FIEDLER
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Johnston, IA 50131
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December 10, 2018

HAND-DELIVERED AND EMAILED TO: *charlie.smithson@legis.iowa.gov*

W. Charles Smithson
Secretary of the Senate
Statehouse
Des Moines, IA 50319

RE: *Senator Nate Boulton*

Dear Mr. Smithson:

Please find enclosed Senator Boulton's response to the ethics complaint against him.

Yours truly,

FIEDLER LAW FIRM, P.L.C.

Paige Fiedler

IN THE IOWA SENATE COMMITTEE ON ETHICS

On the Complaint of SHARON WEGNER, and involving SENATOR NATE BOULTON.	**SENATOR BOULTON'S RESPONSE TO COMPLAINT**

I. THE COMMITTEE MAY NOT APPLY THE IOWA SENATE CODE OF ETHICS TO THE ALLEGED ACTIVITIES OF SOMEONE WHO WAS NOT A SENATOR AT THE TIME OF THE ALLEGED VIOLATION

Complainant Sharon Wegner seeks to have the Committee invoke a new rule, requiring all Iowa Senators to adhere to the Senate Code of Ethics for up to three years *prior* to the time they are ever elected to the Senate. Like requiring a worker to follow the regulations in an employee handbook—years before he is ever hired— such a rule would be fundamentally unfair and raise implications under the Iowa Constitution, Article I, § 21 (prohibiting *ex post facto* laws).

Nate Boulton was first elected to the Iowa Senate on November 8, 2016. He was sworn in January 9, 2017. Complainant seeks to have him punished for conduct she says occurred on November 20, 2015, well over a year before Boulton joined the Senate.

It is axiomatic that members of an organization are not bound by its rules and regulations prior to the time they become members. Nonmembers would typically not have notice of the rules before that time, nor would they have any say in formulating those rules. Moreover, the Code of Ethics has a three-year statute of limitations. A complaint must be filed within three years of when the alleged violation occurred. Senate Code of Ethics ¶ 16(c). Many Iowa Senators may not have even contemplated running for office three years before they were admitted. It is unclear how they could possibly be held to follow the rules of an organization of which they are not a part.

The Code of Ethics itself forecloses Ms. Wegner's complaint. Section 19(c) states: "*Ex post facto*. An investigation shall not be undertaken by the committee of a violation of a law, rule, or standard of conduct that is not in effect at the time of violation." The Code of Ethics applies only to "members of the senate." *See* Preamble.

This Committee is formed pursuant to Iowa Code section 68B.31, which confers upon it "powers, duties and functions," among which are to "[r]eceive and hear complaints and charges against *members* of its house, lobbyists, or clients of a lobbyist alleging a violation of the code of ethics . . ." IOWA CODE § 68B.31(4)(a)(4) (emphasis added). A "member" "means an individual duly elected to the senate . . . of the state of Iowa." IOWA CODE § 68B.2(16). Chapter 68B also contains provisions that apply not just to "members" of the legislature, but also to "candidates" for office. *See, e.g.* IOWA CODE § 68B.32B. Senator Boulton is not alleged to have violated any of the sections that apply to candidates.

Under the plain terms of section 19(c), the Committee may not investigate a complaint of something that did not constitute a violation at the time it was allegedly committed. Senator Boulton respectfully requests that the Committee dismiss the complaint for lack of jurisdiction.

II. RESPONDENT DID NOT VIOLATE THE IOWA SENATE CODE OF ETHICS

The Ethics Complaint form filed by Ms. Wegner sets forth a narrative description of conduct, but fails to set forth which provision(s) of the Senate Code of Ethics or Joint Rules Governing Lobbyists she believes were violated. As set forth above, the Committee does not have the authority to regulate the behavior of those who were not members of its body at the time of the behavior. However, in the event the Committee finds otherwise, Respondent asks it to conclude that he did not violate those rules.

It appears the only remotely conceivable alleged violation might be to section 12A of the Code of Ethics: "Harassment – Retaliation. Senators, lobbyists, and clients of lobbyists shall not engage in conduct that constitutes harassment or retaliation as provided in the personnel guidelines for the Iowa Senate." The personnel guidelines that existed in 2015[1] existed to provide "a *workplace* free from harassment." *See id.* at § 17, p. 1 (emphasis added). Unwelcome sexual advances and similar conduct violated the policy when:

(1) submission to such conduct is made either explicitly or implicitly a term or condition *of an individual's employment*;
(2) submission to or rejection of such conduct by an individual is used as the basis for *employment decisions* affecting such individual; or
(3) such conduct has the purpose or effect of unreasonably interfering with an individual's *work performance* or creating an intimating, hostile, or offensive *work environment*.

Id. at § 17A, p. 1 (emphases added).

The personnel guidelines clearly did not apply to a Senator's private conduct that was unconnected to his duties or colleagues.

The complaint alleges no conduct that, even if true, would have violated the Iowa Senate Code of Ethics. As a result, Respondent respectfully requests that it be dismissed.

III. THE ALLEGATIONS IN THE COMPLAINT DO NOT SEEM CONSISTENT WITH THE FACTS

As stated above, Respondent believes the complaint against him should be dismissed because the Committee lacks jurisdiction and the complaint fails to allege conduct which would constitute a violation of the Code of Ethics.

In a May 2018 written statement, Senator Boulton stated, "I have said that I remember these situations differently, with a differing context, but declined to share more to avoid shaming, blaming,

[1] Although application of the recently adopted personnel policies would be prohibited by Section 19(c) of the Code of Ethics, the end result is no different because they also do not purport to govern conduct unrelated to the workplace and/or coworkers. *See* Iowa Senate Harassment Prevention Policy (updated 2018).

or excuse making." Mr. Boulton has consistently rejected requests from the media, legislators, and members of the general public to try and defend himself or engage in anything approaching a debate about these allegations.

