

## MODIFICATION REQUEST COVER SHEET

<b>Name of Filer</b>	<b>EDWARD J. MCKENNA</b>
<b>Reporting Period</b>	<input checked="" type="checkbox"/> Annual report – calendar year 2012 <input type="checkbox"/> Candidate/Appointee report
<b>Type of Request</b>	<input type="checkbox"/> New <input checked="" type="checkbox"/> Renewal with No Change – <u>original granted on April 28, 2011</u> <input type="checkbox"/> Renewal with Change
<b>Office Held/Sought &amp; Term</b>	Municipal Court Judge, City of Seattle Elected term: 2011-2015
<b>PDC Protocol</b>	<input type="checkbox"/> Attorney: Interpretation #02-03 <input checked="" type="checkbox"/> Judge / Judicial Candidate: Interpretation #02-04 <input type="checkbox"/> Automobile Dealership: Interpretation #02-05 <input type="checkbox"/> Spousal: Interpretation #02-06 <input checked="" type="checkbox"/> WAC 390-28-100(1)(d) & (1)(e)
<b>Supporting Documents (attached)</b>	<input checked="" type="checkbox"/> Current F-1 <input checked="" type="checkbox"/> Modification Application <input checked="" type="checkbox"/> Prior order (if renewal) – <u>Order # 3043</u>
<b>Reason(s) for Modification (as stated by filer)</b>	<ul style="list-style-type: none"> <li>• Judge McKenna is requesting a renewal of the reporting modification that would exempt him from reporting his personal residential address information, including street address, parcel number, or legal description, on his Personal Financial Affairs Statement for 2012.</li> <li>• Judge McKenna stated that as a Seattle Municipal Court Judge, he presides over criminal misdemeanor and gross misdemeanor cases, including setting bail, issuing arrest warrants, and imposing sentencing including jail, monetary fines, and other obligations on offenders.</li> <li>• Prior to becoming a judge, Judge McKenna stated that he was a prosecutor in the Seattle City Attorney's Office. In this capacity, he regularly prosecuted "high impact offenders" and routinely sought maximum sentences for such offenders.</li> <li>• Judge McKenna stated that, on several occasions, he has received threats of bodily injury and threats to his residence. Judge McKenna stated that within the last year, a person who made threats to him also has a history of assaulting court officials and law enforcement and is often seen in the municipal court complex.</li> </ul>

	<ul style="list-style-type: none"><li>• Judge McKenna is also requesting a reporting modification that would exempt him from disclosing the business address of McKenna Oil, LLC because McKenna Oil's business address is the same as his personal residential address.</li><li>• McKenna Oil, LLC is a small family business incorporated in Montana that he inherited and owns with his brothers. Mr. McKenna's ownership interest is 33.3%. The business assets consist of mineral rights and grazing land located in Montana. The gross annual revenue is less than \$10,000 and all assets are leased to others.</li><li>• Judge McKenna maintains the business records for McKenna Oil and his home address is used as the mailing address for the business.</li></ul>
<b>Other Issues</b>	Judge McKenna disclosed creditor information, payment terms, security given and mortgage amounts for his personal residence.
<b>Staff Recommendations</b>	Approve renewal of the reporting modification with no change.

**Application Questionnaire**

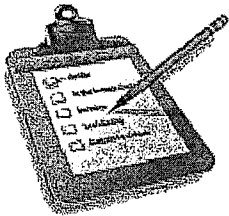
DATE FILED PDC

JAN 31 2013

**Background Information**Filer Name: Edward J. McKennaFiler Office Held or Sought: Judge, Seattle Municipal CourtDate of Request: January 11, 2012Period Covered by Request: 2012**Questions**

Please answer questions # 1 - # 8 below, unless:

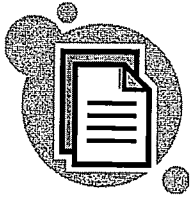
- RESIDENTIAL ADDRESS. If you are seeking only nondisclosure of a residential address, answer # 1, # 4, # 6 and # 8.
- SPOUSAL SEPARATION. If you are seeking only nondisclosure of information related to your spouse based upon a recent or pending divorce or separation, or because it relates to a bona fide separate property agreement or other bona fide separate status, answer # 1, # 4, # 7 and # 8. A request for nondisclosure may be considered when such financial interest does not constitute a present or prospective source of income for you.



