

FILED

NOV - 3 2017

Superior Court
Linda Myhre Enlow
Thurston County Clerk

1 **EXPEDITE**
 (if filing within 5 court days of hearing)
 2 ■ Hearing is set:
 Date: 11/3/17
 3 Time: 9:00 a.m.
 Judge/Calendar: Lansese

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THURSTON COUNTY**

7 STATE OF WASHINGTON *ex rel.*
8 WALTER SMITH,

9 Plaintiff,

10 vs.

11 PIERCE COUNTY REPUBLICAN
12 CENTRAL COMMITTEE, a Washington
13 bona fide political party committee,

14 Defendant.

No. 17-2-05159-34

STIPULATION AND JUDGMENT
[Proposed] FOR CIVIL PENALTIES,
ATTORNEYS FEES AND COSTS

JUDGMENT SUMMARY

Judgment Creditor:	State of Washington
Attorneys for Judgment Creditor:	Steve E. Dietrich & Walter M. Smith, Smith & Dietrich Law Offices PLLC
Judgment Debtor:	Pierce County Republican Central Committee
Attorneys for Judgment Debtor:	Mark Lamb, The North Creek Law Firm
Amount of Civil Penalties:	\$10,345, with \$5,172.50 suspended for a period of 2 years contingent on no findings of violations of RCW 42.17A committed during the period of suspension
Amount of Attorneys' Fees:	\$7,405
Amount of Costs:	\$318.43
Total Principal Judgment Amount:	\$12,895.93

COPY

1 No prejudgment interest is owed and only the Amount of Attorneys' Fees shall begin
2 to accrue interest at the rate of twelve percent per annum (without compounding) as of the
3 date this Judgment is entered, and until fully satisfied, as provided by RCW 4.56.110(4).
4

5 **STIPULATION**

6 The parties to this stipulation, Plaintiff, STATE OF WASHINGTON (State), acting
7 through the Relator, WALTER SMITH, and Defendant PIERCE COUNTY REPUBLICAN
8 CENTRAL COMMITTEE, desiring to resolve any and all claims arising out of the State's
9 Complaint, hereby enter into the following stipulation:
10

11 1. Defendant PIERCE COUNTY REPUBLICAN CENTRAL COMMITTEE
12 agrees to pay an assessed civil penalty in the amount of \$10,345 for its violations of Chapter
13 42.17A RCW for failing to timely and properly report its contributions received and
14 expenditures made as alleged in the Complaint.

15 2. The Parties agree that one half of the assessed civil penalty (\$5,172.50) will be
16 suspended based on the following terms and conditions:
17

18 a. The suspension will be effective for two years from the date of entry of this
19 Judgment. During the period of suspension, Defendant PIERCE COUNTY REPUBLICAN
20 CENTRAL COMMITTEE agrees that it will not violate any provision of Chapter 42.17A
21 RCW.

22 b. In the event Defendant PIERCE COUNTY REPUBLICAN CENTRAL
23 COMMITTEE is found by the Public Disclosure Commission or a court to have committed a
24 violation of Chapter 42.17A RCW during the suspension period, the suspended penalty of
25 \$5,172.50 will immediately become due and payable within 30 days of such finding without
26 further intervention of the Court.
27
28

1 c. If Defendant PIERCE COUNTY REPUBLICAN CENTRAL COMMITTEE is
2 not found to have committed violations of Chapter 42.17A RCW by the Public Disclosure
3 Commission or a court for conduct during the suspension period, then the suspended portion of
4 the penalty will be set aside.

5
6 3. Defendant PIERCE COUNTY REPUBLICAN CENTRAL COMMITTEE
7 agrees to pay to counsel for the State, Smith & Dietrich Law Offices PLLC, the total amount of
8 \$7,723.43 in full satisfaction of the Relator's attorneys' fees and costs of litigation in this
9 action. Payment for Relator's attorney fees and costs will be delivered by check made out to
10 Smith & Dietrich Law Offices PLLC, and delivered to the firm at 400 Union Avenue
11 Southeast, Suite 200, in the city of Olympia.

12
13 4. Defendant PIERCE COUNTY REPUBLICAN CENTRAL COMMITTEE
14 agrees to pay the State the unsuspended portion of the civil penalty (\$5,172.50) by check made
15 out to the State of Washington, and delivered to Campaign Finance Unit at the Washington
16 Attorney General's Office, 1125 Washington Street Southeast, in the city of Olympia.

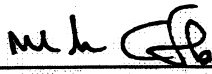
17
18 5. Defendant PIERCE COUNTY REPUBLICAN CENTRAL COMMITTEE
19 agrees to pay the State the unsuspended portion of the civil penalty (\$5,172.50) and pay to
20 Smith & Dietrich Law Offices PLLC fees and costs (\$7,723.43) in installments of \$4,028.40
21 on January 1 and July 1 each year starting in 2018 until paid in full. Payments shall be applied
22 to the fees and costs portion first, and Defendant will provide the first two payments to
23 Relator's counsel, and the remaining payments to the Attorney General's Office. Failure to
24 make any installment payment will result in in the remainder of the unpaid portion, including
25 any outstanding amounts of attorney fees and costs as well as the unsuspended civil penalty, to
26 be due and payable within thirty (30) days of the missed installment.
27
28

1 Dated this ^{2nd} day of November, 2017.

2
3 SMITH & DIETRICH LAW OFFICES
4 PLLC

5 
6 Walter M. Smith (WSBA No. 46695)
7 Steve E. Dietrich (WSBA No. 21897)
8 walter@smithdietrich.com
9 steved@smithdietrich.com
10 SMITH & DIETRICH LAW OFFICES PLLC
11 400 Union Ave. SE, Suite 200
12 Olympia, WA 98501
13 Phone: (360) 918-7230