Now, however, the current process is forcing such disclosures. Respondent feels duty-bound to cooperate with and respond substantively to this official Senate inquiry.

First and foremost: Senator Boulton has no memory engaging in the kind of aggressive, repeated, and assaultive grabbing alleged by Ms. Wegner. He has publicly acknowledged struggling with alcohol in the past. Before and during 2015, there have been times when his memories and perceptions have been clouded by excessive alcohol use. As a result, despite having different memories of the evening, he concedes that he was extremely intoxicated. Piecing together the events three years later, he cannot say with absolute certainty that he never touched Ms. Wegner that night— despite neither he nor his wife recalling the conduct Ms. Wegner now describes. This unfortunate dilemma is of his own making, and he takes responsibility for the consequences of engaging in binge drinking and alcohol abuse. Mr. Boulton chose to stop drinking over a year ago (well before Ms. Wegner first made her allegations). Through grace and the support of others, he has not had a drink since November 28, 2017. He has attended regular meetings as well as received professional and religious counseling and support.

Nevertheless, when viewed objectively, there are parts of Ms. Wegner's story that do not ring true, particularly when she describes him as someone with a great deal of power and of whom she was afraid.

Mr. Boulton and Ms. Wegner have been acquainted since approximately 2013. They were social and professional peers. Ms. Wegner and Mr. Boulton's wife, Andrea, both attended Drake University as undergraduates while he was in law school. Mr. Boulton and Ms. Wegner traveled in many of the same social circles and had mutual friends in the legal community and in progressive politics. Records show they became "Facebook friends" in May 2014. They engaged in casual, friendly chats on Facebook's "Messenger" app, mentioning several instances in which they had run into each other at bars or clubs. (Exhibit 1).

In an email message entitled "coffee," Ms. Wegner reached out to Mr. Boulton on August 21, 2015. She indicated she had recently had a drink with Miki McGovern (Deputy Workers Compensation Commission for the State of Iowa). Ms. Wegner stated, "I was wondering if I could take you out for coffee and lunch and discuss workers comp. litigation with you." They arranged to meet on August 27, 2015, for coffee at Scooters, where they discussed workers compensation for approximately 45 minutes. (Exhibit 2).

On September 3, 2015, Mr. Boulton sent Ms. Wegner an email with information about an upcoming workers' compensation seminar that he had mentioned earlier. She responded that she would sign up right away. (Exhibit 3).

On October 5, 2015, Ms. Wegner messaged Mr. Boulton to tell him she would be attending one of his campaign events. (Exhibit 4).

Sarah Baumgartner is an attorney who works for the same law firm as Mr. Boulton. She was a law school classmate of Ms. Wegner. On October 22-23, 2015, Mr. Boulton and Ms. Baumgartner

attended a legal education seminar hosted by the Iowa Workers' Compensation Lawyers at the Sheraton Hotel in West Des Moines. Ms. Wegner came to the cocktail hour reception on the evening of October 22, and Mr. Boulton introduced her to others as an attorney who was interested in learning workers' compensation law.

Ms. Baumgartner has written an Affidavit, attached as Exhibit 5, describing what she witnessed that evening:

- When Sharon first arrived to the cocktail hour, she was overly flirtatious with Nate and was touching his arm awkwardly.
- After greeting Nate by touching his arm, Sharon continued to attempt to flirt with Nate.
- During their conversation, Sharon proceeded to lean into Nate to talk to him.
- Sharon acted very strangely towards me during this entire encounter. She made sure to position herself fully between Nate and myself, so her back was to me. Essentially backing me out of the circle of attorneys, and further away from Nate.
- Sharon continued to act towards Nate in a flirtatious manner which made me uncomfortable.
- Sharon's demeanor caused me to text my husband, who is also an attorney and attended law school with Sharon. Although I cannot recall verbatim what the text message said, it was something along the lines of "Sharon is trying really hard to get with Nate."
- None of the flirtatious behavior that Sharon displayed toward Nate was reciprocated and none of Nate's behavior made me feel uncomfortable.

Ms. Wegner's behavior made Ms. Baumgartner feel so uncomfortable that she left the reception and went home. (Exhibit 5). Ms. Baumgartner's husband Ryan Baumgartner confirms that she made these observations to him in real time on October 22, 2015. (Exhibit 6).

To put the remainder of the evidence in context, Ms. Wegner alleges that less than a month later, on November 20, 2015, Mr. Boulton assaulted her six separate times and pursued her through two bars to the point she "did not feel safe." Nevertheless, Ms. Wegner continued to support Mr. Boulton's campaign and actively pursue Mr. Boulton's professional advice.

On May 11, 2016, Mr. Boulton asked Ms. Wegner if she would be willing to make a small donation to his primary campaign and share it on social media. They discussed her attendance at another campaign event. (Exhibit 1).

The following day, Ms. Wegner indicated she was going to bike to the campaign event. She also asked if he had time the following week to meet with him to discuss two of her workers compensation cases. (Exhibit 7).

Mr. Boulton responded on Friday, May 13, 2016, "Of course. Let's get coffee next week and review what you have. See you tonight!" Ms. Wegner replied, "Perfect." On that evening, she attended a fundraising event for Mr. Boulton's campaign at the Beechwood Bar. It is noteworthy that this is one of the places where she says Mr. Boulton physically assaulted her on November 20, 2015.

Ms. Wegner wrote again the following Monday, May 16, asking him to let her know if they could meet for coffee or lunch, signing off, "Cheers, Sharon." (Exhibit 8).

It appears Ms. Wegner was following Mr. Boulton on Twitter at least by May 17, 2016, when she liked his tweet about early voting. ("Shaz" is Ms. Wegner's Twitter "handle.") (Exhibit 9).

On May 18, 2016, Ms. Wegner texted Mr. Boulton's cell phone, "Hey Nate. Finally finished up at the courthouse. Are you available to meet?" He suggested meeting at his office rather than for coffee or lunch. (Exhibit 10). Mr. Boulton recalls that they met for about 20 minutes and he gave her some practice pointers.

