



receipt of Respondent Quick's resignation and advised that he would reflect the same in the corporate minutes.<sup>4</sup> Following his resignation, as a matter of law, Respondent Quick had no further authority, control over or involvement with the actions of Alaska Yes.

On or about August 2, 2019, Respondent Quick registered with the Alaska Public Offices Commission ("APOC") as a candidate for the Kenai Peninsula Borough Assembly.<sup>5</sup> His filing was amended on or about August 6, 2019.<sup>6</sup>

On or about September 6, 2019, Mr. Gilman on behalf of Alaska Yes filed the initial biennial report. In doing so, he listed the four individuals presently involved with Alaska Yes at the time of filing.<sup>7</sup> The APOC should note that Respondent quick was not identified at all in such filing as he had previously resigned months prior.<sup>8</sup>

On or about September 5, 2019, Treasurer Kathy Toms registered Alaska Yes with the APOC.<sup>9</sup> Ms. Toms errantly listed Respondent Quick as a Director.

Thereafter, the Complaint instituting the above-captioned action was filed on September 18, 2019.<sup>10</sup>

Immediately upon receipt of the Complaint, Respondent Quick followed up with individuals who were actually involved in Alaska Yes to advise as to the error and request

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<sup>4</sup> *Id.*

<sup>5</sup> Exhibit 3.

<sup>6</sup> Exhibit 4.

<sup>7</sup> Exhibit 5.

<sup>8</sup> *Id.*

<sup>9</sup> Exhibit 6.

<sup>10</sup> APOC Complaint 19-04-CD.

correction. Ms. Toms immediately, the same day of the filing of the Complaint, filed an amended registration confirming that Respondent Quick was not a Director.<sup>11</sup>

### ARGUMENT

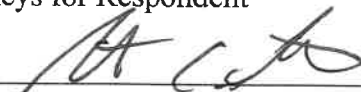
AS 15.13.135 pertains to independent expenditures for or against candidates. Here, Complainant Smith has alleged that Respondent Quick violated this statute due to his direct involvement with the entity, converting any expenditure into a campaign contribution.<sup>12</sup> However, the facts do not support such allegation. The facts demonstrate that Respondent Quick resigned from the entity well in advance of any registration for his campaign, and thus there is no evidence of any direct or indirect consultation, cooperation or involvement.

### CONCLUSION

With the exception of an errant APOC filing, which has subsequently been amended, there is no evidence of any direct or indirect consultation, cooperation or involvement between Respondent Quick and Alaska Yes since the registration of his campaign for public office. Therefore, the Complaint is without merit and must be summarily dismissed.

DATED this 19th day of September, 2019.

HOLMES WEDDLE & BARCOTT, P.C.  
Attorneys for Respondent

By:   
Stacey C. Stone  
Alaska Bar No. 1005030


<sup>11</sup> Exhibit 7.

<sup>12</sup> See e.g., AO-05-01-CD.

**CERTIFICATE OF SERVICE**

The undersigned certifies that on this 19<sup>th</sup> day of September, 2019, a true and correct copy of the foregoing document was served via email to:

Todd Smith  
[aktodd@live.com](mailto:aktodd@live.com)

By:   
Legal Assistant  
Holmes Weddle & Barcott, P.C.

**HOLMES WEDDLE & BARCOTT, PC**  
701 WEST EIGHTH AVENUE, SUITE 700  
ANCHORAGE, AK 99501-3408  
TELEPHONE (907) 274-6666  
FACSIMILE (907) 277-4657



MAR 05 2019

ARTICLES OF INCORPORATION  
OF  
ALASKA YES, INC

CBPL

✓ SOR

FIRST: The name of the corporation (the "Corporation") is: Alaska Yes, Inc.

SECOND: The address of the registered office of the Corporation in the State of Alaska is Gilman & Pevehouse, 130 South Willow Street #3, Kenai, Alaska 99611. The name of the Corporation's registered agent at such address is Blaine D. Gilman.

THIRD: The Corporation is organized as a nonprofit corporation and shall not have any capital stock. The Corporation is organized and shall be operated exclusively to promote social welfare as defined in Section 501(c)(4) of the Internal Revenue Code of 1986 and the Regulations thereunder, as they now exist or as they may hereafter be amended (collectively referred to as "Code"). The Corporation shall have and may exercise, to the extent that they are not inconsistent with the purposes of the Corporation, any and all powers conferred upon nonprofit corporations organized pursuant to the provisions of the Alaska Nonprofit Corporation Act (the "Act") and other applicable laws, subject to the limitations set forth in the Fifth Paragraph of these Articles.

