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2005 JUL 31 PM 4: 26

Re: Case Number L8693:

The Honorable Bill Bradbury
Secretary of State
Elections Division
Room 141 State Capitol
Salem OR 97310

BILL BRADBURY
SECRETARY OF THE STATE

Dear Secretary of State Bradbury:

I write to respectfully request elimination or diminution of the proposed penalty for Friends of Steve Novick, PAC #4011, on the grounds that I was misled by what was apparently (although I am sure of course inadvertently) a false statement by an employee of the Secretary of State's office (error by the elections filing officer).

A bit of history is in order. I originally planned to run for State Representative in what I expected to be an open seat in 2002, and collected contributions in 2000 and 2001 on that assumption. But the district in which I planned to run was effectively eliminated through redistricting, and much of it (including my residence) was incorporated into district 41, represented by Caroline Tomei. In 2002, after I filed a C&E report detailing contributions and expenditures to date. The report was returned to me, with a note saying the report would not be received because I was not a candidate. A copy of the first two pages of that report is attached.

I periodically updated my statement of organization to reflect the fact that I might run for State Representative if there were a vacancy. (I confess I was not aware that I could simply file a statement with no office identified.) When I did so in 2003, however, a copy of the form was returned with a note saying "Steve - It is too soon to link you to the Primary Election of 2006, so we'll do that when you file candidacy for 2006." A copy of that note is attached.

Due to that note, I understood that I was not required to file a report in 2006 unless I actually filed as a candidate. I took that note to mean that my periodic updates of my statement of organization were irrelevant to the financial reporting section of the Secretary of State's Elections office. I assumed that if I had updated my statement in 2005 or 2006 to reflect a possible run in 2008 (continuing my previous practice), I would get a similar "we don't care" note back.

I did not, of course, file as a candidate for 2006. Early in 2006 or at the close of 2005 (I am not sure which), I contacted Fred Neal of the Secretary of State's office to make absolutely sure that it was still true that non-candidates were not required to file reports. He assured me that that was still

true. (I recognize that he had not seen a copy of my statement of organization.)

As soon as I received notice (to my great surprise) that I had a delinquent report for the 2006 primary, I contacted C&E Systems to prepare a report. I will note that I also had several conversations with Mr. Neal, who initially said that he did not think that I really needed to complete a report; that updating the statement of organization should be sufficient. It was only after consultation with attorneys that he informed me that yes, a complete report was needed. I

I do not think that a penalty should be assessed for failing to file a report when the Secretary of State's office had informed me that I would not even be linked to the report system unless and until I filed as a candidate, which I did not do.

Thank you very much for your consideration of this information.

Sincerely,

Steve Novick
1653 SE Nehalem #4
Portland OR 97202
(503) 233-1429 (home)
(503) 516-0624 (work / cell)

State of Oregon, County of Multnomah
On July 31, 2006, personally
appeared before me,
Steve Novick

____ who is personally known to me

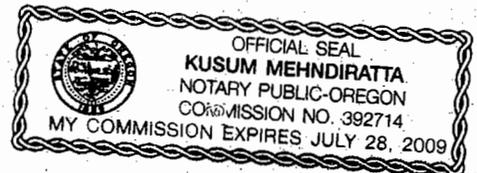
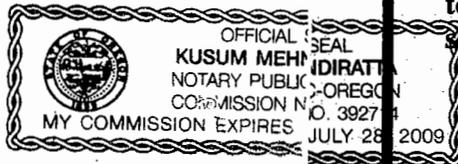
whose identity I proved on the basis of
State Driver License

____ whose identity I proved on the oath and/or
the affirmation of _____,
a credible witness

to be the signer of the above instrument, and he/
she/they acknowledged that he/she/they signed it.

Notary Public

My commission expires July 28, 2009



Statement of Organization

Print legibly in black ink.

Filing date _____ Will exist for more than one year

Amendment

Discontinuation

Name of candidate: **Steve Novick**

Post office box numbers

2006 JUL 31 PM 4:25
SECRETARY OF THE STATE

Mailing address to which all committee correspondence will be sent

Same as above

Work phone number

(503) 231-2004

Home phone number

(503) 577-8784

Fax number

E-mail address

4 Name of candidate

Steve Novick

Residence address (street/route, city, state, zip code) - no post office box numbers

1653 SE Nehalem #4
Portland OR 97202

Mailing address to which all candidate correspondence will be sent

Same as above

Work phone number

503 516 0624

Home phone number

503 233 1429

Fax number

E-mail address

escad@mtwsprenj.com

Occupation of candidate

Policy adviser

Name of office sought (include county, position, department or zone number, if applicable)

State Representative House District 41 Multnomah County

5 Additional address that may be used on political publications (post office box or street/route, city, state, zip code)

6 Party affiliation (complete only if filing for partisan office)

Democratic

Libertarian

Pacific Green

Republican

Not a member of a party

Other _____

7 Political committee intends to solicit funds by (mark all that apply):

Direct mail

Personal contact

Radio

Television

Events

Newspaper

Website

Other _____

Please complete and sign the back side of this form.

