

BEFORE THE COMMISSIONER OF  
POLITICAL PRACTICES  
STATE OF MONTANA

---

In the Matter of:	)	
	)	
JASON LIECHTY	)	SUMMARY OF FACTS
	)	and
vs.	)	STATEMENT OF FINDINGS
	)	
BITTERROOT CITIZENS	)	
FOR RESPONSIBLE GOVERNMENT	)	
	)	

---

**INTRODUCTION**

On November 1, 2010, Ravalli County resident Jason Liechty (Liechty) filed four (4) complaints with the office of the Commissioner of Political Practices (COPP) against Bitterroot Citizens for Responsible Government (hereafter “BCRG”) and two (2) complaints against George Corn, who was then the Ravalli County Attorney and a candidate for re-election to that office.

Mr. Corn’s opponent in the November 2, 2010, general election for Ravalli County Attorney was Bill Fulbright.

BCRG is an independent political committee having properly and timely filed required reports with COPP at all times relevant herein.

At the request of complainant Jason Liechty, on December 3, 2010, then-COPP, Dennis Unsworth dismissed the two (2) complaints against George Corn. The four (4) complaints by Liechty against BCRG are addressed herein.

The address for BCRG, set forth in Liechty's complaints to COPP, was P.O. Box 104, Hamilton, MT. However, this was an incorrect address as Liechty transposed the numbers from 401 to 104. BCRG's true address is P.O. Box 401, Hamilton, MT. On November 22, 2010, then Commissioner of Political Practices, Dennis Unsworth sent Liechty's Complaints to BCRG at the address provided in Liechty's complaint, requesting BCRG respond to Liechty's complaints by December 13, 2011. Due to the complaint being sent to the wrong address for BCRG, BCRG did not receive then Commissioner Unsworth's November 22, 2010 letter. Therefore, no response to COPP was provided by BCRG to the November 22, 2010, letter.

Upon discovering the complaint had been sent to BCRG at the wrong address, COPP's investigator contacted BCRG Treasurer, Kelsey Milner, and obtained the proper address for BCRG. COPP's investigator then sent a copy of Liechty's complaints to BCRG via email. Shortly thereafter, Mr. Milner responded to the complaints by Liechty, telephonically, in an interview with COPP's investigator.

## **SUMMARY OF FACTS**

### Complaints #1 & #2, ("The Disclaimer Complaints")

Mr. Liechty's Disclaimer Complaints allege; "On October 25, 2010, a radio add was played on KLYQ 1240 AM. The ad placers failed to properly identify themselves per 13-35-225(1), MCA." Mr. Liechty's Disclaimer Complaints also state; "I have included the add (labeled "1 of 6") (labeled "2 of 6") on the flash drive enclosed."

Mr. Liechty's Complaints were filed with one flash drive, which included an audio copy of all of the radio advertisements forming the basis of Liechty's complaints against BCRG.

All of the radio advertisements referenced in Mr. Liechty's Disclaimer Complaints contained the following disclaimer, "Paid for by Bitterroot Citizens for Responsible Government, Hamilton, Kelsey Milner, Treasurer." BCRG is an independent political committee having properly filed required reports with COPP during all times relevant herein.

Complaints #3 & #4 (The "Clean Campaign Complaints")

"On October 25, 2010, a radio add was played on KLYQ 1240 AM. The ad placers failed to notify Bill Fulbright per 13-35-402, MCA." Mr. Liechty's Clean Campaign Complaints also state; "I have included the ad (labeled "1 of 6") (labeled "3 of 6") on the flash drive enclosed."

The violations of § 13-35-402, Mont. Code Ann. alleged by Mr. Liechty in his Clean Campaign Complaints are for failure to provide notice, to county attorney candidate Bill Fulbright, of the radio ads intended for public distribution in the 10 days prior to the general election. Mr. Liechty worked on Fulbright's campaign as an organizer.