FOURTH: The Corporation shall not have members.

FIFTH: The powers of the Corporation shall be subject to the following terms, provisions and limitations:

1. No part of the net earnings of the Corporation shall inure to the benefit of any director or officer of the Corporation, or any private person, except that reasonable compensation may be paid for services actually rendered to or for the Corporation, and no director or officer of the Corporation, or any private person, shall be entitled to share in the distribution of any of the corporate assets on dissolution of the Corporation.
2. In the event of the liquidation, dissolution, or winding up of the Corporation in any manner or for any reason whatever, all of the assets of the Corporation after the payment of the obligations and liabilities of the Corporation shall be distributed for one or more exempt purposes within the meaning of Code Sections 501(c)(4) or 501(c)(3), or shall be distributed to the federal government, or to a state or local government, for a public purpose.

SIXTH: A director of the Corporation shall not be personally liable to the Corporation or its members for monetary damages for breach of fiduciary duty as a director, except to the extent such exemption from liability or limitation thereof is not permitted under the Act, as the same exists or may hereafter be amended. Any repeal or modification of the foregoing sentence shall not adversely affect any right or protection of a director of the Corporation existing hereunder with respect to any act or omission occurring prior to such repeal or modification.



SEVENTH: In furtherance and not in limitation of the powers conferred by law, subject to any limitations contained in the Bylaws, the Corporation's Board of Directors is authorized to make, repeal, alter, amend or rescind the Bylaws.

EIGHTH: The initial Board of Directors of the Corporation shall be comprised of three directors, whose names and mailing addresses are as follows:

Blaine D. Gilman  
c/o Gilman & Pevehouse  
130 South Willow Street #3  
Kenai, Alaska 99611

Peter T. Zuyus  
41095 Dorothy Drive  
Homer, Alaska 99603

John D. Quick  
P.O. Box 8263  
Nikiski, AK 99635

RECEIVED  
Juneau  
MAR 05 2019

CBPL

NINTH: The names and mailing addresses of the incorporators are as follows:


Blaine D. Gilman  
c/o Gilman & Pevehouse  
130 South Willow Street #3  
Kenai, Alaska 99611

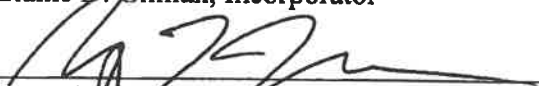
Peter T. Zuyus  
41095 Dorothy Drive  
Homer, Alaska 99603

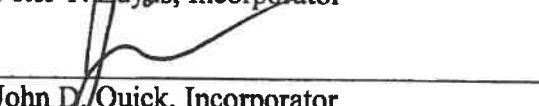
John D. Quick  
P.O. Box 8263  
Nikiski, AK 99635

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We, the undersigned, for the purpose of forming a nonprofit corporation under the laws of the State of Alaska, do make, file and record these Articles, and do certify that the facts herein stated are true, and we have accordingly hereunto set our hands this 4<sup>th</sup> day of March, 2019.

  
Blaine D. Gilman, Incorporator

  
Peter T. Zuyis, Incorporator

  
John D. Quick, Incorporator

RECEIVED  
Juneau  
MAR 05 2019

CBPL

REDACTED - ATTY CLIENT PRIV

**From:** Blaine D. Gilman <bdgilman@gilmanlawak.com>

**Sent:** Monday, March 25, 2019 9:05 AM

**To:** John Quick

**Subject:** Re: resign

John,

I accept your resignation and will reflect in corporate minutes.

Blaine

Get [Outlook for iOS](#)

---

**From:** John Quick <john@empireconsulting.co>

**Sent:** Monday, March 25, 2019 11:25 AM

**To:** Blaine D. Gilman

**Subject:** resign

Dear Blaine,

I need to resign as a board member of Alaska Yes.

