20, 2017, and I promised an answer by November 22, 2017. Consequently, this answer contains those responses which could be arrived at in the period of two days. I make note of the conclusory nature of the complaint which is otherwise devoid of causal links between facts and allegations.

Starting with the lack of reporting allegation, Ms. Largo has reviewed her reporting and maintains that she did self-fund her campaign, in large part, as the complaint admits she has already answered. The complainant alleges no harm, Ms. Wales did not prevail in the election, and thus the Commission has the authority to waive any penalty per RCW 42.17A.755, and, without admitting guilt, Ms. Wales requests any remedial Order, if one is made, includes language so waiving penalty upon further compliance.

Regarding Auburn Caviar and Wine, Ms. Wales is not an owner of said entity nor does she have any interest therein. She did not direct nor approve of the offer complained of. She has reason to believe and does believe that the offer was made in jest since no proof of actual voting could have been proffered by any recipient. Said jest is thus political speech, our most highly valued and protected speech.

As to the prior contributions transfer reporting claim, Ms. Wales and others contributed to both races. Thus, anyone so dually contributing would be estopped from claiming they had not given permission to use the funds. Either way, the complainants did not so contribute, were not injured, and admit they cannot support their allegation.

Regarding texts from Yolanda Trout, if they were made, they were directed to Ms. Wales, as the complaint admits. A recipient cannot be both a victim and a perpetrator. It is my recollection from my thesis is law school that providing a phone number has been found to not be enough to support a conviction of an offense by the 9th Circuit, although the actual case citation escapes me - I apologize. The Chamber email to Ms. Wales also fails for the same reason. I would like to discuss the absurdity of calling out AMC 2.92.060. The complainants would have at least three council members recused, Yolanda Trout, Bill Palozi, and Ms. Wales. Assuming, the complainant would further argue that 5 of 7 who supported Ms. Wales should also be recused, that would leave two council members plus Nancy Backus. The bias would be repugnant for the same reasons as any recusal demand made by the complainants, notwithstanding that the allegations show no violation by Ms. Wales. The complainants position is strikingly at odds with the “ugliness” they seek to avoid.

Ms. Wales believes that her tablet opens up to MSN.com. She has duty to keep apprised of events which may impact the City including adverse weather. Opening her tablet and occasionally checking the weather has no measurable negative economic impact on the City and should be concluded to be di minimus use.

The complainants allege that because Ms. Wales attended the Edgeview National Night Out she must have been campaigning. They provide no direct evidence only a “probable” conclusion as one would “imply”.

The statement regarding her picture is not supportable on its face. It is not the same picture as the hair is of a different length and coloring. The rest of that section of the complaint lacks specificity. The City does not own Ms. Wales’ image and nothing from the photos show an indicator of City property or City ownership interest.

Our review of the provided written campaign material in the complaint shows that the paid for information was included. It is noted that the website master did not include the paid for notation, however that does not appear to be a violation of RCW 42.17A.320.

Addressing a call from the Pelosi residence, if one actually occurred, whether a non-government private citizen (in this case allegedly Mrs. Pelosi) called a business owner of

their own volition or not is not a violation by Ms. Wales, as admitted by the complainants.

Finally, unless the complainants have actual proof of a quid pro quo I would strongly suggest they review the slander and libel laws in the event that the Carpinito Brothers decide to sue them for this allegation. If a citizen cannot ask City Council members for guidance would one assume the Mayor's doors would be likewise closed? Whereas my firm receives a monthly email from the Mayor I would conclude that communication between citizens and public officials is normal, if not initiated by City leaders. Please also see:

http://www.auburnwa.gov/government/officials/mayor/mayors_feedback_requests.htm

We reserve the right to augment and add to this answer if additional information is discovered, requested or required.

Sincerely,

A handwritten signature in blue ink that reads "John M. Torres Jr." with a stylized flourish at the end.

John M Torres Jr
WSBA# 26287
Attorney for Largo Wales