

MODIFICATION REQUEST COVER SHEET

Name of Filer	STEVEN T. O'BAN
Reporting Period	<input checked="" type="checkbox"/> Annual report – calendar year 2015 <input type="checkbox"/> Candidate report
Type of Request	<input type="checkbox"/> New <input checked="" type="checkbox"/> Renewal with No Change – <u>Original granted April 22, 2010</u> <input type="checkbox"/> Renewal with Change
Office Sought & Term	State Senate, 28 th Legislative District Current term expires January 2017
Application Rule(s)	<input type="checkbox"/> Income & Ownership Interest: WAC 390-28-100(b) <input type="checkbox"/> Personal Residence: WAC 390-28-100(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)(a)(c)
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, web site, 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)	<input checked="" type="checkbox"/> Current F-1 <input checked="" type="checkbox"/> Modification Application <input checked="" type="checkbox"/> Prior Order (if renewal) – May 28, 2015
Reason(s) for Modification (as stated by filer)	<ul style="list-style-type: none"> • Senator O'Ban is requesting a renewal of the reporting modification that would exempt him from reporting the business customers that made payments of \$12,000 or more to the law firm of Ellis, Li & McKinstry, PLLC during 2015. • Senator O'Ban is a member of Ellis, Li & McKinstry, PLLC, a small Seattle law firm for which he has less than a 10% ownership interest. • Senator O'Ban stated that Ellis, Li & McKinstry, PLLC, is a small general practice law firm with 14 lawyers, and a total of 24 employees. • Senator O'Ban stated he is not in a management position, and is not involved in the day-to-day operations of Ellis, Li & McKinstry. He stated he does not have access to the business customers of Ellis, Li & McKinstry, PLLC as part of his regular duties. • Senator O'Ban stated that to the best of his knowledge, the clients of Ellis, Li & McKinstry, PLLC are not listed in any "public sources or publications." Pursuant to PDC Interpretation #02-03 (WAC 390-280-100(1)(e)(i)), Mr. O'Ban provided the reportable business customers of Ellis, Li & McKinstry for which Mr. O'Ban has done legal work; • Senator O'Ban stated that during 2015, Ellis, Li & McKinstry received no payments from the Washington State Legislature. He stated there were no governmental customers that paid \$12,000 or more during 2015. • Senator O'Ban stated that approving his report modification request "would not frustrate the purposes of the Act to relieve the law firm of disclosing client identities with which only non-applicant lawyers have relationships and where the applicant has an ownership interest in the law firm of less than 10%."
Other Issues	Senator O'Ban has disclosed the identity of clients for whom he did legal work for during 2015.
Staff Recommendations	Approve renewal of the reporting modification with no change.

