

Application Questionnaire

Background Information

Filer Name: Jenny A. Durkan

Filer Office Held or Sought: Candidate for Mayor of Seattle

Date of Request: May 23, 2017

Period Covered by Request: Prior twelve months

Questions

Please answer questions # 1 - # 8 below, unless:

- RESIDENTIAL ADDRESS. If you are seeking only nondisclosure of a residential address, answer # 1, # 4, # 6 and # 8.
- SPOUSAL SEPARATION. If you are seeking only nondisclosure of information related to your spouse based upon a recent or pending divorce or separation, or because it relates to a bona fide separate property agreement or other bona fide separate status, answer # 1, # 4, # 7 and # 8. A request for nondisclosure may be considered when such financial interest does not constitute a present or prospective source of income for you.



1. **EMAIL AUTHORIZATION.** Check the box below to give the PDC permission to provide future correspondence about your request – including hearing orders – to you by email.

I authorize the PDC to provide future correspondence to me email rather than sending it through the U. S. mail.

Email address: jdurkan@mac.com

With copy to dburman@perkinscoie.com

2. **MODIFICATION REQUEST SUMMARY.** Describe the general nature of the information you do not wish to disclose. (Examples: financial interests where reporting the name would likely adversely affect the competitive position of an entity, customer lists of a business entity or sources of compensation/income for the entity, confidential relationships, information subject to bona fide separate property agreements, personal residential address, other).

Modification Request #1: Law Firm Compensation

I am requesting a modification of the requirements for reporting sources of compensation for a law firm along the lines of the modification provided for in Wash. Admin. Code § 390-28-100(1)(e)(i). I am a partner at Quinn Emanuel Urquhart & Sullivan, LLP and am requesting permission to disclose only reportable clients from whom compensation has been paid in excess of the reporting threshold in the following categories: (1) business and government clients for whom I or others in the Seattle office (the firm's only office in or within 500 miles of Washington State) have performed work; and (2) business and government clients with billing addresses in the State of Washington regardless of any connection to the Seattle office. I am not aware of any other clients of the law firm whose interests would be significantly affected by my actions should I be elected.

It would be an undue hardship 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. As explained below, the firm is composed of over 650 attorneys who work out of twenty one offices, in ten countries and on four continents. Attempting to compile this information would be an enormous burden and would not serve the underlying purpose of the Public Disclosure Act given the lack of connection of most of the firm's clients to my work in the Seattle office.

Modification Request #2: Personal Residence

I am additionally requesting a modification to the requirement to disclose the address of my personal residence as provided for in Wash. Admin. Code § 390-28-100(1)(d). I served as a United States Attorney for the Western District of Washington from October of 2009 until September of 2014. Due to my prior work as a federal prosecutor, there is a serious safety risk in disclosing the address of my personal residence. Therefore, I request that the PDC allow me to keep any description of the location of my personal residence confidential.

3. **UNREASONABLE HARDSHIP. Describe in detail the manifestly unreasonable hardship in disclosing the information.** Please describe in detail the reasons why you believe disclosing the information would be a hardship. The reasons stated should address the issues such as those listed below. Please address those topics below that are relevant to your specific request. For example, if you are seeking nondisclosure related to an entity, for each entity, please:

- Provide the name and description of the entity, business, union, association, not-for-profit, charitable organization, or other entity for which you are seeking a modification request from reporting the entity's disclosable customers/sources of compensation/income.

Quinn Emanuel Urquhart & Sullivan, LLP

- Describe the size of the entity such as annual sales, number of customers or accounts, the number of employees, and other pertinent information.

Quinn Emanuel is an international law firm with twenty one offices on four continents and in ten countries. The firm employs over 650 attorneys and is one of the 70 largest law firms in the United States. The Seattle office is only two years old and employs only three (one part-time) out of the over 650 lawyers.

- Describe how many business customers or other sources paying the entity more than \$12,000 would be subject to disclosure.

Hundreds, if not thousands.

- Describe if you have access to information about the entity's customer base or sources of compensation/income.

Access is very carefully controlled, but I can learn client names.

- Describe if you are involved with the day-to-day operations of the entity.

Not beyond the Seattle office, and only in a limited way there, as described below.

- Describe if any of the entity's customers or sources of compensation/income are already listed in other public sources or publications including advertisements, or public records.

Yes, some of the clients of the firm are listed on the firm's website or in other promotional materials. Clients are primarily disclosed in the individual attorney bios on the website, and it would be extremely difficult to go through all 650 of those and identify client names. The firm is primarily engaged in litigation, so many clients of the firm are also listed on public court records around the country and in other countries once a lawsuit is commenced. It would also be extraordinarily difficult to compile that information and it would risk invading the confidentiality of client representations that have not resulted in litigation. The attached Exhibit provides business and government clients that I or other members of the Seattle office of the law firm (the firm's only office in or within 500 miles of Washington State) have worked for and business and government clients with billing addresses in the State of Washington regardless of any connection to the Seattle office. There are no other clients of the law firm that I am aware of whose interests would be significantly affected by my actions should I be elected.