Mr. Boulton next heard from Ms. Wegner on July 7, 2016. She reached out to congratulate him on winning his primary election and then brought up one of her workers comp cases, asking, "What should I do next?" (Exhibit 11). Mr. Boulton has no record that he ever responded to this email.

On November 9, 2016, Ms. Wegner texted Mr. Bouton, "Your election was a bright spot in an evening of grim news. Congrats!!" Mr. Boulton responded, "Thank you." (Exhibit 11).

On January 9, 2017, Ms. Wegner liked a Facebook post from Mr. Boulton, showing photos of him taking his oath of office in the Iowa Senate. (Exhibit 12).

On January 30, 2017, Ms. Wegner liked Mr. Boulton's tweet about budget cuts. (Exhibit 13). On March 2, 2017, she liked and retweeted Mr. Boulton's tweet about public schools and tax credits. (Exhibit 14). On March 21, 2017, Ms. Wegner liked Mr. Boulton's tweet standing against caps on damages. (Exhibit 15). Her support continued while Mr. Boulton was campaigning for governor. On August 12, 2017, Ms. Wegner liked Mr. Boulton's tweet saying, "We must always reject and stand up to the kind of hate and racism being promoted in # Charlottesville." (Exhibit 16).

On December 2, 2017, Ms. Wegner responded directly to Mr. Boulton concerning Governor Reynolds' closing mental health institutes. She stated, "@NateBoulton Sad thing is she knows it's not true. Absolute lies." (Exhibit 17). On December 22, 2017, Ms. Wegner liked Mr. Boulton's tweet criticizing the privatization of Medicaid. (Exhibit 18).

Sometime in 2018, Ms. Wegner's publicly-expressed opinions about Senator Boulton dramatically changed, and she became a fierce critic of him and his campaign for Governor.

The documented interactions between Ms. Wegner and Mr. Boulton, both before and after November 20, 2015, seem inconsistent with the aggressive assaults she claims to have endured on that date. Their interactions are also inconsistent with her descriptions of Mr. Boulton as a feared and powerful male authority figure.

IV. CONCLUSION

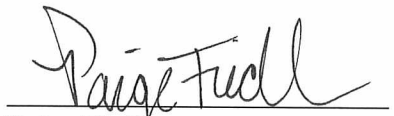
Our state, along with the rest of the country, is going through a transition. In the not-too-distant past, men were often able to get away with abuses of power in the workplace and throughout other male-dominated institutions. That is changing for the better. Senator Boulton fully supports those changes, *and he always has*, both publicly and privately.

Senator Boulton deeply regrets whatever it was that happened on November 20, 2015. While he may not be able to sincerely apologize for assaults he does not believe occurred, he recognizes that by drinking too much, he put himself in a position where he is unable to say for sure. He accepts that in a state of extreme intoxication, it is at least possible he may have misread situations and

boundaries, stifled his ordinary inhibitions, and ultimately mistreated someone he genuinely respected. He would not be the only human who has ever done this. It is both fortunate and unfortunate that we must choose our political leaders among imperfect human beings. Senator Boulton has taken concrete steps to ensure that he is never again in a position where he might act, or even be perceived to act, in a manner inconsistent with his values.

Senator Boulton does not intend to comment on this matter again. Rather, he intends to let his future actions speak for themselves.

Respectfully submitted,



Paige Fiedler
paige@employmentlawiowa.com
FIEDLER LAW FIRM, P.L.C.
8831 Windsor Parkway
Johnston, Iowa 50131
Telephone: (515) 254-1999
ATTORNEY FOR RESPONDENT

3:58 LTE

1 Sharon Marie
Messenger

05/07/2014, 8:58 PM

Fun running into you tonight. Thanks for saying hi and have fun celebrating around town!

You too!!

12/21/2014, 1:14 AM

I thought we were friends, until I saw you standing in line for the country bar!!

12/21/2014, 10:45 AM

Haha! My buddy Rob insisted we go there. Hope you had a good night of clubbing

12/21/2014, 12:05 PM

Ha. I'm too old for clubbing!!

😉 nice seeing you!

05/11/2016, 5:03 PM

Hi Sharon. We're hoping to

Aa

EXHIBIT

www.legalstore.com No. 7113

3:58 LTE

Sharon Marie
Messenger

05/11/2016, 5:03 PM

Hi Sharon. We're hoping to create some buzz about our fundraising efforts this week. Would you be willing to make a small ActBlue donation and share it? https://secure.actblue.com/contribute/page/teamboulton Also, would love to see you at the Beechwood for our event there on Friday after work--should be a fun event!

