

COPY

FILED

JUL 14 2017

Superior Court  
Linda Myhre, Clerk  
Thurston County Courthouse

STATE OF WASHINGTON  
THURSTON COUNTY SUPERIOR COURT

STATE OF WASHINGTON,

Plaintiff,

v.

WASHINGTON STATE BUDGET  
AND POLICY CENTER,

Defendant.

NO. 16-2-04961-34

EX PARTE

STIPULATION AND AGREED  
JUDGMENT

JUDGMENT SUMMARY (RCW 4.64.030)

- A. JUDGMENT CREDITOR: Plaintiff, STATE OF WASHINGTON
- B. JUDGMENT DEBTOR: WASHINGTON BUDGET AND POLICY CENTER
- C. PRINCIPAL JUDGMENT: \$33,510 with \$16,755 suspended for a period of 4 years contingent on no findings of violations of RCW 42.17A committed during the period of suspension
- D. 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
- E. COSTS AND FEES: \$13,790 as attorney fees, costs of investigation, and cost of trial
- F. ATTORNEYS FOR JUDGMENT CREDITOR: ROBERT W. FERGUSON  
Attorney General  
LINDA A. DALTON, WSBA No. 15467  
Senior Assistant Attorney General  
WALTER M. SMITH, WSBA No. 46695  
Assistant Attorney General

1 G. ATTORNEY FOR DMITRI IGLITZIN, WSBA No. 17673  
2 JUDGMENT DEBTOR Schwerin Campbell Barnard Iglitzin & Lavitt LLP

3 **STIPULATION**

4 The parties to this stipulation, Plaintiff, STATE OF WASHINGTON (STATE) and  
5 Defendant WASHINGTON BUDGET AND POLICY CENTER, desiring to resolve all claims  
6 arising out of the State's complaint, hereby enter into the following stipulation:

7 1. Defendant WASHINGTON BUDGET AND POLICY CENTER agrees to pay an assessed  
8 civil penalty in the amount of \$33,510 for its violations of RCW 42.17A for failing to  
9 properly report independent expenditures it made in opposition to Initiative 1366.

10 2. The parties agree that \$16,755 of the assessed civil penalty will be suspended based on the  
11 following terms and conditions:

12 a. The suspension will be in effect for four years from the date of execution of the  
13 Judgment. During the period of suspension, Defendant WASHINGTON BUDGET  
14 AND POLICY CENTER agrees that it will not violate any provision of RCW  
15 42.17A.

16 b. In the event Defendant WASHINGTON BUDGET AND POLICY CENTER is  
17 found by the Public Disclosure Commission or a court to have committed a  
18 violation of RCW 42.17A during the suspension period, the suspended penalty of  
19 \$16,755 will immediately become due and payable within 30 days of such finding  
20 without further intervention of the Court.

21 c. If Defendant WASHINGTON BUDGET AND POLICY CENTER is not found to  
22 have committed violations of RCW 42.17A by the Public Disclosure Commission  
23 or a court for conduct during the suspension period, then the suspended portion of  
24 the penalty will be set aside.

1 3. Defendant WASHINGTON BUDGET AND POLICY CENTER agrees to pay the State the  
2 total amount of \$13,790 as attorney fees, court costs, and costs of investigation in this  
3 action.

4 4. Defendant WASHINGTON BUDGET AND POLICY CENTER agrees to pay the State the  
5 unsuspended portion of the civil penalty (\$16,755) and fees and costs (\$13,790) within 30  
6 days from the date of the entry of the Judgment.

7 DATED this 14 day of July, 2017.

8 ROBERT W. FERGUSON  
9 ATTORNEY GENERAL

10 

11 LINDA A. DALTON, WSBA No. 15467  
12 Senior Assistant Attorney General  
13 WALTER M. SMITH, WSBA No. 46695  
14 Assistant Attorney General  
15 Attorneys for Plaintiff

SCHWERIN CAMPBELL BARNARD IGLITZIN & LAVITT LLP

16  7/12/17

17 DMITRI IGLITZIN, WSBA No. 17673  
18 Attorneys for Defendants  
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**JUDGMENT**

THIS MATTER came on regularly before the undersigned judge of the above-entitled Court. Plaintiff, STATE OF WASHINGTON, appearing through its attorneys of record, LINDA A. DALTON, Senior Assistant Attorney General, and WALTER M. SMITH, Assistant Attorney General, and Defendant WASHINGTON BUDGET AND POLICY CENTER, appearing through its attorney, DMITRI IGLITZIN, Schwerin Campbell Barnard Iglitzin & Lavitt LLP apprised the Court of their agreement to the entry of this judgment for the purpose of settling and compromising this action brought under RCW 42.17A. 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. Defendant WASHINGTON BUDGET AND POLICY CENTER is hereby assessed a civil penalty, under the provisions of RCW 42.17A, in the amount of \$33,510 payable to the State of Washington for its violations of RCW 42.17A for failing to properly report independent expenditures it made in opposition to Initiative 1366.
2. The amount of \$16,755 of the assessed penalty is hereby suspended upon Defendant WASHINGTON BUDGET AND POLICY CENTER's 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, Defendant WASHINGTON BUDGET AND POLICY CENTER agrees that it will not violate any provision of RCW 42.17A.
  - b. In the event Defendant WASHINGTON BUDGET AND POLICY CENTER is 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 \$16,755 will

1 immediately become due and payable within 30 days of such finding without further  
2 intervention of the Court.

3 c. If Defendant WASHINGTON BUDGET AND POLICY CENTER is not found to have  
4 committed violations of RCW 42.17A by the Public Disclosure Commission or a court  
5 for conduct during the suspension period, then the suspended portion of the penalty will  
6 be set aside.

7 3. Defendant WASHINGTON BUDGET AND POLICY CENTER shall pay the State the  
8 total amount of \$13,790 as attorney fees, court costs, and costs of investigation in this  
9 action.

10 4. Defendant WASHINGTON BUDGET AND POLICY CENTER shall pay the State the  
11 unsuspended portion of the civil penalty (\$16,755) and fees and costs (\$13,790) within 30  
12 days from the date of the entry of the Judgment.

13 DONE IN OPEN COURT this 14 day of July, 2017. **JAMES J. DIXON**

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JAMES DIXON, Judge

16 Presented by:

17 ROBERT W. FERGUSON  
ATTORNEY GENERAL

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19 LINDA A. DALTON, WSBA No. 15467  
Senior Assistant Attorney General  
20 WALTER M. SMITH, WSBA No. 46695  
Assistant Attorney General  
21 Attorneys for Plaintiff

22 Approved as to form:

23 SCHWERIN CAMPBELL BARNARD IGLITZIN & LAVITT LLP

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25 DMITRI IGLITZIN, WSBA No. 17673  
Attorneys for Defendants  
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