- Describe if any of the entity's customers or sources of compensation/income are already listed on a website.

See above.

- If the entity has a website address, list it here: <http://www.quinnemanuel.com/>
- If the entity's customers or sources of compensation/income are described elsewhere on the Internet, describe why you are seeking a modification (nondisclosure) for those customers or sources of compensation/income:

I do not have a full list of public websites where clients of the firm may be disclosed. The full list of publicly disclosed clients would be difficult to compile. My legal work while at the firm also bears no relation to the vast majority of these clients. Therefore, it would be an unreasonable hardship, and would not further the purpose of the Public Disclosure Act, for me to attempt to compile a full list of these clients.

[Note: along with other information provided in the Application Questionnaire, Internet information regarding entities/sources of compensation/income may be reviewed by PDC staff and/or the Commission as part of the modification process.]

- Describe if the entity has the ability to sort its customer list or sources of compensation/income to identify those paying the entity more than \$12,000 during the reporting period.

Yes, I could ask the accounting staff to identify such clients.

- Describe if you disclosed all of the governmental customers or governmental sources of compensation/income that paid the entity more than \$12,000 in the reporting period.

The attached Exhibit discloses all government clients for whom I or others in the Seattle office have performed legal work as well as governmental clients with billing addresses in the State of Washington regardless of any connection to the Seattle office. We have identified no Washington State government clients for whom others in the firm have done any work.

- Indicate whether you have an ownership interest of 10% or more in the entity.

No.

- Indicate whether your spouse's interest in an entity requires you to complete an F-1 Supplement for that entity.

Not applicable.

- Describe other relevant information you believe the Commission should consider as to why it would be a manifestly unreasonable hardship if the information was required to be disclosed.

As noted above, the Seattle office performs a very small amount of the total work performed by the firm as a whole, with only three out of over 650 firm lawyers working from that office. Attempting to compile a full list of all clients who paid the firm an amount above the reporting threshold and who are publicly disclosed somewhere would take an enormous amount of time and would result in disclosure of a large number of sensitive and often otherwise confidential relationships. The sensitive information would bear no relation to myself, my candidacy, or my potential future duties.



4. **NOT FRUSTRATE THE PURPOSES OF THE ACT.** Describe how allowing you to not disclose the information described in your modification request does not frustrate the purposes of the Public Disclosure Act.

As noted above, Quinn Emanuel is an international law firm and the Seattle office, like any small group of firm lawyers, performs only a small amount of the total work performed by the entity as a whole. I do not perform any legal work for, or have any involvement with, the vast majority of the firm's clients. In the general course of my standard practice I do not even have reason to know the identities of these clients. In seeking this modification, I am attempting to ensure full disclosure of the reportable clients with whom I have had any involvement with whatsoever while avoiding the unreasonable hardship that the standard reporting requirements would impose.



Washington

5. **DUTIES.** Describe your duties as an elected or appointed official. Please describe the jurisdiction or agency for which you hold public office, and the duties performed by you as a public official (examples: adopting rules or ordinances, hiring staff, approving contracts, setting policy, etc.). Please provide as much description as possible.

Not applicable.



6. **CUSTOMERS OR SOURCES OF COMPENSATION/INCOME.** If you are seeking a modification related to a particular entity's reportable customers or sources of compensation/income for an entity, describe:
- In detail the position you hold in the entity (examples: owner, board member, officer, partner, etc.) and the duties performed by you for that entity, if any (examples: setting policy, hiring, approving contracts, approving budgets, etc.). Please provide as much description as possible.

I am a partner in the Seattle office of the firm. Day to day management of the office is the responsibility of an administrator. I have no management role or ability to approve contracts for other offices.

- If you (or if you are seeking office, will you) make any decisions as a public official that may benefit the customers of the entity for which you are seeking a modification, or sources of compensation/income for the entity for which you are seeking a modification?

Clients whose interests could be significantly affected by my actions as Mayor, if elected, that I am aware of (if any) are disclosed in the attached Exhibit A.



7. **RESIDENTIAL ADDRESS.** Are you requesting to be exempted from disclosing the address of your personal residence in the Real Estate Section of the F-1? In this situation, you or your spouse may be a law enforcement officer, prosecutor, judge, or other official, and the disclosure of the address of your primary residence on the F-1 form could cause you or your family harm, based upon tangible evidence or a specific threat. If so, please explain in detail the **manifestly unreasonable hardship** if disclosure were required, and **why the purposes of the act would not be frustrated** if disclosure of the address was not required. If nondisclosure is based upon an anti-harassment or similar court order, please state.