The transcripts of the radio advertisements provided to COPP by Liechty are attached as **Exhibit 1**. Three of those radio advertisements aired on October 25, 2010. One of the radio advertisements aired on October 27, 2010. The general election was held November 2, 2010. Accordingly, these radio advertisements were distributed to the

public within ten (10) days of the general election. One of the radio advertisements at issue indicated “Bill Fullbright took our tax money to pay for school and tried to get out of paying it back ... when he filed for bankruptcy.” The second radio advertisement stated “...Bill Fullbright told his supporters that he filed for bankruptcy because of his student loans ... that court documents show that he was getting out of paying big malpractice judgments that had been ordered in a court of law ... he was less than complete with the facts.” The third radio advertisement also indicated Fullbright “got out of paying” the malpractice suits “by filing for bankruptcy.”

On September 6, 2010, Ravalli Republic newspaper reporter Perry Backus wrote an article regarding Mr. Fullbright’s candidacy for Ravalli County Attorney, (hereafter “Backus article”). The Backus article was published 57 days before the general election on November 2, 2010, and is attached as **Exhibit 2**.

The Backus article included information regarding Fullbright’s Chapter 7 bankruptcy in 2003, specifically indicating Fullbright’s bankruptcy “included \$107,145 in student loans and \$305,762 in professional liability claims,” and that he “didn’t tell them the bankruptcy included a \$250,392 professional malpractice claim from a lawsuit filed the year before in California.”

BCRG ran a newspaper ad in the Ravalli Republic newspaper that was published on October 22, 2010. This newspaper ad was more than ten (10) days prior to the general election. This advertisement addresses issues similar to those contained in the radio ads, including Mr. Fullbright’s bankruptcy, malpractice judgments, and student loans. This newspaper advertisement is attached as **Exhibit 3**.

Mr. Fulbright informed COPP he was not notified of the radio ads prior to their distribution to the public in the 10 days preceding the general election. However, Fulbright confirmed receipt of the ads that were published in the Ravalli Republic newspaper. During an interview with Kelsey Milner, he recalled notifying Fulbright of all news ads and all but one of the radio ads via email and stated Fulbright confirmed receipt of the notice, and thanked him for providing it. Milner has since deleted the emails from Fulbright. (The recall differences between Messrs. Milner and Fulbright are not significant to this case.)

## STATEMENT OF FINDINGS

### The Disclaimer Complaints

Section 13-35-225(1), Mont. Code Ann. Provides;

(1) All communications advocating the success or defeat of a candidate, political party, or ballot issue through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, poster, handbill, bumper sticker, internet website, or other form of general political advertising must clearly and conspicuously include the attribution "paid for by" followed by the name and address of the person who made or financed the expenditure for the communication. When a candidate or a candidate's campaign finances the expenditure, the attribution must be the name and the address of the candidate or the candidate's campaign. In the case of a political committee, *the attribution must be the name of the committee, the name of the committee treasurer, and the address of the committee or the committee treasurer.* (Emphasis added.)

In the Matter of the Complaint Against Dee Brown, Jerry O'Neil, and George Everett (May 9, 2008), this office noted that neither the Legislature, by statute, nor this office, by rule, has provided direction regarding the specific appearance, size, and location of the attribution required by the statute. Likewise, in the instant complaint,

there is no statutory or rule direction regarding what specifically is required in the “address” part of the attribution language.

While the statute requires the name and address of the person financing the expenditure, it does not specify whether the address requirement includes a street or P. O. Box, or if the location (town/city) is sufficient. The attribution by BCRG did include the requisite information, i.e., “Paid for by”, the committee name, name of the treasurer, and an address (Hamilton, MT) for the committee. The address on the broadcast material in question did not include a street or P.O. Box number.

The Montana Supreme Court has addressed an applicable rule of statutory construction which provides guidance on this issue, in the case of *Clouse v. Lewis & Clark County*, 2008 MT 271, ¶ 42, ¶ 50, 345 Mont. 208, 190 P3d 1052 (2008). Therein, the Court stated:

“We will not insert what the Legislature has omitted from a statute unless the result is contrary to the Legislature’s clear intent. Section 1-2-101, MCA.”

“Our rule is simply to “ascertain and declare what is in terms or in substance contained [in statutes], and not insert what has been omitted or omit what has been inserted.”

Section 1-2-101, Mont. Code Ann., states:

“ In the construction of a statute, the office of the judge is simply to ascertain and declare what is in terms or in substance contained therein, not to insert what has been omitted or to omit what has been inserted. Where there are several provisions or particulars, such a construction is, if possible, to be adopted as will give effect to all.”

