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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF CLACKAMAS

MIKE ERICKSON FOR CONGRESS  
COMMITTEE, a political committee

Plaintiff,

v.

ANDREA SALINAS FOR OREGON  
COMMITTEE, a political committee, and  
ANDREA SALINAS, an individual

Defendants.

Case Number:

COMPLAINT

(ORS 260.532 - False Publication Relating  
to Candidate)

Amount in controversy: \$800,000

Filing fee of \$594 as established by ORS  
21.160(1)(c)

NOT SUBJECT TO MANDATORY  
ARBITRATION

Plaintiff alleges:

1.

At all material times, Plaintiff Mike Erickson for Congress (“Plaintiff”) was a lawfully  
created political committee organized to support the election of Republican nominee, Mike  
Erickson, to the United States House of Representatives in Oregon’s 6<sup>th</sup> congressional district.

2.

At all material times, Mike Erickson was a candidate for public office as defined by ORS  
260.005(19). Mr. Erickson resides in Lake Oswego, Clackamas County.

3.

At all material times, Andrea Salinas for Oregon Committee (“Defendant Committee”)

1 was a political committee organized to support the election of Democratic nominee, Andrea  
2 Salinas, to the United States House of Representatives in Oregon’s 6<sup>th</sup> congressional district,  
3 which includes parts of Clackamas County.

4 4.

5 At all material times, Andrea Salinas (“Defendant Salinas”) was a candidate and Mr.  
6 Erickson’s opponent in the election for the United States House of Representatives in Oregon’s  
7 6<sup>th</sup> congressional district. Defendant Salinas resides in Lake Oswego, Clackamas County.

8 **JURISDICTION AND VENUE**

9 5.

10 This Court has jurisdiction over this action because it is filed before the election.

11 6.

12 Venue properly vests in this Court pursuant to ORS 260.532(5) because Defendant  
13 Salinas resides in Clackamas County.

14 **GENERAL ALLEGATIONS**

15 7.

16 This action is premised upon violations of the Oregon Corrupt Practices Act, ORS  
17 260.005 *et seq.* (the “Act”). The Act was passed to “secure and protect the purity of the ballot”  
18 and to prohibit candidates from making false statements against their opponents. *Cook v.*  
19 *Corbett*, 251 Or. 263 (1968).

20 8.

21 On or about September 20, 2022, Defendant Committee and Defendant Salinas  
22 (collectively, “Defendants”) began airing, on at least four television stations, a political  
23 advertisement that accuses Mr. Erickson of being charged with felony possession of drugs in  
24 Hood River, Oregon in 2016.

25 9.

26 The advertisement verbally states that “Mike Erickson was charged with felony drug

1 possession of illegal oxycodone” and contains written text stating: “Mike Erickson Charged with  
2 Felony Drug Possession.” The advertisement also shows an image of someone cutting four lines  
3 of white powder that appears to be cocaine. At the end of the advertisement, Defendant Salinas  
4 states that Defendant Committee paid for the advertisement.

5 10.

6 These verbal and written statements regarding a drug charge are false. Mr. Erickson has  
7 never been charged with illegal possession of drugs. The statement that Mr. Erickson was  
8 charged with felony possession of drugs is not a matter of opinion; it is an assertion of objective  
9 fact that can be proved to be false.

10 11.

11 Defendants were contacted by the Hood River District Attorney and told that Mr.  
12 Erickson was not charged with possession of drugs and that the advertisement was false.

13 **CLAIM FOR RELIEF**

14 **ORS 260.532**

15 **False Publication Relating to Candidate**  
16 **(Against both Defendants)**

17 12.

18 Plaintiff realleges the allegations in paragraphs 1 through 11 as if fully set forth herein.

19 13.

20 Defendants caused to be written, printed, published, posted, communicated, or circulated  
21 a photograph, publication, or advertisement with knowledge or reckless disregard that the  
22 photograph, publication, or advertisement contained a false statement of material fact relating to  
23 Mr. Erickson.

24 14.

25 Defendants paid for an advertisement with knowledge or reckless disregard that the  
26 advertisement contained a false statement of material fact relating to Mr. Erickson.

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15.

Defendant Salinas knew of and consented to the advertisement with knowledge or reckless disregard that it contained a false statement of material fact. Defendant Salinas exercises direction and control over Defendant Committee.

16.

Plaintiff has been injured by Defendants' false advertisement because Plaintiff's purpose is to support the election of Mr. Erickson, who has been defamed by the advertisement. Plaintiff has fully complied with the Corrupt Practices Act.

17.

As a result of Defendants' violations of ORS 260.532, Plaintiff is entitled to equitable relief in the form of enjoining Defendants from continuing to air the false advertisement and requiring Defendants to retract the false statements by airing correction advertisements with the same frequency and on the same television stations as the false advertisements.

18.

In the alternative, if Defendants refuse to retract the false advertisements in an appropriate and equitable manner, Plaintiff is entitled to recover the economic and noneconomic damages it has suffered. Defendants' false advertisement is requiring Plaintiff to respond in the same manner in which the false statements were published to the voters. Plaintiff has begun production of commercials to correct the false statements, costing a minimum of \$800,000, which amount continues to increase and Plaintiff may seek leave to amend.

19.

Pursuant to ORS 260.532(6), Plaintiff is entitled to reasonable attorney fees.

20.

Pursuant to ORS. 260.532(9), Plaintiff requests the Court to expedite this action so that final judgment is rendered before the congressional term of office begins on January 3, 2023.

1 WHEREFORE, Plaintiff prays for the following relief:

2 1. Judgment in favor of Plaintiff and against Defendants;

3 2. An award of equitable relief by ordering Defendants to refrain from running the  
4 false advertisement and to retract the false statements by airing correction advertisements with  
5 the same frequency and broadcast location as the false advertisements;

6 3. An award of economic and noneconomic damages in the amount of \$800,000,  
7 which amount continues to accrue and for which Plaintiff may seek to amend;

8 4. An award of attorney fees, costs, and disbursements incurred herein; and

9 5. An award of such other relief as the Court may deem just, equitable, and  
10 appropriate.

11 DATED this 5<sup>th</sup> day of October 2022.

12  
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