1. **MODIFICATION REQUEST SUMMARY** Describe the general nature of the information you do not wish to disclose. (Examples: financial interests where reporting the name would likely adversely affect the competitive position of an entity, customer lists of a business entity or sources of compensation/income for the entity, confidential relationships, information subject to bona fide separate property agreements, personal residential address, other).

I am requesting modification of the F-1 and F-1 Supplement reporting requirements to exclude my personal residential address.

JAN 31 2013



2. **UNREASONABLE HARDSHIP.** Describe in detail the manifestly unreasonable hardship in disclosing the information. Please describe in detail the reasons why you believe disclosing the information would be a hardship. The reasons stated should address the issues such as those listed below. Please address those topics below that are relevant to your specific request. For example, if you are seeking nondisclosure related to an entity, for each entity, please:

- Provide the name and description of the entity, business, union, association, not-for-profit, charitable organization, or other entity for which you are seeking a modification request from reporting the entity's disclosable customers/sources of compensation/income.

In addition to seeking modification for non-disclosure of my personal residential address, I also seek modification to prevent disclosure of the business location address of McKenna Oil LLC, a small LLC in which I am a member because the business address is the same as my residential address.

- Describe the size of the entity such as annual sales, number of customers or accounts, the number of employees, and other pertinent information.

The business is very small, having gross annual revenue of less than \$10,000. The business assets consist of mineral rights and grazing land located in the State of Montana.

- Describe how many business customers or other sources paying the entity more than \$10,000 would be subject to disclosure.

None

- Describe if you have access to information about the entity's customer base or sources of compensation/income.

- 
- Describe if you are involved with the day-to-day operations of the entity.

All assets are leased to others. Although I maintain the business records, there is little business to actually maintain.

- Describe if any of the entity's customers or sources of compensation/income are already listed in other public sources or publications including advertisements, or public records.

Unknown

- Describe if any of the entity's customers or sources of compensation/income are already listed on a website.

Central Montana Resources, our primary lessee has a website.  
http://centralmontanaresources.com/index.html

DATE FILED PDC

JAN 31 2013

- If the entity has a website address, list it here:

Mckenna Oil, LLC has no website or e-mail address.

- If the entity's customers or sources of compensation/income are described elsewhere on the Internet, describe why you are seeking a modification (nondisclosure) for those customers or sources of compensation/income:

\_\_\_\_\_

[Note: along with other information provided in the Application Questionnaire, Internet information regarding entities/sources of compensation/income may be reviewed by PDC staff and/or the Commission as part of the modification process.]

- Describe if the entity has the ability to sort its customer list or sources of compensation/income to identify those paying the entity more than \$10,000 during the reporting period.
- Describe if you disclosed all of the governmental customers or governmental sources of compensation/income that paid the entity more than \$10,000 in the reporting period.

There are no government customers.

- Indicate whether you have an ownership interest of 10% or more in the entity.

I have a 33.3% ownership interest.

- Indicate whether your spouse's interest in an entity requires you to complete an F-1 Supplement for that entity.

None

- Describe other relevant information you believe the Commission should consider as to why it would be a manifestly unreasonable hardship if the information was required to be disclosed.

The business address is the same as my residential address. It is simply a mailing address for the business. McKenna Oil LLC is not open to the public, does no advertising, has no website and all income generating assets are leased to others. The business is incorporated in the State of Montana. The contact information for the registered agent in Montana is publically available and the annual report filed with the Montana Secretary of State is publically available.

The assets belonging to McKenna Oil LLC had been inherited and placed into an LLC for the sole purpose of preventing further dilution of the assets for future generations. The business address is easily identifiable as a residential address. With my name on the business, it would be very easy to recognize the business address as my personal residence.

