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CASE NUMBER: 17-2-15750-3 SEA

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6 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
7 FOR THE COUNTY OF KING

8 STATE OF WASHINGTON;

No. 17-2-15750-3 SEA

9 Plaintiff,

**ANSWER TO COMPLAINT FOR  
CIVIL PENALTIES AND FOR  
INJUNCTIVE RELIEF FOR  
VIOLATIONS OF RCW 42.17A**

10 v.

11 EASTSIDE DEMOCRATIC DINNER  
12 COMMITTEE, a Washington registered  
13 political committee,

14 Defendant.

15  
16 **I. NATURE OF ACTION**

17 This paragraph is a summary introduction of the case at hand, and contains legal  
18 conclusions to which no response is required. To the extent that a response is required, the  
19 Eastside Democratic Dinner Committee (the Committee) admits that the Complaint and the  
20 statutes cited speak for themselves.

21  
22 **II. PARTIES**

23 2.1 Paragraph 2.1 contains legal conclusions to which no response is required. To the  
24 extent that a response is required, the Committee admits Paragraph 2.1.

25 2.2 Paragraph 2.2 contains legal conclusions to which no response is required. To the  
26 extent that a response is required, the Committee admits Paragraph 2.2.

ANSWER - 1  
Case No. 17-2-15750-3 SEA

LAW OFFICES OF  
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### III. JURISDICTION AND VENUE

3.1 Paragraph 3.1 contains legal conclusions to which no response is required. To the extent that a response is required, the Committee admits Paragraph 3.1.

3.2 Paragraph 3.2 contains legal conclusions to which no response is required. To the extent that a response is required, the Committee admits Paragraph 3.2.

3.3 Paragraph 3.3 contains legal conclusions to which no response is required. To the extent that a response is required, the Committee admits Paragraph 3.3.

### IV. FACTUAL ALLEGATIONS

4.1 Paragraph 4.1 contains legal conclusions to which no response is required. To the extent that a response is required, the text of RCW 42.17A speaks for itself. The Committee admits that the quoted portions of RCW 42.17A.001 are accurate.

4.2 Paragraph 4.2 contains legal conclusions to which no response is required. To the extent that a response is required, the text of RCW 42.17A and WAC 390-16 speaks for itself. The Committee admits that the quoted portions of the statutes, regulations, and forms are accurate.

4.3 Paragraph 4.3 contains legal conclusions to which no response is required. To the extent that a response is required, the text of RCW 42.17A and WAC 390-16 speaks for itself. The Committee admits that the quoted portions of the statutes, regulations, and forms are accurate.

4.4 Paragraph 4.4 contains legal conclusions to which no response is required. To the extent that a response is required, the Committee admits that it raises funds in order to support various Democratic candidates, and that during 2016, the Committee received contributions and made expenditures, all of which it endeavored to report in accordance with RCW 42.17A.

1                    Failure to Timely Report Contributions Received

2                    4.5     Paragraph 4.5 contains legal conclusions to which no response is required. To the  
3 extent that a response is required, the Committee admits that unintended errors, a  
4 misunderstanding of reporting requirements, and delays in the Committee's online payment  
5 service depositing of funds, all contributed to a delay in the report identified in Paragraph 4.5.  
6

7                    4.6     Paragraph 4.6 contains legal conclusions to which no response is required. To the  
8 extent that a response is required, the Committee admits that unintended errors, a  
9 misunderstanding of reporting requirements, and delays in the Committee's online payment  
10 service depositing of funds, all contributed to a delay in the report identified in Paragraph 4.6.  
11

12                    4.7     Paragraph 4.7 contains legal conclusions to which no response is required. To the  
13 extent that a response is required, the Committee admits that unintended errors, a  
14 misunderstanding of reporting requirements, and delays in the Committee's online payment  
15 service depositing of funds, all contributed to a delay in the report identified in Paragraph 4.7.

