



October 22, 2024

Phil Stutzman
Washington State Public Disclosure Commission
P.O. Box 40908
Olympia, WA 98504-0908

Via Email Only

RE: Response to PDC Case No. 160530

Dear Mr. Stutzman:

I am responding to you on behalf of Let's Go Washington Sponsored by Brian Heywood (LGW), a political committee registered in Washington State, regarding complaint No. 160530 filed with the Public Disclosure Commission (PDC) on October 11, 2024, by Abby Lawlor of Barnard Iglitzin & Lavitt LLP on behalf of Defend Washington (Complainant), also a registered political committee in Washington State. The complaint alleges inaccurate top five contributor disclosures on LGW advertising disclaimers.

While the complaint correctly identifies the top five contributors that LGW used for the advertising referenced in the complaint, the Complainant incorrectly calculated the top five to be disclosed.

Determining Top 5 Contributors

RCW 42.17A.350(1) states that:

For any requirement to include the top five contributors under RCW [42.17A.320](#) or any other provision of this chapter, the sponsor must identify the five persons or entities making the largest contributions to the sponsor in excess of the threshold aggregate value to be considered an independent expenditure in an election for public office under *RCW [42.17A.005](#)(29)(a)(iv) reportable under this chapter during the twelve-month period preceding the date on which the advertisement is initially to be published or otherwise presented to the public.

In addition, RCW 42.17A.350(3) states that:

Contributions to the sponsor or a political committee that are earmarked, tracked, and used for purposes other than the advertisement in question should not be counted in identifying the top five contributors under subsection (1) of this section or the top three contributors under subsection (2) of this section.

Finally, RCW 42.17A.005(15)(a)(i) defines a contribution as “A loan, gift, deposit...or anything of value...”.

**Brian Heywood’s Loans to LGW are contributions and must be considered
when determining top five contributors**

Brian Heywood has made a number of loans to LGW over the course of the current campaign. During the October 10, 2023, through October 9, 2024, time frame that is the subject of the complaint, Mr. Heywood made the following loans to Let’s Go Washington:

| lenders_name | receipt_date | loan_amount |
|---------------|-------------------------|---------------------|
| HEYWOOD BRIAN | 2024-02-09T00:00:00.000 | \$ 42,000 |
| HEYWOOD BRIAN | 2024-01-18T00:00:00.000 | \$ 85,000 |
| HEYWOOD BRIAN | 2024-01-03T00:00:00.000 | \$ 30,000 |
| HEYWOOD BRIAN | 2023-12-28T00:00:00.000 | \$ 100,000 |
| HEYWOOD BRIAN | 2023-12-26T00:00:00.000 | \$ 50,000 |
| HEYWOOD BRIAN | 2023-12-19T00:00:00.000 | \$ 114,000 |
| HEYWOOD BRIAN | 2023-12-05T00:00:00.000 | \$ 85,000 |
| HEYWOOD BRIAN | 2023-11-27T00:00:00.000 | \$ 195,000 |
| HEYWOOD BRIAN | 2023-11-13T00:00:00.000 | \$ 110,000 |
| HEYWOOD BRIAN | 2023-11-01T00:00:00.000 | \$ 125,000 |
| HEYWOOD BRIAN | 2023-10-23T00:00:00.000 | \$ 220,000 |
| HEYWOOD BRIAN | 2023-10-17T00:00:00.000 | \$ 300,000 |
| | TOTAL | \$ 1,456,000 |

[2023 Brian Heywood Loans to LGW](#)

[2024 Brian Heywood Loans to LGW](#)

In addition, Mr. Heywood has made a number of in-kind contributions in that same time period totaling \$14,726.21 for total contributions by Mr. Heywood to LGW of \$1,470,726.21. Clearly, the law requires Mr. Heywood to be listed as a top five contributor for LGW advertising during the time frame considered in the complaint.

**Main Street Matters to Washington’s contributions to LGW were prohibited by the contributor
from use for any political advertising supporting any ballot measure other than advertising
exclusively supporting I-2066.**

Main Street Matters to Washington (MSMW) prohibited the contributions cited in the complaint from use for any political advertising supporting any measure other than I-2066 exclusively. In fact, nearly all the contributions made to LGW by MSMW were designated for signature gathering expenses. Because of these limitations, LGW could not include the MSMW contributions in question when determining the top five contributors for these particular advertisements.

Finally, because none of the top five contributors for this advertisement are political committees, no top three donors to PAC contributors disclaimer language is required.

With this information, it is clear that the top five contributor information on these advertisements is correct, and this complaint should be dismissed.

Phil Stuzman
October 22, 2024
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Thank you, and please contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Brady", with a stylized, cursive script.

Dan Brady
Let's Go Washington Legal Counsel