I served as a United States Attorney for the Western District of Washington from October of 2009 until September of 2014. Due to this role, there is a serious safety risk in disclosing the address of my personal residence. Accordingly, my residence is part of the Address Confidentiality Program, a national program administered in Washington by the Secretary of State. See <https://www.sos.wa.gov/acp/>. I have disclosed all of the other requested information for the residence that is pertinent to meeting the goals of the Public Disclosure Act. It is only the location that I request to leave off the form for personal safety reasons. Therefore, I request that the PDC allow me to keep any description of the location of my personal residence confidential.



8. **SPOUSAL SEPARATION.** Are you requesting to be exempted from disclosing information related to your spouse based on a pending or recent divorce or separation, or bona fide separate property agreement or other bona fide separate status? In this situation, the filer has little or no knowledge of spouse's or former spouse's income, assets, liabilities or relationship to outside entities for which reporting may be required. (For example, do you file separate income tax returns?) The filer does not have access to spouse's or former spouse's financial information. The financial interest of the spouse or former spouse does not constitute a present or prospective source of income for the filer. If this is your situation, please describe.

Not applicable.



9. **OTHER INFORMATION.** Is there any other information you want the Commission to consider regarding your modification request? (If you are attaching any information or documents, please describe attachments.)

I am attaching an Exhibit of the clients of Quinn Emanuel that fall within the categories provided in #2 above.



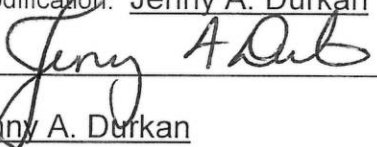
- **IF YOU WILL NOT BE ATTENDING THE HEARING IN PERSON OR BY PHONE TO ATTEST THE ABOVE INFORMATION AND RESPOND TO COMMISSION QUESTIONS, YOU MUST ALSO COMPLETE AND SIGN THE ATTACHED CERTIFICATION PRIOR TO SUBMISSION.**

**Certification for an Application for a
Reporting Modification or Suspension
When Applicant Is Waiving Personal Appearance
At the Hearing
(Notary Not Required)**

I am waiving my personal appearance at the hearing on my request for a reporting modification or suspension, and request the Commission to consider my written application. I certify (or declare) under penalty of perjury under the laws of the State of Washington that the facts set forth in the attached application for a reporting modification are true and accurate to the best of my actual knowledge or belief.

List the date of the application request: May 23, 2017

Entity or name of individual requesting reporting modification: Jenny A. Durkan

Your signature: 

Your printed name: Jenny A. Durkan

Business street address: 603 Stewart St. Suite 819

City, state and zip code: Seattle, WA 98101-1229

Telephone number: 206.905.7000.

E-Mail Address: _____

With copy to dburman@perkinscoie.com

Date Signed: May 23, 2017

Place Signed (City and County): Seattle King
City County

*RCW 9A.72.040 provides that: "(1) A person is guilty of false swearing if he makes a false statement, which he knows to be false, under an oath required or authorized by law. (2) False swearing is a gross misdemeanor."

IF YOU FAX OR SCAN AND SEND A COPY OF THIS SIGNED CERTIFICATION VIA E-MAIL TO THE PDC WITH YOUR MODIFICATION REQUEST, THE ORIGINAL MUST STILL BE PROVIDED. RETURN THE ORIGINAL OF THIS CERTIFICATION TO:

WASHINGTON STATE PUBLIC DISCLOSURE COMMISSION
711 Capitol Way Room 206
P.O. Box 40908
Olympia, WA 98504-0908
Attn: Reporting Modification Request

Jenny A Durkan
Modification Application Questionnaire
SEEC Exhibit A

Client Name	Purpose
Confederacion Sudamericana de Futbol (CONMEBOL)	Legal Services
Daimler AG	Legal Services
Dust Pro, Inc.	Legal Services
Esplanade Productions, Inc.	Legal Services
E*Trade Financial Corporation	Legal Services
FIFA	Legal Services
Google Inc.	Legal Services
Home Depot USA	Legal Services
IBM	Legal Services
Muckleshoot Indian Tribe	Legal Services
Port of Seattle	Legal Services
PPG Industries, Inc.	Legal Services
Rhapsody International	Legal Services
Rockefeller Family Fund	Legal Services
Spotify USA Inc.	Legal Services
State Farm Insurance Company	Legal Services
The Coca Cola Company	Legal Services
TV Eyes	Legal Services
Camp Korey	Legal Services
G to G Marysville	Legal Services
Icon Productions	Legal Services
iYogi Inc.	Legal Services
SearchTempest Online	Legal Services