JAN 31 2013



- 3. **NOT FRUSTRATE THE PURPOSES OF THE ACT** Describe how allowing you to not disclose the information described in your modification request does not frustrate the purposes of the Public Disclosure Act.

Please see #6 below.



*Washington*

- 4. **DUTIES** Describe your duties as an elected or appointed official. Please describe the jurisdiction or agency for which you hold public office, and the duties performed by you as a public official (examples: adopting rules or ordinances, hiring staff, approving contracts, setting policy, etc.). Please provide as much description as possible.

I am one of seven judges elected to Seattle Municipal Court. I preside over criminal misdemeanor and gross misdemeanor cases occurring within the city limits of Seattle. I routinely set bail, issue arrest warrants and impose sentence, including jail, monetary fines and other probationary conditions on offenders.



- 5. **CUSTOMERS OR SOURCES OF COMPENSATION/INCOME** If you are seeking a modification related to a particular entity's reportable customers or sources of compensation/income for an entity, describe:

- In detail the position you hold in the entity (examples: owner, board member, officer, partner, etc.) and the duties performed by you for that entity, if any (examples: setting policy, hiring, approving contracts, approving budgets, etc.). Please provide as much description as possible.

\_\_\_\_\_

- If you (or if you are seeking office, will you) make any decisions as a public official that may benefit the customers of the entity for which you are seeking a modification, or sources of compensation/income for the entity for which you are seeking a modification?

\_\_\_\_\_

JAN 31 2013



6. **RESIDENTIAL ADDRESS** Are you requesting to be exempted from disclosing the address of your personal residence in the Real Estate Section of the F-1? In this situation, you or your spouse may be a law enforcement officer, prosecutor, judge, or other official, and the disclosure of the address of your primary residence on the F-1 form could cause you or your family harm, based upon tangible evidence or a specific threat. If so, please explain in detail the **manifestly unreasonable hardship** if disclosure were required, and **why the purposes of the act would not be frustrated** if disclosure of the address was not required. If nondisclosure is based upon an anti-harassment or similar court order, please state.

I believe that my family and I would suffer unreasonable hardship if required to disclose our primary residential address. As a Seattle Municipal Court judge, I am required to be a resident within the City of Seattle. Prior to becoming a judge, I was a prosecutor for the Seattle City Attorney's Office. I routinely prosecuted "high impact offenders" and routinely sought maximum sentences for such offenders. On several occasions, I received threats of bodily injury as well as threats to my residence. As indicated in Section 4, I now routinely sentence persons who may be associates of those persons I previously prosecuted or I may unknowingly preside over cases of persons I previously prosecuted.

The most recent direct threat to me occurred just a few years ago. Although I don't preside over his cases, the person who threatened me has previously assaulted court officials and police. As a prosecutor, I initiated cases against him and I have been a witness in a criminal case against him. He currently owes accumulated court-imposed fines and fees in excess of \$75,000. This person frequently contests infraction cases in Seattle Municipal Court and is well known by court staff as a problem individual. I see him in and near the courthouse on an occasional basis.

Disclosure of my personal residential address would create a manifestly unreasonable hardship for me as well as my family given the history of threats against me. The purpose of the public disclosure act would not be frustrated given that I conduct no public or government-related business from my personal residence, I can be contacted at my place of employment, and I am requesting no additional modification other than that of excluding my personal residential address.



7. **SPOUSAL SEPARATION** Are you requesting to be exempted from disclosing information related to your spouse based on a pending or recent divorce or separation, or bona fide separate property agreement or other bona fide separate status? In this situation, the filer has little or no knowledge of spouse's or former spouse's income, assets, liabilities or relationship to outside entities for which reporting may be required. (For example, do you file separate income tax returns?) The filer does not have access to spouse's or former spouse's financial information. The financial interest of the spouse or former spouse does not

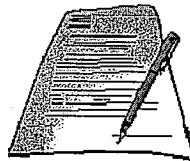
constitute a present or prospective source of income for the filer. If this is your situation, please describe.

