

Response:

As detailed in the response to the complaint filed by the mayor's campaign manager a total of 10 signs were contributed to the End Corruption in Gilbert committee at a cost of \$27.83 per sign, after the committee was duly formed and recorded by the town clerk's office. The town determined that eight of the signs could not be displayed in public places because they were not political, leaving the committee with a net amount of two signs at a total cost of \$55.66.

None of the amounts in question trigger any campaign finance reporting requirements at this time, and all further transactions by the committee will be duly reported in such time and manner as called for under relevant statutes. As such, the information already voluntarily provided exceeds the information called for under the statutes.

Since your questions sweep well beyond the scope of the law, as a matter of public record please provide the specific references of law that legitimately entitle you to the answers to each question presented in your interrogation, so I can determine the intent and basis for these questions.

The only code section referred to in your request was ARS section 16-924, which states that before a penalty may be imposed pursuant to 16-924, the party alleged to have violated the disclosure laws must be give 20 days to comply with the requirement in question. What laws have not been complied with?

The complaint filed by the mayor through his campaign manager has no basis in fact or law. Since it does not demonstrate any basis in fact or law it may be interpreted as an effort to threaten and intimidate citizens from exercising their constitutional right to petition for recall. Since the complainant can be viewed as a person under the control of the mayor, a public figure with a vested interest in avoiding recall, then any arguable merits of the complaint are politically conflicted.

Of a most serious nature, then, is how well your questions comport with the law. For example, item number 5 requests that I identify everyone I have spoken to prior to 2/13/08 including their names and written communication. Where does campaign finance law prohibit citizens from engaging in political discussions? Or where does it require that they must keep records of names and dates? Does your interest include conversations with reporters? Does this mean that the right of privacy does not apply? This kind of interrogation might have been commonplace in Nazi Germany, but it is difficult to find it supported anywhere in the Arizona Revised Statutes. What possible reason could you have for seeking the identity of these persons if not to make each targets of harassment? If that is not the intent, what is?

It has already been established through witnesses that the mayor, in collaboration with others, has intimidated and threatened me and others with harm if we were to decide to

exercise our federally protected constitutional right to recall. The mayor and the town attorney were duly warned about this violation of federal law.

Despite the warning, in a heated verbal assault captured in part in an East Valley Tribune article, “Mayor spews expletives at recall backer”, linked below, the mayor renewed his threats, screaming that if I did not drop the recall the town would sue me and the town attorney would “rip off my (expletive deleted)” and “shove them up my (expletive deleted)”

Is the purpose of your interrogation to assist the town attorney in her mission to rip off my (expletive deleted) and shove them up my (expletive deleted) as threatened by the mayor if I don’t drop the recall? Or can you give me a point by point where the law legitimately entitles you to each of the answers called for in your interrogatory?

If you can’t demonstrate that you are entitled to this information under the law, then I believe a reasonable person might find that your questions seem to be more consistent with a fishing expedition – or an invasion of privacy, or harassment and even collaboration with the mayor, the town and the town attorney to use the power and resources of government to further threaten and intimidate me and others from exercising our constitutional rights.

As detailed above the total value of the signs deployed by the End Corruption in Gilbert committee is \$55.66. In parallel fashion the public has right to know just how much your firm is being paid to pursue the recall committee in this matter. Will your firm answer this question? Or does the town want you to keep it secret?

Here is a link to the “Mayor spews expletives...” story.
<http://www.eastvalleytribune.com/story/108931>

Fred Phillis