

December 30, 2024

**DELIVERED ELECTRONICALLY**

Washington Public Disclosure Commission  
Attention: Phil Stutzman  
Evergreen Plaza  
711 Capitol Way South, Suite 206  
Olympia, Washington 98501

**Re: PDC Case Number 160779 (Supplemental Response)**

Dear Mr. Stutzman,

I write on behalf of We Stand With Dave Reichert (the “Campaign” or the “Reichert Campaign”), the authorized committee for Dave Reichert’s campaign for Governor, to supplement the Campaign’s initial response submitted on November 4, 2024 (the “Initial Response”) to the complaints filed with the Public Disclosure Commission (the “PDC” or the “Commission”) by Marque Jones (the “Original Complaint”) and Marina Multhaup (the “Additional Complaint”), as well as the additional inquiries raised by PDC staff in an email to the Campaign (the “Staff Email”). Collectively, these matters have been assigned PDC Case Number 160779. This supplemental response also includes exhibits that were referenced, but inadvertently omitted from the Initial Response submitted to the PDC.<sup>1</sup>

**Supplemental Response**

A. Timely and Accurate Reporting of Small Contributions.

As explained in the Initial Response, the only apparent issues with the Campaign’s reporting of small contributions was that the quantity and aggregate amount of the Campaign’s nonitemized contributions “seemed” large and the average nonitemized contribution amount at the time the Original Complaint was filed happened to within a few pennies of a round number. Neither of these facts constitute a violation of RCW 42.17A.235 or .240. The Campaign’s small contribution reporting was accurate throughout the 2024 election cycle. The Campaign tracked all small contributors and maintained a separate and private list of the name, address and amount of each contributor in accordance with RCW 41.17A.240(2)(c). If a contributor exceeded \$100 in aggregate contributions, that contributor’s contributions were itemized on subsequent C3 reports where the contributor is identified by his or her name and address.

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<sup>1</sup> Exhibit A includes a screenshot of the Campaign’s online donation form and a copy of the Campaign’s printed contribution envelope. Exhibit B includes copies of checks (with account numbers and signatures redacted) bearing the names of Lawrence P. Hughes and Mary Ellen Hughes.

B. Employer and Occupation Information.

The Staff Email asked whether the Campaign “may have failed to collect the required employer and occupation information in accordance with WAC 390-16-034 for contributors giving over \$250 in the aggregate during the campaign.”

The Initial Response described the Campaign’s process for soliciting employer and occupation details from contributors, including collecting such information for contributors who did not provide when making their contribution (a time-intensive process for a campaign with over 60,000 separate contributions, most of which were transmitted through the mail), and noted that, following discussion of this topic at a Commission meeting earlier this year (and well before the Original Complaint was filed), the Campaign began to more aggressively gather this information.

The Initial Response also explained that the Campaign had collected all required employer and occupation information at that point and was in the process of amending prior C3 reports to include these details.<sup>2</sup> The Campaign has now successfully amended all C3 reports dating back to November 2023<sup>3</sup> where employer and occupation information for contributors contributing over \$250 had been previously listed as “requested.”

In light of the Campaign’s good faith compliance with WAC 390-16-034, its extensive—and self-initiated efforts—to improve its collection and reporting of employer and occupation information, the volume of records the Campaign was managing, its ability to provide any contributor’s employer and occupation to anyone inspecting its books of account, and the Campaign’s efforts to ensure all required contributor employer and occupation information is available on C3 reports, the PDC should use its discretion to dismiss this portion of the Original Complaint.

C. Over-Limit Contributions.

The Staff Email also questioned whether the Campaign “has accepted contributions in excess of the contribution limits set forth in RCW 42.17A.405(14),” and identified 16 contributors who may have contributed more than the \$2,400 per election limit. As explained in the Initial Response, in most of these cases, the Campaign either refunded any over-limit amount received within ten business days of receipt, thus avoiding acceptance of any over-limit “contribution” in the first place, *see* RCW 42.17A.005(15)(b), or initially attributed a contribution to the incorrect spouse.

The table below shows, for each of those 16 contributors, the date(s) and amounts of any overlimit amount(s) from that contributor. For amounts returned to the contributor, the date and amount returned are listed under “Date Resolved” and “Amount Resolved,” while amounts improperly attributed to the incorrect spouse show the date and amount of the contribution that has been reattributed to the correct spouse in those columns. The final column of the table provides the PDC C4 or C3 report number that reflects the refunded amount or the properly attributed contribution.

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<sup>2</sup> As indicated in footnote 4 of the Initial Response, the Campaign had already amended 38 C3 reports in the month of October *before* receiving the Original Complaint (and another 10 were amended during the remainder of the month).

<sup>3</sup> Technical limitations prevent the Campaign’s treasurer from amending reports prior to November 2023, but the Campaign has possession of the relevant information and is ready to work with PDC Staff to amend any earlier reports.

