

ALASKA LEGISLATURE COMMITTEE FILES 1997-1998 8672
9413 HOUSE RULES

49



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A handwritten signature in cursive script, appearing to read "P. H. [unclear]".

Signature of Camera Operator

10/5/99

Date

1997-1998
HOUSE RULES COMMITTEE
LIST OF FILES (PAGE 1)

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Note: 1997 files only. No files were received for 1998.

HOUSE RULES COMMITTEE HEARING ON
RECOMMENDATIONS REGARDING REPRESENTATIVE
JERRY SANDERS, 1-27-97 TO 2-4-97

HOUSE RULES MINORITY REPORT ON
"IN RE SANDERS" (H96-02), 2-5-97

REPORT OF THE HOUSE RULES COMMITTEE ON
"IN RE SANDERS" (H96-02), 2-4-97

SELECT COMMITTEE ON LEGISLATIVE ETHICS
DECISION H96-02 REGARDING REPRESENTATIVE
JERRY SANDERS, 11-15-96

SELECT COMMITTEE ON LEGISLATIVE ETHICS
HEARING TRANSCRIPT, 11-14-96

HB 51 - WATER QUALITY

HB 63 - MOTOR FUEL

HJR 14 - AMERICAN LAND SOVEREIGNTY
PROTECTION ACT

HR COMM...

HEARING

RECOMM...

J. SANDERS

1/27-2/4/97

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Copies of minutes listed below were originally included in this file. The minutes are available on the legislative computer database. In order to save space copies of minutes have not been left in the files.

Mary Pagenkopf

HOUSE RULES	1-29-97
HOUSE RULES	1-30-97
HOUSE RULES	1-31-97

MEMO FOR STATE HOUSE RULES COMMITTEE HEARING
ON RECOMMENDATIONS REGARDING REPRESENTATIVE JERRY SANDERS
1997

STATEMENT OF FACTS

On April 19, 1996, Mike Miller¹ filed a complaint with the House Ethics Committee, alleging that Rep. Sanders used State resources for private gain by writing a letter congratulating his constituents for voting in a straw poll. The Committee sat on these allegations for months until the approach of the 1996 election season, and finally issued formal charges which were served on Rep. Sanders on September 26, 1996. The Committee also refused formal requests for information from Rep. Sanders as allowed under AS 24.60.170(i). Ex. 1.

This was not the first time the Ethics Committee refused to cooperate in the discovery process. For example, in a prior matter, the Committee decided on its own that Rep. Sanders had misrepresented the Committee's findings. Without warning to him, or providing an opportunity to be heard, the Committee sent Rep. Sanders a letter demanding that he send a mailer to his constituents, at his expense, to "correct" his alleged misrepresentation.

Paradoxically, the Committee simultaneously cross-copied the Anchorage Daily News with its letter to Rep. Sanders, because it too wanted to "correct" Rep. Sanders'

¹ In 1994, Mike Miller ran unsuccessfully as a Democrat against Rep. Sanders for the House District Seat for District 19.

alleged misrepresentation. Rep. Sanders was puzzled why he was not given a chance to respond before the Committee took adverse action against him. Likewise he was puzzled as to why it wanted him to take curative action when it had already contacted the media for the same purpose.

For this reason, Rep. Sanders sent formal requests for information to the Committee, asking it to explain why he was not given an opportunity to respond before the Committee took action, and why it required him to send a letter to his constituents to "correct" their understanding, when the Committee had already gone to the media for the same purpose. Ex. 2.

The Committee refused to respond, claiming that it had closed the matter long ago. Yet if the case was closed, why did the Committee take action against Rep. Sanders and demand that he mail out a retraction? Ex. 3.

Besides the Committee, Mike Miller, the original complainant in this matter, also failed to cooperate in the discovery process. He and his roommate, Ernest Woods, (who claimed to have received the allegedly improper letter from Rep. Sanders), refused to answer discovery requests. Ex. 4.

Besides its failure to cooperate, the Committee engaged in irregular behavior which violated Rep. Sanders' civil rights.

In the first place, the Committee not only filed charges against him, but also ruled on the merits of those charges. Next, after receiving the 1996 complaint from Rep.

Sanders' unsuccessful opponent in the 1994 campaign, the Committee issued formal charges and a summons which required Rep. Sanders to file an answer within 10 days, whereas AS 24.60.170(h) is clearly *permissive*, and requires that the summons be served in manner consistent with the rules of civil procedure. Ex. 5. This means that Rep. Sanders, a State Employee, had at least 40 days to answer the complaint, if he chooses to do so. In this manner, the Committee completely disregarded Rep. Sanders' civil rights, and abused legal process by serving him with a summons that overstepped the Committee's authority.

As part of its irregular behavior, the Committee began an expedited course which gave Rep. Sanders no time to respond. On October 8, 1996, the Committee *faxed* a letter to Rep. Sanders' attorney announcing that it would choose a discovery master from a list of eleven names, and giving Rep. Sanders less than three days to provide input. Rep. Sanders requested a few more days to respond, which the Committee disregarded and which was futile in any event, since the Committee gave itself final say in the choice of a discovery master.

Michael White was named as an available discovery master on the list the Committee presented to Rep. Sanders. Unknown to Rep. Sanders at the time was the fact that Mr. White's law firm had been donating large sums of money to the Democratic party, and to Democratic candidates, and would continue to do so even after the Committee represented

that he was available to act as discovery master. Ex. 6. This arguably constitutes an ethics violation under AS 24.60.134.

Although the Committee's own attorney submitted two names, on October 11, 1996, the Committee chose instead someone else (Michael White) as discovery master, subject to the Committee's self appointed power to overrule any of his decisions.

Things then began to pick up even greater speed, without any showing that expedited consideration was warranted. On October 14, 1996, the discovery master, Mr. White, faxed a letter to the parties, which, without the courtesy of a phone call, announced a "status hearing" on October 16, (or if that was inconvenient, October 17). The letter also gave the parties barely four hours to advise as to a more convenient time, and indicated that it would be ruling on a number of substantive issues without briefing from the parties.

By close of business that day, Rep. Sanders' attorney filed a notice of change of judge and letter advising the discovery master, Michael White, that the week of October 14 was impossibly crowded for a status conference. The letter also advised of grounds for recusal for the discovery master, since the discovery master's firm recently received a substantial and adverse verdict from a judge who employed (as a clerk) the fiancee of Rep. Sander's attorney. Finally, the letter objected to the discovery master ruling

on substantive issues without affording the parties time to brief them.

Still unknown to Rep. Sanders at the time was the fact that Michael White, the Committee's hand-picked discovery and hearing master, had been contributing to democratic candidates up to the day before he signed his law firm's contract to work for the Committee. In addition, members of his firm continued to donate to Ethan Berkowitz, a democratic candidate, after the firm was employed with the Committee. Id. This arguably constitutes an ethics violation under AS 24.60.134. Moreover, if the very law firm assigned to act as discovery master and hearing officer is arguably committing ethical violations, then all of his rulings are tainted. At the very least, the discovery master, like the Committee, should have been above reproach and avoided even the appearance of impropriety.

These apparent ethical violations by the discovery and hearing master did not stop him from conducting an unwarranted expedited discovery schedule, (even though the Committee delayed for months to act on Mr. Miller's complaint). On October 15, 1996, the discovery master by fax deferred "ruling on the 'Notice of Change of Judge' to the Committee," and also deferred ruling on the issue of recusal for cause. That very same day the Committee, also by fax, denied the peremptory and "for cause" challenge, while at the same time noting that the Committee's role is fact finder, and the discovery master was to decide

procedural issues. (If the Committee was to decide factual matters, why did it have final say over the procedure for preempting the discovery master?)

Still that same day (October 15, 1996), and with no showing that expediting was necessary, the discovery master issued an order setting a status conference *after close of business* the next day. Rep. Sanders' attorney was barely able to inform the discovery master in time for the unilaterally set status conference that the week of October 14 was still just as crowded as it was when he previously asked for the professional courtesy of an extension the day before.

Disregarding professional courtesy of granting an extension, the discovery master forged ahead and early the next day (October 16) issued an order on a number of issues without affording the parties the opportunity to brief them.

Rep. Sanders had no choice but to file a Petition for Review to the Superior Court to decide whether Rep. Sanders did in fact have a right to preempt the discovery master as allowed by the Rules of Civil Procedure. The Superior Court set the matter on for a hearing to decide these issues, and on its own, raised the issue of whether the Committee had acted in accordance with the law in its treatment of Rep. Sanders. Ex. 7.

Yet the hearing never occurred, ironically because the Committee, which objected to Rep. Sanders use of a peremptory challenge, nevertheless availed itself of that

very right in the Superior Court, and requested a different judge once it learned that the Court wanted to know whether it broke the law. The matter was reassigned to a new judge, who declined to review the matter because he believed he lacked jurisdiction.

The Committee went on to hold a hearing and decide whether its allegations against Rep. Sanders were true. As is the case when anyone decides his own case,² the Committee concluded that it was right all along, and that Rep. Sanders was guilty, even though all of the evidence it relied on was hearsay and not based on personal knowledge. Mike Miller, the disgruntled and unsuccessful opponent of Rep. Sanders in the 1994 campaign, did not even testify, yet he was the one who filed the original complaint. Perhaps he did not testify because he could not explain why he refused to respond to Rep. Sanders' discovery requests.

During the hearing, the Committee's irregular behavior continued. The Committee's attorney revealed that the Committee's investigator had conducted an *ex parte* interview with Patricia Perez, even though the investigator knew she was represented by an attorney. See ex. 8, signed by Ms. Barnett before her *ex parte* interview with Ms. Perez, and which lists her address "c/o Lester Syren" in answer to interrogatory number 3. (Note also that in the same answer, the Committee listed Mr. Woods and Mr. Miller as witnesses

² Cf. Legal proceedings in the former Soviet Union and mock trials of dissidents in Communist China.

it intended to call at the hearing. The Committee never did call them to testify.)

By the end of a two day hearing, the Committee spent over \$24,000.00 to decide that Rep. Sanders should reimburse the State of Alaska for \$72.00. Ex. 9. This, despite an exception in the Statute for "nominal value."

Meanwhile, in June, 1996, Gov. Knowles sent a partisan message to longevity bonus check recipients. Ex. 10. The latest Permanent Fund Dividend applications contain yet another partisan message. Id. The Committee knew about the longevity bonus remarks by Gov. Knowles, but ignored them.

The hearing process was doomed from the start since the Committee was both accuser and judge of its accusations. This is not the fault of the Committee, but rather the fault of the Statute. Besides the inherently unreliable process, the discovery and hearing master arguably committed ethical violations in the form of contributions to democratic candidates while his law firm held itself out for employment with the Committee. The Committee itself trampled on Rep. Sanders' civil rights, and engaged in unethical *ex parte* communication with witnesses known to be represented by an attorney. Before considering the inherently unreliable recommendations of the Committee, the Rules Committee holds its own hearing so that the full House of Representatives can make an informed decision.

AREAS OF INQUIRY:

1. WHETHER THE ETHICS COMMITTEE PROCESS IS INHERENTLY UNFAIR AND DENIES DEFENDANTS DUE PROCESS AND EQUAL PROTECTION UNDER THE LAW.

WITNESSES: COMMITTEE MEMBERS
REP. SANDERS

2. WHETHER THE ETHICS COMMITTEE VIOLATED THE LAW BY ISSUING A SUMMONS WHICH REQUIRED AN ANSWER INSTEAD OF PERMITTED AN ANSWER BY AN ACCUSED.

WITNESSES: MARGIE MACNEILLE
OTHER COMMITTEE MEMBERS
REP. SANDERS

3. WHETHER THE ALLEGED VIOLATION IN THIS CASE WAS IN FACT NOMINAL WHEN COMPARED TO THE AMOUNT SPENT BY THE COMMITTEE TO PROSECUTE THIS MATTER.

WITNESSES: COMMITTEE MEMBERS
REP. SANDERS

4. WHETHER THE TIMING OF THE COMMITTEE'S PROCESS IS SUSPECT.

WITNESSES: COMMITTEE MEMBERS
REP. SANDERS

5. WHETHER THE PUBLIC COMMITTEE MEMBERS, ITS EMPLOYEES OR CONTRACTORS HAVE VIOLATED AS 24.60.134 BY CONTRIBUTING TO THE CAMPAIGN OF A CANDIDATE WHILE SERVING THE ETHICS PANEL.

