Item #5
Council Candidate Bagshaw
request-to file a modified FIS

Application Questionnaire

Background Information

Filer Name: Sally G. Bagshaw

CITY OF SEATTLE
ETHICS AND ELECTIONS COMMISSION

Filer Office Held or Sought: Seattle City Council

DEC 30 2008

Date of Request: 12/19/2008

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Period Covered by Request: Initial F-1 Filing and all subsequent filings

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. **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).

Customer lists of the WH Bagshaw Company, in Nashua New Hampshire.

2. **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.

WH Bagshaw Company, Inc. One Pine Street, P.O. Box 766, Nashua NH 03060.

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

The Bagshaw Company is a small closely held family company with annual sales of approximately $3 million. It employs about 20 people at its only manufacturing facility which is in Nashua, New Hampshire.

- Describe how many business customers or other sources paying the entity more than $10,000 would be subject to disclosure.

I don't know. I have no involvement with this company.

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

I do not have access to this information. My husband is one of seven directors. He potentially has access but believes it would violate his fiduciary duty to the company to disclose this information in a public filing.

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

No, I am not. My husband is not either. He is one of seven directors and is the corporate secretary. His main role is to attend two meetings a year and to write up the minutes of those meetings. His total compensation from the company last year was $1,000, out of which he paid his expenses of traveling to New Hampshire for the annual meeting.

- 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.

The company has disclosed the identity of a few of its customers in advertising on its website. However, the identity of most customers is kept secret.

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

A few customers are disclosed on the company website.

  - If the entity has a website address, list it here: **http://www.whbagshaw.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:

Aside from a few customers who are disclosed on the website, the company's customer list is kept secret, and the extent of sales to those few identified customers is also kept secret. The Bagshaw Company has one direct competitor, the Dean Company of Connecticut. It would put the Bagshaw Company at a competitive disadvantage to the Dean Company if were to provide Dean with a list of its customers through public disclosure.

In addition, disclosure of the Bagshaw Company customer list would not serve the purposes of the Public Disclosure Act. The Bagshaw Company is a small New Hampshire company that sells pins and other pointed wire products to other manufacturers. It does not do business with the City of Seattle or in the State of Washington. I am involved with the Bagshaw Company only because my husband is a part-time director and has an interest through a family trust, in 5.5% of the company's stock, held as his separate property. I do not know any of the customers of the Bagshaw Company and even if I did, there is no possibility of that knowledge influencing my duties as a Seattle City Councilwoman.

[*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 $10,000 during the reporting period.

My husband tells me that the Bagshaw Company is able to do this.

- Describe if you disclosed all of the governmental customers or governmental sources of compensation/income that paid the entity more than $10,000 in the reporting period.

I don't know who the customers are so I do not know whether the company has any governmental customers, but I expect the answer is it has none. The Bagshaw Company makes pins and pointed wire products used primarily in the manufacture of other goods.

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

  I do not, nor does my husband.

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

It is my spouse's interest in the Bagshaw Company that requires the filing of the F-1 Supplement.

- 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.

If the Dean Company (the Bagshaw Company's direct competitor) were to get the Bagshaw Company's customer list it could directly market those customers to the disadvantage of the Bagshaw Company. This could cause substantial financial loss to the company.

3. **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.**

The Bagshaw Company is a small New Hampshire company that sells pins and other wire products to other manufacturers. It does not do business with the City of Seattle or in the State of Washington. I am not involved with the company in any direct way. I would file information about the Bagshaw Company only because my husband is a part-time director and has an interest, through a family trust, in 5.5% of the company's stock, held as his separate property. I do not know any of the customers of the Bagshaw Company and even if I did, there is no possibility of that knowledge influencing my duties as a Seattle City Councilwoman because the Bagshaw Company's business does not do business in this the City of Seattle or State of Washington. My husband's total compensation from the Bagshaw Company last year was $1,000, out of which he paid his expenses of traveling to New Hampshire for the annual meeting.

4. **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.

I am running for Seattle City Council. The position is primarily legislative, although when elected I will also have quasi-judicial duties involving controversial matters such as land use. Duties as an elected member of the Seattle city Council include considering and passing ordinances, acquiring and disposing of real property, borrowing money for city purposes, issuing bonds, improving streets and public places, making local improvements, constructing roads and maintaining bridges, acquiring and operating facilities for the drinking water supply, electricity production, making police regulations for public health and safety among others. I anticipate having limited administrative duties, and expect to be engaged in hiring personal and committee staff.

5. **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 have no role in the entity. My husband is one of seven directors, the corporate secretary and has a beneficial interest in 5.5% of the company's common stock as his separate property. He does not hire and fire workers, supervise employees, approve contracts, approve budgets or otherwise get involved in the day-to-day affairs of the company in any way. His principal duties are attending two annual meetings and writing up the minutes of those meetings. His total compensation from the company last year was $1,000, out of which he paid his expenses of traveling to New Hampshire for the annual meeting.

- 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?

I do not believe that I will make decisions that might benefit customers of this entity. I do not know who those customers are, and it is extremely unlikely that any of them have any business with the City of Seattle.

6. **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.

N.A.

7. **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.

N.A.

8. **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.)

In addition to the foregoing, my husband believes that he would violate his duties as a director of the Bagshaw Company if he were to obtain and disclose the customer list without a vote of a majority of the company's Board of Directors authorizing the disclosure. If the Board of Directors declines to authorize disclosure, I will not have access to the information and I will be unable to disclose.

- **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: December 20, 2008

Entity or name of individual requesting reporting modification: Sally G. Bagshaw

Your signature: SgBagshaw

Your printed name: Sally G. Bagshaw

Business street address: 1107 1st Avenue #1806

City, state and zip code: Seattle, WA 98101

Telephone number: (206) 669 - 4788

E-Mail Address: sally.bagshaw@gmail.com

Date Signed: 12/19/08

Place Signed (City and County): _____ _____

City of Seattle County of King

*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