

State of West Virginia
STATEMENT OF WAIVER

**For Candidates, Political Action Committees, or Political Party Executive Committees Exempt
From Filing An Annual, First Primary or First General Campaign Finance Report**

Candidates and committees who are not required to file a financial report may instead submit a Statement of Waiver. The purpose of this Statement of Waiver is to report that the candidate or committee is not required to submit a financial statement.

To qualify for a waiver a candidate or committee must meet the following requirements:

- To waive the Annual Report or the Primary - First Report during an election year, the total of all financial transactions relating to an election may not exceed \$500 during the reporting period. (West Virginia Code §3-8-5(b)(1))
- To waive the General - First Report, the total of all financial transactions relating to an election may not exceed \$500 during the reporting period **AND** may not have any outstanding loans. (West Virginia Code §3-8-5(b)(4))

NOTE: THE STATEMENT OF WAIVER CANNOT BE FILED IN PLACE OF ANY PRE-PRIMARY, POST-PRIMARY, PRE-GENERAL, OR POST-GENERAL ELECTION REPORT.

FOR ALL REPORTS

Please check appropriate box to indicate which report you are filing:

Annual Report _____ Calendar Year
Due last Saturday in March or within 6 days thereafter

Primary - First:
Due last Saturday in March or within 6 days thereafter. This is the first report for current election year reporting

General - First:
Due first Saturday in September or within 6 days thereafter, preceding general election

I, Don Downs, hereby certify that the campaign/committee for which I am responsible for filing campaign finance reports is exempt from filing those financial reports as described in West Virginia Code §3-8-5(b)(1) or §3-8-5(b)(4).

Don Downs

Signature of Candidate, Financial Agent Or Treasurer

Candidate / Political Committee

Candidate/ Committee Name FREE AND OPEN GOVERNMENT

Office Sought _____ District/Division _____ Election Year _____
(Candidate Only) (Candidate Only)

Name of Financial Agent or Treasurer Don Downs Daytime Phone 366-8895

Address P.O. Box 808 FAIRMONT, WV 26554

Where to file this form:

Secretary of State - For statewide and legislative candidates, multi-county judicial candidates, and committees that support or oppose candidates on the ballot in more than one county.

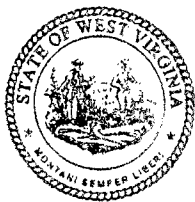
County Clerk - For county offices, single-county judicial candidates, and committees that support or oppose candidates on the ballot in only one county.

Municipal Clerk/Recorder - For municipal offices and committees that support or oppose candidates on a municipal election ballot.



Published by:
The Office of the Secretary of State
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OFFICIAL FORM-12
REVISED 4/07



OFFICE OF THE SECRETARY OF STATE
STATE OF WEST VIRGINIA

Betty Ireland

Secretary of State

May 9, 2008

Don Downs
Free And Open Government
P. O. Box 808
Fairmont, WV 26554

Re: Filing Reminder for the Pre-Primary Reporting Period

Dear Don Downs:

The Office of the Secretary of State is committed to increasing voter confidence in the electoral process in West Virginia. One important method of increasing voter confidence is the encouragement and enforcement of compliance with West Virginia campaign finance laws and regulations pertaining to candidate committees, political action committees and political party executive committees.

Pursuant to West Virginia Code §3-8-7, all political party executive committees and political action committees are obligated to file a financial statement for the Pre-Primary Reporting Period. This reporting period covers all activity from March 29th thru April 27th, 2008. Our records indicate that this report for your campaign is delinquent. Please submit a Campaign Financial Statement Form disclosing all financial activity with our office immediately.

If you believe that you have received this notice in error, please contact me at **1-866-SOS-VOTE** so we can resolve this discrepancy. If the referenced statement has recently been sent via mail, please contact our office so we can verify the delivery.

Sincerely,


Chuck Flannery
Campaign Finance Specialist

This committee is no longer active and has and will be dormant with no activity and none planned with a balance of less than \$5.



Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, West Virginia 25305