A review of the statutes under the jurisdiction of this office shows that the legislature used the term “mailing address” in some provisions, and the term “address” in

other provisions. Therefore, the legislature is presumed to have a reason for the difference in language.

It is common understanding that the term “mailing address” includes sufficient information for mail delivery to a specific person at a specific location, either a street number or a post office box. Likewise, under the authority of § 1-2-101, Mont. Code Ann., as interpreted by *Clouse v. Lewis & Clark County* *Clouse v. Lewis & Clark County*, *supra*, it is presumed when the legislature uses the term “address” it has a different meaning than when it uses the term “mailing address.” Examples of this differentiation are found in § 13-37-229(2) and (6), Mont. Code Ann., which use the term “mailing address” whereas subsection (5) of that statute refers to the term “address”. Likewise, § 13-37-230(1)(a, b and e), Mont. Code Ann. refer to the term “mailing address”, but subsection (1)(d) of that statute uses only the term “address” without the specific modifying term “mailing” preceding the word “address”.

The statute at issue here, § 13-35-225(1), Mont. Code Ann., specifically uses only the word “address” without the adjective “mailing” preceding it. Thus, to give effect to the legislature’s distinct use of the word “address” in this statute, it is proper to conclude that the statute does not require a street number or Post Office Box precede “Hamilton” in the disclaimer.

#### Clean Campaign Complaints

The statute alleged to have been violated, § 13-35-402, Mont. Code Ann., provides:

"(1) A candidate, a political committee that has filed a certification under 13-37-201, and an independent political committee shall at the time specified in subsection (3) of this section provide to candidates listed in subsection (2) of this section any final copy of campaign advertising in print media, in printed material, or by broadcast media that is intended for public distribution in the 10 days prior to an election unless:

- (a) identical material was already published or broadcast; or
- (b) the material does not identify or mention the opposing candidate.

(2) The material must be provided to all other candidates who have filed for the same office and who are individually identified or mentioned in the advertising, except candidates mentioned in the context of endorsements.

(3) Final copies of material described in subsection (1) must be provided to the candidates listed in subsection (2) at the following times:

(a) at the time the material is published or broadcast or disseminated to the public;

(b) if the material is disseminated by direct mail, on the date of the postmark; or

(c) if the material is prepared and disseminated by hand, on the day the material is first being made available to the general public.

(4) The copy of the material that must be provided to the candidates listed in subsection (2) must be provided by electronic mail, facsimile transmission, or hand delivery, with a copy provided by direct mail if the recipient does not have available either electronic mail or facsimile transmission. If the material is for broadcast media, the copy provided must be a written transcript of the broadcast.

(5) For the purposes of this section, an "independent political committee" is a committee that is not specifically organized on behalf of a particular candidate or that is not controlled either directly or indirectly by a candidate or a candidate's committee in conjunction with the making of expenditures or accepting contributions."

Prior to broadcasting the radio advertisements, BCRG published the above referenced newspaper advertisement. The radio advertisements at issue here contained essentially the same information about candidate Fulbright. In addition, the Backus article contained essentially the same information about candidate Fulbright. The provisions of the Clean Campaign Act do not apply if "identical material was already published or broadcast." Section 13-35-402(1)(a)Mont. Code Ann.

The rules of statutory construction require the language of a statute be construed according to its plain meaning, if possible. If the language is clear and unambiguous, no further interpretation is necessary. Rausch v. State Comp. Ins. Fund, 2002 MT 203, ¶ 33, 311 Mont. 210, ¶ 33, 54 P.3d 25, ¶ 33. When construing a statute the intent of the Legislature should be pursued by reasonably and logically interpreting the statute as a whole, giving words their usual and ordinary meaning, without omitting or inserting anything, and without focusing on only part of the statute. Gaub v. Milbank Ins. Co., 220 Mont. 424, 427-28, 715 P.2d 443, 444-45 (1986). Statutory construction should not lead to absurd results if a reasonable interpretation will avoid it. State ex rel. Ronish v. School Dist. No. 1, 156 Mont. 453, 460, 348 P.2d 797, 801 (1960). If the plain words of a statute are ambiguous, the next step is to determine legislative intent by examining the legislative history of the statute. Infinity Ins. Co. v. Dodson, 2000 MT 287, ¶ 46, 302 Mont. 209, ¶ 46, 14 P.3d 487, ¶ 46.

