

MODIFICATION REQUEST COVER SHEET

Name of Filer	KATHLEEN M. O'SULLIVAN
Reporting Period	<input checked="" type="checkbox"/> Annual report – calendar year 2012 <input type="checkbox"/> Candidate/Appointee report
Type of Request	<input type="checkbox"/> New <input checked="" type="checkbox"/> Renewal with No Change – <u>original granted on March 22, 2007</u> <input type="checkbox"/> Renewal with Change
Office Held & Term	Member, Commission on Judicial Conduct Appointed term expires in 2015
PDC Protocol	<input checked="" type="checkbox"/> Attorney: Interpretation #02-03 <input type="checkbox"/> Judge / Judicial Candidate: Interpretation #02-04 <input type="checkbox"/> Automobile Dealership: Interpretation #02-05 <input type="checkbox"/> Spousal: Interpretation #02-06 <input type="checkbox"/> WAC
Supporting Documents (attached)	<input checked="" type="checkbox"/> Current F-1 <input checked="" type="checkbox"/> Letter <input checked="" type="checkbox"/> Prior order (if renewal) – <u>Order # 3067</u>
Reason(s) for Modification (as stated by filer)	<ul style="list-style-type: none"> • Ms. O'Sullivan is requesting a renewal of the reporting modification that would exempt her from disclosing the business customers that made payments of \$10,000 or more during 2012 to Perkins Coie, LLP, a law firm. • Ms. O'Sullivan is a partner in the law firm of Perkins Coie. Her ownership interest is less than 10%. She said that Perkins Coie is a large law firm and likely has thousands of reportable business clients. She said it would take a burdensome amount of time and effort to collect and disclose the reportable business clients of the firm. • In her request letter, Ms. O'Sullivan provided information in accordance with PDC Interpretation #02-03: <ol style="list-style-type: none"> 1. A listing of the clients she represented and did legal work for Perkins Coie in 2012; 2. A statement that in 2012 Perkins Coie had no business customers whose interests were significantly affected by actions of the Commission on Judicial Conduct; 3. A listing of the Perkins Coie clients that were listed in the firms marketing materials in 2012; 4. A listing of other governmental customers in Washington that Perkins Coie did business with in 2012.
Other Issues	Ms. O'Sullivan stated no payments were made by the Commission on Judicial Conduct to Perkins Coie during 2012.
Staff Recommendations	Approve renewal of the reporting modification with no change.

RECEIVED

MAR 11 2013

Public Disclosure Commission

Perkins
Coie

1201 Third Avenue, Suite 4800

Seattle, WA 98101-3099

PHONE: 206.359.8000

FAX: 206.359.9000

www.perkinscoie.com

Kathleen M. O'Sullivan

PHONE: (206) 359-6375

FAX: (206) 359-7375

EMAIL: KOSullivan@perkinscoie.com

DATE FILED PDC

MAR - 8 2013

March 8, 2013

Public Disclosure Commission
711 Capitol Way, Room 206
Olympia, WA 98504-0908

Re: PDC Filing – PDC Interpretation No. 02-03

Dear Commissioners:

I am an attorney member of the Commission on Judicial Conduct. The purpose of this letter is to request a reporting modification pursuant to PDC Interpretation Number 02-03, as I am a partner in the law firm of Perkins Coie LLP. The PDC has granted this reporting modification for me repeatedly in the past.

1. (a) In 2012, I worked on matters for the following businesses or public entities that paid Perkins Coie more than \$10,000: Alyeska Pipeline Service Co., Amgen Inc., Amazon.com, Antelope Valley Newspapers, Inc., The Boeing Company, C-III Asset Management LLC, Columbia United Providers, Costco Wholesale Corporation, Dex One, General Mills, Inc., Global Aerospace, Inc., Kadlec Health System, Krispy Krunchy Foods LLC, LP Corporation, Masai USA Corp., MediaNews Group, Microsoft Corporation, OfficeMax, Robinson Helicopter Company, and Washington Alliance for Healthcare Insurance Trust.

(b) Perkins Coie has no business clients whose interests are significantly affected by the actions of the Commission on Judicial Conduct.