SUBPOENA: BILLING RECORDS OF MICHAEL WHITE
CONTRIBUTION RECORDS OF DEMOCRATIC PARTY

CONTRIBUTION RECORDS OF REP. ETHAN BERKOWITZ

CONTRIBUTION RECORDS OF PAT ABNEY

WITNESSES: MICHAEL WHITE

LES GARA

REP. ETHAN BERKOWITZ

PAT ABNEY

DEBORA BONITO

MARGIE MAC NEILLE

6. WHETHER THE COMMITTEE VIOLATED THE LAW IN ITS TREATMENT OF REP. SANDERS. (SUMMONS, EX PARTE CONTACT WITH PERSON KNOWN TO BE REPRESENTED BY AN ATTORNEY)

WITNESSES: COMMITTEE MEMBERS

REP. SANDERS

7. WHETHER THE COMMITTEE FAILED TO COOPERATE IN THE DISCOVERY PROCESS IN THIS AND OTHER ETHICS INVESTIGATIONS.

SEE ATTACHED DISCOVERY

RECOMMENDATIONS:

1. SEPARATE ACCUSER AND JUDGE OF MERITS OF ACCUSATIONS.
2. MORATORIUM ON ANY ACTIVITY BY ETHICS COMMITTEE WITHIN 90 DAYS OF AN ELECTION.
3. RULES OF EVIDENCE AND CIVIL PROCEDURE APPLY OVER COMMITTEE'S OWN PROCEDURES.
4. STANDARD OF PROOF: BEYOND A REASONABLE DOUBT.
5. ALL DECISIONS APPEALABLE TO SUPERIOR COURT.
6. IN LIGHT OF INHERENTLY UNRELIABLE COMMITTEE PROCESS, DISREGARD RECOMMENDATIONS OF COMMITTEE.

SELECT COMMITTEE ON LEGISLATIVE ETHICS

ANCHORAGE, ALASKA

The House Subcommittee of the)
Select Committee on Legislative)
Ethics,)
)
Charger,)
)
v.)
)
Representative Jerry Sanders,)
)
Respondent.)

Case No. H96-02

RESPONSES TO REPRESENTATIVE SANDERS SECOND REQUEST
FOR PRODUCTION PROPOUNDED TO MARGIE MAC NEILLE

COMES NOW Jerry Sanders, by and through his attorney,
Lester K. Syren, and propounds the following Requests for
Production to Margie Mac Neille. Pursuant to Rules 26 and 34 of
the Alaska Civil Rules and Procedure, AS 24.60.170(I), AS
36.30.530, AS 44.62.310 and .312, you shall answer each of the
following request for production, in writing, separately, in the
fullest detail possible, and in accordance with the definitions
and instructions as set forth in ARCP 26 and 34. A copy of the
answers together with your objections, if any, shall be served no
later than 30 days after the service upon you.

Your are under a duty to amend a prior response if you
obtain information on the basis of which you know or have reason

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to know that the response was incorrect or misleading when made, or that the response, though correct when made, is no longer true, and the circumstances are such that failure to amend the response is, in substance, knowing concealment.

DEFINITIONS

The following definitions shall be controlling for the purposes of these requests for productions.

As used herein, the terms "you", "your", or "yourself" refer to Margie Mac Neille, and each of her agents, executors, representatives, and attorneys, and each person acting or purporting to act on her behalf.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among two or more persons.

INSTRUCTION

With respect to each request for production, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each request for production and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the manner and date of the disposition of the document.

If you claim objection to any document or to any request for production on the grounds that it is privileged, please state a) the basis for your contention that the information is privileged, b) a means of identification of the document, c) the date of the document, d) the name, address, and relationship of the person who prepared the document, e) the name, address, and relationship to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

GENERAL OBJECTIONS

The House Subcommittee of the Select Committee on Legislative Ethics objects to these requests for production propounded herein if respondent intended to propound them to one member of the subcommittee. These requests for production will therefore be treated as though propounded to the whole subcommittee. The Subcommittee further objects and does not answer these requests for production because they are irrelevant to the subject complaint, burdensome, immaterial, and not likely to lead to the discovery of admissible evidence. In other words these requests for production have nothing to do with the charges against Representative Sanders.

REQUEST FOR PRODUCTION NO. 1: Please produce any item identified in the interrogatories served herewith, and in your answers thereto. This request includes but is not limited to document as defined above, as well as phone logs, journals, diaries, e-mail, faxes, and any other memoranda.

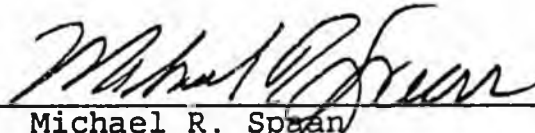
RESPONSE: See general objections.

REQUEST FOR PRODUCTION NO. 2: Please produce any item related to this matter.

RESPONSE: See general objections.

DATED this 11th day of October, 1996, at Anchorage, Alaska.

BOGLE & GATES, P.L.L.C.
Attorneys for the House Subcommittee of the
Select Committee on Legislative Ethics

By: 
Michael R. Span

This is to certify that on the
11 of October, 1996, a true
and correct copy of this document
was hand delivered/mailed/faxed
to:

Lester K. Syren, Esq.
Law Offices of Lester K. Syren
1351 Huffman Road, Suite 2A
Anchorage, Alaska 99501



SELECT COMMITTEE ON LEGISLATIVE ETHICS

ANCHORAGE, ALASKA

RECEIVED

OCT 11 1996

LAW OFFICE OF
LESTER K. SYREN

Margie MacNeille, on behalf of)
the House Subcommittee of the)
Select Committee on Legis-)
lative Ethics,)

Complainant,)

vs.)

Representative Jerry Sanders,)

Respondent.)

Complaint No.: H96-02

RESPONSES TO REPRESENTATIVE SANDERS SECOND SET OF
INTERROGATORIES PROPOUNDED TO MARGIE MAC NEILLE

COMES NOW Jerry Sanders, by and through his attorney, Lester K. Syren, and propounds the following Interrogatories to Margie Mac Neille. Pursuant to Rules 26 and 34 of the Alaska Civil Rules and Procedure, AS 24.60.170(I), AS 39.35.080, AS 36.30.530, AS 44.62.310 and .312, you shall answer each of the following interrogatories under oath, in writing, separately, in the fullest detail possible, and in accordance with the definitions and instructions as set forth in ARCP 26 and 34. The answers shall be signed by Margie Mac Neille, and a copy of the answers together with your objections, if any, shall be served no later than 30 days after the service upon you.

BOGLE & GATES
P.L.L.C.
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EXHIBIT 1

Page 6 of 16

You are further under a duty to reasonably supplement your responses with respect to any interrogatory directly addressed to (1) the identity and location of persons having knowledge of discoverable matters, and (2) the identity of each person expected to be called as an expert witness at trial, the subject matter on which he or she is expected to testify, and the substance of his or her testimony. In addition, you are under a duty to amend a prior response if you obtain information on the basis of which you know or have reason to know that the response was incorrect or misleading when made, or that the response, though correct when made, is no longer true, and the circumstances are such that failure to amend the response is, in substance, knowing concealment.

DEFINITIONS

The following definitions shall be controlling for the purposes of these interrogatories.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultants, agreement, and other understandings between or among two or more persons.

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RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
PROPOUNDED TO MARGIE MAC NEILLE
PAGE - 2 -

EXHIBIT 1
Page 7 of 116

INSTRUCTION

With respect to each interrogatory, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each interrogatory and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the manner and date of the disposition of the document.

If you claim objections to any document or to any interrogatory on the grounds that it is privileged, please state a) the basis for your contention that the information is privileged, b) a means of identification of the document, c) the date of the document, d) the name, address, and relationship of the person who prepared the document, e) the name, address, and relationship to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

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RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
PROPOUNDED TO MARGIE MAC NEILLE
PAGE - 3 -

EXHIBIT 1
Page 8 of 16

GENERAL OBJECTIONS

The House Subcommittee of the Select Committee on Legislative Ethics objects to each and every interrogatory propounded herein if respondent intended to propound interrogatories on one member of the subcommittee. These interrogatories will therefore be treated as though propounded to the whole subcommittee. The Subcommittee further objects and does not answer these interrogatories because they are irrelevant to the subject complaint, burdensome, immaterial, and not likely to lead to the discovery of admissible evidence. In other words, these interrogatories have nothing to do with the charges against Representative Sanders.

INTERROGATORY NO. 1: Please identify by name, address, and phone number each and every person who assisted in any way with the letter dated September 28, 1995 (hereinafter Letter), addressed to Representative Jerry Sanders, and signed by Ms. Margie Mac Neille.

RESPONSE: See general objections.

INTERROGATORY NO. 2: Please identify by place, time, and persons present each and every meeting and/or conversation of two or more people in which the Letter and/or Representative Sanders were discussed in any way since February 1, 1995. This interrogatory includes but is not limited to any and all phone conversations or other communication between two or more persons.

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RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
PROPOUNDED TO MARGIE MAC NEILLE
PAGE - 4 -

EXHIBIT 1
Pg 9 of 16

For each meeting and/or conversation, please identify:

a) whether and to what extent any notice was provided, including but not limited to by whom, to whom, and in what manner the notice was provided;

b) the authority under which the meeting/conversation was held;

c) whether and to what extent notes, diaries, minutes, or other memoranda were made at any meeting/conversation;

d) the person(s) in possession of said notes, diaries, minutes, or other memoranda identified in Interrogatory 2(c).

RESPONSE: See general objections.

INTERROGATORY NO. 3: Please explain why you sent the Letter to the media without providing Representative Sanders an opportunity to be heard beforehand.

RESPONSE: See general objections.

INTERROGATORY NO. 4: Please identify under what policies, and/or authority the Letter was drafted, finalized, and publicized to the media.

RESPONSE: See general objections.

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RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
PROPOUNDED TO MARGIE MAC NEILLE
PAGE - 5 -

EXHIBIT 1

FILED 10 16

INTERROGATORY NO. 5: Please explain why you did not provide Representative Sanders an opportunity to be heard before you sent the Letter to him.

RESPONSE: See general objections.

INTERROGATORY NO. 6: Please state whether you acted alone or in conjunction with others in writing and issuing the Letter.

If you acted with others, please identify each and every person by name, address, and phone number, and describe in detail each and every contact with those person(s), the content of your conversations, whether notes or other memoranda were kept, who kept them, and who possesses them now.

RESPONSE: See general objections.

INTERROGATORY NO. 7: Please explain how you learned that "the members of the subcommittee...[were] offended," and that "the subcommittee feels very strongly that [Representative Sanders] should correct or retract" certain items in his newsletter. Letter at page 1 and 2.

Please describe in detail exactly how you obtained this information, identifying by name, address, and phone number each and every person contacted.

RESPONSE: See general objections.

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RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
PROPOUNDED TO MARGIE MAC NEILLE
PAGE - 6 -

11 16

INTERROGATORY NO. 8: Please explain why you sent the Letter to "assist [you] in correcting the public's understanding of [Representative Sander's] case" but also directed Representative Sanders to "correct or retract [alleged misstatements of fact] in [Representative Sander's] next newsletter." Letter at page 2.

In particular, please state:

a) whether at the time you sent the Letter to the media, you believed it would be successful in "correcting the public's understanding" and how that success would be measured.

b) why, if you believed the Letter would be successful, you directed Representative Sanders to "correct or retract" as well.

c) why, if you believed the Letter would not be successful or did not know whether it would be successful in correcting the public's understanding, the Letter was sent to the media.

d) whether the Letter was successful in correcting the public's understanding, and how that success was measured.

RESPONSE: See general objections.

INTERROGATORY NO. 9: Please state whether you intend to take further action without providing Representative Sanders an opportunity to be heard.

RESPONSE: See general objections.

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RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
PROPOUNDED TO MARGIE MAC NEILLE
PAGE - 7 -

12 16

INTERROGATORY NO. 10: Please describe in detail the "options available to [you]" referenced on page 2 of the Letter.

RESPONSE: See general objections.

INTERROGATORY NO. 11: Please describe in detail the entire contents of your conversations with Shelia Toomey since November 1994.

a) in particular please state whether you told Shelia Toomey that "the panel could decide to reopen the case against Sanders," or words to that effect. If you did say words to that effect, please explain why you did not tell Representative Sanders this in the Letter.

b) whether you told Shelia Toomey that your options "start with talking to a lawyer," or words to that effect. If so, please explain why you did not tell Representative Sanders this in the Letter.

RESPONSE: See general objections.