05/11/2016, 6:23 PM

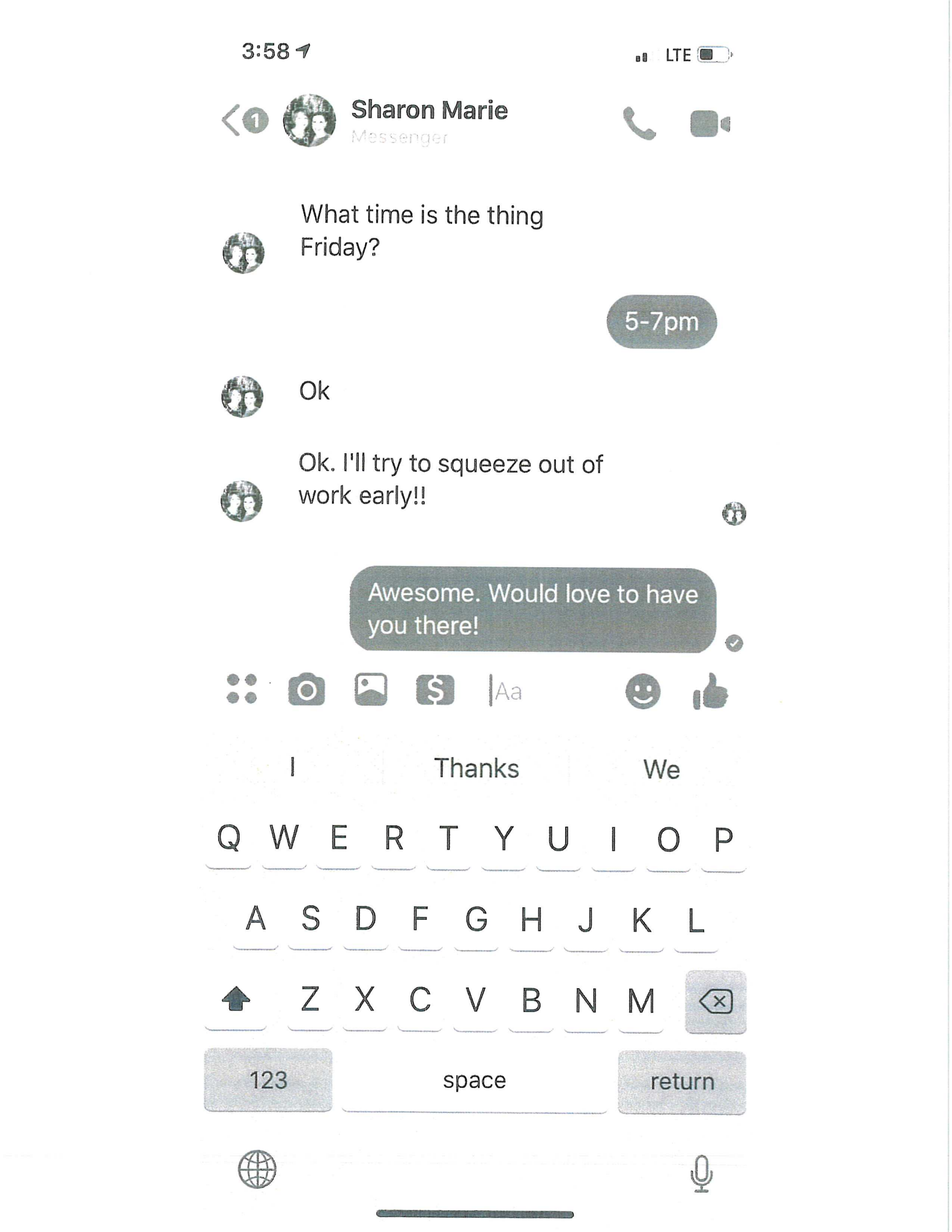
What time is the thing Friday?

5-7pm

Ok

Ok. I'll try to squeeze out of work early!!

Aa


3:58
LTE
1
Sharon Marie
Messenger
What time is the thing Friday?
5-7pm
Ok
Ok. I'll try to squeeze out of work early!!
Awesome. Would love to have you there!
Aa
I
Thanks
We
Q W E R T Y U I O P
A S D F G H J K L
Z X C V B N M
123
space
return

Nate Boulton

From: Sharon Wegner <swegner@kempsease.com>
Sent: Wednesday, August 26, 2015 12:02 PM
To: nathaniel boulton
Subject: RE: Coffee

OK, I will see you tomorrow at 8 a.m. at scooters coffee!

On Aug 26, 2015 11:52 AM, "Nate Boulton" <nboulton@hedberglaw.com> wrote:

Let's do Scooters. I haven't been there since it reopened.

Nathaniel R. Boulton

Attorney at Law

Hedberg & Boulton, P.C.

100 Court Avenue, Suite 425

Des Moines, IA 50309

T 515.288.4148

F 515.288.4149

nboulton@hedberglaw.com

http://www.HedbergLaw.com

HEDBERG & BOULTON P.C.
ATTORNEYS AT LAW

From: Sharon Wegner [mailto:swegner@kempsease.com]
Sent: Tuesday, August 25, 2015 4:40 PM
To: Nate Boulton <nboulton@hedberglaw.com>
Subject: Re: Coffee

www.legalstore.com No. 7113
EXHIBIT
2

Your office is downtown, yea? Scooters? Java Joes?

Sharon

On Tue, Aug 25, 2015 at 4:30 PM, Nate Boulton <nboulton@hedberglaw.com> wrote:

Sure. How about meeting at 8am that morning? You name the spot.

Nathaniel R. Boulton

Attorney at Law

Hedberg & Boulton, P.C.

100 Court Avenue, Suite 425

Des Moines, IA 50309

T 515.288.4148

F 515.288.4149

nboulton@hedberglaw.com

http://www.HedbergLaw.com



From: Sharon Wegner [mailto:swegner@kempsease.com]
Sent: Tuesday, August 25, 2015 3:12 PM
To: Nathaniel R. Boulton <nboulton@hedberglaw.com>
Subject: Re: Coffee

Let's do Thursday morning coffee. I have to be in Court at 9:30, so does some point earlier than that work for you?

Cheers,

Sharon

On Tue, Aug 25, 2015 at 10:50 AM, Nathaniel R. Boulton <nboulton@hedberglaw.com> wrote:

Thursday morning coffee should work, or drinks Wednesday after work. Let me know and we can set something up.

Nate

Nathaniel R. Boulton

Attorney at Law

Hedberg & Boulton, P.C.

100 Court Avenue, Suite 425

Des Moines, IA 50309

T 515.288.4148

F 515.288.4149

nboulton@hedberglaw.com

http://www.HedbergLaw.com



On Aug 21, 2015, at 4:59 PM, Sharon Wegner <swegner@kempsease.com> wrote:

I am fairly free Thursday and Friday of next week, and very free the week after that.

Thursday the 27th I can do anytime before 9:30 or after 11, and Friday I can do before 10. If nothing in there works for you, we can look forward to the week after that.

Thanks for the speedy response!

Sharon

On Fri, Aug 21, 2015 at 4:48 PM, Nate Boulton <nboulton@hedberglaw.com> wrote:

Of course. Let me know what works for you.

