

MODIFICATION REQUEST COVER SHEET

Name of Filer	JASON WHALEN
Reporting Period	<input checked="" type="checkbox"/> Annual report (Calendar Years 2015-2018) <input type="checkbox"/> Candidate report
Type of Request	<input checked="" type="checkbox"/> New <input type="checkbox"/> Renewal with No Change <input type="checkbox"/> Full Commission Approval <input type="checkbox"/> Renewal with Change
Office Held/Sought & Term	<p>City Council Member, City of Lakewood, Term Expires December 31, 2021</p> <p>Candidate for County Council Member, Pierce County, If Elected, Term Expires December 31, 2024</p>
Application Rule(s)	<input type="checkbox"/> Income & Ownership Interest: WAC 390-28-100(1)(b) <input type="checkbox"/> Personal Residence: WAC 390-28-100(1)(d) <input checked="" type="checkbox"/> Attorney: WAC 390-28-100(1)(e)(i) <input type="checkbox"/> Judge / Judicial Candidate: WAC 390-28-100(1)(e)(ii) <input type="checkbox"/> Spousal: WAC 390-28-100(1)(e)(iv) <input type="checkbox"/> Other: WAC 390-28-100(1)(e)
Explanation of Rule(s)	<p>Lawyers and law firms (when applicant is an incumbent or candidate and acts alone or as part of a governing body, board, or commission). An applicant may be allowed to satisfy the reporting requirements of RCW 42.17A.710 (1)(g)(ii) and WAC 390-24-020 by disclosing reportable clients from whom compensation has been paid in excess of the reporting threshold as follows:</p> <p>(A) The names of the business clients for whom the applicant has done legal work;</p> <p>(B) Other clients of the law firm whose interests are significantly affected by the applicant's actions as an elected or appointed official or whose actions will be affected by the applicant's action should the applicant be elected whose identities become known to the applicant through any means;</p> <p>(C) The names of the clients of the law firm who are listed in Martindale Hubbell, the firm's resume, website, or similar promotional materials; and</p> <p>(D) Governmental clients that have done business with the law firm.</p> <p>An applicant may also be required to disclose all business customers from whom compensation in excess of the reporting threshold has been received whose identities are publicized or referenced in documents open for public inspection at the courts, in administrative hearings, at proceedings conducted by public agencies, or are a matter of public knowledge in other similar public forums. Alternatively, the commission may require an applicant to report only those publicly identifiable customers of which the applicant is aware.</p>

Supporting Documents (attached)	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Current F-1 Amended (Calendar Year 2019, Filed 5.28.20) <input checked="" type="checkbox"/> Current F-1 (Calendar Year 2019, Filed 1.15.20) <input checked="" type="checkbox"/> F-1 (Calendar Year 2018, Filed 4.8.19) <input checked="" type="checkbox"/> F-1 (Calendar Year 2017, Filed 2.28.18) <input checked="" type="checkbox"/> F-1 (Calendar Year 2016, Filed 4.14.17) <input checked="" type="checkbox"/> F-1 (Calendar Year 2015, Filed 4.18.16) <input checked="" type="checkbox"/> Modification Request Application
Reason(s) for Modification (as stated by filer)	<ul style="list-style-type: none"> • Mr. Whalen is requesting a retroactive reporting modification that would exempt him from disclosing business customers paying \$12,000 or more to Ledger Square Law, P.S. in calendar years 2015-2018. • Mr. Whalen states that while he is able to report business customers for 2019, the process of culling old reports for business clients in the other years is an onerous process that would involve a fair amount of time culling through accounting records for about \$10M in receipts over that time frame. • Mr. Whalen states that the prior F-1s filed over that time seemingly did not require this level of detail, and to go back and retroactively amend would not serve the purposes of the statutes or rules, and would pose an undue burden in the time of COVID. • Mr. Whalen states that he has a 10% or more ownership interest in Ledger Square Law, which currently has 8 attorneys and 4 staff, with annual revenue of approximately \$2.1M per year. • Mr. Whalen states that there would likely be 35-50 business customers that paid \$12,000 or more for each year, however verifying would take an inordinate amount of time. • Mr. Whalen states he does have access to the law firm's customer list, is involved in the day-to-day operations of the firm, and that the law firm does have the ability to sort its customer list to identify those paying more than \$12,000 during the reporting periods. • Mr. Whalen states that while the firm's business customers may be listed in public sources such as the clients' websites, he does not have any specific idea of their public presence, and Ledger Square Law does not maintain a presence in Martindale Hubbell or advertise clients on their website, per se. • Mr. Whalen states that he has not disclosed all clients for whom he has done legal work, but did report payments received from Pierce County for legal services to Ledger Square Law, and no payments were received from the City of Lakewood. • Mr. Whalen states that as a Lakewood City Council member he serves in a legislative capacity to adopt rules and ordinances, approve contracts after competitive bids or City Manager approval, and very few business clients of the firm have any formal dealings with the City.