The word “identical” is not defined in § 13-35-402, Mont. Code Ann., or any other provision of the Montana Code Annotated. Therefore, it is appropriate to look to at accepted dictionary definitions. See Ravalli County v. Erickson, 2004 MT 35, ¶ 13, 320 Mont. 31, ¶ 13, 85 P.3d 772, ¶ 13. According to Merriam-Webster’s Collegiate Dictionary, Eighth Edition (2008), “identical” is defined as 1. being the same; 2. having such close resemblance as to be essentially the same; 3. having the same cause or origins. Dictionary.com defines “identical” as 1. similar or alike in every way; 2. being the very same; 3. agreeing exactly. Depending on which of the first two commonly accepted definitions is applied, the statutory exception in subsection (1)(a) would apply if 1) the

previously published campaign material is exactly the same as the later published material, or 2) if the previously published material is essentially the same.

General principles of statutory construction set forth above dictate a statute derives its meaning from the entire body of words taken together, not the definition of one word. Therefore, it would be inappropriate to focus on the word “identical” in isolation, regardless of which dictionary definition seems most applicable. Because ambiguity exists when taking the definition of the word “identical” in context of the entire statute, it is appropriate to consider the legislative history of §13-35-402, Mont. Code Ann.

The sponsor of the Montana Clean Campaign Act in 2007, Senator Joe Balyeat of Bozeman, was asked what the term “identical material” in §13-35-402, Mont. Code Ann., meant in a hearing before the Senate State Administration Committee during the 2007 Legislature. In his response (and in his closing before the House State Administration Committee), Senator Balyeat stated ‘identical material’ meant something that didn’t raise new issues, and that had been raised earlier in the campaign. Senator Balyeat stated that the intent of the clean campaign legislation was to eliminate the element of surprise. In the Matter of the Decision re: Gallagher v. MCV, February 2011, p. 5.

In radio ads that aired during the 10-day period prior to the election, BCRG raised the issue of malpractice judgments and sanctions ordered against Mr. Fulbright in California, and Mr. Fulbright’s personal bankruptcy filing in Montana. The Backus article first raised those issues in its September 6, 2010, newspaper article by Perry Backus. BCRG raised the issues in its October 22, 2010, newspaper advertisement – 12 days before the general election (11 days prior not counting the day of the election).

BCRG' newspaper ad was published 46 days after the Backus article and its radio ads aired 49 days after the article. Although the exact language in the Backus article, newspaper ad, and radio ads, did not match word for word, the three representations were similar enough to be essentially the same, thereby meeting one of the commonly accepted definitions of the term "identical." Moreover, the three representations share the same origin, i.e., public court records.

The Backus article discussed the same issues as the BCRG' newspaper and radio ads in considerably more detail. Section 13-35-402(1)(a), Mont. Code Ann. requires fair notice to be provided unless "identical material was already published or broadcast." This exception language does not appear to restrict the prior publishing to campaign ads published by the subject of the complaint (in this case, BCRG) – in other words the exception would appear to apply even if the identical material was previously published in a news story. Thus, the fact that *essentially* identical material was previously published in BCRG's October 22, 2010 newspaper ad and in the September 6, 2010, Backus article supports the conclusion that there was no violation of § 13-35-402, Mont. Code Ann.'s fair notice requirement.

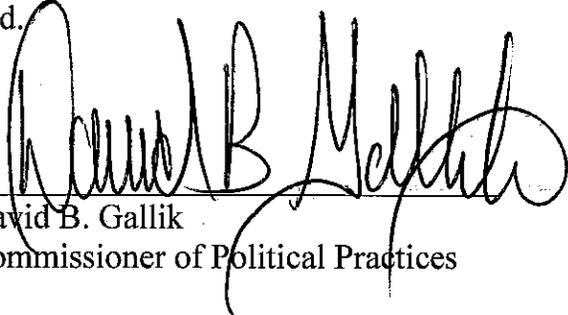
The legislative history of the Act indicates intent to remove the element of surprise during the last ten days of a campaign by requiring that candidates be given notice of campaign materials distributed by opposing parties that raised "new issues." The radio ads broadcast within the 10-day period prior to the election did not, in the words of Joe Balyeat the sponsor of the Clean Campaign Act, raise new issues or result in any surprise

(see the MCV decision at 5). The exception to the Clean Campaign Act provided in § 13-35-402(1)(a) applies.