Nathaniel R. Boulton

Attorney at Law

Hedberg & Boulton, P.C.

100 Court Avenue, Suite 425

Des Moines, IA 50309

T 515.288.4148

F 515.288.4149

nboulton@hedberglaw.com

http://www.HedbergLaw.com

<image001.jpg>

From: Sharon Wegner [mailto:swegner@kempsease.com]
Sent: Friday, August 21, 2015 4:35 PM
To: nathaniel boulton <nboulton@hedberglaw.com>
Subject: Coffee

Good afternoon Nate,

I hope you had a good week and that you have some fun and relaxing plans for the weekend.

I grabbed a drink with Mickey McGovern last night, and I was wondering if I could take you out for coffee or lunch and discuss workers comp. litigation with you.

Let me know if you have sometime, but I do understand that you are very busy!

Cheers,

Sharon

--

Sharon Wegner

Associate Attorney

Kemp & Sease

Ph: 515.883.2222

104 SW 4th St.

Fax: 515.883.2233

Suite A

Des Moines IA 50309

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Nate Boulton

From: Sharon Wegner <swegner@kempsease.com>
Sent: Friday, September 04, 2015 11:28 AM
To: Nate Boulton
Subject: Re: IAWC Annual Seminar October 22-23, 2015

Perfect!
I will sign up right now!

Cheers,
Sharon

On Thu, Sep 3, 2015 at 4:55 PM, Nate Boulton <nboulton@hedberglaw.com> wrote:
This is the seminar I mentioned. Hope you can make it work.

Nathaniel R. Boulton
Attorney at Law
Hedberg & Boulton, P.C.
100 Court Avenue, Suite 425
Des Moines, IA 50309
515.288.4148
515.288.4149 (Fax)
nboulton@hedberglaw.com
www.HedbergLaw.com

Sent from my iPhone

Begin forwarded message:

From: Linda Gilbert <lngilbert@mchsi.com>
Date: September 3, 2015 at 4:11:38 PM CDT
To: "Abbas, Cory" <cabbas@pattersonfirm.com>, "Anderson, Daniel" <danderson@wertzlaw.com>, "Anderson, Emily" <eanderson@fightingforfairness.com>, "Andres, Robert" <rcalaw2@qwestoffice.net>, "Armstrong, Jackie" <jdarmstrong@iabar.org>, "Augspurger, Steven" <augspurger.steven@bradshawlaw.com>, "Avgerinos, Nick" <nja@capronlaw.com>, "Baker, Jeffrey" <jeffreybaker@davisbrownlaw.com>, "Becker, Todd" <toddb@trlf.com>, "Beresford, Todd" <todd.beresford@tyson.com>, "Bernstein, Daniel" <dbernstein152@gmail.com>, "Bickel, John" <jmb@shuttleworthlaw.com>, "Blackstock, Benjamin" <crialaw@aol.com>, "Blades, Charles" <cblades@scheldruplaw.com>, "Boesen, Maggie" <mboesen@hhlawpc.com>, "Book, Richard" <rbook@desmoineslaw.com>, "Bosscher, Mark" <mark.bosscher@peddicord-law.com>, "Boulton, Nate" <nboulton@hedberglaw.com>, "Brandau, Lori" <brandau.lori@bradshawlaw.com>, "Bribriesco, William" <bill@bribriescolawfirm.com>, "Brown, Stephen J." <sbrown@cutlerfirm.com>, "Bryan, Jim" <jbryan@travelers.com>, "Burns, John" <jburns@evans-dixon.com>, "Byrne, James" <jbyrne@nbolawfirm.com>, "Cacciatore, Joseph" <jac@grahamlawiowa.com>, "Cady, Thomas" <tcady@katzlawfirm.com>, "Carpenter, Patrick" <pat@carpenterlawfirm.com>, "Cervantes, Ed" <edonlaw1@msn.com>, "Clark, Anne" <aclark@hhlawpc.com>, "Clark, Ryan"

EXHIBIT
3
www.legalstore.com No. 7113

5:30 LTE

All Inboxes 2 Messages

RSVP

Found in nate@boultonforsenate.com Inbox

Sharon Wegner 10/5/15
To: Nate Boulton Details

Nate,
I will be attending this meet n great!

Thanks,
Sharon

See More

Found in nate@boultonforsenate.com Sent...

Nate Boulton 10/5/15
To: Sharon Wegner Details

Great! Thank you!

Nate Boulton
Candidate for Iowa Senate
Phone: [redacted]
Email: nate@boultonforsenate.com

Sent from my mobile phone.

See More from Sharon Wegner

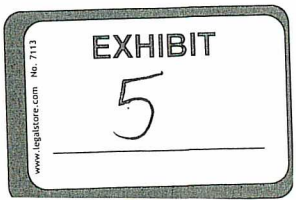
EXHIBIT 4

STATE OF IOWA)
) ss
COUNTY OF POLK)

AFFIDAVIT OF SARAH BAUMGARTNER

I, Sarah Baumgartner, after being duly sworn on oath depose and state as follows:

1. My name is Sarah Baumgartner.
2. I am a December 2013 graduate of Drake University Law School.
3. I began working at Hedberg & Boulton, P.C. in February 2012 as a law clerk. I have been employed as an attorney with Hedberg & Boulton, P.C. since I passed the February 2014 Iowa bar exam and was sworn in, in April 2014.
4. Sharon Wegner was a law school classmate of mine, and I have also encountered her in professional environments since graduation.
5. Workers' Compensation is my primary area of practice. Close to 100% of the continuing legal education seminars I attend are regarding workers' compensation.
6. On October 22 and 23rd of 2015, I attended the IWAC seminar at the Sheraton Hotel in West Des Moines, Iowa with Nate Boulton.
7. Following the IWAC seminar there was a cocktail hour.
8. As a newer attorney, Nate began introducing me to various workers' compensation attorneys that I had not previously met. It was around this time that Sharon Wegner showed up for cocktail hour.
9. After Sharon's arrival, she immediately acted like we had never met before.
10. Nate then introduced Sharon to the group as a new attorney who was interested in learning workers' compensation law.



