16-2-10303-6 55098720 JD 10-02-20

FILED
DEPT 17
IN OPEN COURT
SEP 30 2020
PIERCE COUNTY Clerk
By DEPUTY

STATE OF WASHINGTON
PIERCE COUNTY SUPERIOR COURT

STATE OF WASHINGTON, Plaintiff, v. ECONOMIC DEVELOPMENT BOARD FOR TACOMA-PIERCE COUNTY, TACOMA-PIERCE COUNTY CHAMBER, JOHN WOLFE, in his official capacity as Chief Executive Officer for the PORT OF TACOMA, and CONNIE BACON, DON JOHNSON, DICK MARZANO, DON MEYER, and CLARE PETRICH, in their official capacities as Commissioners for the PORT OF TACOMA, Defendants.	NO. 16-2-10303-06 STIPULATION AND AGREED JUDGMENT

JUDGMENT SUMMARY (RCW 4.64.030)

A.	JUDGMENT CREDITOR:	Plaintiff STATE OF WASHINGTON
B.	JUDGMENT DEBTORS:	Defendants ECONOMIC DEVELOPMENT BOARD FOR TACOMA-PIERCE COUNTY; TACOMA-PIERCE COUNTY CHAMBER; and JOHN WOLFE, in his official capacity as then Chief Executive Officer for the PORT OF TACOMA
C.	PRINCIPAL JUDGMENT:	$34,000.00 as to DEFENDANTS jointly and severally with $17,000.00 suspended for a period of 4 years contingent on no findings of violations of RCW 42.17A committed during the period of suspension

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D.	COSTS and FEES:	$73,000.00 as to DEFENDANTS jointly and severally
E.	INTEREST:	No prejudgment interest is owed. Principal judgment amount(s) due and owing shall not bear interest unless the principal judgment is unpaid by the due date specified herein at which time a 12% interest (per year) will accrue on the unpaid portion of the judgment that Defendants failed to timely pay.
F.	ATTORNEYS FOR JUDGMENT CREDITOR:	ROBERT W. FERGUSON, Attorney General S. TODD SIPE, WSBA #23203 ZEBULAR J. MADISON, WSBA #37415 Assistant Attorneys General
G.	ATTORNEYS FOR JUDGMENT DEBTOR ECONOMIC DEVELOPMENT BOARD FOR TACOMA-PIERCE COUNTY:	JASON M. WHALEN, WSBA # 22195 Ledger Square Law, P.S. SHAWNA M. LYDON, WSBA #34238 Betts Patterson & Mines PS
	ATTORNEY FOR JUDGMENT DEBTOR TACOMA-PIERCE COUNTY CHAMBER:	VALARIE S. ZEECK, WSBA # 24998 Gordon Thomas Honeywell LLP
	ATTORNEYS FOR JUDGMENT DEBTOR JOHN WOLFE, in his official capacity as then Chief Executive Officer for the PORT OF TACOMA:	CAROLYN A. LAKE, WSBA # 13980 SETH S. GOODSTEIN, WSBA #45091 Goodstein Law Group PLLC

STIPULATION

The parties to this stipulation, Plaintiff STATE OF WASHINGTON (STATE) and Defendants ECONOMIC DEVELOPMENT BOARD FOR TACOMA-PIERCE COUNTY; TACOMA-PIERCE COUNTY CHAMBER; and JOHN WOLFE, in his official capacity as then Chief Executive Officer for the PORT OF TACOMA (collectively DEFENDANTS), desiring to resolve all claims arising out of the STATE'S Complaint, hereby enter into the following stipulation to resolve those claims:

1. DEFENDANTS acknowledge their violations of state campaign finance law as alleged in the STATE's Complaint. Based on their acknowledged violations, DEFENDANTS

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agree that they shall be jointly and severally liable to the STATE for the civil penalty in the amount of $34,000.00.

2. The parties agree that $17,000.00 of the civil penalty will be suspended based on the following terms and conditions:

a. The suspension will be in effect for four years from the date of execution of the Judgment. During the period of suspension, DEFENDANTS agree that they will not violate any provision of RCW 42.17A.

b. In the event any of the DEFENDANTS are found by the Public Disclosure Commission or a court to have committed a violation of RCW 42.17A during the suspension period, the suspended penalty of $17,000.00 will immediately become due and payable within 30 days of such finding without further intervention of the Court.

c. If none of the DEFENDANTS are found to have committed violations of RCW 42.17A by the Public Disclosure Commission or a court during the suspension period, then the suspended portion of the penalty will be set aside.