16                    4.8     Paragraph 4.8 contains legal conclusions to which no response is required. To the  
17 extent that a response is required, the Committee reasserts its responses in Paragraphs 4.5  
18 through 4.7.  
19

20                    Failure to Timely Report Expenditures

21                    4.9     Paragraph 4.9 contains legal conclusions to which no response is required. To the  
22 extent that a response is required, the Committee responds as follows:

- 23                    a.       January 2016 Report: Paragraph 4.9(a) contains legal conclusions to which  
24 no response is required. To the extent that a response is required, the Committee  
25 admits that this report was filed on the date alleged; however, the Committee fully  
26 believed the report had been submitted, and surmises that the Committee failed to



1 push the “transmit” button in the online filing system before closing down  
2 operations for the year. Furthermore, the Committee asserts that the Legislative  
3 Districts who were the recipients of the Committee’s funds have their own  
4 reporting requirements, reported their contributions promptly, and therefore the  
5 information itself was shared with the voters of the State of Washington, as  
6 intended by the law.  
7

8 b. July-August 2016 Report: Paragraph 4.9(b) contains legal conclusions to  
9 which no response is required. To the extent that a response is required, the  
10 Committee denies Paragraph 4.9(b), as the report cited in Paragraph 4.9(b) was in  
11 fact submitted by the September 12, 2016 due date.

12 c. November 2016 Report: Paragraph 4.9(c) contains legal conclusions to  
13 which no response is required. To the extent that a response is required, the  
14 Committee denies Paragraph 4.9(c). The \$58.85 reported in this C4 report was  
15 not reported in violation of the law, as RCW 42.17A.225(2) states that the C4  
16 “need only be filed if either the total contributions received or total expenditures  
17 made since the last such report exceed *two hundred dollars*.” (emphasis added).  
18

19 4.10 Paragraph 4.10 contains legal conclusions to which no response is required. To  
20 the extent that a response is required, the Committee reasserts its responses in Paragraph 4.9 and  
21 its subparts.  
22

## 23 V. CLAIMS

24 The Committee re-asserts and incorporates by reference its responses in the preceding  
25 sections.  
26

1           5.1 Paragraph 5.1 contains legal conclusions to which no response is required. To the  
2 extent that a response is required, the Committee admits Paragraph 5.1 in part, subject to the  
3 context provided in the Committee's answers in Paragraphs 4.5 through 4.8 above.

4           5.2 Paragraph 5.2 contains legal conclusions to which no response is required. To the  
5 extent that a response is required, the Committee denies Paragraph 5.2, subject to the context  
6 provided in the Committee's answers in Paragraphs 4.9 through 4.10 above.

7  
8                               **VI. REQUEST FOR RELIEF**

9           Paragraphs 1-4 under this Section of the Complaint contain statements of Plaintiff's legal  
10 position regarding relief and therefore require no answer.

11           Notwithstanding the preceding, the Committee denies that Plaintiff is entitled to the relief  
12 requested in Paragraphs 1-4.

13  
14                               **AFFIRMATIVE DEFENSES**

15           The Committee reserves the right to assert additional affirmative defenses as discovery  
16 progresses.

17  
18                               **REQUEST FOR RELIEF**

19           WHEREFORE, having fully answered the Complaint, the Committee respectfully  
20 requests that:

- 21           1. The Complaint be dismissed with prejudice;
- 22           2. The Committee be awarded the costs and attorney fees they incur herein, upon a  
23 finding that the suit was brought without reasonable cause, per RCW  
24 42.17A.765(4)(b);
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- 3. The Committee be granted permission to amend its Answer to conform with the evidence; and
- 4. The Committee be granted such other relief as this Court deems just and equitable.

DATED this 13th day of July, 2017.

s/Laura Ewan  
Laura Ewan, WSBA No. 45201  
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*Counsel for the Eastside Democratic Dinner Committee*

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 13<sup>th</sup> day of July, 2017, I caused the foregoing Answer to be filed with the Court using the e-filing system, and true and correct copies of the same to be served via eservice and email, per agreement of counsel, to:

Linda Dalton  
lindad@atg.wa.gov

DATED: July 13, 2017

s/Laura Ewan  
Laura Ewan, WSBA # 45201