

Schwerin Campbell Barnard Iglitzin & Lavitt LLP

ATTORNEYS AT LAW

Of Counsel Lawrence Schwerin

James D. Oswald

DANIELLE FRANCO-MALONE
franco@workerlaw.com

November 13, 2017

Sent via email to nickedpower@gmail.com

Nicholas Power
Attorney at Law
540 Guard, Suite 150
Friday Harbor, WA 98250

Re: State of Washington, ex rel. Glen Morgan v.
11th District Democrats (a political committee)
Thurston Co. Cause No. 17-2-05209-34
Our File No. 6552-005

Dear Mr. Power:

The purpose of this letter is to inform you about some recent developments pertinent to this case.

The 11th Legislative District Democrats PAC does not expect to be receiving contributions or making expenditures in support of, or in opposition to, any candidate or ballot measure. Accordingly, it has complied with the procedures provided by the PDC to wind down operations and, as of today, the 11th Legislative District Democrats PAC no longer exists as a political committee. *See* RCW 42.17A.010(37).

Because the 11th Legislative District Democrats PAC has disbanded, it will not be filing an answer in this matter. We therefore suggest that you advise your client to promptly seek a voluntary dismissal of any and all claims he has against the PAC.

We are aware you have incurred attorney fees to date and that the prevailing party in actions brought under the Fair Campaign Practices Act (“FCPA”) is entitled to an award of attorney fees. However, a “fee award must be reasonable in relation to the results obtained.” *Ethridge v. Hwang*, 105 Wn. App. 447, 20 P.3d 958 (2001) (quotation marks omitted).

Knowingly incurring additional fees by pursuing further litigation against a now-defunct entity is clearly not “reasonable,” for the purposes of a fee award. We therefore reiterate our

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recommendation that your client seek dismissal of the case as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Danielle Franco-Malone". The signature is fluid and cursive, with a prominent initial "D".

Danielle Franco-Malone
Counsel for 11th Legislative District Democrats PAC

cc: Linda Dalton (*via email*)