11. When Sharon first arrived to the cocktail hour, she was overly flirtatious with Nate and was touching his arm awkwardly.
12. After greeting Nate by touching his arm, Sharon continued to attempt to flirt with Nate.
13. During their conversation, Sharon proceeded to lean into Nate to talk to him.
14. Sharon acted very strangely towards me during this entire encounter. She made sure to position herself fully between Nate and myself, so her back was to me. Essentially backing me out of the circle of attorneys, and further away from Nate.
15. Sharon continued to act towards Nate in a flirtatious manner which made me uncomfortable.
16. Sharon's demeanor caused me to text my husband, who is also an attorney and attended law school with Sharon.
17. I sent my former law school roommate, who had a relationship with Sharon, the same text as my husband.
18. Although I cannot recall verbatim what the text message said, it was something along the lines of "Sharon is trying really hard to get with Nate."
19. None of the flirtatious behavior that Sharon displayed towards Nate was reciprocated and none of Nate's behavior made me feel uncomfortable.
20. Sharon's body language and general demeanor at the cocktail hour was portrayed as though she had a romantic interest in Nate. However, Nate remained platonic based on my observations and focused on the fact that Sharon wanted a mentor to help teach her workers' compensation law.

21. Eventually, I left the cocktail hour and headed home due to feeling uncomfortable because of Sharon's presence.

22. Following the seminar cocktail hour, I saw Sharon and Nate together or Nate and I ran into Sharon on more than one occasion. Sharon also came to my office to see Nate.

23. I recall interactions between Nate and Sharon as recently as late 2016/early 2017. Although I cannot recall specific dates, it was during the winter so it could have easily been anywhere from November 2016-February 2017.

Sarah M. Baumgartner

Subscribed and sworn to me this 3 day of August, 2018.

Notary, State of Iowa
My commission expires: 5/19/2020

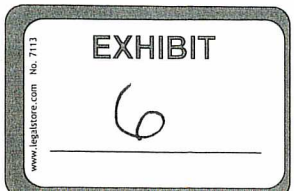
NOTARIAL SEAL IOWA
MICHELLE L BEVING
Commission Number 804453
My Commission Expires
5/19/2020

STATE OF IOWA)
) ss
COUNTY OF POLK)

AFFIDAVIT OF RYAN BAUMGARTNER

I, Ryan Baumgartner, after being duly sworn on oath depose and state as follows:

1. My name is Ryan Baumgartner and I am a licensed attorney in the State of Iowa.
2. I am a May 2013 graduate of Drake University Law School.
3. Sharon Wegner is an acquaintance of mine through Drake University Law School.
4. Nate Boulton was my labor law professor at Drake University Law School, and he is also a partner in the law firm my wife has worked for since 2012.
5. Since graduating from law school, I have encountered both Sharon Wegner and Nate Boulton in professional and social environments.
6. My wife, Sarah, frequently attended CLE's and other networking functions with Nate Boulton after becoming a licensed attorney.
7. In October 2015, Sarah attended a CLE. As Sarah and I normally do, we texted throughout the day.
8. After the CLE, there was some sort of reception for the attorneys in attendance. It was at this time that I received a text from Sarah stating she was coming home because she felt uncomfortable at the CLE.
9. Although I cannot recall the exact verbiage of the text, Sarah stated that she was put off by the behavior of Sharon Wegner towards Nate Boulton. Stating that Sharon had been acting in an overly flirtatious manner towards Nate and making attempts to exclude Sarah from the group of attorney present.



10. Sarah also mentioned that Sharon had touched Nate during their interaction.

11. I was surprised that Sarah was leaving the CLE almost immediately after it ended because she typically stayed and socialized.

12. I recall Sarah mentioning a few additional times (besides the text) how awkward the situation was.

Ryan J. Baumgartner

Subscribed and sworn to me this 3 day of December 2018.

Kathi Gaudineer

Notary, State of Iowa
My commission expires:

NOTARIAL SEAL IOWA
KATHI GAUDINEER
Commission Number 806953
My Commission Expires
10-12-20

Nate Boulton

From: Sharon Wegner <swegner@kempsease.com>
Sent: Thursday, May 12, 2016 12:58 PM
To: nathaniel boulton
Subject: Work Comp Cases

Hi Nate,
I am planning on biking down to your event tomorrow after work.

I was also wondering if you had time available next week to meet with me. I have two work comp cases open right now, and feel a bit like I am floundering.

See you tomorrow!

Sharon

--

Sharon Wegner
Associate Attorney
Kemp & Sease
104 SW 4th St.
Suite A
Des Moines IA 50309

Ph: 515.883.2222
Fax: 515.883.2233

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www.legalstorec.com No. 7113
EXHIBIT
7

Nate Boulton

From: Sharon Wegner <swegner@kempsease.com>
Sent: Monday, May 16, 2016 3:19 PM
To: Nate Boulton
Subject: Re: Work Comp Cases

Nate,
Nice seeing you on Friday! I am glad to know that your campaign is doing well: it sounds like you're going to get your seat!

Let me know if you have any time this week to meet for coffee or lunch!

Cheers,
Sharon

On Fri, May 13, 2016 at 9:39 AM, Sharon Wegner <swegner@kempsease.com> wrote:
Perfect.

On Fri, May 13, 2016 at 9:49 AM, Nate Boulton <nboulton@hedberglaw.com> wrote:

Of course. Let's get coffee next week and review what you have. See you tonight!

Nathaniel R. Boulton

Attorney at Law

Hedberg & Boulton, P.C.

