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West Virginia Ethics Commission

Lobbyist Activity Report Form

2022-03

West Virginia Ethics Commission

Attn: Lobbyist Registrar

210 Brooks St., Ste. 300

Charleston, WV 25301

304-558-0664

No faxed copies

For office use only:

Postmark _____

Rec'd _____

Days late _____

Fine _____

Late reporting fine - \$10 per business day past the due date (\$250 maximum)**1. Name and contact information**Name Philip A. RealePhone 304-342-1891Address 300 Summers Streetm Ste. 980Email preale@wvreale.comCity, State Zip Charleston, WV 25301**2. Reporting period for which this activity report is being filed**

| Check | Report | Period | Due Date | | | | |
|-------|--------|-----------------|----------|--|--|--|--|
| x | 2022-3 | 9/1/22-12/31/22 | 1/16/23 | | | | |
| | | | | | | | |
| | | | | | | | |

3. List all employers/organizations that you represent as a lobbyist

Use additional reporting forms if necessary.

1. See attached

4. _____

2. _____


5. _____

3. _____

6. _____

4. Lobbying activity summary - If there was no activity or expenditures, indicate "none."See Attached**5. Expenditures**If no expenditures, including campaign contributions, mark here: ☐

If you spent money on any public official, employee or member of his or her immediate family, list the amounts spent in each of the following categories per each employer you represent. Complete and attach Schedule A to this report.

| Expenditure Categories | Employer 1 | Employer 2 | Employer 3 | Employer 4 | Employer 5 | Employer 6 | Total Expended |
|------------------------------|---|------------|------------|------------|------------|------------|----------------|
| A. Meals and Beverages | \$ | \$ | \$ | \$ | \$ | \$ | \$8,963.11 |
| B. Lodging | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| C. Advertising | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| D. Travel | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| E. Gifts | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| F. Other Expenses | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| G. Group Expenditures | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| H. Campaign Contributions | LIST AMOUNT IN "TOTAL EXPENDED" COLUMN.  | | | | | | \$4,750.00 |
| I. TOTAL of all expenditures | \$ | \$ | \$ | \$ | \$ | \$ | \$13,713.11 |

If you sponsored or contributed to any group event or shared expenses, list the total expended in category 5G immediately above. Complete and attach a Schedule B for each event.

Continued on page 2

Schedule A: WV Lobbyist Expenditure Details

(Attach this completed sheet to the Lobbyist Activity Report)

Complete this form if you have made or shared any expenditure **other** than group entertainment on a public official or employee during this reporting period. If you have made expenditures in these categories - (1) *Meals & Beverages*, (2) *Lodging*, (3) *Travel*, (4) *Gifts*, (5) *Other Expenditures* - list below, you must report it in sections 1 or 2 on this form.

If you shared any of these expenditures with another lobbyist, note who shared the expenditures in the area below the recipient's name. You are not required to report on Schedule A detailed expenditures on Advertising, Contributions [including political contributions] and Group Entertainment. Expenditures in those categories must be reported on the Lobbyist Activity Report and/or Schedule B.

1. Expenditure Details - (include shared expenditures not reported on Schedule B)

Report all expenditures in any of the categories listed below on a particular person or member of their immediate family EXCEPT those reported in Section 1a or 2 (below) or any portion of a "Group Entertainment" OR "Shared Expense" event which are to be reported on Schedule B. Transfer the totals to section 5 on the Lobbyist Activity Report. If you shared expenditures with another lobbyist, identify who shared the cost in the area below each recipient's name.

| Recipient name(s) and date of expenditure | Meals & beverages | Lodging | Travel | Gifts | Other | Total \$ expended |
|---|-------------------|---------|--------|-------|-------|-------------------|
| More Capito 10.17.2022 | 104.21 | | | | | 104.21 |
| Ben Queen 10.17.2022 | 104.21 | | | | | 104.21 |
| Vernon Criss 10.17.2022 | 104.21 | | | | | 104.21 |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| TOTAL Expenditures | 312.68 | | | | | 312.68 |

