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February 11, 2026

Nathan Sherrard
Legal Affairs Counsel
Office of Financial Management
nathan.sherrard@ofm.wa.gov

Via Email

Re: Pending Release of Defamatory WDFW Memorandum

Dear Mr. Sherrard:

I have been retained by Claire Loeb Davis to represent her in connection with your office's pending release of a May 16, 2026, Memorandum from Thomas Knoll, Jr. to Kelly Sussewind, the director of the Washington Department of Fish and Wildlife (WDFW).

Although it appears you provided an advance copy of the memo to the other people it mentions, you did not provide my client with a copy or an opportunity to challenge its disclosure, which I understand is scheduled for the end of today.

Having been deprived of such an opportunity, I am writing on behalf of my client to advise you that the memo contains false and defamatory information about her that could cause significant harm to her reputation as an attorney, to the business interests of Animal & Earth Advocates, the law firm for which she serves as managing partner, and to the interests of Washington Wildlife First, the organization for which she serves as President and Executive Director.

Mr. Knoll's allegation that my client has violated the Rules of Professional Conduct is not only without foundation, but also evidences an unlawful attempt to retaliate against her and the advocacy organizations with which she is associated for the exercise of rights guaranteed by the Washington Constitution and the First Amendment to the U.S. Constitution.

As summarized in [this article](#)¹ by a renowned local expert on professional ethics, the First Amendment to the U.S. Constitution guarantees my client the right to communicate with public officials and petition them for the redress of grievances, and the Rules of Professional Conduct cannot be used to deprive her of those rights. Such a right would extend to my client *even if* she were talking to officials who were represented in litigation about the subject of that litigation.

¹ Thomas M. Fitzpatrick, *Ethical Considerations in Dealing with Administrative Agencies*, available at https://www.tal-fitzlaw.com/Papers/Ethical_Considerations-Administrative_Agencies.pdf.

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However, out of an abundance of caution, my client has always been careful not to engage in any behavior that could be construed as a violation of [RPC 4.2](#), which only limits an attorney's communication with a represented person "concerning the matter to which the communication relates." *See* Comment 2 to RPC 4.2.

As Mr. Knoll makes clear, he does not know the content of the discussions that my client had with any member of the Washington Fish and Wildlife Commission. Nevertheless, he feels free to accuse my client of the type of unprofessional conduct that could carry serious consequences for an attorney.

Before you send this document to the press, I hope you will consider the potential damage that these defamatory statements could do to my client's reputation and her business.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alicia J. LeDuc", followed by a vertical line.

Alicia J. LeDuc Montgomery