### CONCLUSION AND ORDER

There is insufficient evidence to support a finding that BCRG violated §13-35-225(1), Mont. Code Ann., and the complaint alleging such violation is dismissed. Also, there is insufficient evidence to support a finding that BCRG violated §13-35-402, Mont. Code Ann., and those complaints are also dismissed.

DATED this 25<sup>th</sup> day of October, 2011.

  
\_\_\_\_\_  
David B. Gallik  
Commissioner of Political Practices

### Certificate of Mailing

I certify that I mailed the within document postage prepaid, to the following individuals, at the addresses stated.

Jason Liechty  
125 Valley View Street, Unit C  
Stevensville, MT 59870

Kelsey Milner for BCRG  
P.O. Box 401  
Hamilton, MT 59840

DATED this 25 day of October, 2011.

  
\_\_\_\_\_  
Commissioner of Political Practices

"I hear you are upset about the government's bailout of wall street".

"I am. Our tax money was used to bail out people that should have paid for their own mistakes."

"Come to think of it, that sounds like Bill Fullbright."

"What?"

"Yeh, Bill Fullbright took our tax money to pay for school and tried to get out of paying it back."

"Maybe he didn't have a job."

"But, he filed for bankruptcy when he was on the County payroll."

"Sounds like Bill Fullbright got a bailout of his own."

"That's why I am voting for George Corn. I want someone who is responsible with my tax money. He's been doing a good job prosecuting the bad guys for 20 years."

"I think I will too. I want public safety in the hands of someone who is responsible."

Paid for by Bitterroot Citizens for Responsible Government, Hamilton, Kelsey Milner treasurer

---

"I read that Bill Fulbright told his supporters that he filed for bankruptcy because of his student loans."

"I saw that too. He said something about the government 'capitalizing interest'."

"Well that's what any bank will do if you don't make your payments. It seems like it was just an excuse to get out of paying back the money he borrowed from us taxpayers."

"That doesn't sound fair. But, what bothers me is that court documents show that he was getting out of paying big malpractice judgments that had been ordered in a court of law."

"You mean he was less than complete with the facts."

"It appears so."

"I'm voting for George Corn for County Attorney. You know you will get a straight story from George Corn."

"Me too. I want keep public safety in hands I can trust."

Paid for by Bitterroot Citizens for Responsible Government, Hamilton, Kelsey Milner treasurer

---

*Exhibit 1*

"I hear Bill Fulbright is prosecuting criminals."

"He is and seems to be doing ok at it. But, what about his malpractice in California?"

"What happened?"

"Three clients sued him for malpractice. His insurance paid off one of them and still owed \$305,000. Then he came to Montana and got out of paying by filing for bankruptcy."

"Sounds like he doesn't do so good on his own."

"It's a good thing he is working for someone here in Ravalli County to keep him on track."

"I'm voting for George Corn for County Attorney. He has managed the County Attorney's office for 20 years."

"Me too. We can't take chance on fumbling the ball when it comes to my family's safety."

Paid for by Bitterroot Citizens for Responsible Government, Hamilton, Kelsey Milner treasurer

In accordance with Section 13-35-240, Montana Code Annotated, I

Kelsey S. Milner being a duly authorized representative of the  
(Printed name of authorized representative)

Bitterroot Citizens for Responsible Government  
(name of third party campaign or initiative)

Hereby swear under penalty of law that all information in the campaign material entitled  
Fulbright radio spot  
(name of material / spot)

Is true and verifiable.

Kelsey S. Milner 10/25/2010  
(signature) (date)  
81 Ricketts Rd Hamilton MT 59840  
(street address) (city) (zip code)  
406-363-7555  
(phone)

Received by \_\_\_\_\_  
Representative of Office of Commissioner of Political Practices

\_\_\_\_\_  
(signature) (date)

Attachments: Copies of scripts and any other supporting material.