(c) In 2012, Perkins Coie listed the following clients in marketing materials:

Aleut Corporation, American Fast Freight, Animal Supply Company, Avvo, Inc., Blaze Bioscience, Inc., Box, Inc., BranchOut, Inc., BuildingIQ, Inc., Chromatin, Inc., C-III Asset Management LLC, Clinicient, Inc., Coinstar, Inc., Columbus Foods, LLC, Continental Mills, Inc., Costco Wholesale Corporation, Couchsurfing International, Inc., Dandelion Chocolate, DataSphere Technologies, Inc., Digimarc Corporation, Discovery Bay Games, Inc., EasyStreet Online Services, Inc., Emeritus Corporation, Endeavour Capital, Enhanced Capital Partners, LLC, Ensequence, Inc., ESCO Corporation, Filson Holdings, Inc., Holland Electronics, LLC, iMove, Inc., Imperial Parking, Janrain, Inc., Jive Software, Inc., KLIM, Kumu Networks, Inc., Kymeta Corporation, Leoona, Inc., Lucky Sort, Inc., M/A-COM Technology Solutions, Madrona Venture Group, LLC, Max-Viz, Inc., Meteor Solutions, Inc., Microsoft Corporation,

99999-6533/LEGAL25899856.1

ANCHORAGE · BEIJING · BELLEVUE · BOISE · CHICAGO · DALLAS · DENVER · LOS ANGELES · MADISON · NEW YORK

PALO ALTO · PHOENIX · PORTLAND · SAN DIEGO · SAN FRANCISCO · SEATTLE · SHANGHAI · TAIPEI · WASHINGTON, D.C.

Perkins Coie LLP

Mitre Media Corp., Motiga, Inc., nFluence Media, Inc., Nimes Restaurants, North Pacific Seafoods, Inc., Nuun & Company, Inc., Ohmx Corporation, Opscode, Inc., Oregon Angel Fund, PACCAR Financial Corp., PacifiCorp, Platt Electric Supply, Inc., Puget Energy, Inc., Ritchie Bros. Auctioneers, Room 77, Inc., Rose City Printing & Packaging, Seaspan Corporation, Sheer ID, Inc., SHR Essex House, SNUPI Technologies, Inc., SuperCritical Technologies, Inc., Symform, Inc., Teekay Corporation, Teekay LNG Partners, Teekay Offshore Partners, Teekay Tankers Ltd., Travelers Capital Corporation, TriQuint Semiconductor, Inc., Usertesting, Inc., Vigilant, Incorporated, Vizify, WAG Mobile Inc., Zillow, Inc.

Also in 2012, the following additional clients are listed on the home page of the firm's website: Oberto Sausage Company, Optima, Zillow, Honeywell, Integrated Capital, REI, Strategic Hotels & Resorts, Kemper Development, K Vintners, Kathy Casey Food Studios.

(d) In 2012, Perkins Coie LLP represented the Washington-based governmental clients listed on the F-1 Supplement Page.

2. To my knowledge, there are no other matters that are required to be reported.

Food/Travel/Seminars

The F-1 Supplement asks for information on whether a "source other than your own governmental agency paid for or otherwise provided" food, travel, or seminars. I am a volunteer member of the Commission on Judicial Conduct. My full-time job is as a lawyer at Perkins Coie. Thus, I am regularly provided food or travel to Perkins Coie-sponsored events (such as for a partner conference or internal firm committee meeting), and at other times, travel to a client is paid for by the client (along with food associated with the meeting or travel). In addition, in 2012, I was reimbursed for my travel costs (or had lodging direct-billed in one instance) for the following: Ninth Circuit Attorney Admission Fund Committee meetings (travel paid for by Ninth Circuit to attend meetings in San Francisco and Hawaii; the Hawaii meeting held in conjunction with the Ninth Circuit Judicial Conference, which I also attended); and Washington District and Municipal Court Judges' Association Spring Program (I was reimbursed for mileage and food; lodging was direct billed to the judges' association). This travel was paid for because I was one of two attorney members of the Ninth Circuit Attorney Admission Fund Committee and because I was a guest speaker at the District and Municipal Court Judges' Spring Program.

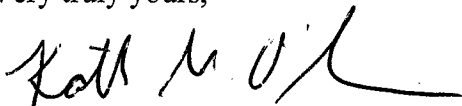
Public Disclosure Commission
March 8, 2013
Page 3

DATE FILED PDC

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Enclosed is a completed F-1A and a completed F-1 Supplement Page. Please let me know if I may answer any other questions of the Commission.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kath M O'Sullivan", with a long horizontal flourish extending to the right.

