

Cook, Scott

From: Logan Olson <lolson1996@gmail.com>
Sent: Tuesday, May 28, 2024 12:15 PM
To: Hendricksen-Scott, Shelley
Cc: Gallus, Chris J.; Cook, Scott
Subject: Re: [EXTERNAL] Re: New Complaint Received by COPP- Hogan v. Olson, COPP-2024-CFP-018
Attachments: 240528_AMD_LTR_LPO_COPP.pdf

I apologize for the oversight. Attached is the correct version of my written response.

I have not retained counsel to-date.

Thanks again.

Logan Olson
Cell: 406.783.8503

On Tue, May 28, 2024 at 12:03 PM Hendricksen-Scott, Shelley <Shelley.Hendricksen-Scott@mt.gov> wrote:

Mr. Olson,

Thank you for your response in the above-named matter. I want to be certain we received your complete response but it appears something may be missing at the end of paragraph 4. In order to assist us in addressing the matter fully, please review your response and let me know if you would like to amend it. Additionally, can you confirm if we should be communicating directly with you regarding this matter or if you have retained counsel.

Kind Regards,

Shelley Hendricksen-Scott

Chief Legal Counsel

Office of Political Practices

PO Box 202401

1209 8th Avenue

Helena, MT 59620-2401

406-444-3247

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From: Logan Olson <lolson1996@gmail.com>
Sent: Tuesday, May 28, 2024 11:04 AM
To: Gallus, Chris J. <Christopher.Gallus@mt.gov>
Cc: Cook, Scott <SCook3@mt.gov>; Hendricksen-Scott, Shelley <Shelley.Hendricksen-Scott@mt.gov>
Subject: Re: [EXTERNAL] Re: New Complaint Received by COPP- Hogan v. Olson, COPP-2024-CFP-018

Commissioner Gallus, Mr. Cook, and Ms. Hendricksen-Scott,

Attached please find my written response to the Complaint filed against me in your office.

Thank you.

Logan Olson

Cell: 406.783.8503

On Thu, May 16, 2024 at 6:17 PM Gallus, Chris J. <Christopher.Gallus@mt.gov> wrote:

Mr. Olson,

I hope you are well. Thank for your email. I am reviewing your request. I will let you know as soon as I reach a decision regarding an extension. I reserve the right to deny or modify with respect to the time of any extension or to grant an extension as to some, but not all issues contained in the complaint, if an extension is granted at all. I certainly respect your right to legal counsel. I must weigh this in light of other rights and circumstances occurring regarding this issue.

I did want to make you aware I received your request and that it will be promptly reviewed.

Best regards,

Chris

Chris J. Gallus, Commissioner

Montana Political Practices

(406) 465-4353

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From: Logan Olson <lolson1996@gmail.com>

Sent: Thursday, May 16, 2024 10:26:09 AM

To: Cook, Scott <SCook3@mt.gov>

Cc: Katie Wenetta <katie@burnttimberconsulting.com>; Gallus, Chris J. <Christopher.Gallus@mt.gov>; Hendricksen-Scott, Shelley <Shelley.Hendricksen-Scott@mt.gov>

Subject: [EXTERNAL] Re: New Complaint Received by COPP- Hogan v. Olson, COPP-2024-CFP-018

Commissioner Gallus, Mr. Cook, and Ms. Hendricksen-Scott,

I am in receipt of Commissioner Gallus's letter and a copy of the complaint filed against me. I hope to avoid the trope of the attorney who represents himself and has a fool for a client, so I have attempted to retain counsel to assist me in this matter. I am having difficulty finding anyone who can assist me within the eight day deadline articulated in Commissioner Gallus's letter. As such, I am requesting four weeks from the date of Commissioner Gallus's letter to respond to the complaint against me so as to allow me to retain counsel to assist me with my response.

Please let me know your decision once made so that I can appropriately prepare.