John Quick



## CANDIDATE REGISTRATION FORM

AMENDED

COMPLETED

Submission Date: **08/02/2019**  
Filer First Name: **jonathan**  
Filer Middle Name: **douglas**  
Filer Last Name: **quick**  
Election: **2019 - Kenai Peninsula Borough**  
Office Type: **Assembly**

## CANDIDATE INFORMATION

Previously Registered (From MJE or LOI Form)

Election Year: **2019**  
Candidate Display Name: **John Quick**  
Candidate Legal First Name: **Jonathan**  
Candidate Legal Last Name: **Quick**

---

Campaign Committee Name: **Friends of Quick**  
Campaign Mailing Address: **po box 8263**  
City, State Zip: **nikiski, Alaska 99635**

## CHAIR

Name: **Paul Huber**  
Address:  
City, State Zip: **nikiski, Alaska 99635**  
Phone: **19074204971**  
E-mail:  
Fax (Optional): Did Not Report

## TREASURER

Name:  
Address:  
City, State Zip: **, Alaska**  
Phone:  
E-mail:  
Fax (Optional): Did Not Report

## DEPUTY TREASURERS

Exhibit 3  
Page 1 of 2

Name	Address
No Deputy Treasurers / Nothing to Report	

**BANK ACCOUNT / CAMPAIGN DEPOSITORY**

Name of Bank: **wells fargo**  
 Bank Address: **11216 kenai spur hwy**  
 City, State, Zip: **kenai, Alaska 99611**

Exhibit 3  
 Page 2 of 2

## CANDIDATE REGISTRATION FORM

AMENDMENT

Amendment Description: **new phone number**

COMPLETED

Submission Date: **08/06/2019**  
Filer First Name: **jonathan**  
Filer Middle Name: **douglas**  
Filer Last Name: **quick**  
Election: **2019 - Kenai Peninsula Borough**  
Office Type: **Assembly**

## CANDIDATE INFORMATION

Previously Registered (From MJE or LOI Form)

Election Year: **2019**  
Candidate Display Name: **John Quick**  
Candidate Legal First Name: **Jonathan**  
Candidate Legal Last Name: **Quick**

---

Campaign Committee Name:  
Campaign Mailing Address: **po box 8263**  
City, State Zip: **nikiski, Alaska 99635**

## CHAIR

Name: **Paul Huber**  
Address:  
City, State Zip: **nikiski, Alaska 99635**  
Phone: **9077767552**  
E-mail:  
Fax (Optional): Did Not Report

## TREASURER

Name:  
Address:  
City, State Zip: **, Alaska**  
Phone:  
E-mail:  
Fax (Optional): Did Not Report

Exhibit 4  
Page 1 of 2

DEPUTY TREASURERS

Name	Address
No Deputy Treasurers / Nothing to Report	

BANK ACCOUNT / CAMPAIGN DEPOSITORY

Name of Bank: **wells fargo**  
 Bank Address: **11216 kenai spur hwy**  
 City, State, Zip: **kenai, Alaska 99611**

Exhibit 4  
 Page 2 of 2



THE STATE  
of **ALASKA**

Department of Commerce, Community, and Economic Development  
Division of Corporations, Business, and Professional Licensing  
PO Box 110806, Juneau, AK 99811-0806  
(907) 465-2550 • Email: corporations@alaska.gov  
Website: corporations.alaska.gov

AK Entity #: 10102868  
Date Filed: 09/06/2019  
State of Alaska, DCCED

FOR DIVISION USE ONLY

**Domestic Nonprofit Corporation**  
**Initial Biennial Report**

**Entity Name:** ALASKA YES, INC.

**Entity Number:** 10102868

**Home Country:** UNITED STATES

**Home State/Prov.:** ALASKA

**Physical Address:** 41095 Dorothy Drive, Homer, AK 99603

**Mailing Address:** 41095 Dorothy Drive, Homer, AK 99603

**Registered Agent** information cannot be changed on this form. Per Alaska Statutes, to update or change the Registered Agent information this entity must submit the Statement of Change form for this entity type along with its filing fee.

**Name:** BLAINE GILMAN

**Physical Address:** GILMAN & PEVEHOUSE, 130 S WILLOW ST #3, KENAI, AK 99611

**Mailing Address:** GILMAN & PEVEHOUSE, 130 S WILLOW ST #3, KENAI, AK 99611

**Officials:** The following is a complete list of officials who will be on record as a result of this filing.

- **Provide all officials and required information. Use only the titles provided.**
- **Four (4) Mandatory Officers, who must be individuals:** this entity must have a President, Vice-President, Secretary, and Treasurer. Two or more offices may be held by the same individual, except the offices of President and Secretary cannot be the same individual.
- **Three (3) Mandatory Directors, who must be individuals.** The number of directors must be at least three (3).