Kathleen M. O'Sullivan

KMO:ln
Enclosures

MAR - 8 2013

**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: 3/8/2013

Entity or name of individual
requesting reporting modification: Kathleen M. O'Sullivan, member, Commission on Judicial Conduct

Your signature: *Kath M. O'S*

Your printed name: Kathleen M. O'Sullivan

Business street address: 1201 Third Avenue, Suite 4900

City, state and zip code: 98101

Telephone number: (206) 359 - 6375

E-Mail Address: KOSullivan@perkinscoie.com

Date Signed: 3/8/2013

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

PUBLIC DISCLOSURE COMMISSION 711 CAPITOL WAY RM 206 PO BOX 40908 OLYMPIA WA 98504-0908 (360) 753-1111 TOLL FREE 1-877-601-2828	PDC FORM F-1 (1/12)	PERSONAL FINANCIAL AFFAIRS STATEMENT	P M PDC OFFICE USE O S A R R E C E I V E D DATE FILED PDC MAR - 8 2013
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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 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	
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Last Name O'Sullivan	First Kathleen	Middle Initial M.	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. Baird Johnson (spouse) (P) Kieran Johnson (child) (D) Brendan Johnson (child) (D)
Mailing Address (Use PO Box or Work Address) * 1201 Third Avenue, Suite 4900			
City Seattle	County WA	Zip + 4 98101-3099	

Filing Status (Check only one box.) <input checked="" type="checkbox"/> An elected or state appointed official filing annual report <input type="checkbox"/> Final report as an elected official. Term expired: _____ <input type="checkbox"/> Candidate running in an election: month _____ year _____ <input type="checkbox"/> Newly appointed to an elective office <input type="checkbox"/> Newly appointed to a state appointive office <input type="checkbox"/> Professional staff of the Governor's Office and the Legislature	Office Held or Sought Office title: <u>Member, Chair</u> County, city, district or agency of the office, name and number: <u>Commission on Judicial Conduct</u> Position number: <u>N/A</u> Term begins: <u>6/2011</u> ends: <u>6/2015</u>
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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. Include stock options received during the reporting period that had a value of \$2,000 or more. (Report interest and dividends in Item 3.)		
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	Perkins Coie LLP 1201 Third Avenue, Suite 4900 Seattle, WA 98101-3099	Attorney	E	
SP	Seattle Cancer Care Alliance PO Box 19023 Seattle, WA 96109-1023	Program Manager	E	
Check Here <input type="checkbox"/> if continued on attached sheet				

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.)		
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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 702 - 12th Avenue East Seattle, WA 98102-4622 Check here <input type="checkbox"/> if continued on attached sheet		JP Morgan Chase 1201 Third Avenue Seattle, WA 98101	15-year mortgage	Down payment
				E E

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

List bank and savings accounts, insurance policies, stock, bonds and other intangible property (including but not limited to stock options) 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)
S/SP: JP Morgan Chase 1201 Third Avenue Seattle, WA 98101	Joint Checking Account	C	
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.			
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, stock options, 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.			

Check here if continued on attached sheet.

DATE FILED PDC

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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.

AMOUNT (USE CODE)

Creditor's Name and Address	Terms of Payment	Security Given	Original	Present

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? No If yes, complete Supplement, Part A.
- 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? No If yes, complete Supplement, Part A.
- C. Did you, your spouse, registered domestic partner or dependents own a business at any time during the reporting period? No If yes, complete Supplement, Part A.
- 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? ___ 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? Yes 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.
- I hold a local elected office. I have read and am familiar with RCW 42.17A.555 regarding the use of public facilities in campaigns.

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

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

Kath M. O'Neil 3/8/2013
 Signature Date

Contact Telephone: (206) *359-6375

Email: KOSullivan@perkinscoie.com (work) *

Email: _____ (Home) Optional

REPORT NOT ACCEPTABLE WITHOUT FILER'S SIGNATURE

DATE FILED PDC



PUBLIC DISCLOSURE COMMISSION
711 CAPITOL WAY RM 206
PO BOX 40908
OLYMPIA WA 98504-0908
(360) 753-1111
TOLL FREE 1-877-601-2828
EMAIL: pdc@pdc.wa.gov

MAR - 8 2013

PDC FORM
F-1
SUPPLEMENT
(1/12)

SUPPLEMENT PAGE
PERSONAL FINANCIAL AFFAIRS STATEMENT

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

Last Name O'Sullivan	First Kathleen	Middle Initial M	DATE 3/8/2013
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A

OFFICE HELD, BUSINESS INTERESTS:

Provide the following information if, during the reporting period, you, your spouse, registered domestic partner or dependents

- (1) 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
- (2) 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: Perkins Coie LLP

POSITION OR PERCENT OF OWNERSHIP

TRADE OR OPERATING NAME: Perkins Coie

ADDRESS: 1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099

BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:

Law Firm

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

Purpose of payments

Amount (actual dollars)

\$ -0-

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

Agency name:

Purpose of payment (amount not required)

See attached letter from Kathleen O'Sullivan

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

Customer name:

Purpose of payment (amount not required)

See attached letter from Kathleen O'Sullivan

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):

I am not an owner of more than 10% of Perkins Coie LLP

Check here if continued on attached sheet

CONTINUE PARTS B AND C ON NEXT PAGE

Name MAR - 8 2013

ENTITY NO. 2 Reporting For: Self Spouse

Registered Domestic Partner Dependent

LEGAL NAME: POSITION OR PERCENT OF OWNERSHIP

TRADE OR OPERATING NAME:

ADDRESS:

BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:

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

Purpose of payments	Amount (actual dollars)
	\$

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

Agency name:	Purpose of payment (amount not required)
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PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS OF \$10,000 OR MORE:

Customer name:	Purpose of payment (amount not required)
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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):

Check here if continued on attached sheet

B LOBBYING: List persons for whom you, or any immediate family member, including registered domestic partner, lobbied or prepared state legislation or state rules, rates, or standards for compensation or deferred compensation. Do not list pay from government body in which you are an elected official or professional staff member.

Person to Whom Services Rendered	Description of Legislation, Rules, Etc.	Compensation (Use Code)

Check here if continued on attached sheet

C FOOD TRAVEL SEMINARS Complete this section if a source other than your own governmental agency paid for or otherwise provided all or a portion of the following items to you, your spouse, registered domestic partner or dependents, or a combination thereof: 1) Food and beverages costing over \$50 per occasion; 2) Travel occasions; or 3) Seminars, educational programs or other training.

Date Received	Donor's Name, City and State	Brief Description	Actual Dollar Amount	Value (Use Code)
	See attached letter from Kathleen O'Sullivan		\$	

Check here if continued on attached sheet

Washington Government Clients – 2012

DATE FILED PDC

MAR - 8 2013

Aberdeen School District
Arlington School District #16
Auburn School District
Bainbridge Island Fire Department
Battle Ground School District No. 119
Bellevue School District No. 405
Bellingham School District No. 501
Bethel School District
Blaine School District No. 503
Brewster School District #111
Camas School District No. 117
Cascade School District
Central Kitsap School District
Chelan County Public Utility District
Cheney School District #360
City of Everett
City of Kenmore
City of Marysville
City of Tacoma, Water Division
Clark County Fire District #6
Clover Park School District
Conway School District
Deer Park School District #414
East Pierce Fire and Rescue District
Eatonville School Dist. #404
Edmonds School District
Elma School District
Enumclaw School District
Everett School District No. 2
Evergreen School District #114
Federal Way School District
Ferndale School District #502
Fife School District No. 417
Gig Harbor Fire & Medic One
Granite Falls School District
Highline School District 401
Kent School District No. 415
King County Fire District No. 20
Kitsap County Consolidated Housing
Authority
Klickitat County Public Utility District
Lake Stevens School District
Lakehaven Utility District

DATE FILED PDC

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Lakewood School District
Longview School District No. 122
Manson School District
McCleary School District
Monroe School District No. 103
Moses Lake School District
Mount Vernon School District
Mukilteo School District
North Thurston Public Schools
Northshore School District
Olympia School District
Orcas Island School District
Orondo School District
Peninsula School District
Pondoray Shores Water & Sewer District
Port Angeles School District
Port of Centralia
Port of Pasco
Puget Sound Educational Service District
Puyallup School District
Quillayute Valley School District No. 40
Quincy School District No. 144
Rainier School District #307
Renton School District
Riverview School Dist. No. 407
Sedro-Woolley School District
Shaw Island School District
Shoreline School District
Snohomish County PUD No. 1
Snoqualmie Valley School District No. 41
Sound Transit
South King Fire & Rescue
Spokane County
Spokane County Fire District #10
Spokane International Airport
Spokane School District
Stanwood-Camano School District
State of Washington, Superintendent
Steilacoom Historical School District
Tumwater School Dist. No. 33
University of Washington
University Place Fire Department
Vancouver School District
Vashon Island School District
Walla Walla School District

Washington State Redistricting
Commission
Washington State University
West Pierce Fire & Rescue
Willapa Valley School District
Wilson Creek School District
Yakima School District

DATE FILED PDC

MAR - 8 2013



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

June 8, 2012

Kathleen M. O'Sullivan
1201 Third Avenue, Suite 4800
Seattle, WA 98101

Subject: Reporting Modification – calendar year 2011

Dear Ms. O'Sullivan:

Enclosed is a copy of PDC Order No. 3067, 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.

