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NOV 21 2017

Superior Court
Linda Myhre Enlow
Thurston County Clerk

EXPEDITE
(if filing within 5 court days of hearing)
 No Hearing is set:
Date: _____
Time: _____
Judge/Calendar: Skinder

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

STATE OF WASHINGTON *ex rel.*
WALTER SMITH,

Plaintiff,

vs.

SNOHOMISH COUNTY REPUBLICAN
CENTRAL COMMITTEE, a Washington
bona fide political party committee,

Defendant.

No. 17-2-05728-34

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

EX PARTE

JUDGMENT SUMMARY

Judgment Creditor:	State of Washington
Attorneys for Judgment Creditor:	Steve E. Dietrich & Walter M. Smith, Smith & Dietrich Law Offices PLLC
Judgment Debtor:	Snohomish County Republican Central Committee
Attorneys for Judgment Debtor:	Mark Lamb, The North Creek Law Firm
Amount of Civil Penalties:	\$10,826, with \$5,413.00 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:	\$3,250
Amount of Costs:	\$315.00
Total Principal Judgment Amount:	\$8,978

No prejudgment interest is owed and only the attorney fees awarded to Relator's counsel shall begin to accrue interest at the rate of twelve percent per annum (without compounding) as of the date this Judgment is entered, and until fully satisfied, as provided by RCW 4.56.110(4).

STIPULATION

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

1. Defendant SNOHOMISH COUNTY REPUBLICAN CENTRAL COMMITTEE agrees to pay an assessed civil penalty in the amount of \$10,826 for its violations of Chapter 42.17A RCW for failing to timely and properly report its contributions received and expenditures made as alleged in the Complaint.

2. The Parties agree that one half of the assessed civil penalty (\$5,413.00) will be suspended based on the following terms and conditions:

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

b. In the event Defendant SNOHOMISH COUNTY REPUBLICAN CENTRAL COMMITTEE is found by the Public Disclosure Commission or a court to have committed a violation of Chapter 42.17A RCW during the suspension period, the suspended penalty of \$5,413.00 will immediately become due and payable within 30 days of such finding without further intervention of the Court.

c. If Defendant SNOHOMISH COUNTY REPUBLICAN CENTRAL COMMITTEE is not found to have committed violations of Chapter 42.17A RCW by the

1 Public Disclosure Commission or a court for conduct during the suspension period, then the
2 suspended portion of the penalty will be set aside.

3 3. Defendant SNOHOMISH COUNTY REPUBLICAN CENTRAL

4 COMMITTEE agrees to pay to counsel for the State, Smith & Dietrich Law Offices PLLC, the
5 total amount of \$3,565.00 in full satisfaction of the Relator's attorneys' fees and costs of
6 litigation in this action. Payment for Relator's attorney fees and costs will be delivered by
7 check made out to Smith & Dietrich Law Offices PLLC, and delivered to the firm at 400
8 Union Avenue Southeast, Suite 200, in the city of Olympia.

9 4. Defendant SNOHOMISH COUNTY REPUBLICAN CENTRAL

10 COMMITTEE agrees to pay the State the unsuspended portion of the civil penalty (\$5,413.00)
11 by check made out to the State of Washington, and delivered to Campaign Finance Unit at the
12 Washington Attorney General's Office, 1125 Washington Street Southeast, in the city of
13 Olympia.

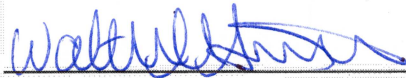
14 5. Defendant SNOHOMISH COUNTY REPUBLICAN CENTRAL

15 COMMITTEE agrees to pay the State the unsuspended portion of the civil penalty (\$5,413.00)
16 and pay to Smith & Dietrich Law Offices PLLC fees and costs (\$3,565.00) plus interest.
17 Defendant's obligation to Relator's counsel shall be paid in equal installments of \$1,859.44
18 inclusive of principal and interest at 12% per annum by January 1 and July 1 of 2018,
19 respectively, or until paid in full with no penalty for pre-payment. Defendant's obligation to
20 the State shall be paid in equal installments of \$2,706.50 due by January 1 and July 1 of 2019,
21 respectively, or until paid in full with no penalty for pre-payment. Payments shall be applied to
22 the fees and costs portion first, and Defendant will provide the first two payments to Relator's
23 counsel, and the remaining payments will be delivered to the Attorney General's Office.

1 Failure to make any installment payment will result in in the remainder of the unpaid portion of
2 the Judgment, including any outstanding amounts of attorney fees and costs as well as the
3 unsuspended civil penalty, to be due and payable within thirty (30) days of the missed
4 installment.

5
6 Dated this 21st day of November, 2017.