Committee Directors (if any)

| Name | Address (including zip code) | Occupation | Phone Number |
|------|------------------------------|------------|--------------|
| | | | |
| | | | |
| | | | |

If two or more directors of this political committee are also directors of another political committee, list the names of those directors and the name and address of the other political committee.

By signing this document I acknowledge that I am personally liable for any penalties imposed under ORS chapter 260.

2005 JUL 21 PM 11:11
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Candidate's signature

Treasurer's Signature (if different than candidate)

9/15/03

9/15/03

Date signed

Date signed

Important: Both the candidate and treasurer of a principal campaign committee must sign the Statement of Organization.

Instructions

Filing an original Statement of Organization

The completed form must be filed within three business days of first receiving a contribution or making an expenditure. A date stamped copy, which includes your identification number, will be returned to you as an acknowledgment of your filing. NOTE: A candidate may have only one principal campaign committee.

A candidate who serves as the treasurer

A candidate may either serve as the candidate's own treasurer or may appoint a separate treasurer. A candidate who serves as their own treasurer and who does not expect to receive or spend more than \$300 for the entire election is not required to file a Statement of Organization or contribution and expenditure reports. However, if at any time they exceed \$300 in either contributions or expenditures, they must then file a Statement of Organization and contribution and expenditure reports.

Amending information on this form

Any change in the information on this form must be filed within ten (10) days of the change. To notify the filing officer of a change in information, submit this form, completed in its entirety, and mark the "Amendment" box.

Discontinuing

You must file a final contribution and expenditure report that shows a zero balance, along with a completed SEL 220 with the "Discontinuation" box marked. The final report may be filed at any time.

For Office Use Only

Initials NF

Committee ID Number 4011

Office Number 1241

Candidate ID Number 1852

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Summary Statement of Contributions and Expenditures

PC
Rev. 12/01

Please type or print legibly in black ink.

Page 1 of 2

Candidate or Political Committee Name (use full name):

Steve Novick Friends of Steve Novick

Mailing Address as it Appears on Statement of Organization (street, route or box number, city, state, zip code):

P.O. Box 82350 Portland OR 97282-0350

Treasurer's Name:

Hillary Barbaw

Telephone Number (day):

503-231-2004

Committee ID Number:

4011

Committee Type, Measure Number or Office:

Can: date - state representative now District 42, 2004

- | | | | |
|--|--|---|---|
| <input checked="" type="checkbox"/> Original | <input checked="" type="checkbox"/> Primary 20 <i>02</i> | <input type="checkbox"/> General 20 | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment | <input checked="" type="checkbox"/> 1st Pre-election | <input type="checkbox"/> 2nd Pre-election | <input type="checkbox"/> September Supplemental |

A-TOTALS FOR THIS ACCOUNTING PERIOD

B-CUMULATIVE TOTALS FOR THIS ELECTION

CONTRIBUTIONS

| | | | | |
|---|---|------------------|---|------------------|
| 1. Cash Contributions (Accounting Period Total from PC 2) | | <i>13,877.99</i> | | <i>13,877.99</i> |
| 2. Loans Received (Non-Exempt) (Accounting Period Total from PC 2) | + | <i>0</i> | + | <i>0</i> |
| 3. Total Cash Contributions (lines 1+2) | = | <i>13,877.99</i> | = | <i>13,877.99</i> |
| 4. In-Kind (Accounting Period Total from PC 2) | + | <i>382.53</i> | + | <i>382.53</i> |
| 5. TOTAL CONTRIBUTIONS (lines 3 + 4) | = | <i>14,260.52</i> | = | <i>14,260.52</i> |

EXPENDITURES

| | | | | |
|--|---|-----------------|---|-----------------|
| 6. Cash Expenditures (Accounting Period Total from PC 3) | | <i>2,349.99</i> | | <i>2,349.99</i> |
| 7. Loan Payments (Non-Exempt) (Accounting Period Total from PC 3) | + | <i>0</i> | + | <i>0</i> |
| 8. Total Cash Expenditures (lines 6 + 7) | = | <i>2,349.99</i> | = | <i>2,349.99</i> |
| 9. In-Kind (Accounting Period Total from PC 2) | + | <i>382.53</i> | + | <i>382.53</i> |
| 10. TOTAL EXPENDITURES (lines 8 + 9) | = | <i>2,732.52</i> | = | <i>2,732.52</i> |