1a Gifts (Group)

Ordinarily gifts to individual legislators must not exceed \$25. Gifts such as key chains, mugs, and calendars given to ALL members of the House or Senate, the entire Legislature or to standing or joint committees must be listed here. Describe the item, to which group it was given and the total cost. You need not list each legislator who received the gift, only the name of the group. Transfer the total cost to the Lobbyist Activity Report, section 5E.

| Describe the gift(s) | Which employer provided the gift? | Which group received the gift? | Total cost of gift(s) |
|----------------------|-----------------------------------|--------------------------------|-----------------------|
| | | | |
| | | | |

2. Participation in a Panel or Speaking Engagement

Report expenditures on a particular person in the categories listed below when such expenditure was for the individual's participation in a panel or speaking engagement. Transfer the totals to section 5 on the Lobbyist Activity Report.

| Recipient name and event | Meals & beverages | Lodging | Travel | Gifts | Scheduled entertainment & other | Total \$ expended |
|--------------------------|-------------------|---------|--------|-------|---------------------------------|-------------------|
| | | | | | | |
| | | | | | | |

3. Subjects of Lobbying

For each recipient identified in 1, 1a & 2 above, explain briefly the subjects of lobbying. List the individual or group recipient and then the subject matter of the lobbying. Example: "Del. Joe Jones – Health Care" or "House Finance Committee - Environment."
 More Capito, Ben Queen and Verson Criss - Beer and Alcohol regulation, taxation adn other issues related to alcohol rules and regulations

Schedule A: WV Lobbyist Expenditure Details

(Attach this completed sheet to the Lobbyist Activity Report)

Complete this form if you have made or shared any expenditure **other** than group entertainment on a public official or employee during this reporting period. If you have made expenditures in these categories - (1) *Meals & Beverages*, (2) *Lodging*, (3) *Travel*, (4) *Gifts*, (5) *Other Expenditures* - list below, you must report it in sections 1 or 2 on this form.

If you shared any of these expenditures with another lobbyist, note who shared the expenditures in the area below the recipient's name. You are not required to report on Schedule A detailed expenditures on Advertising, Contributions [including political contributions] and Group Entertainment. Expenditures in those categories must be reported on the Lobbyist Activity Report and/or Schedule B.

1. Expenditure Details - (include shared expenditures not reported on Schedule B)

Report all expenditures in any of the categories listed below on a particular person or member of their immediate family EXCEPT those reported in Section 1a or 2 (below) or any portion of a "Group Entertainment" OR "Shared Expense" event which are to be reported on Schedule B. Transfer the totals to section 5 on the Lobbyist Activity Report. If you shared expenditures with another lobbyist, identify who shared the cost in the area below each recipient's name.

| Recipient name(s) and date of expenditure | Meals & beverages | Lodging | Travel | Gifts | Other | Total \$ expended |
|---|-------------------|---------|--------|-------|-------|--------------------|
| Joe Ellington 11.28.2022 | 83.08 | | | | | 83.08 |
| Marty Gearheart 11.28.22 | 83.08 | | | | | 83.08 |
| Heather Tully 11.28.22 | 83.08 | | | | | 83.08 |
| Jack David Woodrum 11.28.22 | 83.08 | | | | | 83.08 |
| Rollan Roberts 11.28.22 | 83.08 | | | | | 83.08 |
| Chandler Swope 11.28.22 | 83.08 | | | | | 83.08 |
| TOTAL Expenditures | | | | | | Cont on Next Sheet |

1a Gifts (Group)

Ordinarily gifts to individual legislators must not exceed \$25. Gifts such as key chains, mugs, and calendars given to ALL members of the House or Senate, the entire Legislature or to standing or joint committees must be listed here. Describe the item, to which group it was given and the total cost. You need not list each legislator who received the gift, only the name of the group. Transfer the total cost to the Lobbyist Activity Report, section 5E.