100 Court Avenue, Suite 425

Des Moines, IA 50309

T 515.288.4148

F 515.288.4149

nboulton@hedberglaw.com

http://www.HedbergLaw.com

HEDBERG & BOULTON P.C.
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EXHIBIT
8

Search 6:34 PM

Shaz
5,618 Likes

Tweets | Tweets & replies | Media | Likes

she swim...she goes diving....

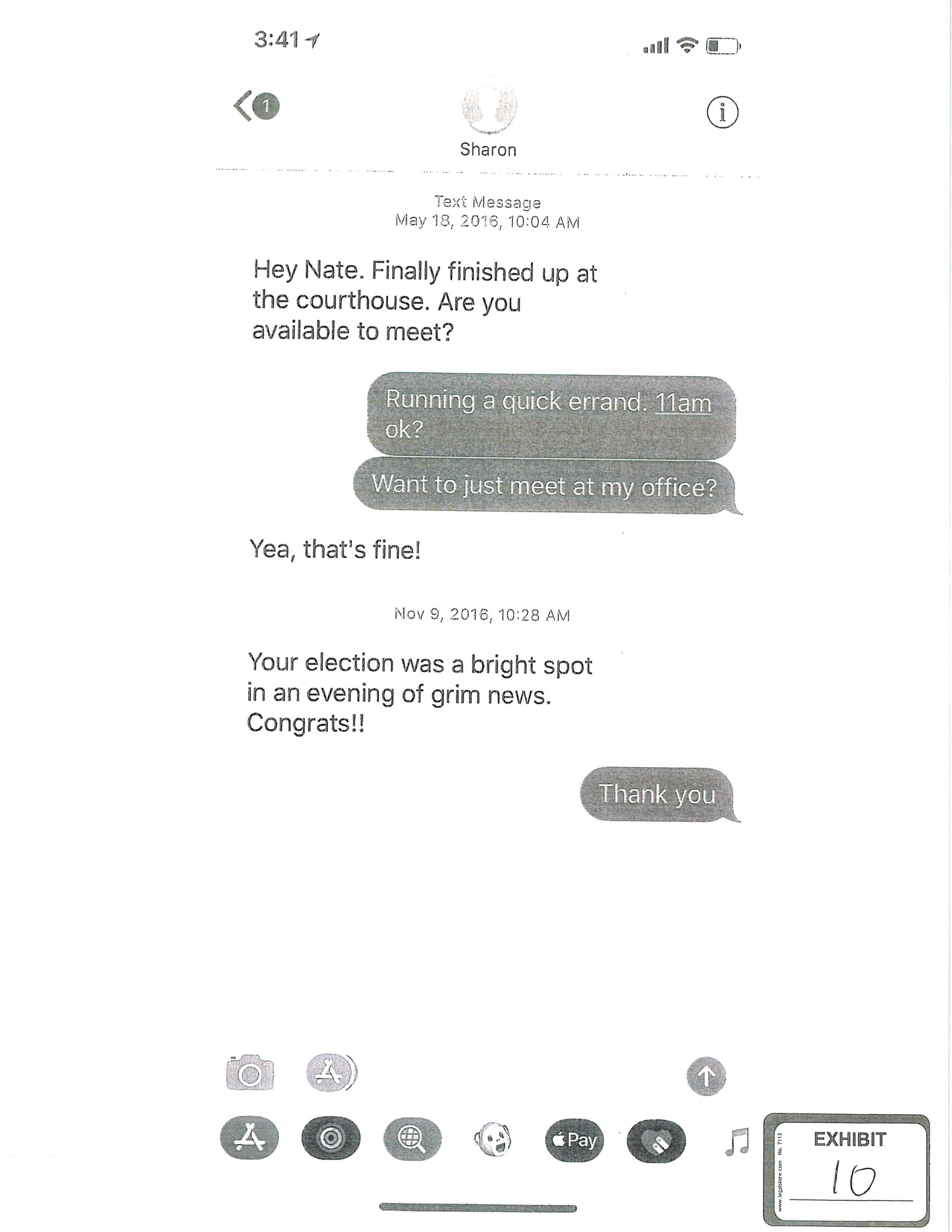
1



Nate Boulton @NateBoulton · 5/17/16
It's 3 weeks until e-day but u can vote between now and June 7 @ the Polk County Elections office, 120 2nd Ave, DSM.

EXHIBIT
9

3


3:41
1
Sharon
Text Message
May 18, 2016, 10:04 AM
Hey Nate. Finally finished up at the courthouse. Are you available to meet?
Running a quick errand. 11am ok?
Want to just meet at my office?
Yea, that's fine!
Nov 9, 2016, 10:28 AM
Your election was a bright spot in an evening of grim news. Congrats!!
Thank you
Pay
EXHIBIT
10

Nate Boulton

From: Sharon Wegner <swegner@kempsease.com>
Sent: Thursday, July 07, 2016 3:09 PM
To: nathaniel boulton
Subject: Work Comp cases

Hi Nate,
Just waned to say that congrats on getting through the primary! I bet that feels great!

I spoke to you a bit ago about several of my cases: the one client that I have, who is a trucker, did lease his truck from the company he was injured while working for.
What should I do next?

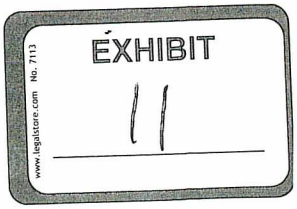
Sharon

--

Sharon Wegner
Associate Attorney
Kemp & Sease
104 SW 4th St.
Suite A
Des Moines IA 50309

Ph: 515.883.2222
Fax: 515.883.2233

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7:45



Nate Boulton is with **Sheila Helmick** and **5 others**.

January 9, 2017 · Des Moines, IA ·

It was an extremely proud day as I was able to take the oath of office in the Iowa Senate today with so many family members and friends supporting me. I am honored to have this opportunity to serve our state.



Turn on your title to show **Iowa State Senator for District 16** by your name and make this post public.

Like Comment Share

Write a comment...

