

1 Sheila Sullivan Polk
2 Yavapai County Attorney

3 Jack H. Fields, SBN 012470
4 Benjamin D. Kreutzberg, SBN 027984
5 Deputy County Attorneys

6 255 East Gurley Street
7 Prescott, Arizona, 86301
8 (928) 771-3344
9 YCAO@yavapai.us

ARIZONA OFFICE OF ADMINISTRATIVE HEARINGS

10 IN THE MATTER OF

No. 14F-001-AAG

11 TOM HORNE, individually; Tom
12 Horne for Attorney General
13 Committee (SOS Filer 2010 00003);
14 KATHLEEN WINN, individually;
15 Business Leaders for Arizona (SOS
16 Filer 2010 00375).

**YAVAPAI COUNTY'S NOTICE
OF ERRATA TO ITS ORDER
REQUIRING COMPLIANCE**

(The Honorable Tammy Eigenheer)

17 The Yavapai County Attorney's Office hereby gives notice of the following
18 errors in its Order Requiring Compliance, issued October 17, 2013 ("the Order").
19

20 The Order notes that Kathleen Winn called Tom Horne at 3:01 p.m. on
21 October 20, 2010. Order at pages 9 and 13. However, although Winn did call
22 Horne at that time, the call does not show up on Horne's telephone records,
23 indicating that they did not actually speak. Exhibit 7, Winn Phone Records and
24 Exhibit 10, Horne Phone Records. Accordingly, the Yavapai County Attorney's
25 Office no longer believes that any information was exchanged at 3:01 p.m. on
26

1 October 20, 2010.¹ The other evidence more than adequately supports the Yavapai
2 County Attorney’s Office’s Findings and Conclusions (subsection II.F) and Order
3
4 (subsection III), and they remain unaffected.

5 The Order also noted a \$15,000 contribution from “NCP Finance Limited”
6 and designated it as a corporate contribution. Order at page 23. It appears that the
7
8 entity making the contribution was “NCP Finance Limited Partnership.” Exhibit 17,
9 BLA Contributions. Contributions by partnerships as entities are prohibited.
10 A.R.S. § 16-907(C) (“For purposes of this article, a contribution from partnership
11
12 funds shall only be made in the name of the individual partners who make the
13 contribution.”). Accordingly, the NCP Finance Limited Partnership contribution of
14 \$15,000 that was deemed to Tom Horne and the Horne Campaign was unlawful,
15
16 and all of the remedies and consequences contained within the Order are
17
18 unaffected.

19 RESPECTFULLY SUBMITTED this 28th day of January, 2014.

20 Sheila Sullivan Polk
21 YAVAPAI COUNTY ATTORNEY

22
23 By: /s/ Benjamin Kreutzberg
24 Jack Fields
25 Benjamin Kreutzberg
26 Deputy County Attorneys

26 ¹ Similarly, page 7 of the Order states that “[b]etween 10:21 a.m. and . . . 1:42 p.m., the phone records show five calls between Horne and Winn” It appears that not all of those calls were actually completed. Again, the Order’s Findings and Conclusions (subsection II.F) and Order (subsection III) remain unaffected.

Office of the Yavapai County Attorney

255 E. Gurley Street, Suite 300

Prescott, AZ 86301

Phone: (928) 771-3344 Facsimile: (928) 771-3110

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ORIGINAL OF THE foregoing was
E-FILED this 28th day of January, 2014
and electronically submitted to registered
parties of record:

Michael Kimerer, Esq.
Kimerer & Derrick
1313 East Osborn Road, Suite 100
Phoenix, AZ 85014
MDK@kimerer.com
Counsel for Tom Horne and Horne for Attorney General

Timothy A. La Sota, Esq.
Tiffany & Bosco, P.A.
Camelback Esplanade II, Third Floor
2525 East Camelback Road
Phoenix, AZ 85016
tal@tblaw.com
Counsel for Kathleen Winn and BLA

By: /s/ Benjamin Kreutzberg