3. DEFENDANTS agree that they are jointly and severally liable for the State's attorneys' fees and costs that it has incurred in this case in the amount of $73,000.00 and also agree to pay that amount to the STATE.

4. Defendants agree to pay the unsuspended portion of their civil penalty and the State's fees and costs by check made payable to the Washington State Treasurer and sent to the **Public Disclosure Commission, PO Box 40908, Olympia, WA 98504-0908** within 30 days from the date of the entry of the Judgment.

5. The State and Defendants agree that this settlement also resolves all of the State's claims against the remaining named defendants CONNIE BACON, DON JOHNSON, DICK MARZANO, DON MEYER, and CLARE PETRICH, in their official capacities as Commissioners for the PORT OF TACOMA.

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DATED this 29 day of September 2020.

ROBERT W. FERGUSON
Attorney General

9/29/20
S. ~~TODD SIPE~~, WSBA #23~~203~~ DATED
ZEBULAR J. MADISON, WSBA #37415
Assistant Attorneys General
Attorneys for Plaintiff State of Washington

LEDGER SQUARE LAW, P.S.

/s/ Jason M. Whalen 9/28/20
JASON M. WHALEN, WSBA #22195 DATED
Attorney for Defendant Economic Development Board for Tacoma-Pierce County

BETTS PATTERSON & MINES PS

/s/ Shawna M. Lyndon 9/28/20
SHAWNA M. LYDON, WSBA #34238 DATED
Attorney for Defendant Economic Development Board for Tacoma-Pierce County

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/s/ Valarie S. Zeeck 9/28/20
VALARIE S. ZEECK, WSBA #24998 DATED
Attorney for Defendant Tacoma-Pierce County Chamber

GOODSTEIN LAW GROUP PLLC

/s/ Carolyn A. Lake. 9/28/20
CAROLYN A. LAKE, WSBA # 13980 DATED
SETH S. GOODSTEIN, WSBA #45091
Attorneys for Defendant John Wolfe in his official capacity as then Chief Executive Officer for the Port of Tacoma

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AGREED JUDGMENT

The Court, having reviewed the records and files herein, and having found the settlement to be a just and proper resolution of this matter, and being otherwise fully advised in the premises, hereby ORDERS as follows:

1. Defendants ECONOMIC DEVELOPMENT BOARD FOR TACOMA-PIERCE COUNTY; TACOMA-PIERCE COUNTY CHAMBER; and JOHN WOLFE, in his official capacity as then Chief Executive Officer for the PORT OF TACOMA (collectively DEFENDANTS), are jointly and severally liable to the State for a civil penalty in the amount of $34,000.00 assessed against them for their violations of RCW 42.17A as alleged in the Complaint.

2. The amount of $17,000.00 of the assessed penalty is hereby suspended upon Defendants' compliance with the following court-ordered conditions:

a. The suspension will be in effect for four years from the date of execution of the Judgment. During the period of suspension, none of the DEFENDANTS shall not violate any provision of RCW 42.17A.

b. In the event any of the DEFENDANTS are found by the Public Disclosure Commission or a court to have committed a violation of RCW 42.17A during the suspension period, the suspended penalty of $17,000.00 shall be immediately due and payable within 30 days of such finding without further intervention of the Court.

c. If none of the DEFENDANTS are found to have committed violations of RCW 42.17A by the Public Disclosure Commission or a court during the suspension period, then the suspended portion of the penalty shall be set aside.

3. Defendants shall pay the State the unsuspended portion of the civil penalty ($17,000.00) by check made payable to the Washington State Treasurer within 30 days from the date of the entry of the Judgment.

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4. Defendants are also jointly and severally liable for the STATE's attorneys' fees and costs incurred in this case in the amount of $73,000.00 and shall pay that amount by check made payable to the Washington State Treasurer within 30 days of the date of this judgment being entered

5. Pursuant to parties' stipulation, the State's claims against the remaining named defendants CONNIE BACON, DON JOHNSON, DICK MARZANO, DON MEYER, and CLARE PETRICH, in their official capacities as Commissioners for the PORT OF TACOMA are resolved by this Judgment.

6. This matter is fully resolved and concluded based on the above terms of this Order.

DONE IN OPEN COURT this 30 day of Sept 2020.

JUDGE KARINA KIRKENDOLL

PRESENTED BY:

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Attorney General

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ZEBULAR J. MADISON, WSBA #37415
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