INTERROGATORY NO. 12: Please describe in detail the entire contents of your conversation(s) with Shelia Toomey since November 1, 1994. In particular, please state whether you said:

(1) Representative Sander's apology was "minimal," and what you meant by the use of that term, and the facts and circumstances on which you based your statement.

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RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
PROPOUNDED TO MARGIE MAC NEILLE
PAGE - 8 -

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(2) "I think some committee member were irritated at the tone of his apology," and identified by name, address, and phone number who was irritated and why, and the facts and circumstances on which you based your statement.

(3) "it was a unanimous feeling from the committee that he had not lived up to his responsibility," and describe in detail how and when you obtained this information, and the facts and circumstances giving rise to your opinion.

(4) "the committee felt it was slapped in the face," and if so, whether you believe Representative Sanders has committed any ethics violations since February 1, 1995. Also please include a description of all facts and circumstances upon which you relief for your opinion.

RESPONSE: See general objections.

INTERROGATORY NO. 13: Please describe in detail the contents of any and all conversations you had with Shelia Toomey since November 1, 1994, including but not limited to where, when, and for how long the conversation occurred, whether you or anyone else took notes, and whether anyone else was present.

RESPONSE: See general objections.

INTERROGATORY NO. 14: Please state whether you told Shelia Toomey "I think it was an insult," or words to that effect, and if

BOGLE & GATES
P.L.L.C.

A Professional Limited
Liability Company

Suite
100, 4th Avenue
Anchorage, AK 99501
(907) 276-4557

RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
PROPOUNDED TO MARGIE MAC NEILLE
PAGE - 9 -

14 16

so, please describe in detail the facts or circumstances which gave rise to your opinion.

RESPONSE: See general objections.

INTERROGATORY NO. 15: Please identify by name, address, and phone number the identity of the person or persons who brought the March issue of Representative Sander's legislative newsletter to the attention of the subcommittee. Please describe in detail in what manner it was reported, i.e., whether informally or as a properly sworn complaint.


RESPONSE: See general objections.

INTERROGATORY NO. 16: Please identify any ethics charges brought by anyone, including the Ethics Committee or subcommittees against Representative Sanders prior to taking curative action by mailing the Letter to the media.

RESPONSE: See general objections.

DATED this 11th day of October, 1996, at Anchorage, Alaska.

BOGLE & GATES, P.L.L.C.
Attorneys for the House Subcommittee of the
Select Committee on Legislative Ethics

By: 
Michael R. Spain

BOGLE & GATES
P.L.L.C.
A Professional Limited
Company

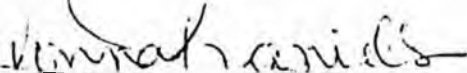
St. J
1031 West 4th Avenue
Anchorage, AK 99501
(907) 276-1557

RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
PROPOUNDED TO MARGIE MAC NEILLE
PAGE - 10 -

15¹ 16

This is to certify that on the
11 of October, 1996, a true
and correct copy of this document
was hand delivered/mailed/faxed
to:

Lester K. Syren, Esq.
Law Offices of Lester K. Syren
1351 Huffman Road, Suite 2A
Anchorage, Alaska 99501


Kenneth Sanders

BOGLE & GATES
PLLC.

A Professional Limited
Company

St. J
1031 West 4th Avenue
Anchorage, AK 99501
(907) 276-4557

RESPONSES TO REPRESENTATIVE SANDERS
SECOND SET OF INTERROGATORIES
PROPOUNDED TO MARGIE MAC NEILLE
PAGE - 11 -

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**ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS**

COMPLAINT H 94-03

REPRESENTATIVE SANDERS FIRST SET OF INTERROGATORIES

COMES NOW Jerry Sanders, by and through his attorney, Lester K. Syren, and propounds the following Interrogatories to Margie Mac Neille, Jim Donahue, Representative Cynthia Toohey, Representative Jerry Mackie, Senator Jim Duncan, Senator Drue Pearce, Shirley McCoy, Ed Granger, and Edith Vorderstrasse. Pursuant to Rules 26, 33, and 34 of the Alaska Civil Rules and Procedure and AS 24.60.170(I), you shall answer each of the following interrogatories under oath, in writing, separately, in the fullest detail possible, and in accordance with the definitions and instructions as forth in ARCP 26 and 34. The answers shall be signed by Margie Mac Neille, Representative Cynthia Toohey, and Representative Jerry Mackie, and a copy of the answers together with your objections, if any, shall be served no later than 30 days after the service upon you.

You are further under a duty to reasonably supplement your responses with respect to any interrogatory directly addressed to (1) the identity and location of persons having knowledge of discoverable matters, and (2) the identity of each person expected to be called as an expert witness at trial, the subject matter on which he or she is expected to testify, and the substance of his or her testimony. In addition, you are under a duty to amend a prior response if you obtain information on the basis of which you know or have reason to know that the response was incorrect or misleading when made, or that the response, though correct when made, is no

longer true, and the circumstances are such that failure to amend the response is, in substance, knowing concealment.

DEFINITIONS

The following definitions shall be controlling for the purposes of these interrogatories.

As used herein, the terms "you", "your", or "yourself" refer to Plaintiff and each of you agents, executors, representatives, and attorneys, and each person acting or purporting to act on your behalf.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among two or more persons

INSTRUCTION

With respect to each interrogatory, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each interrogatory and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the

manner and date of the disposition of the document.

If you claim objections to any document or to any interrogatory on the grounds that it is privileged, please state a) the basis for your contention that the information is privileged, b) a means of identification of the document, c) the date of the document, d) the name, address, and relationship of the person who prepared the document, e) the name, address, and relationship to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

Interrogatory No. 1: Please identify by name, address, and phone number each and every person who assisted in any way with the letter dated September 28, 1995 (hereinafter Letter), addressed to Representative Jerry Sanders, and signed by Ms. Margie Mac Neille.

Interrogatory No. 2: Please identify by place, time, and persons present each and every meeting and/or conversation of two or more people in which the Letter and/or Representative Sanders were discussed in any way since February 1, 1995. This interrogatory includes but is not limited to any and all phone conversations or other communication between two or more persons.

For each meeting and/or conversation, please identify:

- a) whether and to what extent any notice was provided, including but not limited to by whom, to whom, and in what manner the notice was provided;
- b) the authority under which the meeting/conversation was held;
- c) whether and to what extent notes, diaries, minutes, or other memoranda were made at any meeting/conversation;
- d) the person(s) in possession of said notes, diaries, minutes, or other memoranda

identified in Interrogatory 2(c).

Interrogatory No. 3: Please explain why you sent the Letter to the media without providing Representative Sanders an opportunity to be heard beforehand.

Interrogatory No. 4: Please identify under what policies, procedures, and/or authority the Letter was drafted, finalized, and publicized to the media.

Interrogatory No. 5: Please explain why you did not provide Representative Sanders an opportunity to be heard before you sent the Letter to him.

Interrogatory No. 6: Please state whether you acted alone or in conjunction with others in writing and issuing the Letter.

If you acted with others, please identify each and every person by name, address, and phone number, and describe in detail each and every contact with those person(s), the content of your conversations, whether notes or other memoranda were kept, who kept them, and who possesses them now.

Interrogatory No. 7: Please explain how you learned that "the members of the subcommittee...[were] offended," and that "the subcommittee feels very strongly that [Representative Sanders] should correct or retract" certain items in his next newsletter. Letter at page 1 and 2.

Please describe in detail exactly how you obtained this information, identifying by name, address, and phone number each and every person contacted.

Interrogatory No. 8: Please explain why you sent the Letter to the media to "assist [you] in correcting the public's understanding of [Representative Sander's] case" but also directed Representative Sanders to "correct or retract [alleged misstatements of fact] in [Representative

Sander's] next newsletter." Letter at page 2.

In particular, please state:

- a) whether at the time you sent the Letter to the media, you believed it would be successful in "correcting the public's understanding" and how that success would be measured.
- b) why, if you believed the Letter would be successful, you directed Representative Sanders to "correct or retract" as well.
- c) why, if you believed the Letter would not be successful or did not know whether it would be successful in correcting the public's understanding, the Letter was sent to the media.
- d) whether the Letter was successful in correcting the public's understanding, and how that success was measured.

Interrogatory No. 9: Please state whether you intend to take further action without providing Representative Sanders an opportunity to be heard.

Interrogatory No. 10: Please describe in detail the "options available to [you]" referenced on page 2 of the Letter.

Interrogatory No. 11: Please describe in detail the entire contents of your conversations with Sheila Toomey since November 1994.

- a) in particular please state whether you told Sheila Toomey that "the panel could decide to reopen the case against Sanders," or words to that effect. If you did say words to that effect, please explain why you did not tell Representative Sanders this in the Letter.

b) whether you told Sheila Toomey that your options "start with talking to a lawyer," or words to that effect. If so, please explain why you did not tell Representative Sanders this in the Letter.

Interrogatory No. 12: Please describe in detail the entire contents of your conversation(s) with Sheila Toomey since November 1, 1994. In particular, please state whether you said:

(1) Representative Sander's apology was "minimal," and what you meant by the use of that term, and the facts and circumstances on which you based your statement.

(2) "I think some committee members were irritated at the tone of his apology." and identify by name, address, and phone number who was irritated and why, and the facts and circumstances on which you based your statement.

(3) "it was a unanimous feeling from the committee that he had not lived up to his responsibility," and describe in detail how and when you obtained this information, and the facts and circumstances giving rise to your opinion.

(4) "the committee felt it was slapped in the face," and if so, whether you believe Representative Sanders has committed any ethics violations since February 1, 1995. Also please include a description of all facts and circumstances upon which you relied for your opinion.

Interrogatory No. 13: Please describe in detail the contents of any and all conversations you had with Sheila Toomey since November 1, 1994, including but not limited to where, when, and for how long the conversation occurred, whether you or anyone else took notes, and whether anyone else was present.

Interrogatory No. 14: Please state whether you told Sheila Toomey "I think it was an insult," or words to that effect, and if so, please describe in detail the facts or circumstances which gave rise to your opinion.

Interrogatory No. 15: Please state whether you participated in political management and/or in a political campaign by attending and speaking to candidates at the Campaign Candidates Seminar held on November 11 and 12, 1995, at the Holiday Inn of Anchorage.

Interrogatory No. 16: Please identify by name, address, and phone number the identity of the person or persons who brought the March issue of Representative Sander's legislative newsletter to the attention of the subcommittee. Please describe in detail in what manner it was reported, i.e., whether informally or as a properly sworn complaint.

Interrogatory No. 17: Please identify any ethics charges brought by anyone, including the Ethics Committee or subcommittees against Representative Sanders prior to taking curative action by mailing the Letter to the media.

DATED November 16, 1995, at Anchorage, Alaska.

Lester K. Syren, Attorney for Representative Sanders

VERIFICATION

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

I, _____, being first duly sworn, deposes and says:
1. I am the person above named.

2. I have read the foregoing and understand the contents thereof;
3. I have answered the Interrogatories and have signed said Interrogatories freely and voluntarily for the purposes set forth therein;
4. I verify that the information provided in response to these discovery requests are true and complete to the best of my knowledge and belief;
5. I verify that I have produced all the information known to me at this time and that I am under an obligation to update and supplement my responses in the future if any answer is found to be incorrect or I gain additional information which would change the answer.

DATED this ____ day of November, 1995.

_____*

SUBSCRIBED AND SWORN TO before me, this __th day of _____, 1995.

 Notary for the State of Alaska
 My Commission Expires:

CERTIFICATION OF SERVICE

This is to certify that on November 16, 1995 a true and correct copy of this document was sent by messenger to

Margie Mac Neille, Chair of House Subcommittee
 c/o Select Committee on Legislative Ethics
 PO Box 101468
 Anchorage, AK 99510

Shirley McCoy

Representative Cynthia Toohy
 Select Committee on Legislative Ethics
 PO Box 101468
 Anchorage, AK 99510

Ed Granger

Representative Jerry Mackie
 Select Committee on Legislative Ethics
 PO Box 101468
 Anchorage, AK 99510

Edith Vorderstrasse

Joe Donahue, Chair of House Subcommittee
 Select Committee on Legislative Ethics
 PO Box 101468
 Anchorage, AK 99510

Senator Jim Duncan

Senator Drue Pearce

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By _____
LAW OFFICES OF LESTER K. SYREN

CUSANDERS SR INTER GEN

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**ALASKA STATE LEGISLATURE
SELECT COMMITTEE ON LEGISLATIVE ETHICS**

COMPLAINT H 94-03

**REPRESENTATIVE SANDERS FIRST REQUEST FOR PRODUCTION
PROPOUNDED TO MARGIE MAC NEILLE, JIM DONAHUE, REPRESENTATIVE
JERRY MACKIE, SENATOR JIM DUNCAN, SENATOR DRUE PEARCE, SHIRLEY
MCCOY, ED GRANGER, AND EDITH VORDERSTRASSE**

COMES NOW Jerry Sanders, by and through his attorney, Lester K. Syren, and propounds the following Request for Production to Margie Mac Neille, Jim Donahue, Representative Jerry Mackie, Senator Jim Duncan, Senator Drue Pearce, Shirley McCoy, Ed Granger, and Edith Vorderstrasse. Pursuant to Rules 26 and 34 of the Alaska Civil Rules and Procedure, AS 24.60.170(I), AS 39.25.080, AS 36.30.530, AS 44.62.310 and 312, you shall answer each of the following requests for production, in writing, separately, in the fullest detail possible, and in accordance with the definitions and instructions as set forth in ARCP 26 and 34. A copy of the answers together with your objections, if any, shall be served no later than 30 days after the service upon you.