Contributor Name	Date Exceeded	Amount Exceeded	Date Resolved	Amount Resolved	Corrected Report No.
Dale E Duke	7/18/24	\$1,600.00	10/30/24	\$1,600	110263263
	8/23/24	\$2,400.00	11/25/24	\$2,400	110263263
William Smead	8/5/24	\$2,596.88	8/6/24	\$2,498.44	110244968
			8/6/24	\$98.44	110244968 <sup>4</sup>
Mahmood Ghassemi	10/15/24	\$2,500.00	10/28/24	\$2,500.00	110257021
Bonnie Quinn Clausen	10/15/24	\$2,400.00	10/21/24	\$2,400.00	110257021
Robert Tutland	9/2/24	\$4,800.00	9/11/24	\$4,800.00	110252899
David Haley	3/18/24	\$136.00	3/25/24	\$136.00	110209210
	9/23/24	\$2,000.00	9/30/24	\$2,000.00	110252899
Lloyd D. Everard	8/23/24	\$1,800.00	8/27/24	\$1,800.00	110244968
Connie Kearney	3/14/24	\$1,200.00	3/15/24	\$1,200.00	110209210
Wendell Malmberg	9/11/24	\$1,200.00	9/11/24	\$1,200.00	110260740
William Weyerhaeuser	10/2/24	\$1,200.00	10/2/24	\$1,200.00	110260741
Gary Brooten	9/30/24	\$488.68	9/30/24	\$488.68	110257620
Robert Alexander	9/3/24	\$641.02			
	9/9/24	\$1,041.02	9/30/24	\$1,682.04	110252899
	9/30/24	\$1,041.02	10/15/24	\$1,041.02	110257021
MGS Payments, LLC	4/16/24	\$200.00	4/30/24	\$200.00	110214381 <sup>4</sup>
David C Beal	5/22/24	\$200.00	7/22/24	\$200.00	110234276 <sup>4</sup>
Rebecca Smead	7/16/24	\$147.66	7/18/24	\$147.66	110234276 <sup>4</sup>
Robert Parks	10/17/23	\$100.00	11/12/23	\$100.00	110192280 <sup>4</sup>
	8/21/24	\$2,400.00	8/27/24	\$2,400.00	110244968

<sup>4</sup> Refund is not itemized because it is an amount equal to \$200 or less. See RCW 42.17A.240(7); WAC 390-05-400.

As shown by the table above, in nearly all cases, all amounts over \$2,400 received by the Campaign from an individual were either (a) misattributed to one individual when the contribution should have been attributed to his or her spouse or (b) refunded within ten business days.

Of the 16 potentially over-limit contributors identified by PDC staff, only three were properly attributed as the contributor yet did not receive a refund of the over-limit amount within ten business days. However, in all three of these cases the Campaign nonetheless began issuing refunds as soon as discovering the error:

- *Dale Duke*: Mr. Duke made two over-limit contributions, in July 2024 and August 2024. Both of these contributions were refunded in full.
- *Robert Alexander*: The Campaign received four separate general election contributions from Mr. Alexander within the span of several days. The first two contributions were both received on August 30, 2024, in amounts of \$1,000 and \$1,041.02, respectively. On September 3, the Campaign received a third putative contribution for \$1,000, and on September 9 the Campaign received a fourth for \$1,041.02. The September 3 putative contribution exceeded Mr. Alexander's general election limit by \$641.02; the September 9 putative contribution exceeded the limit by \$1,041.02. Because the amount of the third and fourth putative contributions were identical to the amounts of the first and second contributions received just a few days prior, the Campaign did not immediately realize these were separate contributions or that Mr. Alexander had exceeded his contribution limit. Nevertheless, the discrepancy was caught later that month, and the Campaign issued Mr. Alexander a refund of \$1,682.04 (reflecting the combined over-limit amount of his third and fourth general election putative contributions) on September 30, 2024, before the Original Complaint was filed.<sup>5</sup>
- *Robert Parks*: The Campaign received a \$2,500 check from Mr. Parks on October 17, 2023. At this time, the Campaign was also in the process of transitioning from its initial treasurer to its current treasurer, so the necessary refund of the \$100 excess amount (Mr. Parks had already contributed \$2,400 allocated for the primary election, so the \$100 could not be allocated to another election) was inadvertently overlooked. However, as soon as the Campaign's new treasurer took over full control of the Campaign's books of account in November 2023, the discrepancy was promptly caught and the Campaign issued Mr. Parks a \$100 refund on November 12, 2023.<sup>6</sup>

The Campaign has reviewed its books and cannot find any overlimit amounts that have not been returned or refunded. And as noted above, of the 16 contributors identified by the PDC, in 13 cases overlimit amounts were either reattributed to a spouse or returned to the contributor within ten business days, and in two others the errors were caught and corrected within a month (and prior to

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<sup>5</sup> As reflected in the table on page 3, Mr. Alexander also submitted a fifth putative contribution, again for \$1,041.02, on September 30, 2024. That amount was refunded in full ten business days later, on October 15, 2024.

