

MODIFICATION REQUEST COVER SHEET

Name of Filer	Brian Bogen
Reporting Period	<input type="checkbox"/> Annual/Appointment reports: <input checked="" type="checkbox"/> Candidate report: Candidate F-1 filed May 7, 2024 covering April 29, 2023 through April 28, 2024
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	Candidate for Governor Participating in 2024 Election
Application Rule(s)	<input checked="" type="checkbox"/> Income & Ownership Interest: WAC 390-28-100(1)(b) <input type="checkbox"/> Personal Residence: WAC 390-28-100(1)(d) <input 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>WAC 390-28-100</p> <p>(1) Under RCW 42.17A.120, the commission or presiding officer may modify reporting requirements, including the statement of financial affairs, if literal application of the requirement would work a manifestly unreasonable hardship and the suspension or modification would not frustrate the purpose of the law. One or more of the following may be considered by the commission or presiding officer as possible qualifications for a reporting modification with respect to the statement of financial affairs, when such standard is met:</p> <p>(b) Income and ownership interests. An applicant may be exempted from reporting the information otherwise required by RCW 42.17A.710 (1)(f) and (g), if:</p> <p>(i) Public disclosure would violate any legally recognized confidential relationship that serves a legitimate business interest;</p> <p>(ii) The information does not relate to a business entity which would be subject to the regulatory authority of the office sought or held by the applicant in whole or in part;</p> <p>(iii) Such reporting would present a manifestly unreasonable hardship to the applicant including but not limited to adversely affecting the competitive position of an entity in which the applicant had an interest of ten percent or more as described in RCW 42.17A.120; and</p> <p>(iv) The interest in question would present no actual or potential conflict with the performance of the duties of the office sought or held.</p>

Supporting Documents (attached)	<ul style="list-style-type: none"><input checked="" type="checkbox"/> Modification Request Application<input checked="" type="checkbox"/> Current F-1 (filed April 7, 2024)
Reason(s) for Modification (as stated by filer)	<ul style="list-style-type: none">• Mr. Brian Bogen is requesting a partial reporting modification that would exempt him from disclosing the business customers that paid \$12,000 or more to Markey Machine, SWS Equipment and Oregon Equipment Sales on his Personal Financial Affairs Statement (F-1 report) covering the twelve months prior to him becoming a candidate for election year 2024.• Mr Bogen states that he has a 13% investment in Markey Machine.• Mr Bogen states that he has a 3% interest in both Oregon Equipment Sales and SWS Equipment of which he holds the position of director in both companies.• Mr. Bogen states that the disclosure of the business customers creates an undue hardship and competitive disadvantage.• Mr. Bogen states the revenue generated for these three companies is as follows: Oregon Equipment Sales - \$40,000,000 revenue, Markey Machine - \$20,000,000 revenue. SWS Equipment - \$60,000,000 revenue.• Mr. Bogen states that the State of Washington is not a client of any of these companies.• Mr. Bogen affirms he has no involvement with the day-to-day operation of any of these companies.
Other Issues	<ul style="list-style-type: none">• Mr. Bogen agreed that he would recuse himself if a matter came before him involving a conflict of interest between interest between Markey Machine, SWS Equipment and Oregon Equipment Sales and his public duties.