DATE FILED PDC

JAN 31 2013



- 8. **OTHER INFORMATION** Is there any other information you want the Commission to consider regarding your modification request? (If you are attaching any information or documents, please describe attachments.)



➤ IF YOU WILL NOT BE ATTENDING THE HEARING IN PERSON OR BY PHONE TO ATTEST THE ABOVE INFORMATION AND RESPOND TO COMMISSION QUESTIONS, YOU MUST ALSO COMPLETE AND SIGN THE ATTACHED CERTIFICATION PRIOR TO SUBMISSION.

**Certification for an Application for a  
Reporting Modification or Suspension  
When Applicant Is Waiving Personal Appearance  
At the Hearing  
(Notary Not Required)**

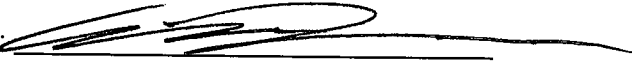


I am waiving my personal appearance at the hearing on my request for a reporting modification or suspension, and request the Commission to consider my written application. I certify (or declare) under penalty of perjury under the laws of the State of Washington that the facts set forth in the attached application for a reporting modification are true and accurate to the best of my actual knowledge or belief.

List the date of the application request: January 11, 2013

Entity or name of individual requesting reporting modification: Edward J. McKenna

DATE FILED PDC

Your signature: 

JAN 31 2013

Your printed name: Edward J. McKenna

Business street address: 600 Fifth Ave, Rm 1037, PO Box 34987

City, state and zip code: Seattle, WA 98124

Telephone number: (206) 684 - 8709

E-Mail Address: ed.mckenna@seattle.gov

Date Signed: January 11, 2013

Place Signed (City and County): Seattle King  
City County

\*RCW 9A.72.040 provides that: "(1) A person is guilty of false swearing if he makes a false statement, which he knows to be false, under an oath required or authorized by law. (2) False swearing is a gross misdemeanor."

IF YOU FAX OR SCAN AND SEND A COPY OF THIS SIGNED CERTIFICATION VIA E-MAIL TO THE PDC WITH YOUR MODIFICATION REQUEST, THE ORIGINAL MUST STILL BE PROVIDED. RETURN THE ORIGINAL OF THIS CERTIFICATION TO:

WASHINGTON STATE PUBLIC DISCLOSURE COMMISSION  
711 Capitol Way Room 206  
P.O. Box 40908  
Olympia, WA 98504-0908  
Attn: Reporting Modification Request



711 CAPITOL WAY RM 206  
 PO BOX 40908  
 OLYMPIA WA 98504-0908  
 (360) 753-1111  
 TOLL FREE 1-877-601-2828

**F-1**  
 (11/08)

**PERSONAL FINANCIAL  
 AFFAIRS STATEMENT**

POST  
 A  
 R  
 K

Refer to instruction manual for detailed assistance and examples.

**Deadlines:** Incumbent elected and appointed officials -- by April 15.  
 Candidates and others -- within two weeks of becoming a candidate or being newly appointed to a position.

**SEND REPORT TO PUBLIC DISCLOSURE COMMISSION**

DOLLAR CODE	AMOUNT
A	\$1 to \$3,999
B	\$4,000 to \$19,999
C	\$20,000 to \$39,999
D	\$40,000 to \$99,999
E	\$100,000 or more

**DATE FILED PDC**

JAN 31 2013

RECEIVED

Last Name First Middle Initial  
 McKenna Edward J

Names of immediate family members, including registered domestic partner. If there is no reportable information to disclose for dependent children, or other dependents living in your household, do not identify them. Do identify your spouse or registered domestic partner. See F-1 manual for details.

