



2910 N. Central Ave.
Phoenix, AZ 85012
Phone: (602) 298-4200
Fax: (602) 298-7117
www.azdem.org

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Barbara LaWall, County Attorney
Pima County
32 North Stone Avenue, Suite 1400
Tucson, AZ 85701

Bill Montgomery, County Attorney
Maricopa County
301 West Jefferson
Phoenix, AZ 85003

Tom Horne, Arizona Attorney General
1275 West Washington Street
Phoenix, AZ 85007

RE: Richard Stertz

Dear County Attorneys LaWall and Montgomery, and Attorney General Tom Horne:

On October 14, 2010, Richard Stertz signed an application for the Independent Redistricting Commission before a notary in Pima County. The application was then filed in Phoenix. The application is grossly inaccurate. Statements contained on the application were attested by Richard Stertz as true and correct but public records show a history of legal and financial issues. This gross misrepresentation calls into question his qualifications to continue his appointment on the Arizona Independent Redistricting Commission.

I request that your respective offices initiate an investigation into whether Mr. Stertz withheld information regarding his political affiliations, employer and business disclosure from Mr. Stertz's spouse and children, tax information, accusations of fraud, and judgments. A sworn statement was submitted to the Commission of Appellate Appointments where the facts were omitted.

The following sections of the application were falsely answered or omitted but listed as true and correct:

Cover page: No attachment listing all political activities for at least the past ten years.

Stertz was involved with a political action committee Conservatives for Congress during the 2010 race according to *Politico*.
See <http://www.politico.com/news/stories/0111/48035.html>.

Question 8: No attachment is included listing his parents, siblings, spouse, and children's employer or business, or profession.

His spouse, Debra Stertz contributed to 1155 Realtors of AZ PAC in 2007, 2005, 2003, and 2002. Stertz failed to list Mrs. Stertz's occupation but she currently holds an active realtors license in the state of Arizona (License number: BR115436000).

Question 10: Question was falsely marked as yes. No attachment explaining failure to pay all federal, state, and local taxes when due.

Stertz failed to disclose federal tax liens filed on 8/23/1989 in the amount of \$158,017. (Pima County Recorder, Federal Tax Lien Release; Book 9891; Page: 819)

According to online records from the Pima County Treasurer's Office, the Stertz Family Trust owes \$1,612.47 in Tax Year 2010 for 11164 E. Miami St. The half-year tax amounts are listed as \$785.30 and \$785.29, with \$41.88 charged for "interest." (Pima County Treasurer's Office Property Search, accessed February 3, 2011)

According to online records from the Pima County Treasurer's Office, the Stertz Family Trust owes \$1,933.41 in Tax Year 2009 for 11164 E. Miami St. The half-year tax amounts are listed as \$823.90 and \$823.89 with \$285.62 charged for "interest." (Pima County Treasurer's Office Property Search, accessed February 3, 2011)

According to online records from the Pima County Treasurer's Office, the Stertz Family Trust owes \$829.29 in Tax Year 2008 for 11164 E. Miami St. The half-year tax amounts are listed as \$0 and \$641.20 with \$188.09 charged for "interest." However, the records show that \$641.21 was paid on October 13, 2008. (Pima County Treasurer's Office Property Search, accessed February 3, 2011)

Question 15: Stertz failed to list allegations of fraud.

In case No. C253136 in Pima County Superior Court on July 15, 1988, the court ruled against Stertz in the amount of \$7,000 for unpaid legal services. The plaintiffs filed that Stertz, with the intent to defraud, drew and executed two checks in the amounts of \$1,417 and \$370 knowing that they did not have sufficient funds to pay the checks.

In case No. C289025 in Pima County Superior Court on October 16, 1992, Stertz was sued by an architecture firm for alleging fraudulent schemes and false claims related to the firm's copyrighted work.

Question 20: Failed to list judgments.

In case No. C251539 in Pima County Superior Court on May 16, 1988, the court ruled against Stertz in the sum of \$24,021. Stertz failed to make timely payments pursuant to a lease.

In case No. C251210 in Pima County Superior Court on June 2, 1988, the court ruled against Stertz placing a judgment totaling \$84,144.

In case No. C252579 in Pima County Superior Court on June 27, 1988, the court ruled against Stertz in the amount of \$7,550.

In case No. CV2009-016873, Stertz was named as a defendant in a Maricopa County civil case initiated by Western Refining Wholesale, Inc. on May 29, 2009.

In case No. CV2007-023757, Stertz was named as a defendant in a Maricopa County civil case initiated by Nauroth Electric on December 21, 2007.

It is clear the submitted application was grossly incomplete and information was intentionally omitted to hide the applicant's history. I ask for your offices to conduct a thorough investigation on Mr. Stertz's sworn statement.

Sincerely,

A handwritten signature in black ink, appearing to read "Luis Heredia". The signature is written in a cursive style with a large initial "L" and "H".

Luis Heredia, Executive Director
Arizona Democratic Party