<sup>6</sup> As reflected in the table on page 3, Mr. Parks also submitted another \$2,400 check on August 21, 2024; this was refunded in full four business days later, on August 27, 2024.

receiving the Original Complaint). Lastly, the Campaign's cash on hand balance has always been large enough so that no overlimit amount has been "used" by the Campaign.

Because the Campaign has rigorously adhered to the FCPA contribution limits, returned most overlimit amounts within 10 business days, refunded any other overlimit contributions as promptly as possible, and never spent any overlimit amounts, this portion of the Original Complaint should be dismissed as well.

**D. Reporting the Actual Source of Contributions.**

As described in the Initial Response, upon receiving the Additional Complaint, the Campaign promptly reviewed its records, identified the two checks in question and sought guidance from PDC staff regarding how to correct the Campaign's prior filings. In accordance with such guidance received, the Campaign reattributed the contributions originally attributed to Mary Ellen Hughes (whom the Campaign did not know to be deceased until it received the Additional Complaint) to Lawrence P. Hughes and to Christine D Hendley, whose names were also listed on the checks received. *See* Ex. B. Following these reattributions, none of the individuals named on either check contributed more than \$2,400 in any election or made any contribution in any other person's name.

**Conclusion**

The Campaign has worked diligently to adhere to all requirements of the FCPA and PDC rules, including by dedicating substantial time and financial resources toward PDC compliance. These efforts have enabled the Campaign to fully satisfy PDC requirements on nearly all occasions, and to catch and correct the trickle of minor technical errors that are all-but-inevitable for a campaign raising nearly \$7 million in over 60,000 separate contributions. For these reasons and all the other reasons provided in this supplemental response above and in the Campaign's Initial Response, the Commission should promptly dismiss both the Original Complaint and Additional Complaint.

Sincerely,

CHALMERS, ADAMS, BACKER & KAUFMAN, LLC

*/s/ Andrew R. Stokesbary*

Andrew R. Stokesbary, Member

# **Exhibit A**



Contributions are limited to \$2,400 per person or \$4,800 for a married couple. Contributions are not deductible for federal income tax purposes.

① Contribution

Have an eFundID? [Login](#)

\$25

\$50

\$100

\$250

\$500

\$1200

\$2400

\$4800

\$ Other

One Time

Monthly

② Personal Information

Email

Phone

Individual

Couple

First Name

Last Name

Address

City

State

WA

Zip

☐ I am retired

Employer

Occupation

Employer City

Employer State

WA

③ Payment Method

Credit Card

PayPal

Credit Card Number

MM/YY

Security

☐ My credit card address is different than my home address.

Comment

☐ I agree to the following statements:

Contributions are subject to the limitations and prohibitions of Washington's Fair Campaign Practices Act. By making this contribution, I certify that each of the following is true:

- I am an individual.
- I am a citizen of the United States or am lawfully admitted to the United States for permanent residence.
- I am at least eighteen years of age.
- I am making this contribution with my own funds and on my own behalf, and not on behalf of another person or entity or while acting as the intermediary or agent of another person or entity. No conduit or intermediary has exercised any direction or control over my choice to make this contribution.

Contribute

To contribute by credit card, please provide the following:

Type of card: ☐ Visa ☐ MasterCard ☐ Discover ☐ American Express

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Name on Card

Card Number

---

CVC

Exp. Date

Amount

Zip Code

Signature

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Phone

Email

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Occupation

Employer

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Employer City

Employer State

We can accept money from businesses and corporations, PAC, Unions, etc.

Paid for by We Stand With Dave Reichert (R) | PO Box 699 | Kirkland, WA 98083



# **Exhibit B**

**MARY ELLEN HUGHES  
LAWRENCE P HUGHES  
CHRISTINE D HENDLEY**  
3527 121ST ST SW  
LYNNWOOD WA 98087-1503

1083  
19-2/1250 WA  
98902

4/16/2024  
Date

Pay To The  
Order Of WE STAND WITH DAVE REICHERT \$2,400.00

TWO THOUSAND FOUR HUNDRED DOLLARS AND NO CENTS Dollars

**BANK OF AMERICA**

ACH R/T 125000024

For DONATION

125000024 1083

Photo Safe Deposit Details on back

Herland Clarke

**LAWRENCE P. HUGHES  
MARY ELLEN HUGHES**

2978  
19-2/1250 WA  
98749

12-3-24  
Date

Pay to the  
Order of STAND WITH DAVE REICHERT \$4800

ROBERT HUGHES Dollars

**BANK OF AMERICA**

ACH R/T 125000024

For \_\_\_\_\_

125000024 2978

Photo Safe Deposit Details on back