Mailing Address (Use PO Box or Work Address) \*  
 PO Box 34987  
 City County Zip + 4  
 Seattle King 98124-4987

Kristin L. McKenna - Spouse

Filing Status (Check only one box.)  
 An elected or state appointed official filing annual report  
 Final report as an elected official. Term expired: \_\_\_\_\_  
 Candidate running in an election: month : November  
 Newly appointed to an elective office  
 Newly appointed to a state appointive office  
 Professional staff of the Governor's Office and the Legislature

Office Held or Sought  
 Office title: Judge  
 County, city, district or agency of the office,  
 name and number: Seattle Municipal Court  
 Position number: 1  
 Term begins: January 2011 ends: January. 2015

**1 INCOME** List each employer, or other source of income (pension, social security, legal judgment, etc.) from which you or a family member, including registered domestic partner, received \$2,000 or more during the period. (Report interest and dividends in Item 3 on reverse)

Show Self (S) Spouse (SP/DP) Dependent (D)	Name and Address of Employer or Source of Compensation	Occupation or How Compensation Was Earned	Amount: (Use Code)
S	City of Seattle, PO Box 34987, Seattle WA 98124	Judge	E
S	Sue Chambers, 6610 - 173 <sup>rd</sup> Pl. SW, Lynnwood, WA 98036	Rent from real property	B
SP	City of Seattle, 700 Fifth Ave., Seattle WA 98124	Paralegal Asst	D
S	McKenna Oil, LLC	LLC income	A

**2 REAL ESTATE** List street address, assessor's parcel number, or legal description AND county for each parcel of Washington real estate with value of over \$10,000 in which you or a family member, including registered domestic partner, held a personal financial interest during the reporting period. (Show partnership, company, etc. real estate on F-1 supplement.)

Property Sold or Interest Divested	Assessed Value (Use Code)	Name and Address of Purchaser	Nature and Amount (Use Code) of Payment or Consideration Received			
Property Purchased or Interest Acquired		Creditor's Name/Address	Payment Terms	Security Given	Mortgage Amount - (Use Code) Original Current	
All Other Property Entirely or Partially Owned Personal residence 6610-173 <sup>rd</sup> Place, SW, Lynnwood,	E	SMCU PO Box 780 Seattle, WA 98111	3.5/15 yr	Mortgage	E	E
	E	BECU, Box 986 Newark, NJ	4.375/15 yr	Mortgage	E	E

**3 ASSETS / INVESTMENTS - INTEREST / DIVIDENDS**

List bank and savings accounts, insurance policies, stock, bonds and other intangible property held during the reporting period.

A. Name and address of each bank or financial institution in which you, a family member, including registered domestic partner, had an account over \$20,000 any time during the report period.	Type of Account or Description of Asset	Asset Value (Use Code)	Income Amount (Use Code)
B. Name and address of each insurance company where you, a family member, including registered domestic partner, had a policy with a cash or loan value over \$20,000 during the period.		<b>DATE FILED PDC</b>	
		JAN 31 2013	
C. Name and address of each company, association, government agency, etc. in which you, a family member, including registered domestic partner, owned or had a financial interest worth over \$2,000. Include stocks, bonds, ownership, retirement plan, IRA, notes, and other intangible property. If you, your spouse, registered domestic partner and/or dependents had decision making authority regarding individual assets/investments list each asset or investment, the value and any income amount. EXAMPLE: If you self-directed an investment account identify each stock or other asset in that account. Seattle Employees' Retirement System (self) Seattle Employees' Retirement System (spouse) Stable Value Fund Dodge & Cox American Funds Grth FD American Funds Euro Pac Total Global Intl. Stock McKenna Oil LLC	Employer retirement fund Employer retirement fund Mutual Fund Stock fund Stock fund Stock fund Stock fund Family LLC (see F-1 Supplement)	E D B A A A D	None None None None None None None B

Check here  if continued on attached sheet.

**4 CREDITORS** List each creditor you or a family member, including registered domestic partner, owed \$2,000 or more any time during the period. Don't include retail charge accounts, credit cards, or mortgages or real estate reported in Item 2.

Creditor's Name and Address	Terms of Payment	Security Given	AMOUNT (USE CODE)	
			Original	Present
Infinity Financial Services, PO Box 78133, Phoenix, AZ 85062	\$509.22 Mo/ 38 Months	Auto Lease		
Washington Employee's C.U., PO Box WSECU, Olympia, WA 98507	\$381.72 Mo/ 180Months	RV Loan	\$D	\$D

Check here  if continued on attached sheet.