CASH BALANCE

| | | | | |
|--|---|------------------|---|--|
| 11. Beginning Cash Balance (Ending Cash Balance from previous report) | | <i>0</i> | | |
| 12. Total Contributions (line 5) | + | <i>14,260.52</i> | + | |
| 13. Other Receipts (Accounting Period Total from PC 4A) | + | <i>0</i> | + | |
| 14. Loans Received (Exempt) (Accounting Period Total from PC 4A) | + | <i>0</i> | + | |
| 15. CONTRIBUTION SUBTOTAL (lines 11 + 12 + 13 + 14) | = | <i>14,260.52</i> | = | |
| 16. Total Expenditures (line 10) | - | <i>2,732.52</i> | - | |
| 17. Other Disbursements (Accounting Period Total from PC 4B) | + | <i>2,250.00</i> | + | |
| 18. Loan Payments (Exempt) (Accounting Period Total from PC 4B) | + | <i>0</i> | + | |
| 19. EXPENDITURE SUBTOTAL (lines 16 + 17 + 18) | = | <i>4,982.52</i> | = | |
| 20. ENDING CASH BALANCE (line 15 minus line 19) | = | <i>9,278.00</i> | = | |

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Summary Statement of Contributions and Expenditures

PC 1
Rev. 12/01

Please type or print legibly in black ink.

Page 2 of 2

Candidate or Political Committee Name:

Steve Novick / Friends of Steve Novick

Committee ID Number:

4011

| | | | |
|--|--|---|---|
| <input checked="" type="checkbox"/> Original | <input checked="" type="checkbox"/> Primary 2012 | <input type="checkbox"/> General 20 | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment | <input checked="" type="checkbox"/> 1st Pre-election | <input type="checkbox"/> 2nd Pre-election | <input type="checkbox"/> Post-election |
| | | | <input type="checkbox"/> September Supplemental |

LOAN SUMMARY

| | | |
|---|---|----------|
| 21. Beginning Outstanding Loans (Total Outstanding Loans from previous report) | | <i>0</i> |
| 22. Loans Received (Non-Exempt) (line 2) | + | <i>0</i> |
| 23. Loans Received (Exempt) (line 14) | + | <i>0</i> |
| 24. LOANS RECEIVED SUBTOTAL (lines 21 + 22 + 23) | = | <i>0</i> |
| 25. Loan Payments (Non-Exempt) (line 7) | | <i>0</i> |
| 26. Loan Payments (Exempt) (line 18) | + | <i>0</i> |
| 27. Forgiven Loans (Total loans forgiven during this accounting period) | + | <i>0</i> |
| 28. LOAN PAYMENT SUBTOTAL (lines 25 + 26 + 27) | = | <i>0</i> |
| 29. TOTAL OUTSTANDING LOANS (line 24 minus line 28) | = | <i>0</i> |

PERSONAL EXPENDITURE SUMMARY

| | | |
|---|---|----------|
| 30. Beginning Outstanding Personal Expenditures (line 36 of previous report) | | <i>0</i> |
| 31. Personal Expenditures (Accounting Period Total from PC 3A) | + | <i>0</i> |
| 32. PERSONAL EXPENDITURE SUBTOTAL (lines 30 + 31) | = | <i>0</i> |
| 33. Personal Expenditure Reimbursements (Total expenditures on PC 3 with purpose code R) | | <i>0</i> |
| 34. Forgiven Personal Expenditures (Total personal expenditures forgiven this acctg. period) | + | <i>0</i> |
| 35. REIMBURSEMENT SUBTOTAL (lines 33 + 34) | = | <i>0</i> |
| 36. OUTSTANDING PERSONAL EXPENDITURES (line 32 minus line 35) | = | <i>0</i> |

FINANCIAL STATUS AT CLOSE OF ACCOUNTING PERIOD

| | | |
|---|---|-----------------|
| 37. Ending Cash Balance (line 20) | | <i>9,278.00</i> |
| 38. Accounts Receivable (Accounting Period Total from PC 5) | + | <i>0</i> |
| 39. SUBTOTAL (lines 37 + 38) | = | <i>9,278.00</i> |
| 40. Total Outstanding Loans (line 29) | | <i>0</i> |
| 41. Outstanding Personal Expenditures (line 36) | + | <i>0</i> |
| 42. Accounts Payable (Accounting Period Total from PC 6) | + | <i>0</i> |
| 43. SUBTOTAL (lines 40 + 41 + 42) | = | <i>9,278.00</i> |
| 44. BALANCE/DEFICIT (line 39 minus line 43; indicate + or - balance) | = | <i>9,278.00</i> |

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I, *Hillary Barbora* (name of candidate or treasurer), hereby certify that the above statement and the attached supporting reports are true and correct.

Signature of candidate or treasurer

Date signed *4/14/02*

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