Respectfully,

Logan Olson

Cell: 406.783.8503

On Wed, May 15, 2024 at 2:40 PM Cook, Scott <SCook3@mt.gov> wrote:

Logan,

Please see the attached copy of *Hogan v. Olson*, COPP-2024-CFP-018, a formal Complaint alleging violation of Montana election law under the Commissioner's jurisdiction received by COPP and accepted for initial review by Commissioner Gallus. A letter from Commissioner Gallus outlining the formal Complaint process and requesting a written response addressing the specific allegations presented is also included. Hard copy (paper) versions of these documents can be sent to you via U.S. Mail as well upon request. The complaint will be publicly posted to COPP's website tomorrow (Thursday, May 16, 2024). Please feel free to contact myself, Commissioner Gallus, or COPP's agency attorney Shelley Hendricksen-Scott with questions about the formal Complaint process- As an FYI I will be out of the office May 22-28, and unavailable to respond to questions during that time. The requested written response in this matter may appropriately be submitted via email, to the Commissioner and Shelley in addition to myself.

Scott Cook

Compliance Specialist 3/Public Records Officer

Office of the Commissioner of Political Practices

(406) 444-4627

SCook3@mt.gov

Logan Olson
PO Box 55
Flaxville, MT 59222

May 28, 2024

Commissioner of Political Practices
1209 8th Avenue
PO Box 202401
Helena, MT 59620-2401

Dear Commissioner Gallus,

This letter is in response to your May 15 letter regarding a May 8, 2024 Complaint (COPP-2024-CFP-018) filed against me by Ms. Sheila Hogan, the Executive Director of Montana Democrats. This letter will address the allegation contained in said Complaint.

My oath of office is not false, as I will have met the minimum requirement of actively practicing law for five years by the November election.

The Commission noted in *Wanzenried v. Graybill* (COPP-2020-DR-0001) that the Montana Supreme Court has defined the active practice of law as “active and continuous engagement ... in the performance of legal services and includes the following activities if performed ... while the applicant was admitted in active status: a. representation of one or more clients in the practices of law ...” *Id.* at p. 12, ¶1.

In the Commissioner of Political Practices’ Declaratory Ruling in *Graybill*, the Commissioner determined that the term “election” as used in the executive branch qualifications section of the Montana Constitution means the general election taking place in November. *Id.* p. 6, ¶4.

The Montana Supreme Court has held that “this Court’s order, which provides for the certification of student attorneys (the Student Practice Rule), combined with the dean of the law school’s certification of students to act as student attorneys, provide the guidelines for ‘admission’ of a student attorney to the practice of law.” *Shapiro v. Jefferson Co.*, 278 Mont. 109, at 115 (1996). The Court ultimately ruled a county attorney’s year spent practicing under the Student Practice Rule counts towards the five-year requirement for full-time county attorneys under state statute.

Mont. Code Ann. §37-61-201 reads in pertinent part “[a]ny person ... who appears in any court of record or before a judicial body, referee, commissioner, or other officer appointed to determine any question of law or fact by a court ... is considered to be practicing law.”

Applying the foregoing to the facts surrounding the immediate Complaint, I was admitted to practice law in Montana under the Student Practice Rule in September 2019. Between September 2019 and September 2020, I represented multiple clients through my work in the ASUM Legal Services office and as a student associate working for the O’Toole Law Firm. I represented clients in civil and criminal matters, appeared in court, communicated with opposing counsel, made

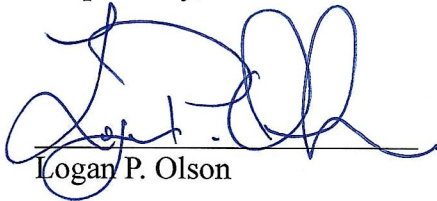
decisions as to how to proceed with cases, and bargained for the settlement of cases during this time.

In September 2020, I was admitted to the State Bar of Montana after passing the bar exam and my character and fitness evaluation. From September 2020 to January 1, 2021, I was employed as an attorney at O'Toole Law Firm and as Deputy County Attorney for Daniels County. From January 1, 2021 to present, I have continued my work as an attorney at O'Toole Law Firm and have served as the Daniels County Attorney. The general election for Attorney General takes place in November of this year. By the time of the general election, I will meet the five-year requirement articulated in the Montana Constitution. As such, my oath of office is not false.

The Complaint fails to allege other instances of my violation of the law, and the Complaint should thus be dismissed.

Ms. Hogan's sole allegation that I have violated the law is that my oath of office is false. As demonstrated herein, I will meet the five-year requirement detailed in the Montana Constitution by the general election in November. The remainder of Ms. Hogan's complaint does not contain allegations that I have violated the law. As such, Ms. Hogan's Complaint should be dismissed.

Respectfully,



Logan P. Olson