**5 All filers answer questions A thru D below. If the answer is YES to any of these questions, the F-1 Supplement must also be completed as part of this report. If all answers are NO and you are a candidate for state or local office, an appointee to a vacant elective office, or a state executive officer filing your initial report, no F-1 Supplement is required.**

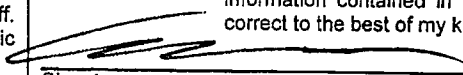
**Incumbent elected officials and state executive officers filing an annual financial affairs report also must answer question E. An F-1 Supplement is required of these officeholders unless all answers to questions A thru E are NO:**

- A. At any time during the reporting period were you, your spouse, registered domestic partner or dependents (1) an officer, director, general partner or trustee of any corporation, company, union, association, joint venture or other entity or (2) a partner or member of any limited partnership, limited liability partnership, limited liability company or similar entity including but not limited to a professional limited liability company? Yes If yes, complete Supplement, Part A. **Yes**
- B. Did you, your spouse, registered domestic partner or dependents have an ownership of 10% or more in any company, corporation, partnership, joint venture or other business at any time during the reporting period? Yes If yes, complete Supplement, Part A. **Yes**
- C. Did you, your spouse, registered domestic partner or dependents own a business at any time during the reporting period? Yes If yes, complete Supplement, Part A. **Yes**
- D. Did you, your spouse, registered domestic partner or dependents prepare, promote or oppose state legislation, rules, rates or standards for compensation or deferred compensation (other than pay for a currently-held public office) at any time during the reporting period? No If yes, complete Supplement, Part B.
- E. **Only for Persons Filing Annual Report.** Regarding the receipt of items not provided or paid for by your governmental agency during the previous calendar year: 1) Did you, your spouse, registered domestic partner or dependents (or any combination thereof) accept a gift of food or beverages costing over \$50 per occasion? **No** or 2) Did any source other than your governmental agency provide or pay in whole or in part for you, your spouse, registered domestic partner and/or dependents to travel or to attend a seminar or other training? **No** If yes to either or both questions, complete Supplement, Part C.

**ALL FILERS EXCEPT CANDIDATES.** Check the appropriate box.

- I hold a state elected office, am an executive state officer or professional staff. I have read and am familiar with RCW 42.52.180 regarding the use of public resources in campaigns.

**CERTIFICATION:** I certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.

  
 Signature 1/11/13  
 Date

I hold a local elected office. I have read and am familiar with RCW 42.17.130 regarding the use of public facilities in campaigns.

\*CANDIDATES: Do not use public agency addresses or telephone numbers for contact information.

Contact Telephone: (206) 684-8709

Email: [ed.mckenna@seattle.gov](mailto:ed.mckenna@seattle.gov) (work) \*

Email: \_\_\_\_\_ (Home) Optional

REPORT NOT ACCEPTABLE WITHOUT FILER'S SIGNATURE

**DATE FILED PDC**

JAN 31 2013



**PUBLIC DISCLOSURE COMMISSION**

711 CAPITOL WAY RM 206  
PO BOX 40808  
OLYMPIA WA 98504-0908  
(360) 753-1111  
TOLL FREE 1-877-601-2828  
EMAIL: pdc@pdc.wa.gov

**DATE FILED PDC**

JAN 31 2013

PDC FORM

**F-1**

SUPPLEMENT  
(11/08)

**SUPPLEMENT PAGE**  
PERSONAL FINANCIAL AFFAIRS STATEMENT

PROVIDE INFORMATION FOR YOURSELF, SPOUSE, REGISTERED DOMESTIC PARTNER, DEPENDENT CHILDREN AND OTHER DEPENDENTS IN YOUR HOUSEHOLD

Last Name <b>McKenna</b>	First <b>Edward</b>	Middle Initial <b>J</b>	DATE January __, 2013
-----------------------------	------------------------	----------------------------	--------------------------

**A OFFICE HELD, BUSINESS INTERESTS:** Provide the following information if, during the reporting period, you, your spouse, registered domestic partner or dependents

- were an officer, director, general partner, trustee, or 10 percent or more owner of a corporation, non-profit organization, union, partnership, joint venture or other entity; and/or
- were a partner or member of a limited partnership, limited liability partnership, limited liability company or similar entity, including but not limited to a professional limited liability company.