You are under a duty to amend a prior response if you obtain information on the basis of which you know or have reason to know that the response was incorrect or misleading when made, or that the response, though correct when made, is no longer true, and the circumstances are such that failure to amend the response is, in substance, knowing concealment.

DEFINITIONS

The following definitions shall be controlling for the purposes of these requests for productions.

As used herein, the terms "you", "your", or "yourself" refer to Margie Mac Neille, Jim Donahue, Representative Jerry Mackie, Senator Jim Duncan, Senator Drue Pearce, Shirley McCoy, Ed Granger, And Edith Vorderstrasse, and each of their agents, executors, representatives, and attorneys, and each person acting or purporting to act on their behalf.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among two or more persons

INSTRUCTION

With respect to each request for production, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each request for production and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the manner and date of the disposition of the document.

If you claim objection to any document or to any request for production on the grounds that it is privileged, please state a) the basis for your contention that the information is privileged,

b) a means of identification of the document, c) the date of the document, d) the name, address, and relationship of the person who prepared the document, e) the name, address, and relationship to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

Request for Production No. 1: Please produce any item identified in the interrogatories served herewith, and in your answers thereto. This request includes but is not limited to documents as defined above, as well as phone logs, journals, diaries, e-mail, faxes, and any other memoranda.

Request for Production No. 2: Please produce any item related to this matter.

DATED November 22, 1995, at Anchorage, Alaska.

Lester K. Syren, Attorney for Representative Sanders

CERTIFICATION OF SERVICE

This is to certify that on November 22, 1995
a true and correct copy of this document was
sent by messenger to

Margie Mac Neille, Chair of House Subcommittee
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

Representative Cynthia Toohey
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

Representative Jerry Mackie
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

Joe Donahue, Chair of House Subcommittee
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

Senator Druce Pearce
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

Shirley McCoy
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

Ed Granger
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

Edith Vorderstrasse
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

Senator Jim Duncan
Select Committee on Legislative Ethics
PO Box 101468
Anchorage, AK 99510

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Law offices of

Lester K. Syren

National Bank of Alaska Building
Huffman Road at Seward Highway

1361 Huffman Road, Suite 2A

Anchorage, Alaska 99515

Tel: (907) 345-3111

Fax: (907) 345-3459

January 2, 1995 ^{1/2/96 4:40pm}

Mr. Michael R. Spaan
Bogle and Gates
1031 West 4th Avenue
Anchorage, Alaska 99501

VIA FAX: 276-4152

Dear Mr. Spaan:

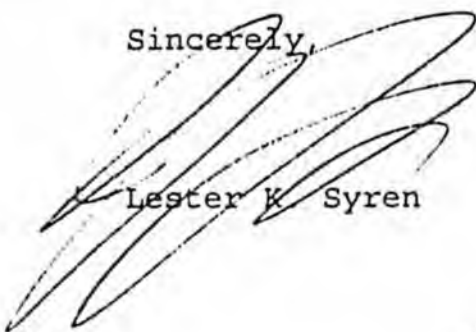
Thank you for your letter dated December 22, 1995, and received in our office on December 26, 1995.

Your letter represents that the investigation is closed, but that the subject of my client's voluntary compliance is on the public agenda for the Committee's next meeting on January 9, 1996. I also note that you welcomed my client to attend, but did not give a specific time or place.

My client needs complete responses to the discovery requests, not only to prepare for the meeting, but also to defend against the continued investigation, which must be ongoing. Otherwise, the Committee would not have scheduled a meeting.

If I do not receive complete responses to all of the discovery requests by close of business, January 5, 1996, I will be forced to file a motion to compel. I will also request an award of attorney's fees. Thank you for passing this information on to your client.

Sincerely,


Lester K. Syren

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L. K. S.

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FILE

The House Subcommittee of)
 the Select Committee on)
 Legislative Ethics)
 Complainant)
 vs.)
 Representative Jerry Sanders)
 Respondent)

Case No. H 96-02

REPRESENTATIVE SANDERS FIRST SET OF INTERROGATORIES AND REQUEST FOR ADMISSIONS

COMES NOW Jerry Sanders, by and through his attorney, Lester K. Syren, and propounds the following Interrogatories to Mike Miller. Pursuant to Rules 26, 33, and 34 of the Alaska Civil Rules and Procedure and AS 24.60.170(I), you shall answer each of the following interrogatories under oath, in writing, separately, in the fullest detail possible, and in accordance with the definitions and instructions as set forth in ARCP 26 and 34. The answers shall be signed by Mike Miller, and a copy of the answers together with your objections, if any, shall be served no later than 30 days after the service upon you.

You are further under a duty to reasonably supplement your responses with respect to any interrogatory directly addressed to (1) the identity and location of persons having knowledge of discoverable matters, and (2) the identity of each person expected to be called as an expert witness at trial, the subject matter on which he or she is expected to testify, and the substance of his or her testimony. In addition, you are under a duty to amend a prior response if you obtain information on the basis of which you know or have reason to know that the response was incorrect or misleading when made, or that the response, though correct when

Law Offices of Lester K. Syren, is no longer true, and the circumstances are such that failure to amend the response is, in
 1351 Hoffman Road, Suite 2A
 Anchorage, Alaska 99515
 (907) 833-8333
 Fax (907) 345-3459

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substance, knowing concealment.

DEFINITIONS

The following definitions shall be controlling for the purposes of these interrogatories.

As used herein, the terms "you" refer to Mike Miller and each of his agents, executors, representatives, and attorneys, and each person acting or purporting to act on his behalf.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among two or more persons

INSTRUCTION

With respect to each interrogatory, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each interrogatory and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the manner and date of the disposition of the document.

Law Offices of Lester K. Syren
11 Hoffman Road, Suite 2A
Anchorage, Alaska 99515
Tel: (907) 345-8333
Fax: (907) 345-3459

If you claim objections to any document or to any interrogatory on the grounds that it is

privileged, please state a) the basis for your contention that the information is privileged, b) a means of identification of the document, c) the date of the document, d) the name, address, and relationship of the person who prepared the document, e) the name, address, and relationship to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

Interrogatory No. 1: Please identify by name, address, and phone number each and every person who assisted in any way with your letter which forms the basis for your complaint. This request includes but is not limited to the identity of the person or persons who assisted you in preparing the complaint.

Interrogatory No. 2: Please identify by place, time, and persons present each and every meeting and/or conversation of two or more people in which the letter from Representative Sanders (which allegedly constitutes a violation) and/or Representative Sanders were discussed in any way since January 1, 1996. This interrogatory includes but is not limited to any and all phone conversations or other communication between two or more persons.

For each meeting and/or conversation, please identify:

a) whether and to what extent any notice was provided, including but not limited to by whom, to whom, and in what manner the notice was

Law Offices of Lester K. Syren
Hoffman Road, Suite 2-A
Anchorage, Alaska 99515
(907)345-8333
Fax: (907)345-3459

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provided;

b) the authority under which the meeting/conversation was held;

c) whether and to what extent notes, diaries, minutes, or other memoranda were made at any meeting/conversation;

d) the person(s) in possession of said notes, diaries, minutes, or other memoranda identified in Interrogatory 2(c).

Interrogatory #3: Please provide the name, telephone number and address of each and every person who has relevant knowledge regarding the letter.

Interrogatory #4: Please identify those witnesses whose knowledge will relate to factual issues and provide details of their expected testimony.

Interrogatory #5: Identify those witnesses whose knowledge will relate to the issues of damages and give the details of their expected testimony.

Interrogatory #6: Please provide the name, address, and telephone number of each and every expert witness who has relevant knowledge regarding the letter. (a) For each expert witness identified in the proceeding interrogatory, state the subject matter in which the expert is expected to testify. (b) the substance of the facts and opinions to

Law Offices of Lester K. Smith which the expert is expected to testify, (c) the evidence on which the expert will rely.

51 Hoffman Road, Suite 2A
Anchorage, Alaska 99515
Tel. (907) 345-8333
Fax. (907) 345-3459

Interrogatory #7: Please provide each expert's educational background and experience background. A copy of the expert's curriculum vita will be responsive to this response.

Interrogatory #8: For each allegation in your complaint state:

- (a) the factual basis for such allegation;
- (b) the evidence on which you intend to rely to prove each allegation, and list the witnesses will testify as to each allegation.

Interrogatory #9: Please state in detail your views on the following issues:

- 1) abortion
- 2) homosexuality
- 3) gun control
- 4) welfare
- 5) Democratic party
- 6) Republican party

Please include in your answer whether you are affiliated in any way with the Democratic Party either nationally, state wide, or locally.

Interrogatory #10: Please provide the name, address, and telephone number of your friends.

Law Office of Lester K. Syren
1351 Hoffman Road, Suite 2A
Anchorage, Alaska 99515
Phone: 8333
Fax: (907)345-3459

Interrogatory #11: Please identify your employers for the past ten years.

Interrogatory #12: Please describe the nature and extent of your volunteer work during the past ten years.

Interrogatory #13: Please describe any and all clubs or other organizations that you belong to.

Interrogatory #14: Please state how long you have been a roommate of Earnest Woods, III.

Request for Admissions #1: Please admit that you lost the last election for House of Representatives, District 19, to Representative Jerry Sanders.

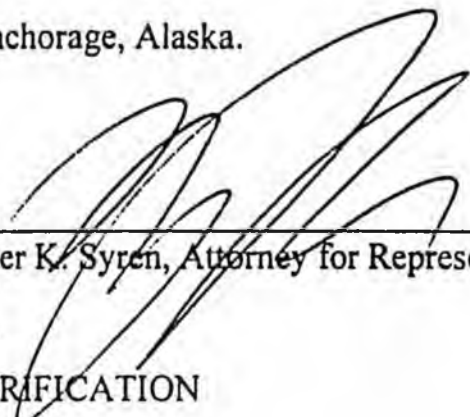
Request for Admissions #2: Please admit that you conceived and promoted the bumper sticker with the words "Annoy Prevo, think for yourself."

Request for Admissions #3: Please admit that you are a Democrat.

Request for Admissions #4: Please admit that you have allowed numerous junked vehicles to remain on your property for many months without removing them from

view.

DATED August 26, 1996, at Anchorage, Alaska.



Lester K. Syren, Attorney for Representative Sanders

VERIFICATION

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

I, _____, being first duly sworn, deposes and says:

1. I am the person above named.
2. I have read the foregoing and understand the contents thereof;
3. I have answered the Interrogatories and have signed said Interrogatories freely and voluntarily for the purposes set forth therein;
4. I verify that the information provided in response to these discovery requests are true and complete to the best of my knowledge and belief;
5. I verify that I have produced all the information known to me at this time and that I am under an obligation to update and supplement my responses in the future if any answer is found to be incorrect or I gain additional information which would change the answer.

DATED this ____ day of August 1996.

Mike Miller

SUBSCRIBED AND SWORN TO before me, this __th day of _____,
1996.

