

REQUEST TO CEASE AND DESIST

Elliott Grace Harvey
Committee to Recall Jenny Durkan
DBA Fire the Mayor
PO Box 31725
Seattle, WA 98103-1725

August 4, 2020

VIA Email (tim@tim4gov.com, esarah92@scattercreek.com, pete@tim4gov.com)
Cc: Certified Mail

Timothy Eyman
Governor Tim Eyman for WA State
Sarah Eckert, Ministerial Treasurer
Peter Chamberlain, Campaign Manager
PO Box 2107
Olympia, WA 98507

Re: Cease and Desist

Dear Mr. Eyman,

It has come to our attention that both you as an individual and your political campaign Governor Tim Eyman for WA State (“Eyman Campaign”) have, and continue to, fraudulently misrepresent campaign authority on behalf of the Committee to Recall Jenny Durkan (“Recall Durkan.”)

Fraudulent misrepresentation of campaign authority can be seen demonstrated on the Eyman Campaign website (tim4gov.com) dated Jul 23, 2020, as well as in multiple recorded interviews given by Mr. Eyman and in other media both internal and external to the Eyman Campaign. Mr. Eyman claims on many occasions to have personally, and through his campaign, “launched” Recall Durkan. Mr. Eyman additionally visibly demonstrates on camera collecting signatures on altered petitions and fraudulently solicits campaign contributions under the guise of supporting Recall Durkan. The Eyman Campaign has at no point contacted Recall Durkan for copyright permissions, permission for use of name or likeness of petitioners, or made any attempt to volunteer for the recall petition effort, and has therefore not been granted permission in ANY way to affiliate with or represent Recall Durkan.

Mr. Eyman and the Eyman Campaign have been found, in part, to be:

- Fraudulently misrepresenting campaign authority, claiming to have “launched” Recall Durkan in order to demonstrate action as a political candidate.

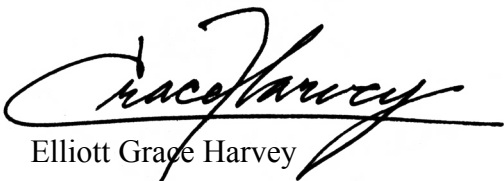
- Infringing on the copyright of Recall Durkan, stating in part, “RECALL DURKAN LAUNCHED,” “Fire Durkan,” and other uses of the Recall Durkan campaign name.
- Conducting fraudulent solicitation and collection of campaign contributions while claiming to be performing the work of a recall petition, including signature canvassing.
- Intentionally and maliciously altering a petition and distributing such petitions. The altered petition goes so far as to include the name of the actual Recall Durkan signers, including the undersigned.
- Interfering with the right of a legal voter to sign any recall petition by presenting voters with an invalid petition to sign, preventing such voters from signing a valid recall petition without fear of criminally signing a recall petition twice.

We hereby demand that you, within 3 business days of the date of this letter: remove all infringing content and claims to the Recall Durkan campaign from your website and affiliated media platforms, including but not limited to, videos, documents, petitions, text posts, and images. We additionally demand that you, within 5 business days of the date of this letter, destroy all physical copies of any fraudulent altered petition, flyers, and any other physical publication or document claiming to represent Recall Durkan or infringing on the copyright of Recall Durkan.

THEREFORE, you are hereby requested to immediately CEASE AND DESIST any further acts of fraudulent misrepresentation of campaign authority, copyright infringement, fraudulent solicitation of campaign contributions, interference with the right of a legal voter to sign a recall petition, interference with the integrity of the electoral process, and distribution of an altered petition. In future interviews, you will not claim to own, “launch,” collect signatures, or otherwise represent the Recall Durkan campaign.

If you do not cease and desist and remove all misrepresentations of Recall Durkan as requested within the above stated time periods, we will be forced to take appropriate legal action against you and we will seek all available damages and remedies.

Sincerely,

A handwritten signature in black ink, appearing to read "Elliott Grace Harvey". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Elliott Grace Harvey
Chair, Committee to Recall Jenny Durkan