

**BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON**

In the Matter of Enforcement Action
Against:

Bill Littlejohn

Respondent.

Case No. 14-013

STIPULATION AS TO FACTS,
VIOLATIONS AND PENALTY

The parties to this Stipulation, namely, the Public Disclosure Commission Staff, through its Executive Director, Andrea McNamara Doyle, and Respondent, Bill Littlejohn, through his attorney, John J. White, Jr., submit this Stipulation as to Facts, Violations and Penalty in this matter. The parties agree that the Commission has the authority to accept, reject or modify the terms of this Stipulation. The parties further agree that in the event that the Commission suggests modification to any term of this agreement, each party reserves the right to reject that modification. In the event either party rejects a modification, this matter will proceed to hearing before the Commission.

I. JURISDICTION

The Public Disclosure Commission has jurisdiction over this proceeding pursuant to RCW 42.17A, the state campaign finance disclosure law; RCW 34.05, the Administrative Procedure Act; and the Commission's rules located at WAC 390.

II. FACTS

Background

1. Bill Littlejohn has an ownership interest in the following businesses located in the City of Sequim, and in Clallam County: Olympic Ambulance; Sherwood Assisted Living; and Olympic Oxygen. These businesses provide ambulance, EMT, first responder, and related services on the Olympic Peninsula.

2. On September 9, 2013, Citizens Against Fire District 2 Levy (CAFD 2 Levy) registered as a political committee in opposition to Proposition 1, a fire district levy lid lift ballot proposition on the November 5, 2013 general election ballot. The ballot proposition failed. Had it passed, some of Mr. Littlejohn's businesses would have been negatively affected. Both the committee officials and Mr. Littlejohn stated that Mr. Littlejohn had no involvement in the formation of the committee or its operations.
3. Mr. Littlejohn had previously publicly opposed a levy measure in another jurisdiction, a 2010 annexation measure involving the merger of Mason County Fire District No. 5 with the City of Shelton. Mr. Littlejohn stated that he believed his business had subsequently been retaliated against as a result of his 2010 measure opposition in Mason County.

Concealed Contributions and Contributions Made with Cash Instead of Written Instrument

4. On September 19 and September 27, 2013, Mr. Littlejohn made seven cash contributions totaling \$7,500 to CAFD 2 Levy in opposition to Proposition 1. Mr. Littlejohn made the contributions by placing the cash in separate envelopes with the names and contact information for seven of his employees on the outside of each envelope.
5. Mr. Littlejohn sought and received permission from six of the seven employees he identified as the source of the contribution to make a contribution in their name with his money. The six employees stated that they gave Mr. Littlejohn permission, not realizing that there is a prohibition against making a contribution in name of another person. According to the seventh employee, Mr. Littlejohn did not ask for permission to make a contribution in his name.
6. The contributions were made in cash, and not by a written instrument containing the name of the donor (Bill Littlejohn) and the name of the payee (Citizens Against Fire District 2 Levy).
7. CAFD 2 Levy reported seven contributions from Mr. Littlejohn's employees, on September 19 and September 27, 2013, as follows:

- 1) Corrine Notar: \$1,250 contribution; Bookkeeper, Olympic Ambulance (September 19, 2013);
 - 2) Linda Mellott: \$1,250 contribution; Accountant, Sherwood Assisted Living (September 19, 2013);
 - 3) Frank Beutler: \$1,000 contribution; Service Technician, Olympic Oxygen (September 27, 2013);
 - 4) Gail Reader: \$1,000 contribution; Billing Manager, Olympic Ambulance (September 27, 2013);
 - 5) Todd McClain: \$1,000 contribution; Technician, Olympic Oxygen (September 27, 2013);
 - 6) Rena Keith: \$1,000 contribution; Administrator, Olympic Ambulance (September 27, 2013); and
 - 7) John Schonig: \$1,000 contribution; Fleet Manager, Olympic Ambulance (September 27, 2013).
8. The seven individuals listed above are employees of Mr. Littlejohn, and all confirmed that they did not make a contribution to CAFD 2 Levy with their own funds.

Mr. Littlejohn stated he made these contributions in this manner because he wanted to keep a low profile during the election. Mr. Littlejohn stated he was concerned that there would be retaliation against him or his employees who were covered by collective bargaining agreements similar to what he experienced when he made contributions to oppose a ballot proposition in 2010 in Mason County.

III. STATUTORY AUTHORITY

RCW 42.17A.435 states that no contribution shall be made in a fictitious name, by one person through an agent, relative, or other person, or anonymously, in such a manner as to

conceal the identity of the source of the contribution or in any other manner so as to effect concealment.

RCW 42.17A.475 requires certain contributions to be made by written instrument and states: “(1) A person may not make a contribution of more than *eighty dollars, other than an in-kind contribution, except by a written instrument containing the name of the donor and the name of the payee.” *By rule, the eighty dollar threshold has been increased to one hundred dollars.

IV. VIOLATIONS

Based on the Stipulation of Facts set forth above, Respondent Bill Littlejohn stipulates that he committed multiple violations of RCW 42.17A.435 by concealing the identity of the true source of \$7,500 in contributions he made in the name of seven employees of companies in which he has an ownership interest to Citizens Against Fire District 2 Levy; and RCW 42.17A.475 by failing to make the seven contributions by a written instrument containing the name of the donor and the name of the payee.

V. PENALTY

Based upon the Stipulation of Facts and Violations set forth above, Respondent Bill Littlejohn agrees to pay a total civil penalty of \$60,000 with \$30,000 suspended on the following conditions:

1. Respondent does not commit any same or similar violations of RCW 42.17A within four years of the date of the Commission’s Final Order in this matter; and
2. Respondent pays the non-suspended portion of the penalty (\$30,000) within 60 days of the date of entry of the Commission’s Final Order in this matter.

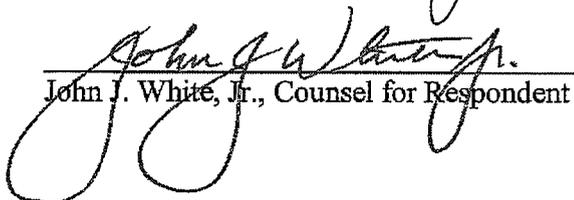
In the event that Respondent fails to meet any or all of conditions 1-2, the suspended portion of the penalty (\$30,000) shall become immediately due without any further action by the Commission.

Additionally, Respondent agrees to pay \$4,000 in investigative costs associated with this matter no later than 60 days of the date of the entry of the Final Order in this matter.

Respondent Bill Littlejohn affirms his intention to comply in good faith with the provisions of RCW 42.17A in the future.


Andrea McNamara Doyle, Executive Director
Public Disclosure Commission

7/7/2014
Date Signed


John J. White, Jr., Counsel for Respondent

7/7/14
Date Signed