Law Office of Lester K. Syren
41 Hoffman Road, Suite 2A
Anchorage, Alaska 99515
Tel: (907) 345-8333
Fax: (907) 345-3457

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Notary for the State of Alaska
My Commission Expires:

CERTIFICATION OF SERVICE

This is to certify that on August 26, 1996
a true and correct copy of this document was
sent by messenger to :

Michael Spaan
Bogle & Gates
1031 W. 4th Ave., Suite 600
Anchorage, AK 99501

Mike Miller
3457 East 67th Avenue
Anchorage, AK 99507-2333

By: *Lester K. Syren*
LAW OFFICES OF LESTER K. SYREN

ll sent 10-17

The House Subcommittee of)
 the Select Committee on)
 Legislative Ethics)
 Complainant)
 vs.)
 Representative Jerry Sanders)
 Respondent)

FILED

Case No. H 96-02

**REPRESENTATIVE SANDERS FIRST REQUEST FOR PRODUCTION
 PROPOUNDED TO MIKE MILLER**

COMES NOW Jerry Sanders, by and through his attorney, Lester K. Syren, and
 propounds the following Request for Production to Mike Miller. Pursuant to Rules 26 and 34 of
 the Alaska Civil Rules and Procedure, AS 24.60.170(I), AS 39.25.080, AS 36.30.530, AS
 44.62.310 and 312, you shall answer each of the following requests for production, in writing,
 separately, in the fullest detail possible, and in accordance with the definitions and instructions as
 set forth in ARCP 26 and 34. A copy of the answers together with your objections, if any, shall
 be served no later than 30 days after the service upon you.

You are under a duty to amend a prior response if you obtain information on the basis of
 which you know or have reason to know that the response was incorrect or misleading when
 made, or that the response, though correct when made, is no longer true, and the circumstances
 are such that failure to amend the response is, in substance, knowing concealment.

DEFINITIONS

The following definitions shall be controlling for the purposes of these requests for
 productions.

Law Office of Lester K. Syren
 71 Hoffman Road, Suite 2-A
 Anchorage, Alaska 99515
 (907) 345-8333
 Fax (907) 345-3459

9 4 23

As used herein, the terms "you" refer to Mike Miller and each of his agents, executors, representatives, and attorneys, and each person acting or purporting to act on his behalf.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among two or more persons

INSTRUCTION

With respect to each request for production, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each request for production and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the manner and date of the disposition of the document.

If you claim objection to any document or to any request for production on the grounds that it is privileged, please state a) the basis for your contention that the information is privileged, b) a means of identification of the document, c) the date of the document, d) the name, address, and relationship of the person who prepared the document, e) the name, address, and relationship

to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

Request for Production No. 1: Please produce any item identified in your responses to interrogatories included herewith.

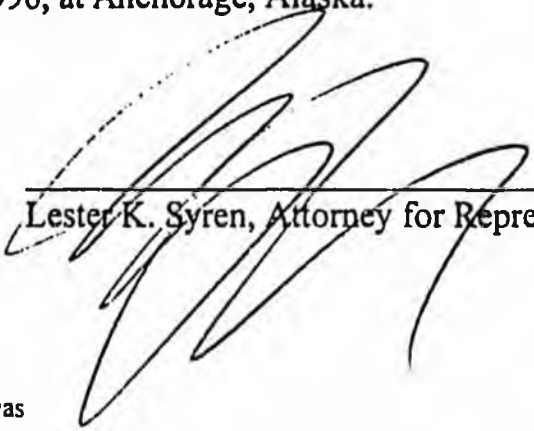
Request for Production No. 2: Please produce any item which is relevant in this matter.

Request for Production No. 3: Please produce any item you intend to utilize at the trial/hearing of this matter.

Request for Production No. 4: Please produce a copy of any and all items in any way related to the letter dated April 19, 1996, addressed to the Select Committee on Legislative Ethics, and signed by Mike Miller.

Request for Production No. 5: Please produce any and all items in any way related to your failed bid for election to the Alaska State House of Representatives, District 19.

DATED on August 26, 1996, at Anchorage, Alaska.



Lester K. Syren, Attorney for Representative Sanders

CERTIFICATION OF SERVICE

This is to certify that on August 27, 1996
a true and correct copy of this document was
hand delivered to :

Michael Spaan
Bogle & Gates
1031 W. 4th Ave., Suite 600
Anchorage, AK 99501

Mike Miller
3457 East 67th Avenue
Anchorage, AK 99507-2333

By: *Kim Ambrecht*
Law Offices of Lester K. Syren

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*Law Offices of Lester K. Syren
11 Hoffman Road, Suite 2-A
Anchorage, Alaska 99515
(907)345-8333
Fax (907)345-3859*

PAGE 4 OF 4

12⁴ 23

The House Subcommittee of)
the Select Committee on)
Legislative Ethics)
Complainant)
vs.)
Representative Jerry Sanders)
Respondent)

ORIGINAL COPY

Case No. H 96-02

**REPRESENTATIVE SANDERS FIRST REQUEST FOR PRODUCTION
PROPOUNDED TO EARNEST WOODS, III.**

COMES NOW Jerry Sanders, by and through his attorney, Lester K. Syren, and propounds the following Request for Production to Earnest Woods, III. Pursuant to Rules 26 and 34 of the Alaska Civil Rules and Procedure, AS 24.60.170(I), AS 39.25.080, AS 36.30.530, AS 44.62.310 and 312, you shall answer each of the following requests for production, in writing, separately, in the fullest detail possible, and in accordance with the definitions and instructions as set forth in ARCP 26 and 34. A copy of the answers together with your objections, if any, shall be served no later than 30 days after the service upon you.

You are under a duty to amend a prior response if you obtain information on the basis of which you know or have reason to know that the response was incorrect or misleading when made, or that the response, though correct when made, is no longer true, and the circumstances are such that failure to amend the response is, in substance, knowing concealment.

DEFINITIONS

The following definitions shall be controlling for the purposes of these requests for productions.

Law Office of Lester K. Syren
11 Hoffman Road, Suite 2-A
Anchorage, Alaska 99515
Tel (907)345-8333
Fax (907)345-3457

13 4 23

As used herein, the terms "you" refer to Earnest Woods, III., and each of his agents, executors, representatives, and attorneys, and each person acting or purporting to act on his behalf.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among two or more persons

INSTRUCTION

With respect to each request for production, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each request for production and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the manner and date of the disposition of the document.

If you claim objection to any document or to any request for production on the grounds that it is privileged, please state a) the basis for your contention that the information is privileged, b) a means of identification of the document, c) the date of the document, d) the name, address,

and relationship of the person who prepared the document, e) the name, address, and relationship to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

Request for Production No. 1: Please produce any item identified in your responses to interrogatories included herewith.

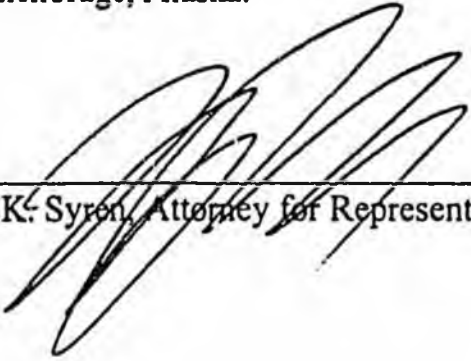
Request for Production No. 2: Please produce any item which is relevant in this matter.

Request for Production No. 3: Please produce any item you intend to utilize at the trial/hearing of this matter.

Request for Production No. 4: Please produce a copy of any and all items in any way related to the letter dated April 19, 1996, addressed to the Select Committee on Legislative Ethics, and signed by Mike Miller.

*Law Offices of Lester K. Syron
1 Huffman Road, Suite 2A
Kenai, Alaska 99515
(907)345-8333
Fax (907)345-3459*

DATED on August 26, 1996, at Anchorage, Alaska.



Lester K. Syren, Attorney for Representative Sanders

CERTIFICATION OF SERVICE

This is to certify that on August 26, 1996
a true and correct copy of this document was
hand delivered to :

Michael Spaan
Bogle & Gates
1031 W. 4th Ave., Suite 600
Anchorage, AK 99501

Earnest Woods, III
3457 East 67th Avenue
Anchorage, AK 99507-2333

By: *Lester K. Syren*
Law Offices of Lester K. Syren

c:\3\sanders.sr\prod2.woo

Law Offices of Lester K. Syren
51 Hoffman Road, Suite 2-A
Anchorage, Alaska 99515
Tel (907)345-8333
Fax (907)345-3459

PAGE 4 OF 4

4
16 23

The House Subcommittee of)
the Select Committee on)
Legislative Ethics)
Complainant)
vs.)
Representative Jerry Sanders)
Respondent)

FILE COPY

Case No. H 96-02

REPRESENTATIVE SANDERS FIRST SET OF INTERROGATORIES

COMES NOW Jerry Sanders, by and through his attorney, Lester K. Syren, and propounds the following Interrogatories to Earnest Woods, III. Pursuant to Rules 26, 33, and 34 of the Alaska Civil Rules and Procedure and AS 24.60.170(I), you shall answer each of the following interrogatories under oath, in writing, separately, in the fullest detail possible, and in accordance with the definitions and instructions as set forth in ARCP 26 and 34. The answers shall be signed by Earnest Woods, III, and a copy of the answers together with your objections, if any, shall be served no later than 30 days after the service upon you.

You are further under a duty to reasonably supplement your responses with respect to any interrogatory directly addressed to (1) the identity and location of persons having knowledge of discoverable matters, and (2) the identity of each person expected to be called as an expert witness at trial, the subject matter on which he or she is expected to testify, and the substance of his or her testimony. In addition, you are under a duty to amend a prior response if you obtain information on the basis of which you know or have reason to know that the response was incorrect or misleading when made, or that the response, though correct when made, is no longer true, and the circumstances are such that failure to amend the response is, in

Law Office of Lester K. Syren
241 Hoffman Road, Suite 201
Anchorage, Alaska 99515
Tel (907) 345-8333
Fax (907) 345-3459

DEFINITIONS

The following definitions shall be controlling for the purposes of these interrogatories.

As used herein, the terms "you" refer to Earnest Woods, III, and each of his agents, executors, representatives, and attorneys, and each person acting or purporting to act on his behalf.

As used herein, the term "document" means any medium upon which intelligence or information can be recorded or from which it may be retrieved.

As used herein, the term "communication" means any oral or written utterance, notation, or statement of any nature whatsoever, by and to whomsoever including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultations, agreements, and other understandings between or among two or more persons

INSTRUCTION

With respect to each interrogatory, in addition to supplying the information requested, you are to identify all documents that support, refer to, or evidence the subject matter of each interrogatory and your answer thereto.

If any documents identified herein are no longer in your possession, custody or control because of destruction, loss, or any other reason, then do the following with respect to each and every document: a) describe the nature of the document (e.g., letter or memorandum), b) state the date of the document, c) identify the persons who sent and received the original and a copy of the document, d) state in as much detail as possible the contents of the document, and e) state the manner and date of the disposition of the document.

If you claim objections to any document or to any interrogatory on the grounds that it is

Law Offices of Lester K. Syron

Hoffman Road, Suite 201

Orange, Alaska 99513

(907)345-8333

Fax (907)345-3857

means of identification of the document, c) the date of the document, d) the name, address, and relationship of the person who prepared the document, e) the name, address, and relationship to you of all persons to whom the document was addressed, given, or sent, and f) the name, address, and phone number, place of employment, occupation, and current whereabouts in relation to of every person having possession, custody, or control of the document.

Interrogatory No. 1: Please identify by name, address, and phone number each and every person who assisted in any way with Mike Miller's letter which forms the basis of his complaint. This request includes but is not limited to the identity of the person or persons who assisted Mr. Miller in preparing the complaint.

Interrogatory No. 2: Please identify by place and time, any persons present at each and every meeting and/or conversation of two or more people in which the letter from Representative Sanders (which allegedly constitutes a violation) and/or Representative Sanders were discussed in any way since January 1, 1996. This interrogatory includes but is not limited to any and all phone conversations or other communication between two or more persons.

For each meeting and/or conversation, please identify:

a) whether and to what extent any notice was provided, including but not limited to by whom, to whom, and in what manner the notice was provided;

- b) the authority under which the meeting/conversation was held;
- c) whether and to what extent notes, diaries, minutes, or other memoranda were made at any meeting/conversation;
- d) the person(s) in possession of said notes, diaries, minutes, or other memoranda identified in Interrogatory 2(c).

Interrogatory #3: Please provide the name, telephone number and address of each and every person who has relevant knowledge regarding the letter.

Interrogatory #4: Please identify those witnesses whose knowledge will relate to factual issues and provide details of their expected testimony.

Interrogatory #5: Identify those witnesses whose knowledge will relate to the issues of damages and give the details of their expected testimony.

Interrogatory #6: Please provide the name, address, and telephone number of each and every expert witness who has relevant knowledge regarding the letter which allegedly constitutes a violation. (a) For each expert witness identified in the proceeding interrogatory, state the subject matter in which the expert is expected to testify. (b) the substance of the facts and opinions to which the expert is expected to testify, (c) the

Law Offices of Lester K. **Evidence** on which the expert will rely.