- Legal Name: Report name used on legal documents establishing the entity.
- Trade or Operating Name: Report name used for business purposes if different from the legal name.
- Position or Percent of Ownership: The office, title and/or percent of ownership held.
- Brief Description of the Business/Organization: Report the purpose, product(s), and/or the service(s) rendered.
- Payments from Governmental Unit: If the governmental unit in which you hold or seek office made payments to the business entity concerning which you're reporting, show the purpose of each payment and the actual amount received.
- Payments from Business Customers and Other Government Agencies: List each corporation, partnership, joint venture, sole proprietorship, union, association, business or other commercial entity and each government agency (other than the one you seek/hold office) which paid compensation of \$10,000 or more during the period to the entity. Briefly say what property, goods, services or other consideration was given or performed for the compensation.
- Washington Real Estate: Identify real estate owned by the business entity if the qualifications referenced below are met.

**ENTITY NO. 1** Reporting For: Self  Spouse   
Registered Domestic Partner  Dependent

**LEGAL NAME:** McKenna Oil, LLC **POSITION OR PERCENT OF OWNERSHIP**  
33% Member

**TRADE OR OPERATING NAME:** McKenna Oil, LLC

**ADDRESS:**

**BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:**  
Family business with brothers. Oil, gas and mineral exploration and investment. The LLC leases mineral rights and grazing land to others. All assets are located in Montana.

**PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:**

Purpose of payments	Amount (actual dollars)
None	\$

**PAYMENTS ENTITY RECEIVED FROM OTHER GOVERNMENT AGENCIES OF \$10,000 OR MORE:**

Agency name:	Purpose of payment (amount not required)
None	

**PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS OF \$10,000 OR MORE:**

Customer name:	Purpose of payment (amount not required)
None	

**WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST** (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$20,000. List street address, assessor parcel number, or legal description and county for each parcel):

None

Check here  if continued on attached sheet



STATE OF WASHINGTON

**PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112  
Toll Free 1-877-601-2828 • E-mail: [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)

May 7, 2012

Edward J. McKenna  
PO Box 34987  
Seattle, WA 98124

Subject: Reporting Modification – calendar year 2011

Dear Judge McKenna:

Enclosed is a copy of PDC Order No. 3043, granting the reporting modification you requested concerning your Personal Financial Affairs Statement (PDC Form F-1) for the 2011 calendar-year reporting period.

Reporting modifications are granted for one reporting period. If you need to renew your reporting modification request, you must do so each time you file an F-1 report. Please submit your request early enough to allow the Commission time to act on your request before the annual April 15 filing deadline.

Thank you for your cooperation and participation during the reporting modification process. If you have questions, please contact me at (360) 586-4555, toll free at 1-877-601-2828, or by email at [kristin.murphy@pdc.wa.gov](mailto:kristin.murphy@pdc.wa.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Kristin Murphy".

Kristin Murphy  
Political Finance Specialist

Enclosure



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112  
Toll Free 1-877-601-2828 • E-mail: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

IN THE MATTER OF THE APPLICATION	)	PDC No. 3043
OF EDWARD J. MCKENNA FOR A	)	Findings, Conclusions
REPORTING MODIFICATION	)	and Order

On April 26, 2012, the application of Edward J. McKenna, PO Box 34987, Seattle, WA 98124, for a modification of the reporting requirements of RCW 42.17.241<sup>1</sup> was brought before the Public Disclosure Commission.

