From: Steve Austin
To: Jones, Travis (SAO)
Subject: FW: Legal Matters Inquiry Request
Date: Monday, February 28, 2022 3:10:13 PM
Attachments: image001.png
image002.png

External Email

Here is the response from the City Attorney.
Thanks,
Steve

From: Todd Richardson <attorney@clarkston-wa.com>
Sent: Monday, February 28, 2022 2:36 PM
To: Steve Austin <saustin@clarkston-wa.com>
Cc: Todd Richardson <attorney@clarkston-wa.com>
Subject: RE: Legal Matters Inquiry Request
Steve
I don't know of any claims that meet the standard of "claims and assessments, including threatened or unasserted claims that are probable of assertion and that, if asserted, would have at least a reasonable possibility of an unfavorable outcome".
Todd
Todd S. Richardson
Clarkston City Attorney
Todd

From: Steve Austin <saustin@clarkston-wa.com>
Sent: Tuesday, February 22, 2022 1:28 PM
To: Todd Richardson <attorney@clarkston-wa.com>; Debbi Sellers <debbis@wciapool.org>
Cc: Monika Lawrence <mayor@clarkston-wa.com>
Subject: Fwd: Legal Matters Inquiry Request
Todd & Debbi,
I received this email from the State Auditor in conjunction with our audit.
I am out of the office this week, but wanted to forward it on for your review.
Thanks,
Steve Austin
Clerk/Treasurer
City of Clarkston
829 5th Street
Clarkston, WA 99403
(509) 769 0131
Fax (509) 769 6018
www.clarkston-wa.com

From: Jones, Travis (SAO) <jonest@sao.wa.gov>
Sent: Tuesday, February 22, 2022 9:47:04 AM
To: Steve Austin <saustin@clarkston-wa.com>
Cc: Brillantes, Heide (SAO) <brillantesh@sao.wa.gov>
Subject: Legal Matters Inquiry Request
Dear Mr. Austin:
As part of our audit of the City of Clarkston's financial statements, we are required by professional

standards to request the following information:

Insurance Building, P.O. Box 40021 • Olympia, Washington 98504-0021 • Pat.McCarthy@sao.wa.gov

1. A list of all litigation, claims and assessments, including threatened or unasserted claims that are probable of assertion and that, if asserted, would have at least a reasonable possibility of an unfavorable outcome. The list may be limited to matters involving amounts over $50,000 individually or in the aggregate. For each matter, the list should include:
   a. A description of the matter, including the period in which the underlying cause for legal action occurred.
   b. Progress of the matter to date and how the government is responding or intends to respond, if applicable (for example: seeking arbitration, contesting the case, appealing the verdict, seeking an out-of-court settlement, etc).
   c. Whether the matter has been referred to external legal counsel.
2. A statement regarding whether any of the matters listed have a reasonable possibility of resulting in a loss of more than $50,000 or a loss that cannot be estimated. If any such matters exist, please either include the following information for each matter with the list or arrange for a time to discuss this information verbally with the auditor:
   a. The likelihood of an unfavorable outcome.
   b. The estimated amount or range of the potential loss before insurance coverage is applied.
   c. The extent to which losses will be covered by insurance or a risk pool and whether there are any disputes, disagreements or uncertainties regarding whether the insurer will pay the claim as expected.
3. The nature and reasons for any limitation in your response.

Your response should include all matters that existed as of December 31, 2020 as well as all matters that arose subsequent to that date up to the effective date of your response. We are requesting your response, consistent with the standards of professional responsibility applicable to attorneys, including the American Bar Association's Statement of Policy Regarding Lawyers' Responses to Auditors' Requests for Information.

At the conclusion of the audit, we will request a management representation letter, which will include representations regarding legal matters. Accordingly, if any new information comes to your attention during the course of the audit on matters covered in your response or on additional matters not covered in your original response, we request that you inform us as soon as practicable.

If you have any questions about our request or anticipate needing more than 10 business days to respond, please contact me by email as listed above.

Sincerely,

Travis Jones

Auditor in Charge

Travis Jones

Information Systems Auditor, Office of the Washington State Auditor

www.sao.wa.gov

We're on social! Follow us on Facebook, Twitter and LinkedIn.