1 Hoffman Road, Suite 2A
Anchorage, Alaska 99515
(907)345-8333
Fax (907)345-3459

Interrogatory #7: Please provide each expert's educational background and experience background. A copy of the expert's curriculum vita will be responsive to this response.

Interrogatory #8: Please state in detail your views on the following issues:

- 1) abortion
- 2) homosexuality
- 3) gun control
- 4) welfare
- 5) Democratic Party (including whether you are in any way affiliated with it)
- 6) Republican Party

Interrogatory #9: Please provide the name, address, and telephone number of your friends.

Interrogatory #10: Please identify your employers for the past ten years.

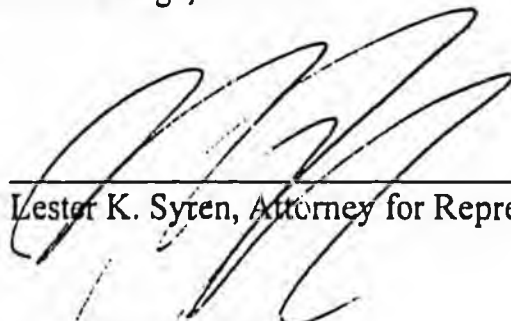
Interrogatory #11: Please describe the nature and extent of your volunteer work during the past ten years.

Interrogatory #12: Please describe any and all clubs or other organizations that you

Law Offices of Lester K. Betong to.
1111 Hoffman Road, Suite 2A
Anchorage, Alaska 99515
Tel: (907) 345-8333
Fax: (907) 345-3459

Interrogatory #13: Please state how long you have been a roommate of Mike Miller.

DATED August 26, 1996, at Anchorage, Alaska.



Lester K. Syren, Attorney for Representative Sanders
VERIFICATION

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

I, _____, being first duly sworn, deposes and says:
1. I am the person above named.
2. I have read the foregoing and understand the contents thereof;
3. I have answered the Interrogatories and have signed said Interrogatories freely and voluntarily for the purposes set forth therein;
4. I verify that the information provided in response to these discovery requests are true and complete to the best of my knowledge and belief;
5. I verify that I have produced all the information known to me at this time and that I am under an obligation to update and supplement my responses in the future if any answer is found to be incorrect or I gain additional information which would change the answer.

DATED this ____ day of August 1996.

Earnest Woods

Law Office of Lester K. Syren
1 Hoffman Road, Suite 2A
Anchorage, Alaska 99515
(907)345-8333
Fax (907)345-3459

SUBSCRIBED AND SWORN TO before me, this ___th day of _____,
1996.

Notary for the State of Alaska
My Commission Expires:

CERTIFICATION OF SERVICE

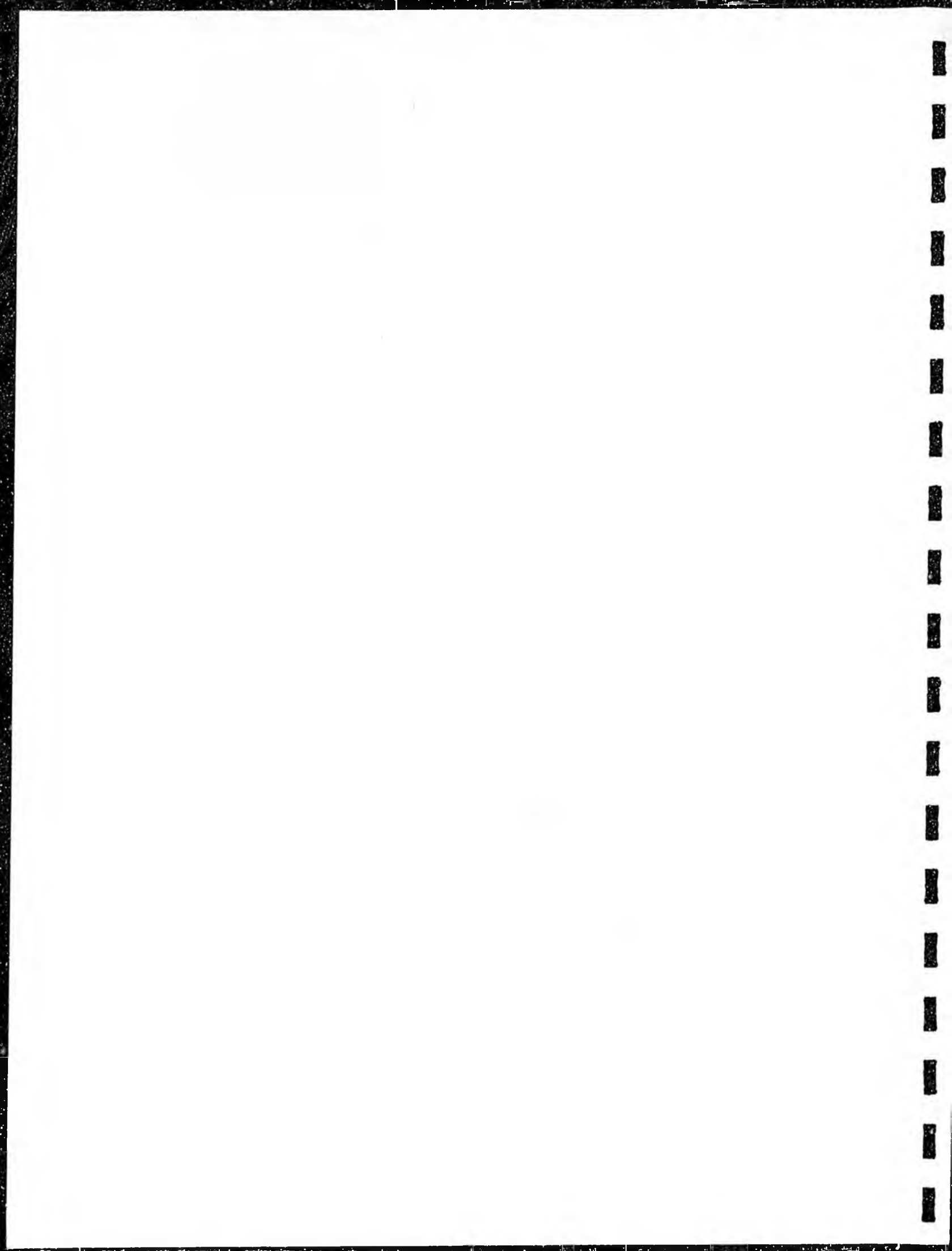
This is to certify that on August 27, 1996
a true and correct copy of this document was
sent by messenger to :

Michael Spaan
Bogle & Gates
1031 W. 4th Ave., Suite 600
Anchorage, AK 99501

Earnest Woods, III
3457 East 67th Avenue
Anchorage, AK 99507-2333

By: *Lester K. Syren*
LAW OFFICES OF LESTER K. SYREN

Law Offices of Lester K. Syren
1351 Hoffman Road, Suite 2-A
Anchorage, Alaska 99515
345-8333
Fax (907) 345-3457



RECEIVED

SEP 26 1996

LAW OFFICE OF
LESTER K. SYREN

Alaska State Legislature

Select Committee on Legislative Ethics

716 W. 4th, Suite 230
Anchorage AK
(907) 258-8172
FAX: 258-2106

Mailing Address:
P.O.Box 101468
Anchorage, AK
99510 - 1468

HOUSE SUBCOMMITTEE of the SELECT COMMITTEE ON LEGISLATIVE ETHICS

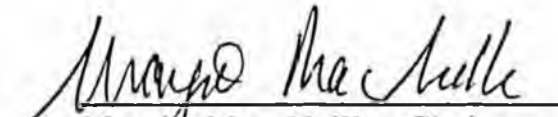
IN RE: REPRESENTATIVE JERRY SANDERS

SUMMONS
H 96-02

TO: Representative Jerry Sanders
c/o Lester K. Syren, Esq.
1351 Huffman Road
Suite 2A
Anchorage, AK 99515

You are hereby summoned and required to file, with the House Subcommittee of the Select Committee on Legislative Ethics, a written answer to the Formal Charges which accompanies this summons. Your answer must be filed with the House Subcommittee of the Select Committee on Legislative Ethics at Post Office Box 101468, Anchorage, AK 99510-1468 within ten (10) days after the day you receive this summons. In addition, a copy of your answer must be sent to the counsel for the Select Committee on Legislative Ethics, Michael R. Spaan of Bogle and Gates, 1031 West Fourth Avenue, Suite 600, Anchorage, AK 99501. If you fail to file your answer within the required time, you will be deemed to have denied the allegations contained in the accompanying Formal Charge and a hearing will be held.

DATED: September 24, 1996
Anchorage, Alaska


Margie Mac Neille, Chair
House Subcommittee

5
1

Date #1	Bank CK #1	Business Name	Occupation	First Cont	Second Cont	thlrd cont	Cumulative
Date #2	Bank CK #2	Address					
Date #3	Bank CK #3						
10/23/90	244	ACCF-PAC 2533 Providence Dr Anchorage AK 99508	PAC	750.00			750
10/21/90	1135	Alaska Women's Political Caucus P.O. Box 201374 Anchorage AK 99520-1374	PAC	200.00			700
09/26/90	3628	Anchorage Central Labor Council	PAC	500.00	250.00		750
10/15/96	3639	PO Box 91136 Anchorage AK 99509					
10/21/90	198	Anchorage Fire Fighters P.A.C. 1200 E. 76th Ave., Anchorage AK 99518	P.A. C.	500.00			500
09/16/90	300672	Anchorage Refuse, Inc.	refuse	500.00	500.00		1000
10/03/96	300851	6301 Rosewood St. Anchorage AK 99518					
10/09/90	1018	ATU Telecom PAC 3427 Wentworth Anchorage AK 99508	PAC	400.00			400
10/14/90	374	Carpenters C.I.L.C. Bingo 407 Denali Anchorage AK 99501	PAC	400.00			400
08/15/90	2607	Dan K. Coffey, Atty.	attorney	250.00	250.00		500
10/02/96	3887	207 E. No. Lights Blvd., Anchorage AK 99503					
10/02/90	11210	Friedman, Rubin & White 1227 West 9th Ave. Anchorage AK 99501	attorneys	1000.00			1000
10/16/90	167	Greater Juneau Democratic Precinct P O Box 961 Douglas AK 99824	PAC	150.00			150
10/07/90	7355	International Union of Operating Western & Clay Seattle WA 98121	PAC	1000.00			1000
10/10/90	12357	Jadon, Inc. DBA Chilkoot Charlies 2435 Spenard Road Anchorage AK 99503	bar	250.00			250
10-11-96	1221	Senate Democratic Campaign	Dem.	5000.00	10000.00	12000.00	42000
10-15-96	1224	P. O. Box 92552		4000.00	6000.00	12000.00	
10-24-96	1231	Anchorage AK 99509					
10/20/90	3096	Short Gulch Mining Co. P.O. Box 310 Girdwood AK 99587	mining	150.00			150
09/05/90	1637	Teamster ALIVE PO Box 102092 Anchorage AK 99510	PAC	1000.00			1000

Neighbors for Pat Abney

OCT 29 1996

6
1
10
2 of 5

Check one: 30 Day 7 Day 10 Day Year - end
 Check One: Primary General Municipal 19 96

PART 1. OVER \$100.00 : Contributions received during this reporting period which have put the contributors over the \$100 Disclosure threshold are itemized below.