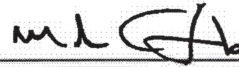
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8 SMITH & DIETRICH LAW OFFICES
9 PLLC

10 

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9 THE NORTH CREEK LAW FIRM

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12 mark@northcreeklaw.com

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14 12900 NE 180th Street, Suite 235
15 Bothell, Washington 98011
16 Phone: (425) 368-4238

17
18 **JUDGMENT**

19 This matter came before the Court regularly for a hearing on the parties' Stipulation
20 and Proposed Judgment. Plaintiff, STATE OF WASHINGTON, acting through WALTER
21 SMITH, Relator, and appearing through counsel of record, WALTER M. SMITH and STEVE
22 E. DIETRICH, of Smith & Dietrich Law Offices PLLC, and Defendant SNOHOMISH
23 COUNTY REPUBLICAN CENTRAL COMMITTEE, appearing through counsel of record,
24 MARK C. LAMB of The North Creek Law Firm, apprised the Court of their agreement to
25 entry of judgment for the purpose of settling and compromising this action brought under
26 Chapter 42.17A RCW. The Court, having reviewed the record before it, and having found the
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28

1 settlement of the Parties to be a just and proper resolution of this matter, hereby ORDERS as
2 follows:

3 1. Defendant SNOHOMISH COUNTY REPUBLICAN CENTRAL
4 COMMITTEE is hereby assessed a civil penalty in the amount of \$10,826 for its violations of
5 Chapter 42.17A RCW for failing to timely and properly report its contributions received and
6 expenditures made as alleged in the Complaint.
7

8 2. The amount of \$5,413.00 of the assessed civil penalty is hereby suspended
9 based on Defendant SNOHOMISH COUNTY REPUBLICAN CENTRAL COMMITTEE's
10 compliance with the following Court-ordered terms and conditions:
11

12 a. The suspension will be effective for two years from the date of entry of this
13 Judgment. During the period of suspension, Defendant SNOHOMISH COUNTY
14 REPUBLICAN CENTRAL COMMITTEE will not violate any provision of Chapter 42.17A
15 RCW.
16

17 b. In the event Defendant SNOHOMISH COUNTY REPUBLICAN CENTRAL
18 COMMITTEE is found by the Public Disclosure Commission or a court to have committed a
19 violation of Chapter 42.17A RCW during the suspension period, the suspended penalty of
20 \$5,413.00 will immediately become due and payable within 30 days of such finding without
21 further intervention of the Court.
22

23 c. If Defendant SNOHOMISH COUNTY REPUBLICAN CENTRAL
24 COMMITTEE is not found to have committed violations of Chapter 42.17A RCW by the
25 Public Disclosure Commission or a court for conduct during the suspension period, then the
26 suspended portion of the penalty will be set aside.
27
28

1 3. Defendant SNOHOMISH COUNTY REPUBLICAN CENTRAL

2 COMMITTEE is ordered to pay to counsel for the State, Smith & Dietrich Law Offices PLLC,
3 the total amount of \$3,565.00 in full satisfaction of the Relator's attorneys' fees and costs of
4 litigation in this action, plus interest at the rate of 12% per annum starting on the date this
5 Judgment is entered, with such amount to be paid by check delivered to Relator's counsel in
6 equal installments of \$1,859.44 by January 1, 2018 and the second and final payment in the
7 same amount due by July 1, 2018, or until paid in full, with no penalty for pre-payment.
8

9 Payment for Relator's attorney fees and costs will be delivered by check made out to Smith &
10 Dietrich Law Offices PLLC, and delivered to the firm at 400 Union Avenue Southeast, Suite
11 200, in the city of Olympia.
12

13 4. Defendant SNOHOMISH COUNTY REPUBLICAN CENTRAL

14 COMMITTEE is ordered to pay the State the unsuspended portion of the civil penalty
15 (\$5,413.00) in installments of \$2,706.50 by January 1, 2019, and \$2,706.50 by July 1, 2019, or
16 until paid in full, with no penalty for pre-payment. Payment will be made by check made out to
17 the State of Washington, and delivered to the Campaign Finance Unit at the Washington
18 Attorney General's Office, 1125 Washington Street Southeast, in the city of Olympia.
19

20 5. The Defendant's failure to make any installment payment ordered in this
21 Judgment will result in in the remainder of the unpaid portion of this Judgment, including any
22 outstanding amounts of attorney fees and costs as well as the unsuspended civil penalty, to be
23 due and payable within thirty (30) days of the missed installment.
24


25 Done in open court this 21st day of November, 2017.

26 REBEKAH ZINN
27 COURT COMMISSIONER
28

The Honorable John Skinder

Presented by:

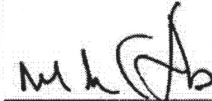
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