| Describe the gift(s) | Which employer provided the gift? | Which group received the gift? | Total cost of gift(s) |
|----------------------|-----------------------------------|--------------------------------|-----------------------|
| | | | |
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2. Participation in a Panel or Speaking Engagement

Report expenditures on a particular person in the categories listed below when such expenditure was for the individual's participation in a panel or speaking engagement. Transfer the totals to section 5 on the Lobbyist Activity Report.

| Recipient name and event | Meals & beverages | Lodging | Travel | Gifts | Scheduled entertainment & other | Total \$ expended |
|--------------------------|-------------------|---------|--------|-------|---------------------------------|-------------------|
| | | | | | | |
| | | | | | | |

3. Subjects of Lobbying

For each recipient identified in 1, 1a & 2 above, explain briefly the subjects of lobbying. List the individual or group recipient and then the subject matter of the lobbying. Example: "Del. Joe Jones – Health Care" or "House Finance Committee - Environment."

Joe Ellington, Marty Gearheart, Heather Tully, Jack David Woodrum, Rollan Roberts, Chandler Swope Issues related to the oil and natural gas industry

Schedule A: WV Lobbyist Expenditure Details

(Attach this completed sheet to the Lobbyist Activity Report)

Complete this form if you have made or shared any expenditure **other** than group entertainment on a public official or employee during this reporting period. If you have made expenditures in these categories - (1) *Meals & Beverages*, (2) *Lodging*, (3) *Travel*, (4) *Gifts*, (5) *Other Expenditures* - list below, you must report it in sections 1 or 2 on this form.

If you shared any of these expenditures with another lobbyist, note who shared the expenditures in the area below the recipient's name. You are not required to report on Schedule A detailed expenditures on Advertising, Contributions [including political contributions] and Group Entertainment. Expenditures in those categories must be reported on the Lobbyist Activity Report and/or Schedule B.

1. Expenditure Details - (include shared expenditures not reported on Schedule B)

Report all expenditures in any of the categories listed below on a particular person or member of their immediate family EXCEPT those reported in Section 1a or 2 (below) or any portion of a "Group Entertainment" OR "Shared Expense" event which are to be reported on Schedule B. Transfer the totals to section 5 on the Lobbyist Activity Report. If you shared expenditures with another lobbyist, identify who shared the cost in the area below each recipient's name.

| Recipient name(s) and date of expenditure | Meals & beverages | Lodging | Travel | Gifts | Other | Total \$ expended |
|---|-------------------|---------|--------|-------|-------|--------------------|
| Doug Smith 11.28.2022 | 83.08 | | | | | 83.08 |
| Eric Booker 11.28.22 | 83.08 | | | | | 83.08 |
| Chris Toney 11.28.22 | 83.08 | | | | | 83.08 |
| Tom Fast 11.28.22 | 83.08 | | | | | 83.08 |
| Brandon Steele 11.28.22 | 83.08 | | | | | 83.08 |
| Todd Kirby 11.28.22 | 83.08 | | | | | 83.08 |
| TOTAL Expenditures | | | | | | Cont on Next Sheet |

1a Gifts (Group)

Ordinarily gifts to individual legislators must not exceed \$25. Gifts such as key chains, mugs, and calendars given to ALL members of the House or Senate, the entire Legislature or to standing or joint committees must be listed here. Describe the item, to which group it was given and the total cost. You need not list each legislator who received the gift, only the name of the group. Transfer the total cost to the Lobbyist Activity Report, section 5E.

| Describe the gift(s) | Which employer provided the gift? | Which group received the gift? | Total cost of gift(s) |
|----------------------|-----------------------------------|--------------------------------|-----------------------|
| | | | |
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2. Participation in a Panel or Speaking Engagement

Report expenditures on a particular person in the categories listed below when such expenditure was for the individual's participation in a panel or speaking engagement. Transfer the totals to section 5 on the Lobbyist Activity Report.

| Recipient name and event | Meals & beverages | Lodging | Travel | Gifts | Scheduled entertainment & other | Total \$ expended |
|--------------------------|-------------------|---------|--------|-------|---------------------------------|-------------------|
| | | | | | | |
| | | | | | | |