Item	Check No.	Name and Address of Contributor	Occupation/ Employer	Amount this period.	Cume. Amt. each Contrib.
1/22/96	1949	John Bernitz 1435 M Street Anchorage, AK 99501	Attorney / Self Law Offices of ... Anchorage, AK	\$30.00	\$299.98
1/22/96	8099	Carol Bryner 626 N Street Anchorage, AK 99501	Artist / Self	100.00	150.00
1/28/96	6812	Charles W. Coe 805 W. 3rd Ave, Ste 100 Anchorage, AK 99501	Self / ... Attorney at Law	500.00	1,000.00
3/0/96	8540	Nancy Groszek 2512 St. Elias Anchorage, AK 99517	Attorney Public Defender's Office Anchorage, AK	200.00	317.55
1/15/96	1825	Les Gara 1242 W. 10th Ave. Anchorage, AK	Attorney Friedman, Rubin, & White Anchorage, AK	50.00	170.00
1/25/96	165	Greater Juneau Democratic Precinct P O Box 961 Douglas, AK 99824	PAC	150.00	150.00
1/8/96	503	House Democratic Campaign Committee P O Box 100352 Anchorage, AK 99510	Political party subdivision.	7,000.00	16,000.00
1/15/96	518	House Democratic Campaign Committee P O Bcx 100352 Anchorage, AK 99510	Political party subdivision.	10,000.00	26,000.00
1/22/96	1017	Laborers Int'l Union of NA 2501 Commercial Dr. Anchorage, AK 99501	Union / PAC	250.00	
Part 1 SUB-TOTAL				\$18,280.00	

Candidate: Ethan Berkowitz

Schedule C, Page 2 of 3

OCT 30 1996

26
2 10

Date	Check No.	Name and Address of Contributor	Occupation/ Employer	Amount this period.	Cume. Amt. each Contrib.
10/22/96	1949	John Bernitz 1435 M Street Anchorage, AK 99501	Attorney / Self Law Offices of ... Anchorage, AK	\$30.00	\$299.98
10/22/96	8099	Carol Bryner 626 N Street Anchorage, AK 99501	Artist / Self	100.00	150.00
10/28/96	6812	Charles W. Coe 805 W. 3rd Ave, Ste 100 Anchorage, AK 99501	Self / ... Attorney at Law	500.00	1,000.00
9/30/96	8540	Nancy Groszek 2512 St. Elias Anchorage, AK 99517	Attorney Public Defender's Office Anchorage, AK	200.00	317.55
10/15/96	1825	Les Gara 1242 W. 10th Ave. Anchorage, AK	Attorney Friedman, Rubin, & White Anchorage, AK	50.00	170.00
10/25/96	165	Greater Juneau Democratic Precinct P O Box 961 Douglas, AK 99824	PAC	150.00	150.00
10/8/96	503	House Democratic Campaign Committee P O Box 100352 Anchorage, AK 99510	Political party subdivision.	7,000.00	16,000.00
10/15/96	518	House Democratic Campaign Committee P O Box 100352 Anchorage, AK 99510	Political party subdivision.	10,000.00	26
10/22/96	1017	Laborers Int'l Union of NA 2501 Commercial Dr. Anchorage, AK 99501	Union / PAC	250.00	

10/22/96

Part 1 SUB-TOTAL \$18,280.00

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



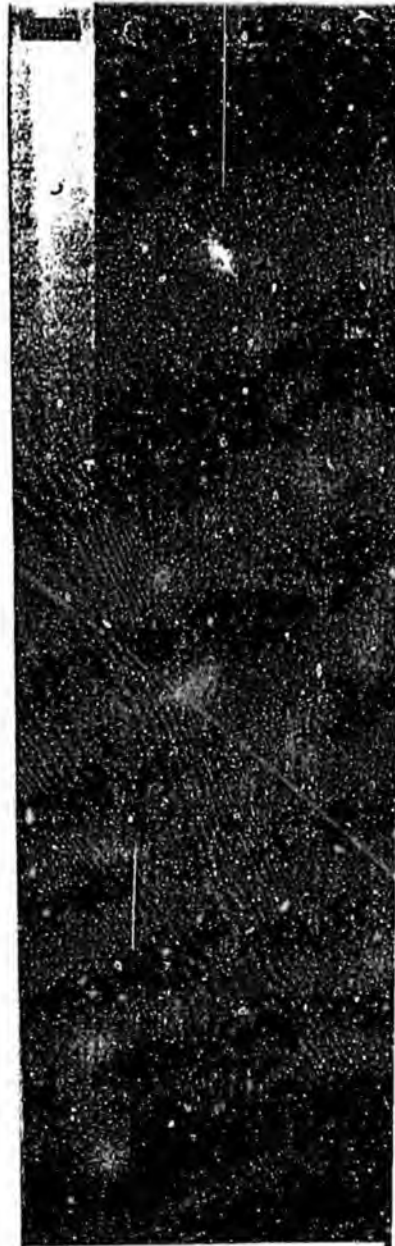
Rev. 6/98

Central Microfilm Services
Department of Education
State of Alaska

Date	Check No.	Name and Address of Contributor	Occupation/ Employer	Amount this period.	Cume. Amt. each Contrib.
10/22/96	1949	John Bernitz 1435 M Street Anchorage, AK 99501	Attorney / Self Law Offices of ... Anchorage, AK	\$30.00	\$299.98
10/22/96	8099	Carol Bryner 626 N Street Anchorage, AK 99501	Artist / Self	100.00	150.00
10/28/96	6812	Charles W. Coe 805 W. 3rd Ave, Ste 100 Anchorage, AK 99501	Self / ... Attorney at Law	500.00	1,000.00
5/30/96	8540	Nancy Groszek 2512 St. Elias Anchorage, AK 99517	Attorney Public Defender's Office Anchorage, AK	200.00	317.55
10/15/96	1825	Les Gara 1242 W. 10th Ave. Anchorage, AK	Attorney Friedman, Rubin, & White Anchorage, AK	50.00	170.00
10/25/96	165	Greater Juneau Democratic Precinct P O Box 961 Douglas, AK 99824	PAC	150.00	150.00
10/8/96	503	House Democratic Campaign Committee P O Box 100352 Anchorage, AK 99510	Political party subdivision.	7,000.00	16,000.00
10/15/96	518	House Democratic Campaign Committee P O Box 100352 Anchorage, AK 99510	Political party subdivision.	10,000.00	21
10/22/96	1017	Laborers Int'l Union of NA 2501 Commercial Dr. Anchorage, AK 99501	Union / PAC	250.00	

Part 1 SUB-TOTAL \$18,280.00

01-5-96



Check one: 30 Day 7 Day 10 Day Year - end
 Check One: Primary General Municipal 19 96

PART 1. OVER \$100.00 : Contributions received during this reporting period which have put the contributors over the \$100 Disclosure threshold are itemized below.

Date	Check No.	Name and Address of Contributor	Occupation/ Employer	Amount this period.	Cume. Amt. each Contrib.
10/2/96	11207	Friedman, Rubin & White 1227 W 9th Ave., Ste. 201 Anchorage, AK 99501	Law Offices Anchorage, AK	\$1,000.00	\$1,000.00
10/3/96	661	Gordon Martin Glaser 1029 Pottlatch Circle Anchorage, AK 99503	Businessman	800.00	830.00
9/15/96	2168	David R. Gottstein P.O. Box 112729 Anchorage, AK 99511	Businessman	250.00	250.00
9/3/96	1552	Rachel L. Gottstein 1400 E Street Anchorage, AK 99501	Businessperson	1,000.00	1,000.00
10/3/96	2475	Robert R. Gottstein 1433 W 9th Anchorage, AK 99501	Businessman	500.00	500.00
9/30/96	4440	Clifford John Groh 1133 N St. Anchorage, AK 99501	Attorney Anchorage Municipal Attorney's Office	25.00	125.00
9/20/96	1016	Laborers Int'l Union of NA - PAC 2501 Commercial Dr. Anchorage, AK 99501	Union / PAC	250.00	250.00
9/3/96	1775	Evans McMillion Box 99889 Durham, NC 27708	Attorney / Waitress	200.00	200.00
9/15/96	2252	Richard D. Madden P.O. Box 1514 Sausalito, CA 94966	Stock Broker San Francisco, CA	100.00	150.00

Part 1 SUB-TOTAL this page. \$4,125.00

MONETARY CONTRIBUTIONS SCHEDULE C

Check one: Primary General Municipal
 Check one: 30 Day 7 Day 10 Day Yearend

Part 1

Date	Check Number	Name and Address of Contributor	Occupation/Employer	Amount this Period	Cum. Each Contrib.
9/8/96	2220	Russell Winner 2470 Belmont Dr. Anchorage, AK 99517	Attorney	\$2,500.00	\$2,500.00
9/30/96	2398	Jay Nelson 3705 Arctic #145 Anchorage, AK 99503	State of Alaska	\$200.00	\$200.00
9/26/96	7124	IBEW Educational Comm. 1125 15th St. NW Washington, DC 20005	Labor PAC	\$10,000.00	\$10,000.00
9/10/96	1079	Kelley & Kelley 821 N St. #206 Anchorage, AK 99501	Law Firm	\$500.00	\$500.00
9/10/96	5080	Angstman Law Office PO Box 758 Bethel, AK 99559	Law Firm	\$5,000.00	\$5,000.00
9/18/96	9354	Phillip Paul Weidner & Assoc 330 L St. #200 Anchorage, AK 99501	Law Firm	\$5,000.00	\$5,000.00
9/19/96	5321	Dillon & Findley 350 N. Franklin Juneau, AK 99801	Law Firm	\$2,500.00	\$2,500.00
9/10/96	1242	Jeff Feldman 1014 H St. Anchorage, AK 99501	Attorney	\$2,500.00	\$2,500.00
9/23/96	1660	Teamster ALIVE PO Box 102092 Anchorage, AK 99510	Labor PAC	\$5,000.00	\$5,000.00
9/18/96	1006	Governor's Fund PO Box 92552 Anchorage, AK 99509	Political adjunct	\$40,000.00	\$40,000.00
9/20/96	5689	NEA Alaska PACE 114 Second St. Juneau, AK 99801	PAC	\$10,000.00	\$10,000.00
* 10/3/96	11211	Law Office of Friedman, Rubin & White 1227 W. Ninth #201 Anchorage, AK 99501	Law Firm	\$2,000.00	\$2,000.00

SUB-TOTAL \$85,200.00

- 1. CANDIDATE'S OWN MONEY/INTEREST
- 2. \$100 OR LESS
- 3. OVER \$100
- 4. TOTAL MONETARY CONTRIBUTIONS THIS PERIOD

\$0.00
\$120.00 + 23,000.00 in
 gaming
\$92,700.00
\$92,820.00 + 23,000.00 =

OCT 8 1996

Senate Democratic Campaign Committee

Schedule C, Page 1

115,820
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MONETARY CONTRIBUTIONS - Schedule C

7 DAY REPORT

GENERAL

Date	Check		NAME AND ADDRESS CONTRIBUTOR			Occupation	Employer	Amt. this Period	Amt. Ea. Contrib
	Number	Name	Street Address	City State Zip					
10/5/96	5406	Babcock, Nancy	939 P. Street	Anchorage, AK 99501	Prosecutor	U.S. Defender	\$ 250	\$ 250	
10/5/96	2753	Branson, Kevin	3313 Cottonwood	Anchorage, AK 99508	Accountant	Thomas, Head & Grisso	\$ 200	\$ 200	
10/5/96	2467	Gottstein, Robert	1443 W. 9th	Anchorage, AK 99501	President	4th Avenue Theater	\$ 250	\$ 750	
10/5/96	15211	Ieicle Seafoods, Inc	4019 21st Ave., W. 4th Flr	Seattle, WA 98199	Seafood producer	n a	\$ 250	\$ 250	
10/6/96	17055	Gilmore, James D.	1555 H. Street	Anchorage, AK 99501	Attorney	Gilmore & Doherty	\$ 200	\$ 200	
10/7/96	502	House Demo. Campaign	P.O. Box 100352	Anchorage, AK 99510	Democratic Party	n a	\$ 2,000	\$ 8,000	
10/7/96	7354	Int'l Union of Oper. Engineer	Western and Clay	Seattle, WA 98121	Labor Union PAC	n a	\$ 1,000	\$ 1,000	
10/8/96	1174	AK Ironworkers PAC	650 W. Int'l Airport #101	Anchorage, AK 99518	Labor Union PAC	n a	\$ 150	\$ 400	
10/8/96	1215	United Union of Roofers, etc.	1660 L. Street, N.W., Ste 800	Washington, D.C. 20036	Labor Union PAC	n a	\$ 300	\$ 300	
10/9/96	11214	Friedman, Rubin & White	1227 W. 9th Ave. Ste 201	Anchorage, AK 99501	Legal Firm	n a	\$ 750	\$ 1,000	
10/11/96	3179	Transport Political Education	14600 Detroit Avenue	Cleveland, OH 44107	PAC	n a	\$ 150	\$ 150	
10/14/96	3092450	Anchorage Cold Storage Co	P.O. Box 100039	Anchorage, AK 99510	Storage Company	n a	\$ 250	\$ 250	
10/14/96	1036	ATU Telecom PAC	3427 Wentworth	Anchorage, AK 99508	Telecommunications PAC		\$ 300	\$ 300	
10/14/96	2867	Rader, John	4118 Caravelle Drive	Anchorage, AK 99502	Retired	n a	\$ 225	\$ 425	
10/14/96	558	Todd, Alden	P.O. Box 105055	Anchorage, AK 99510	Retired	n a	\$ 50	\$ 150	
10/14/96	633	Wingfield, J.C. Admin.	3568 Geraghty Street	Fairbanks, AK 99709	Plumbers PAC	n a	\$ 250	\$ 250	
10/15/96	3634	Anchorage Central Labor Con	P.O. Box 91136	Anchorage, AK 99509	Labor PAC	n a	\$ 250	\$ 250	
10/16/96	520	House Demo. Campaign	P.O. Box 100352	Anchorage, AK 99510	Democratic Party	n a	\$ 6,500	\$ 14,500	
10/16/96	5391	Barnard, Bailey S.	1875 School Street	Moraga, CA 94556	Banker	self	\$ 250	\$ 250	
10/17/96	3231	AK Laborers Union 341	2501 Commercial Drive	Anchorage, AK 99501	Labor Union PAC	n a	\$ 250	\$ 750	
10/21/96	197	Anchorage Fire Fighters 126-	1200 E. 76th Ave., Suite 1227	Anchorage, AK 99518	Union PAC	n a	\$ 500	\$ 500	
10/21/96	108	Dahl, Cynthia L.	111 Hancock St.	San Francisco, CA 94111	Student	n a	\$ 1,000	\$ 1,000	
10/21/96	8629	Montoya, Kay	1560 Primrose	Anchorage, AK 99508	Manager	Montoya Construction	\$ 200	\$ 500	
SUB-TOTAL							\$ 15,525		