Home / Ravalli Republic || News / Local / Local

## Ravalli County attorney race: Malpractice lawsuits a factor in Fulbright bankruptcy

- Story
- Discussion

Ravalli County attorney race: Malpractice lawsuits a factor in Fulbright bankruptcy

By PERRY BACKUS - Ravalli Republic RavalliRepublic.com | Posted: Monday, September 6, 2010 10:00 pm | (26) Comments

Font Size:

Default font size

Larger font size

- 1 retweet

•

Sign Up to see what your friends recommend.

Ravalli County attorney candidate Bill Fulbright told supporters in August that a battle over student loan payments had forced him to file Chapter 7 bankruptcy in 2003.

He didn't tell them the bankruptcy included a \$250,392 professional malpractice claim from a lawsuit filed the year before in California.

Fulbright is running as a Republican candidate against incumbent Ravalli County Attorney George Corn. He currently serves as a deputy county attorney.

Last month, Fulbright volunteered information about the bankruptcy in a letter to supporters on his website and in an interview with the Ravalli Republic.

He said his family's decision to file bankruptcy was the result of a 10-year "running battle" with the Federal Student Loan Commission over its decision to capitalize interest on his student loans.

Bankruptcy documents filed in Butte indicate that 64 percent of the unsecured debt Fulbright asked to discharge was included in two professional liability claims.

Dee Gomez of Sacramento, Calif., secured a claim of \$250,392 in the bankruptcy filing.

Gomez sued Fulbright in 2002 for failing to "exercise reasonable care and skill in undertaking to perform legal services" when he was practicing in Lodi, Calif.

*Exhibit 2*

Court documents indicate that Fulbright was served court papers in November 2002 and when he failed to respond, the court entered a default judgment against him for \$250,000, plus costs in April 2003.

Gomez was eventually awarded \$4,869 on her claim in Fulbright's bankruptcy.

Monica R. Larkin sued Fulbright in 2001 for \$55,370. Larkin said he "negligently failed to serve the summons and complaint in San Joaquin County Supreme Court" and that he "did not possess the necessary expertise to handle such a case."

San Joaquin Superior Court documents showed Fulbright was served with court papers in November 2001 and March 2002 in the Larkin case.

Larkin's attorney filed a motion for a default in March 2002, but no judgment was made before Fulbright filed bankruptcy in September 2003.

Both cases were stayed following the bankruptcy filing.

Fulbright said Monday he didn't know the Larkin case had been filed in superior court.

"I was never served in that case," he said.

Fulbright said he didn't remember the details of the Gomez case, except that it involved a personal injury.

"She was an unhappy client ... after practicing law for 10 years, you get people who are mad at you," Fulbright said. "It happens."

Fulbright said he and his family had already moved to Montana when the two cases were filed.

In the Gomez case, Fulbright said his family decided bankruptcy was their only option when the lawsuit was filed and he decided not to return to California to fight it.

"At that point, we knew that bankruptcy was the only option left," he said.

Fulbright told the Ravalli Republic in August that he decided to volunteer information about his bankruptcy after hearing the issue was being discussed in the local rumor mill.

"An attorney came up to me and said, 'So I heard you filed bankruptcy to get out from under your student loans,'" Fulbright told the Republic. "That was not my motivation for filing bankruptcy. That's completely off-base."

Fulbright said he disputed accounting by the Federal Student Loan Commission that capitalized interest which resulted in a doubling of the principal balance over a 10-year period.

By filing bankruptcy, Fulbright said he was able to sue the student loan commission to "stop the madness."

Fulbright filed a Chapter 7 bankruptcy, which allows a debtor to turn over all non-exempt property to a bankruptcy trustee who then converts it to cash for distribution to creditors. Other debts are wiped clean.

Court records said Fulbright listed \$474,145 in unsecured nonpriority claims, which included \$107,145 in student loans and \$305,762 in professional liability claims.

A bankruptcy judge ruled in January 2005 that Fulbright had failed to show that repaying his student loans would impose an undue hardship on his family, considering the fact he tithes \$430 a month in voluntary religious contributions to his church.