Full Legal Name	Complete Mailing Address	% Owned	Assistant Secretary	Assistant Treasurer	Director	President	Secretary	Treasurer	Vice President
PETER ZUYUS	41095 DOROTHY DR, HOMER, AK 99603	N/A			X	X			
Wayne Ogle	P.O. Box 7084, Nikiski, AK 99635	N/A			X				X
Nona Safra	P.O. Box 1322, Anchor Point, AK 99556	N/A			X				X
Kathy Toms	P.O. Box 664, Anchor Point, AK 99556	N/A			X		X	X	

If necessary, attach a list of additional officers on a separate 8.5 X 11 sheet of paper.

**NAICS Code:** 813410 - CIVIC AND SOCIAL ORGANIZATIONS

**New NAICS Code (optional):**

This form is for use by the named entity only. Only persons who are authorized by the above Official(s) of the named entity may make changes to it. If you proceed to make changes to this form or any information on it, you will be certifying under penalty of perjury that you are authorized to make those changes, and that everything on the form is true and correct. In addition, persons who file documents with the commissioner that are known to the person to be false in material respects are guilty of a class A misdemeanor. Continuation means you have read this and understand it.

**Name:** Blaine Gilman

Exhibit 5  
Page 2 of 2

ENTITY REGISTRATION FORM

AMENDED

COMPLETED

Submission Date: **09/05/2019**  
 Filer First Name: **Kathy**  
 Filer Middle Name (Optional): **L**  
 Filer Last Name: **Toms**  
 Filer's Title with Entity: **Treasurer**

ENTITY INFORMATION

Election Year: **2019**  
 Entity Name: **Alaska Yes, Inc**  
 Abbreviation:  
 Purpose: **Promote social welfare as defined in section 501(c)4 of the internal revenue code of 1986**  
 Entity Mailing Address: **130 South Willow St #3**  
 City, State Zip: **Kenai, Alaska 99611**

CONTACT

Name: **Kathy Toms**  
 Address: **PO Box 664**  
 City, State Zip: **Anchor Point, Alaska 99556**  
 Phone: **9073997180**  
 E-mail: **kathytomsalaska@gmail.com**  
 Fax (Optional): Did Not Report

OFFICERS AND DIRECTORS

Name	Address	Title
Peter Zuyus	41095 Dorothy Drive Homer, Alaska 99603	President
John Quick	PO Box 8263 Nikiski, Alaska 99635	Director
Kathy Toms	PO Box 664 Anchor Point, Alaska 99556	Treasurer
Nona Safra	PO Box 1322 Anchor Point, Alaska 99556	Vice President
Wayne Ogle	130 South Willow St #3 Kenai, Alaska 99611	Vice President

Exhibit 6  
 Page 1 of 2

**BANK ACCOUNT / POLITICAL ACTIVITIES ACCOUNT**

**Name of Bank: First National Bank of Alaska**

**Bank Address: PO Box 100720**

**City, State Zip: Anchorage, Alaska 99510**

Exhibit 6  
Page 2 of 2



## ENTITY REGISTRATION FORM

COMPLETED

Submission Date: **09/18/2019**  
 Filer First Name: **Kathy**  
 Filer Middle Name (Optional): **L**  
 Filer Last Name: **Toms**  
 Filer's Title with Entity: **Treasurer**

## ENTITY INFORMATION

Previously Registered

Election Year: **2020**  
 Entity Name: **Alaska Yes, Inc**  
 Abbreviation:  
 Purpose: **Promote social welfare as defined in section 501(c)4 of the internal revenue code of 1986**  
 State Initiative Support/Oppose: **No (No Involvement)**  
 Entity Mailing Address: **PO Box 896**  
 City, State Zip: **Anchor Point, Alaska 99556**

## CONTACT

Name: **Kathy Toms**  
 Address: **PO Box 664**  
 City, State Zip: **Anchor Point, Alaska 99556**  
 Phone: **9073997180**  
 E-mail: **kathytomsalaska@gmail.com**  
 Fax (Optional): Did Not Report

## OFFICERS AND DIRECTORS

Name	Address	Title
Peter Zuyus	41095 Dorothy Drive Homer, Alaska 99603	President
Kathy Toms	PO Box 664 Anchor Point, Alaska 99556	Treasurer
Nona Safra	PO Box 1322 Anchor Point, Alaska 99556	Vice President
Wayne Ogle	130 South Willow St #3 Kenai, Alaska 99611	Vice President

## BANK ACCOUNT / POLITICAL ACTIVITIES ACCOUNT

Name of Bank: **First National Bank of Alaska**  
 Bank Address: **PO Box 100720**  
 City, State Zip: **Anchorage, Alaska 99510**

Exhibit 7  
 Page 1 of 1