Sincerely,

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)
OF KATHLEEN M. O'SULLIVAN FOR A) PDC No. 3067
REPORTING MODIFICATION) Findings, Conclusions
and Order
_____)

On May 24, 2012, the application of Kathleen M. O'Sullivan, 1201 Third Avenue, Suite 4800, Seattle, Washington 98101, for a modification of the reporting requirements of RCW 42.17.241¹ was brought before the Public Disclosure Commission.

Consideration of the request was made pursuant to RCW 42.17A.120² 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, Kathleen M. O'Sullivan, by letter, requested a renewal of the reporting modification that would exempt her from disclosing on her Personal Financial Affairs Statement the business customers that made payments of \$10,000 or more during 2011 to Perkins Coie, LLP, a law firm.

The Commission was provided with a certification from Ms. O'Sullivan waiving her personal appearance at the hearing and stating that the facts contained in the request are true and accurate.

FINDINGS OF FACT

Based upon the letter, the Commission makes the following Findings of Fact:

1. Ms. O'Sullivan has previously been granted the requested reporting modification, the most recent being Order No. 3010.
2. Ms. O'Sullivan is an appointed member of the Commission on Judicial Conduct. Her appointed term expires in 2015.
3. Ms. O'Sullivan is a partner in the law firm of Perkins Coie. Her ownership interest is less than 10%. She said that Perkins Coie is a large law firm and likely has thousands of reportable business clients. She said it would take a burdensome amount of time and effort to collect and disclose the reportable business clients of the firm.
4. Ms. O'Sullivan stated no payments were made by the Commission on Judicial Conduct to Perkins Coie during 2011.

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

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

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 42.17.241³ 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)(g)(ii)³ by identifying for the appropriate reporting period:
 - a. The name of the reportable business clients⁴ of the law firm for whom the applicant has done legal work⁵;
 - b. Other reportable business clients of the law firm whose interests are significantly affected by the applicant's actions in the applicant's official capacity as a member of the Commission on Judicial Conduct when their identities become known to the applicant or the applicant becomes aware of their identities by any means;
 - c. All governmental clients that have done business with the law firm;⁶
 - d. The names of the reportable business clients of the law firm when the names are listed in Martindale Hubbell, the firm's publicity brochure(s), or the firm's resume, website, or similar promotional materials of the firm; or the names become known to the applicant and (i) the identities are otherwise publicized or referenced in documents open for public inspection at the courts, in administrative hearings, or at other public agencies; or, (ii) the identities have been disclosed in documents made available for public inspection at open

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

⁴ Reportable business clients are nonindividuals providing compensation of \$10,000 or more during the reporting period.

⁵ Ordinarily, the identity of a client does not fall within the purview of the information protected by the attorney-client privilege unless there is a "strong probability" that the disclosure would convey the substance of a confidential communication between client and attorney. Splash Design, Inc. v. Lee, 104 Wn.App. 38, 14 P.3d 879 (2001) (describing Rule of Professional Conduct 1.6 and citing to Dietz v. Doe, 131 Wn.2d 835, 935 P.2d 611 (1997)); Tegland, Washington Practice, Vol. 5A, § 501.15 (1999); United States v. Hunton & Williams, 952 F.Supp. 843 (D.C. 1997)(under federal law, absent special circumstances, identity of a client of a lawyer or law firm is not protected by attorney-client privilege); C.K. Liew v. Breen, 640 F.2d 1046 (9th Cir. 1981) (citing to California law for same proposition, and to J. Wigmore, Evidence § 2313).

⁶ The names of governmental clients are matters of public knowledge in listings in Martindale Hubbell; the firm's publicity brochure(s), websites, or other promotional materials; or the firm's resume. The names of government clients are also matters of public knowledge in records that disclose that the firm is representing the client, including but not limited to documents reflecting payments of public funds from the governmental agency to the law firm; court filings; filings in administrative hearings; and in public records. See definition of public record at RCW 42.17.020(42) and RCW 42.56.010(2).

public meetings of public agencies; or, (iii) the identities have been made a matter of public knowledge in other similar public forums.

2. 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 8th day of June, 2012.

FOR THE PUBLIC DISCLOSURE COMMISSION

Andrea M. Doyle
Andrea McNamara Doyle
Executive Director

I, Kristin Murphy, 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.
Kristin Murphy 6-8-12
Signed Date