Judge Ralph Kirscher also said Fulbright had never applied for available repayment programs. The judge ordered him to repay loans of \$91,337, plus accruing interest.

"Fulbright is not entitled to equitable relief because he has not acted equitably or availed himself of available relief," Kirscher wrote.

In August, Fulbright said he continues to pay on his student loans.

Fulbright began working at the Ravalli County Attorney's Office in 2002. He was named Montana Prosecutor of the Year in 2007.

Reporter Perry Backus can be reached at 363-3300 or [pbackus@ravallirepublic.com](mailto:pbackus@ravallirepublic.com).

Copyright 2011 RavalliRepublic.com. All rights reserved. This material may not be published, broadcast, rewritten or redistributed

Posted in Local on *Monday, September 6, 2010 10:00 pm* Updated: 7:14 am.

Share This Story

Print Email ShareThis

### Other Stories

- Reliving history: Stevi residents celebrate 170th anniversary of town's founding
- Smoke suspected as contributing to Skalkaho sheep deaths
- Bitterroot farmers welcome visitors for first-ever Farm Fest
- Victim of grizzly attack killed by hunting partner, not bear
- Raven-free artwork: Sixth annual Scarecrow Festival scheduled for Friday, Oct. 7
- Ravalli County judge hears arguments on cut justice court positions
- Fire in Sapphire Mountains flares, but stays in lines
- Weather extends growing season for Bitterroot Valley farmers

## Sponsored Links

### 1.10% Money Market Accts

Which money market account pays the most interest?

[www.RateCatcher.com](http://www.RateCatcher.com)

### CD & Money Market Rates

Search For the Highest Rates, Financial Calculators & Articles.

[MMA.Bankrate.com](http://MMA.Bankrate.com)

### Saturna Capital

Values-based global equity managers.

[www.Saturna.com](http://www.Saturna.com)

Ads by Yahoo!



**WHO**

# SHOULD WHAT HAPPENS IN CALIFORNIA STAY IN CALIFORNIA?

Last month, the Ravalli Republic discovered  
that County Attorney candidate Bill  
Fulbright got out of paying over \$300,000  
of legal malpractice judgments

**Bill's response: "It happens."**

*Ravalli Republic, September 6, 2010  
More information in Bitterroot Star, October 13, 2010*

Voters should know all the public facts about  
William E. "Bill" Fulbright's legal experience.

Public records from Bill Fulbright's law practice in  
California show:

## 1. Malpractice Suits

- Alan A. Cheney v. William Fulbright - Insurance policy limits paid on \$1 million claim for loss of a farming lease in 1998.
- Monica Larkin v. William Fulbright - \$55,370 judgment ordered against Bill in 2002 for failure to timely serve a complaint.
- Dee Gomez v. William Fulbright - \$250,392 judgment ordered against Bill in 2003 for failure to exercise reasonable care and skill.

## 2. Sanctions Ordered

- Michael McGranahan v. Heinitz - Court ordered \$1,561.50 sanction against Bill and his client on March 26, 1997 for failure to respond.
- Susan Parkin v. Beverly Enterprises - Court ordered \$1,000 sanction against Bill and client May 23, 2000 for late responses.
- Sandra Bauer v. Faustino - Court ordered \$250 sanction against Bill on November 14, 2002 for failure to prosecute with due diligence.

## 3. Bankruptcy Filed by Bill Fulbright v. USA, Case No. 03-82471

- Bill got out of paying all but \$4,870 of the malpractice judgments against him.
- Bill got out of paying sanctions and legal fees to a law firm who represented him in one malpractice suit.
- Bill tried to get out of paying (\$90,000) student loans but was unsuccessful.
- *The Bankruptcy Court said Bill's had "not acted equitably" in a decision dated May 6, 2005.*

**A County Attorney must know how to manage a law office.  
Bill Fulbright's record says he's not up to the job.**

**George Corn is the *only* financially responsible candidate  
for Ravalli County Attorney.**

**Vote for George Corn for County Attorney**

Paid for by Bitterroot Citizens for Responsible Government, Kelsey Milner, Treasurer,  
PO Box 401, Hamilton, MT 59840

*Exhibit 3*