3. Subjects of Lobbying

For each recipient identified in 1, 1a & 2 above, explain briefly the subjects of lobbying. List the individual or group recipient and then the subject matter of the lobbying. Example: "Del. Joe Jones – Health Care" or "House Finance Committee - Environment."
Doug Smith, Eric Booker, Chris Toney, Tom Fast, Brandon Steele, Todd Kirby Issues related to the oil and natural gas industry

Schedule A: WV Lobbyist Expenditure Details

(Attach this completed sheet to the Lobbyist Activity Report)

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| Recipient name(s) and date of expenditure | Meals & beverages | Lodging | Travel | Gifts | Other | Total \$ expended |
|---|-------------------|---------|--------|-------|-------|-------------------|
| Rupie Phillips 11.28.2022 | 83.08 | | | | | 83.08 |
| Beth Baldwin 11.28.22 | 83.08 | | | | | 83.08 |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| TOTAL Expenditures | | | | | | 1163.12 |

1a Gifts (Group)

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| Recipient name and event | Meals & beverages | Lodging | Travel | Gifts | Scheduled entertainment & other | Total \$ expended |
|--------------------------|-------------------|---------|--------|-------|---------------------------------|-------------------|
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3. Subjects of Lobbying

For each recipient identified in 1, 1a & 2 above, explain briefly the subjects of lobbying. List the individual or group recipient and then the subject matter of the lobbying. Example: "Del. Joe Jones – Health Care" or "House Finance Committee - Environment."

Rupie Phillips, Beth Issues related to the oil and natural gas industry

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| Recipient name(s) and date of expenditure | Meals & beverages | Lodging | Travel | Gifts | Other | Total \$ expended |
|---|-------------------|---------|--------|-------|-------|-------------------|
| Erric Tarr 12.4.22 | 55.46 | | | | | 55.46 |
| Mike Olierio 12.4.22 | 55.46 | | | | | 55.46 |
| Craig Blair 12.4.22 | 55.46 | | | | | 55.46 |
| Charlie Trump 12.4.22 | 55.46 | | | | | 55.46 |
| Vernon Criss 12.4.22 | 55.46 | | | | | 55.46 |
| Eric Householder 12.4.22 | 55.46 | | | | | 55.46 |
| TOTAL Expenditures | | | | | | Cont next page |

1a Gifts (Group)

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| Recipient name and event | Meals & beverages | Lodging | Travel | Gifts | Scheduled entertainment & other | Total \$ expended |
|--------------------------|-------------------|---------|--------|-------|---------------------------------|-------------------|
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Eric Tarr, Mike Oliverio, Criag Blair, Charlie Trump, Vernon Criss, Eric Householder Issues related to the oil and natural gas industry

Schedule A: WV Lobbyist Expenditure Details

(Attach this completed sheet to the Lobbyist Activity Report)

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| Recipient name(s) and date of expenditure | Meals & beverages | Lodging | Travel | Gifts | Other | Total \$ expended |
|---|-------------------|---------|--------|-------|-------|-------------------|
| Mike Devault 12.4.22 | 55.46 | | | | | 55.46 |
| George Miller 12.4.22 | 55.46 | | | | | 55.46 |
| Chuck Hurst 12.4.22 | 55.46 | | | | | 55.46 |
| Mrs. Chuck Hurst 12.4.22 | 55.46 | | | | | 55.46 |
| Phil Mallow 12.4.22 | 55.46 | | | | | 55.46 |
| Wayne Clark 12.4.22 | 55.46 | | | | | 55.46 |
| TOTAL Expenditures | | | | | | Cont next page |

1a Gifts (Group)

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| Describe the gift(s) | Which employer provided the gift? | Which group received the gift? | Total cost of gift(s) |
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2. Participation in a Panel or Speaking Engagement

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| Recipient name and event | Meals & beverages | Lodging | Travel | Gifts | Scheduled entertainment & other | Total \$ expended |
|--------------------------|-------------------|---------|--------|-------|---------------------------------|-------------------|
| | | | | | | |
| | | | | | | |

