

MODIFICATION REQUEST COVER SHEET

Name of Filer	MICHAEL VASKA
Reporting Period	<input type="checkbox"/> Annual report <input checked="" type="checkbox"/> Candidate report – March 15, 2019 through March 14, 2020
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	Attorney General of Washington State If Elected, Term Expires: December 31, 2024
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)	<input checked="" type="checkbox"/> Candidate F-1 for March 15, 2019 – March 14, 2020 (filed March 16, 2020) <input checked="" type="checkbox"/> Amended F-1 for March 15, 2019 – March 14, 2020 (filed May 5, 2020 – amendment date not displayed on report) <input checked="" type="checkbox"/> Modification Request Application (received April 10, 2020)
Reason(s) for Modification (as stated by filer)	<ul style="list-style-type: none"> • Mr. Vaska is requesting a retroactive modification that would exempt him from disclosing the business and governmental customers for Foster Garvey, PC, where he serves as a principal, for the period of March 15, 2019 through March 14, 2020. • Mr. Vaska states that Foster Pepper PLLC and Foster Garvey PC merged in the fall of 2019, and now has more than 1000 clients, served by 150 lawyers in 6 offices. • Mr. Vaska states that he does have access to the law firm's customer list, and Foster Garvey has the ability to identify clients paying more than \$12,000 during the reporting period; however, is not involved in the day-to-day operations of the firm and does not have a 10% or greater ownership interest in the law firm. • Mr. Vaska states that Foster Garvey follows the American Bar Association Formal Opinion 10-457 and does not disclose the names of clients without their specific consent, with some preferring not to be disclosed. • Mr. Vaska states that Foster Garvey does not publish a client list or subscribe to services to list client names, though individual attorneys may have permission from their clients to be disclosed on web sites and printed materials. • Mr. Vaska has disclosed most clients for whom he has done legal work and is seeking permission from others, but has not disclosed all of the clients who are listed in Martindale Hubbell, the firm's resume, website, or similar promotional materials. • Mr. Vaska amended his F-1 report to disclose governmental customers of Foster Garvey on May 5, 2020. • Mr. Vaska states that he has disclosed all payments from the Office of the Attorney General, and that Foster Garvey is the state's bond counsel, with the Treasurer's Office serving as Foster Garvey's client.
Other Issues	<ul style="list-style-type: none"> • Mr. Vaska has stated that he will recuse from any matters which might come before him involving his duties as Attorney General, Foster Garvey, any client he has represented, and "any other matter that gives a reasonable impression of a conflict of interest."