OCT 30 1996
Day Report

EXEMPT FUND-RAISER

PROFESSIONAL SERVICES CONTRACT BETWEEN

FRIEDMAN, RUBIN AND WHITE
1227 WEST 9TH, SUITE 201
ANCHORAGE, ALASKA 99501

RECEIVED
NOV 20 1996
LAW OFFICE OF
LESTER K. SYREN

AND

SELECT COMMITTEE ON LEGISLATIVE ETHICS
HOUSE SUBCOMMITTEE

CONTRACT AMOUNT: \$10,000

The parties to this contract, made and entered into the date the Legislative Affairs Agency Executive Director or her designee signs the contract, are the Select Committee on Legislative Ethics House Subcommittee, whose address is P.O. Box 101468, Anchorage, Alaska 99510-1468, hereinafter referred to as the "Subcommittee" or "Agency", and Friedman, Rubin and White, a partnership whose address is 1227 West 9th, Suite 201, Anchorage, Alaska 99501, hereinafter referred to as the "Consultant".

THE PURPOSE OF THIS CONTRACT IS TO PROVIDE an independent legal counsel to the Select Committee on Legislative Ethics House Subcommittee.

IT IS THEREFORE MUTUALLY AGREED THAT:

CLAUSE I - STATEMENT OF WORK

- (A) The Consultant shall provide to the Subcommittee legal services as a master to handle matters related to a case before the Subcommittee. These duties include, but are not limited to, resolving issues presented by the parties in the matter. If a public hearing is scheduled, the Consultant shall perform hearing officer services. Michael White will perform the Consultant's services under this contract.
- (B) The Consultant, including but not limited to, Michael White and any other partner or employee of Consultant who performs work under this contract, shall keep all work, and records and other materials, performed or produced under this contract strictly confidential, except as directed otherwise by the Project Director.

CLAUSE II - PERIOD AND DATES OF PERFORMANCE AND TERMINATION

- (A) The work under this contract shall begin October 11, 1996 and terminate February 1, 1997.

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- (B) This contract may be terminated by the Agency upon delivery of written notice to the Consultant. If this contract is so terminated and the termination is not based on a breach by the Consultant, the Consultant shall be compensated for services provided under the terms of this contract to the date of termination if the Consultant provides the Agency with a written report containing a description of the services performed, a statement of the results or conclusions formed based upon the research or analysis performed, and a copy of the written material produced during the contract.

CLAUSE III - COMPENSATION AND METHOD OF PAYMENT

- (A) For the work specified in this contract the Consultant shall be compensated at \$150 an hour.
- (B) Payment shall be based on proper billing provided by the Consultant. All references to the matter upon which the Consultant has provided services shall be by case number and not case name in order to protect the confidentiality of the identity of the matter. The description of services shall otherwise be prepared to protect the confidentiality and the identity of the individual and the subject matter.
- (C) The Project Director must approve a billing before it may be paid.
- (D) If a payment is not made within 90 days after the Agency has received a proper billing, the Agency shall pay interest on the unpaid balance of the billing at the rate of 1.5 percent per month from, and including, the 91st day through the date payment is made. A payment is considered made on the date it is mailed or personally delivered to the Consultant.
- (E) Total payments under this contract may not exceed Ten Thousand and No/100 Dollars (\$10,000).

CLAUSE IV - PROJECT DIRECTOR

The Project Director is Margie MacNeille, Chair of the Select Committee on Legislative Ethics.

CLAUSE V - COVERAGE UNDER THE ETHICS LAW

The Consultant and its partners and employees who perform work under this contract may be subject to the provisions of AS 24.60 (Legislative Ethics) as legislative employees unless excluded from the definition of "legislative employee" under AS 24.60.990(10).

CLAUSE VI - EXPENSES AND DUPLICATION

- (A) Except as may be otherwise provided by Clause III, the office space, equipment, supplies, clerical support and other expenses that are necessary for the Consultant to carry out the Consultant's obligations under this contract shall be supplied and paid

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by the Consultant at no cost to the Agency.

- (B) Duplicates of any material or other item produced under this contract may be produced by the Agency, the office space, equipment, supplies, clerical support and other expenses required for the duplication shall be supplied by the Agency.

CLAUSE VII - RECORDS, DOCUMENTS, AUDIT

The Consultant shall accurately maintain those records, including detailed time records, that are required by the Project Director. The records are subject to inspection by the Agency or the Project Director at all reasonable times. All documents, reports, material, and other items generated as a consequence of work done under this contract shall become the property of the Agency, and the Agency shall own all rights included in any copyright rights for the items. Upon completion of the work or the termination of this contract, the items shall be delivered to the Project Director.

CLAUSE VIII - INDEMNIFICATION

The Consultant shall indemnify, save harmless, and defend the Agency, and the Agency's officers, agents and employees from liability for any claim, including costs and attorney fees arising from the claim, arising from Consultant's negligence in the performance of Consultant's obligations under this contract.

CLAUSE IX - VENUE

In the event that the parties to this contract find it necessary to litigate the terms of the contract, venue shall be the State of Alaska, First Judicial District, at Juneau, and the contract shall be interpreted according to the laws of Alaska.

CLAUSE X - ASSIGNMENT

This contract may not be assigned to another party unless approved in writing by the Project Director.

CLAUSE XI - WORKERS' COMPENSATION

During the life of this contract, the Consultant shall, in accordance with AS 23.30.045(d), provide and maintain workers' compensation insurance. The Consultant shall require any subcontractor to provide and maintain workers' compensation insurance for the subcontractor's employees. Consultant shall provide the Agency, upon request, with written proof of the coverage required by this clause.

CLAUSE XII - CERTIFICATION

Execution of this contract by the Legislative Affairs Agency Executive Director or her designee hereby constitutes a certification that funds are available in an appropriation to pay for work

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performed through February 1, 1997.

CLAUSE XIII - MODIFICATION AND PREVIOUS AGREEMENTS

This document contains all terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this contract shall be deemed to exist or to bind either of the parties to this contract.

This contract may not be modified unless in writing and signed by the parties to this contract.

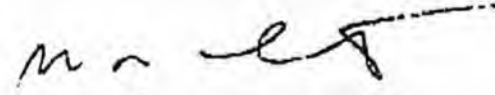
IN WITNESS WHEREOF, the parties have executed this contract on the dates indicated below:

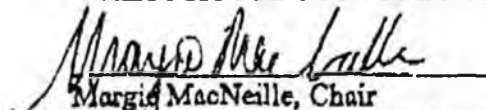
CONSULTANT

AGENCY

FRIEDMAN, RUBIN AND WHITE

SELECT COMMITTEE ON LEGISLATIVE ETHICS HOUSE SUBCOMMITTEE



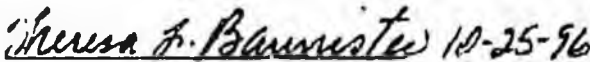


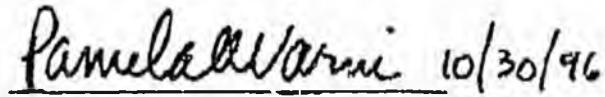
Michael White
Partner
E.I.N. #92-0137537
Date

Margie MacNeille, Chair
Select Committee on Legislative Ethics
House Subcommittees
Date 10-29-96

APPROVED AS TO FORM:

CERTIFYING AUTHORITY:


Theresa F. Bannister
Legal Counsel
Date 10-25-96


Pamela A. Varni
Executive Director
Legislative Affairs Agency
Date 10/30/96

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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT

REPRESENTATIVE JERRY SANDERS)
)
 Petitioner)
)
 vs.)
)
 THE HOUSE SUBCOMMITTEE)
 OF THE SELECT COMMITTEE)
 ON LEGISLATIVE ETHICS)
)
 Respondent)
)

RECEIVED
JUL 24 1996
CLERK OF SUPERIOR COURT
SYREN

Case No. JAN-96-7911CI

ORDER OF STAY

The petitioner, Sanders, has filed an "EMERGENCY PETITION FOR REVIEW AND REQUEST FOR STAY OF PROCEEDINGS." The Superior Court finds good reason to grant "EMERGENCY PETITION" and to allow expedited review for the following:

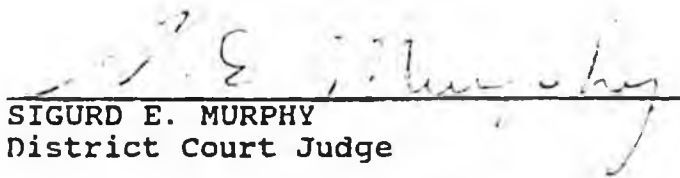
1. Whether or not the petitioner has exhausted his administrative remedies.
2. Whether or not the Superior Court for the State of Alaska has jurisdiction of this matter at the present time.
3. Whether or not the petitioner's challenge of the discovery master should have been granted either as a preemptory challenge or for cause.
4. Whether or not the respondent acted in accordance with the law with regard to the petitioner.

In "Order No. 2" issued by the hearing master, Paragraph 8 required the parties to file a motion relative to the public dissemination of filed documents. The motion was to be filed by October 18, 1996 which was a State holiday. The respondent, is

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ordered by the court, to refrain from disseminating any such documents as referenced in Paragraph 8 of Order No. 2. The petitioner shall have until the close of business on October 28th to file such motions. A hearing on the issues raised in "THE EMERGENCY PETITION" will take place on October 29, 1996 at 1:30, in courtroom 302. The petitioner is ordered to expedite all appropriate action required by the Rules of Appellate Procedure.

DATED at Anchorage, Alaska this 21st day of October, 1996.



SIGURD E. MURPHY
District Court Judge

I certify that on 10/22/96
a copy of the above was mailed to each
of the following at their addresses of
record. Syner/Span

M. L.
Deputy Clerk

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2 - 2

RECEIVED

OCT 7 1996

LAW OFFICE OF
LESTER K. SYREN

The House Subcommittee of the)
 Select Committee on Legislative)
 Ethics,)
)
 Complainant,)
)
 v.)
)
 Representative Jerry Sanders.)
)
 Respondent.)
)

Case No. H96-02

RESPONSES TO REPRESENTATIVE SANDERS FIRST
SET OF INTERROGATORIES

COMES NOW Jerry Sanders, by and through his attorney,
 Lester K. Syren, and propounds the following Interrogatories to
 The Selection Committee on Legislative Ethics. Pursuant to Rules
 26, 33 and 34 of the Alaska Civil Rules and Procedure, AS
 24.60.170(I), you shall answer each of the following
 interrogatories under oath, in writing, separately, in the fullest
 detail possible, and in accordance with the definitions and
 instructions as set forth in ARCP 26 and 34. The answers shall be
 signed by Margie Mac Neille, and a copy of the answers together
 with your objections, if any, shall be served no later than 30
 days after the service upon you.

Your are further under a duty to reasonably supplement your
 responses with respect to any interrogatory directly addressed to
 (1) the identity and location of persons having knowledge of
 discoverable matters, and (2) the identity of each person expected

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 yes
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