3. Subjects of Lobbying

For each recipient identified in 1, 1a & 2 above, explain briefly the subjects of lobbying. List the individual or group recipient and then the subject matter of the lobbying. Example: "Del. Joe Jones – Health Care" or "House Finance Committee - Environment."
Mike Devault, George Miller, Chuck Hurst, Mrs. Chuck Hurst, Phil Mallow, Wayne Clark Issues related to the oil and natural gas industry

Schedule A: WV Lobbyist Expenditure Details

(Attach this completed sheet to the Lobbyist Activity Report)

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| Recipient name(s) and date of expenditure | Meals & beverages | Lodging | Travel | Gifts | Other | Total \$ expended |
|---|-------------------|---------|--------|-------|-------|-------------------|
| Buck Jennings 12.4.22 | 55.46 | | | | | 55.46 |
| Gary Howell 12.4.22 | 55.46 | | | | | 55.46 |
| Paul Espinosa 12.4.22 | 55.46 | | | | | 55.46 |
| John Hardy 12.4.22 | 55.46 | | | | | 55.46 |
| | | | | | | |
| | | | | | | |
| TOTAL Expenditures | | | | | | 887.36 |

1a Gifts (Group)

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2. Participation in a Panel or Speaking Engagement

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3. Subjects of Lobbying

For each recipient identified in 1, 1a & 2 above, explain briefly the subjects of lobbying. List the individual or group recipient and then the subject matter of the lobbying. Example: "Del. Joe Jones – Health Care" or "House Finance Committee - Environment."
Buck Jennings, Gary Howell, Paul Espinosa, John Hardy Issues related to the oil and natural gas industry

Schedule B: Group Entertainment & Shared Expenses

(Attach to the Lobbyist Activity Report)

Instructions: Group Entertainment functions include only the functions that fall within the following groups. Report expenditures for a dinner party, reception or other similar function if you invited ALL members of any of these four specific groups. Individual names of attendees do not need to be listed for these four specific groups.

- | | |
|---|-------------------------------------|
| 1. the Legislature | 3. either house of the Legislature |
| 2. a standing or select committee of either house | 4. a joint committee of both houses |

Use the worksheet below to figure the amount spent on legislators and other governmental officials and employees for each "event." Enter this amount on the Lobbyist Activity Report.

List each group event separately. **Make additional copies of this page if necessary.** Record total expenditures for each group event in **Section B**. You must then calculate and post on the Lobbyist Activity Report only the amount actually spent on public officials. If you share expenses with another reporting lobbyist, report only your portion of the expenses and list the names of other co-sponsors in **Section C** below.

Section A: Event Information

Lobbying expenses for entertainment of "OTHER" group events are reported in the "Meals & Beverages" category on the Lobbyist Activity Report Form. List the names of attendees on this form or attach additional information pages. If using this form, list the names in item 5 below, as well as other event information requested in items 1 through 4 and complete the Section B calculations.

- Date of event: 11.14.2022 Location: Cacapon Resort State Park Lunch sponsorship for Interims
- Type of event (reception, dinner, etc.): Lunch Sponsorship for interims
- Event sponsor: WVBA (If you shared the sponsorship and expenses with others, you must also complete Section C below.)
- Which of the following governmental groups were invited? All members of:

| | |
|---|--|
| <input checked="" type="checkbox"/> a. the Legislature | <input type="checkbox"/> c. a standing or select committee of either house |
| <input type="checkbox"/> b. either house of the Legislature | <input type="checkbox"/> d. a joint committee of both houses |

OR
- ☐ OTHER: If the event was not in one of the four specific groups listed above, you must list the names of all public employees or public officials in attendance here or on an attachment to this form. List attendees here:

Section B: Calculate Reportable Expenses*Some calculations must be performed manually.*

$$1. \frac{6,000.00}{(\text{total cost of event})} \div \frac{200}{(\text{total attendance})} = \$30.00 \quad (\text{per capita cost})$$