THE NORTH CREEK LAW FIRM

14 
15 Mark C. Lamb (WSBA No. 30134)
16 mark@northcreeklaw.com
17 THE NORTH CREEK LAW FIRM
18 12900 NE 180th Street, Suite 235
19 Bothell, Washington 98011
20 Phone: (425) 368-4238

21
22
23
24
25
26
27
28
JUDGMENT

29 This matter came before the Court regularly for a hearing on the Plaintiff's Motion for
30 Entry of Judgment. Plaintiff, STATE OF WASHINGTON, acting through WALTER SMITH,
31 Relator, and appearing through counsel of record, WALTER M. SMITH and STEVE E.
32 DIETRICH, of Smith & Dietrich Law Offices PLLC, and Defendant PIERCE COUNTY
33 REPUBLICAN CENTRAL COMMITTEE, appearing through counsel of record, MARK C.
34 LAMB of The North Creek Law Firm, apprised the Court of their agreement to entry of
35 judgment for the purpose of settling and compromising this action brought under Chapter
36 42.17A RCW. The Court, having reviewed the record before it, and having found the
37 settlement of the Parties to be a just and proper resolution of this matter, hereby ORDERS as
38 follows:

39 1. Defendant PIERCE COUNTY REPUBLICAN CENTRAL COMMITTEE is
40 hereby assessed a civil penalty in the amount of \$10,345 for its violations of Chapter 42.17A

1 RCW for failing to timely and properly report its contributions received and expenditures
2 made as alleged in the Complaint.

3 2. The amount of \$5,172.50 of the assessed civil penalty is hereby suspended
4 based on Defendant PIERCE COUNTY REPUBLICAN CENTRAL COMMITTEE's
5 compliance with the following Court-ordered terms and conditions:
6

7 a. The suspension will be effective for two years from the date of entry of this
8 Judgment. During the period of suspension, Defendant PIERCE COUNTY REPUBLICAN
9 CENTRAL COMMITTEE will not violate any provision of Chapter 42.17A RCW.
10

11 b. In the event Defendant PIERCE COUNTY REPUBLICAN CENTRAL
12 COMMITTEE is found by the Public Disclosure Commission or a court to have committed a
13 violation of Chapter 42.17A RCW during the suspension period, the suspended penalty of
14 \$5,172.50 will immediately become due and payable within 30 days of such finding without
15 further intervention of the Court.
16

17 c. If Defendant PIERCE COUNTY REPUBLICAN CENTRAL COMMITTEE is
18 not found to have committed violations of Chapter 42.17A RCW by the Public Disclosure
19 Commission or a court for conduct during the suspension period, then the suspended portion of
20 the penalty will be set aside.

21 3. Defendant PIERCE COUNTY REPUBLICAN CENTRAL COMMITTEE is
22 ordered to pay to counsel for the State, Smith & Dietrich Law Offices PLLC, the total amount
23 of \$7,723.43 in full satisfaction of the Relator's attorneys' fees and costs of litigation in this
24 action, plus interest at the rate of 12% per annum starting on the date this Judgment is entered,
25 with such amount to be paid by check delivered to Relator's counsel in installments of
26 \$4,028.40 on January 1 and July 1, 2018, or until paid in full, with no penalty for pre-payment.
27
28

1 Payment for Relator's attorney fees and costs will be delivered by check made out to Smith &
2 Dietrich Law Offices PLLC, and delivered to the firm at 400 Union Avenue Southeast, Suite
3 200, in the city of Olympia.

4
5 4. Defendant PIERCE COUNTY REPUBLICAN CENTRAL COMMITTEE is
6 ordered to pay the State the unsuspended portion of the civil penalty (\$5,172.50) in
7 installments of \$4,028.40 on January 1, 2019, and \$1,144.10 on July 1, 2019, or until paid in
8 full, with no penalty for pre-payment. Payment will be made by check made out to the State of
9 Washington, and delivered to the Campaign Finance Unit at the Washington Attorney
10 General's Office, 1125 Washington Street Southeast, in the city of Olympia.

11
12 5. The Defendant's failure to make any installment payment ordered in this
13 Judgment will result in in the remainder of the unpaid portion of this Judgment, including any
14 outstanding amounts of attorney fees and costs as well as the unsuspended civil penalty, to be
15 due and payable within thirty (30) days of the missed installment.

16 Done in open court this 3rd day of November, 2017.

17
18 CHRISTOPHER LANESE

19
20 _____
21 The Honorable Christopher Lanese

1 Presented by:

2 SMITH & DIETRICH LAW OFFICES
3 PLLC

4 

5 Walter M. Smith (WSBA No. 46695)

6 Steve E. Dietrich (WSBA No. 21897)

walter@smithdietrich.com

steved@smithdietrich.com

7 SMITH & DIETRICH LAW OFFICES PLLC

8 400 Union Ave. SE, Suite 200

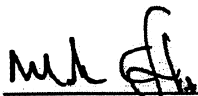
9 Olympia, WA 98501

Phone: (360) 918-7230

10 *Counsel for Plaintiff, the State of*

11 *Washington ex rel. Walter Smith, Relator*

12 THE NORTH CREEK LAW FIRM

13
14 

15 Mark C. Lamb (WSBA No. 30134)

mark@northcreeklaw.com

16 THE NORTH CREEK LAW FIRM

17 12900 NE 180th Street, Suite 235

18 Bothell, Washington 98011

Phone: (425) 368-4238

19 *Counsel for Defendant Pierce County*

20 *Republican Central Committee*