

CITY OF SPOKANE ETHICS COMMISSION

ALEXANDER J. SHOGAN, JR.

Complainant,

vs.

**DAVID CONDON, MAYOR OF THE
CITY OF SPOKANE; THERESA
SAUNDERS, SPOKANE CITY
ADMINISTRATOR,**

Respondents.

DECLARATION OF
JAMES B. KING –
DEFENDANTS’
MOTION TO DISMISS
COMPLAINANT’S “CLARIFIED II
COMPLAINT”

James B. King, under penalty of perjury, states and declares as follows:

1. I am the attorney for Mayor David Condon, the respondent herein, and make the statements contained in this Declaration on personal knowledge.

2. Attached to this Declaration as Exhibit 1 is a true and correct copy of the Complaint filed by complainant on December 2, 2015.

3. Attached to this Declaration as Exhibit 2 is a true and correct copy of Shogan’s Ethics Complaint filed on or about December 14, 2015.

4. Attached to this Declaration as Exhibit 3 is a true and correct copy of the Declaration of Carley Cortright dated January 19, 2016.

1 5. Attached to this Declaration as Exhibit 4 is a true and correct copy of the
2 City of Spokane Ethics Commission Findings, conclusion and Decision dated January
3 27, 2016 regarding Shogan's Complaint against David Condon.

4 6. Attached to this Declaration as Exhibit 5 is a true and correct copy of
5 Shogan's Stipulation for Voluntary Withdrawal of Ethics Complaint dated February 16,
6 2016.

7 7. Attached to this Declaration as Exhibit 6 is a true and correct copy of the
8 Re-Filing of Complaint and Amended Complaint Alleging Violation of Section
9 1.04A.030 of the City of Spokane Code of Ethics dated October 56, 2016.

10 8. Attached to this Declaration as Exhibit 7 is a true and correct copy of the
11 CLARIFIED Sworn Complaint Alleging Violation of Section 1.04A.030 of the City of
12 Spokane Code of Ethics dated December 22, 2016.

13 9. Attached to this Declaration as Exhibit 8 is a true and correct copy of the
14 Spokesman Review article entitled "Stuckart: Mayor Condon lied about sexual
15 harassment claim" dated November 25, 2015.

16 10. Attached to this Declaration as Exhibit 9 is a true and correct copy of the
17 Declaration of James B. King filed with the Ethics Commission in this matter February
18 1, 2017.

19 11. Attached to this Declaration as Exhibit 10 is a true and correct copy of
20 the "Special Meeting Notice/Agenda" by the Ethics Commission for the February 15,
21 2017, meeting.

12. Attached to this Declaration as Exhibit 11 is a true and correct copy of the City of Spokane Ethics Commission's Findings, Decision and Conclusion dated January 27, 2016 entered in the *Pendleton* Ethics Complaint.

13. Attached to this Declaration as Exhibit 12 is a true and correct copy of the Ethics Complaint, “Clarified II” Complaint filed by Shogan on February 28, 2017.

14. Attached to this Declaration as Exhibit 13 is a true and correct copy of the Seabold Group Investigation Report regarding the resignation of Frank Straub.

15. Attached to this Declaration as Exhibit 14 is a true and correct copy of the transcript of Councilman Stuckart's statement obtained by the Seabold Group.

16. Attached to this Declaration as Exhibit 15 is a true and correct copy of the statement of Stratton obtained by the Seabold Group.

17. Attached to this Declaration s Exhibit 16 is a true and correct copy of the CLARAFIED II Sworn Complaint Alleging Violation of Section 01.04A.030 City of Spokane Code of Ethics filed with the Ethics Commission on March 3, 2017.

DATED at Spokane, Washington this 3 day of April, 2017.

James B. King, WSBA #8723
Attorney for Respondent David Condon

CERTIFICATE OF SERVICE

Pursuant to RCW 9A.72.085, the undersigned hereby certifies under penalty of perjury under the laws of the State of Washington, that on the 3 day of April, 2017, the foregoing was delivered to the following persons in the manner indicated:

Alexander J. Shogan, Jr.
5726 N. Sutherlin Street
Spokane, WA 99205

VIA REGULAR MAIL ☒
VIA CERTIFIED MAIL []
VIA FACSIMILE []
HAND DELIVERED ☒ *VIA email X*

Keller W. Allen
Keller W. Allen, P.C.
5915 S. Regal St., Suite 211
Spokane, Washington 99223

VIA REGULAR MAIL []
VIA CERTIFIED MAIL []
VIA FACSIMILE []
HAND DELIVERED ☒

Milton G. Rowland
FOSTER PEPPER PLLC
618 W. Riverside, Suite 300
Spokane, WA 99201

VIA REGULAR MAIL []
VIA CERTIFIED MAIL []
VIA FACSIMILE []
HAND DELIVERED ☒

4-3-17 / Spokane, WA
(Date/Place)