2. Number of governmental officials or employees in attendance:

$$\frac{200}{(\text{governmental attendees})} \times \frac{30}{(\text{per capita cost})} = \boxed{\$6,000.00}$$

If this was a true Group Entertainment event and you were the sponsor, report the amount above as Group Entertainment on the Lobbyist Activity Report in Section 5G. If you shared expenses with others, complete section C below, and report only your portion of the cost. Note: If you classified the expenditure described in section A as "OTHER," it is reported on the Lobbyist Activity Report Form as a Meals & Beverages expense (5A), not as a "Group Expenditure" (5G).

Section C: Shared Sponsorship Expenses

- Were any other lobbyists co-sponsors of this event? _____ (yes or no)
- If yes, with how many others are sharing the cost? _____ List the names of all sponsors below:

3. What is your share of Box 1 above? \$ _____

BOX 2

Record that amount in Box 2 and on the Lobbyist Activity Report in Section 5G.

Schedule B: Group Entertainment & Shared Expenses

(Attach to the Lobbyist Activity Report)

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| 1. the Legislature | 3. either house of the Legislature |
| 2. a standing or select committee of either house | 4. a joint committee of both houses |

Use the worksheet below to figure the amount spent on legislators and other governmental officials and employees for each "event." Enter this amount on the Lobbyist Activity Report.

List each group event separately. **Make additional copies of this page if necessary.** Record total expenditures for each group event in **Section B**. You must then calculate and post on the Lobbyist Activity Report only the amount actually spent on public officials. If you share expenses with another reporting lobbyist, report only your portion of the expenses and list the names of other co-sponsors in **Section C** below.

Section A: Event Information

Lobbying expenses for entertainment of "OTHER" group events are reported in the "Meals & Beverages" category on the Lobbyist Activity Report Form. List the names of attendees on this form or attach additional information pages. If using this form, list the names in item 5 below, as well as other event information requested in items 1 through 4 and complete the Section B calculations.

- Date of event: 11.15.2022 Location: Cacapon Resort State Park Lunch sponsorship for Interims
- Type of event (reception, dinner, etc.): Interims Break Sponsorship
- Event sponsor: Philip A. Reale, PLLC (If you shared the sponsorship and expenses with others, you must also complete Section C below.)
- Which of the following governmental groups were invited? All members of:

| | |
|---|--|
| <input checked="" type="checkbox"/> a. the Legislature | <input type="checkbox"/> c. a standing or select committee of either house |
| <input type="checkbox"/> b. either house of the Legislature | <input type="checkbox"/> d. a joint committee of both houses |

OR
- ☐ OTHER: If the event was not in one of the four specific groups listed above, you must list the names of all public employees or public officials in attendance here or on an attachment to this form. List attendees here:

Section B: Calculate Reportable Expenses*Some calculations must be performed manually.*

$$\frac{600.00}{(\text{total cost of event})} \div \frac{100}{(\text{total attendance})} = \$6.00 \quad (\text{per capita cost})$$

2. Number of governmental officials or employees in attendance:

$$\frac{100}{(\text{governmental attendees})} \times \frac{6.00}{(\text{per capita cost})} = \boxed{\$600.00}$$

If this was a true Group Entertainment event and you were the sponsor, report the amount above as Group Entertainment on the Lobbyist Activity Report in Section 5G. If you shared expenses with others, complete section C below, and report only your portion of the cost. Note: If you classified the expenditure described in section A as "OTHER," it is reported on the Lobbyist Activity Report Form as a Meals & Beverages expense (5A), not as a "Group Expenditure" (5G).

Section C: Shared Sponsorship Expenses

- Were any other lobbyists co-sponsors of this event? _____ (yes or no)
- If yes, with how many others are sharing the cost? _____ List the names of all sponsors below:

3. What is your share of Box 1 above? \$ _____

BOX 2

Record that amount in Box 2 and on the Lobbyist Activity Report in Section 5G.