Consideration of the request was made pursuant to RCW 42.17A.120<sup>2</sup> and chapter 390-28 WAC by the Commission. The proceedings were held in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington, 98504. The applicant, Edward J. McKenna, by Modification Application, requested a renewal of the reporting modification that would exempt him from reporting his personal residential address information, including street address, parcel number, or legal description, on his Personal Financial Affairs Statement for 2011. Judge McKenna also requested a renewal of the reporting modification that would exempt him from disclosing the business address of McKenna Oil, LLC because McKenna Oil's business address is the same as his personal residential address.

The Commission was provided with a certification from Judge McKenna waiving his personal appearance at the hearing and stating that the facts contained in the request are true and accurate.

FINDINGS OF FACT

Based upon the Modification Application, the Commission makes the following Findings of Fact:

1. Judge McKenna has previously been granted the requested reporting modification, the most recent being Order No. 2985.
2. Judge McKenna is an elected Municipal Court Judge for the City of Seattle. His current elected term expires in 2015.
3. Judge McKenna stated that as a Seattle Municipal Court Judge, he presides over criminal misdemeanor and gross misdemeanor cases, including setting bail, issuing arrest warrants, and imposing sentencing including jail, monetary fines, and other obligations on offenders.
4. Judge McKenna stated that, prior to becoming a judge, he was a prosecutor in the Seattle City Attorney's Office. In this capacity, he regularly prosecuted "high impact offenders" and routinely sought maximum sentences for such offenders.
5. Judge McKenna stated that, on several occasions, he has received threats of bodily injury and threats to his residence. Judge McKenna stated that within the last year, a person who

<sup>1</sup> RCW 42.17.241 now codified at RCW 42.17A.710 (effective January 1, 2012).

<sup>2</sup> RCW 42.17A.120 (effective January 1, 2012) formerly codified at RCW 42.17.370(10).

made threats to him also has a history of assaulting court officials and law enforcement and is often seen in the municipal court complex.

6. McKenna Oil, LLC is a small family business incorporated in Montana that he inherited and owns with his brothers. Mr. McKenna's ownership interest is 33.3%. The business assets consist of mineral rights and grazing land located in Montana. The gross annual revenue is less than \$10,000 and all assets are leased to others.
7. Judge McKenna maintains the business records for McKenna Oil and his home address is used as the mailing address for the business.
8. Judge McKenna disclosed creditor information, payment terms, security given and mortgage amounts for his personal residence.

### CONCLUSIONS OF LAW

Having made these Findings of Fact, the Commission makes the following Conclusions of Law:

1. Literal compliance with all the provisions of the reporting requirements of RCW 42.17.241<sup>3</sup> would work a manifestly unreasonable hardship on the applicant.
2. Limited suspension or modification of the reporting requirements as specified in the Order would not frustrate the purposes of the Act in this particular case.

### ORDER

Having made these Findings of Fact and Conclusions of Law, the Commission issues the following Order:

For the Statement of Personal Financial Affairs required to be filed with the Public Disclosure Commission between January 1 and April 16, 2012:

1. The applicant may satisfy the reporting requirements of RCW 42.17.241(1)(j)<sup>3</sup> with respect to his personal residence by providing the assessed value, creditor information, payment terms, security given and mortgage amount codes.
2. The applicant may satisfy the reporting requirements of RCW 42.17.241(1)(g)<sup>3</sup> and WAC 390-24-010 without including the business address of McKenna Oil, LLC.
3. In all other matters required to be reported, the applicant shall comply in full with the reporting requirements of RCW 42.17/42.17A.

DATED this 7<sup>th</sup> day of May, 2012.

FOR THE PUBLIC DISCLOSURE COMMISSION

Andrea M. Doyle  
Andrea McNamara Doyle  
Executive Director

I, <u>Kristin Murphy</u> , certify	
that I mailed a copy of this order to the	
Respondent/Applicant at his/her respective	
address postage pre-paid on the date stated	
herein.	
Signed	<u>Kristin Murphy</u>
Date	<u>5-7-12</u>

<sup>3</sup> RCW 42.17.241 now codified at RCW 42.17A.710 (effective January 1, 2012).