EXHIBIT 12

7:45

Nate Boulton is with Sheila

All 724 671 53



4 mutual friends

Add Friend



Kevin LaGree
34 mutual friends

Add Friend



Jeff Hartford
43 mutual friends

Add Friend



Debra Grim
2 mutual friends

Add Friend



Cathy Schrock Larson
2 mutual friends

Add Friend



Sharon Marie
51 mutual friends

Add Friend



Sarah Dotson
30 mutual friends

Add Friend



Denise Oldham
2 mutual friends

Add Friend



Mary Johannsen
2 mutual friends

Add Friend



Deb Hollingsworth
14 mutual friends

Add Friend



Mary Lou Grimm
3 mutual friends

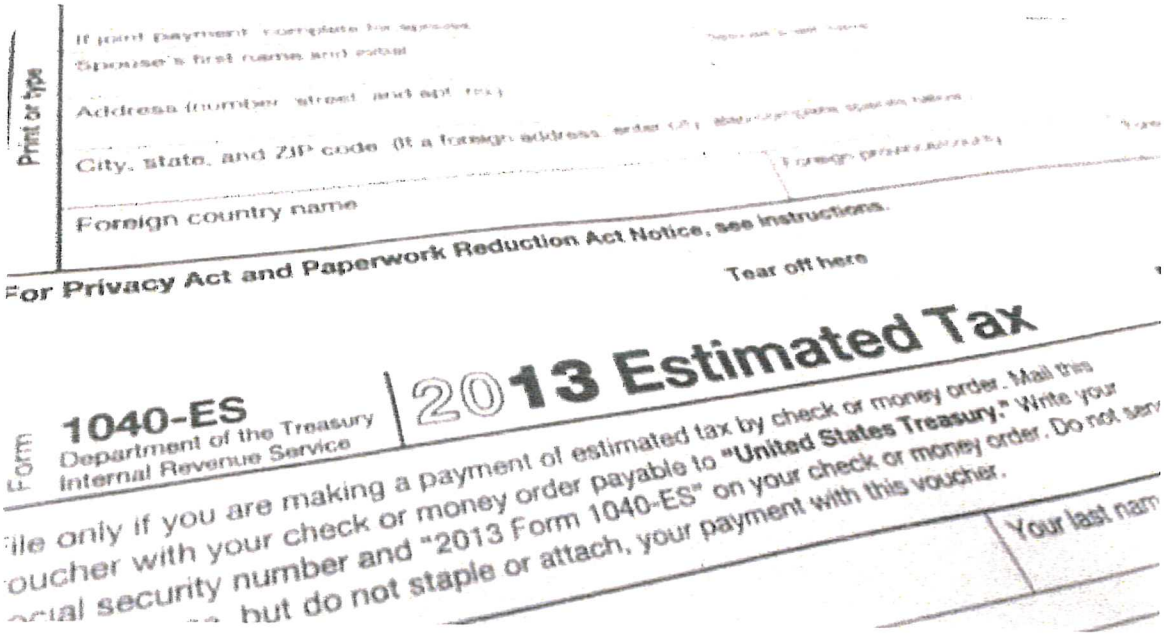
Add Friend

17 348 917



Nate Boulton @NateBoulton · 1/30/17

This year's painful budget cuts are the direct result of irresponsible corporate tax credits and exemption schemes:



Print or type

Spouse's first name and initial

Address (number, street, and apt. no.)

City, state, and ZIP code. (If a foreign address, enter city, province/state/county, postal code, and country.)

Foreign country name

Foreign province/state/county

For Privacy Act and Paperwork Reduction Act Notice, see instructions.

Tear off here

Form **1040-ES** Department of the Treasury Internal Revenue Service

2013 Estimated Tax

File only if you are making a payment of estimated tax by check or money order. Mail this voucher with your check or money order payable to **"United States Treasury."** Write your social security number and "2013 Form 1040-ES" on your check or money order. Do not staple or attach, your payment with this voucher.

Your last name

lowa's $12.1 billion in tax expenditures bring calls for tax review

desmoinesregister.com

EXHIBIT 13

www.legalstore.com No. 7113

7 10

Verizon 6:43 PM

Shaz
1,560 Tweets

Tweets | Tweets & replies | Media | Likes

Shaz Retweeted



Nate Boulton @NateBoulton · 3/2/17

Iowa's public schools are underfunded, but corporations still get $500m annually in tax giveaways. Wrong priorities.



Ames Barilla Pasta Plant Expansion Raises Concerns over Tax Credits

whotv.com

12 20

EXHIBIT 14

Search 6:29 PM

Shaz
5,618 Likes

Tweets Tweets & replies Media **Likes**



52 12K 34.9K



Nate Boulton @NateBoulton · 3/21/17
"...when we talk about capping damages, we're talking about the most extreme cases...the ones whose lives are ruined"

> **Radiolowa** @Radiolowa
>
> Iowa Senate votes for some limits on medical malpractice awards goo.gl/fb/fbqkXu

5 7

EXHIBIT 15

Search 6:24 PM

Shaz
5,618 Likes

Tweets | Tweets & replies | Media | Likes

crime! # coffee #coffeeaddict
instagram.com/p/BXsfQhCFK43/

2

Alternative NOAA @altNOAA · 8/12/17
There are a lot of people in the GOP who are not racist. If this is you, then you need to use your voice to call for Trump's impeachment.

22 405 1,506

Nate Boulton @NateBoulton · 8/12/17
"We must always reject and stand up to the kind of hate and racism being promoted in #Charlottesville." -NB

2 27 110

EXHIBIT
16



Nate Boulton
@NateBoulton

On Iowa Press, Gov. Reynolds just claimed "progress" on mental health. After closing half of our mental health institutes, leaving Iowa among the worst in the nation for long-term bed space, what will it take for her to say our system is heading in the wrong direction? -NB

12/1/17, 8:10 PM from Des Moines, IA

View Tweet activity

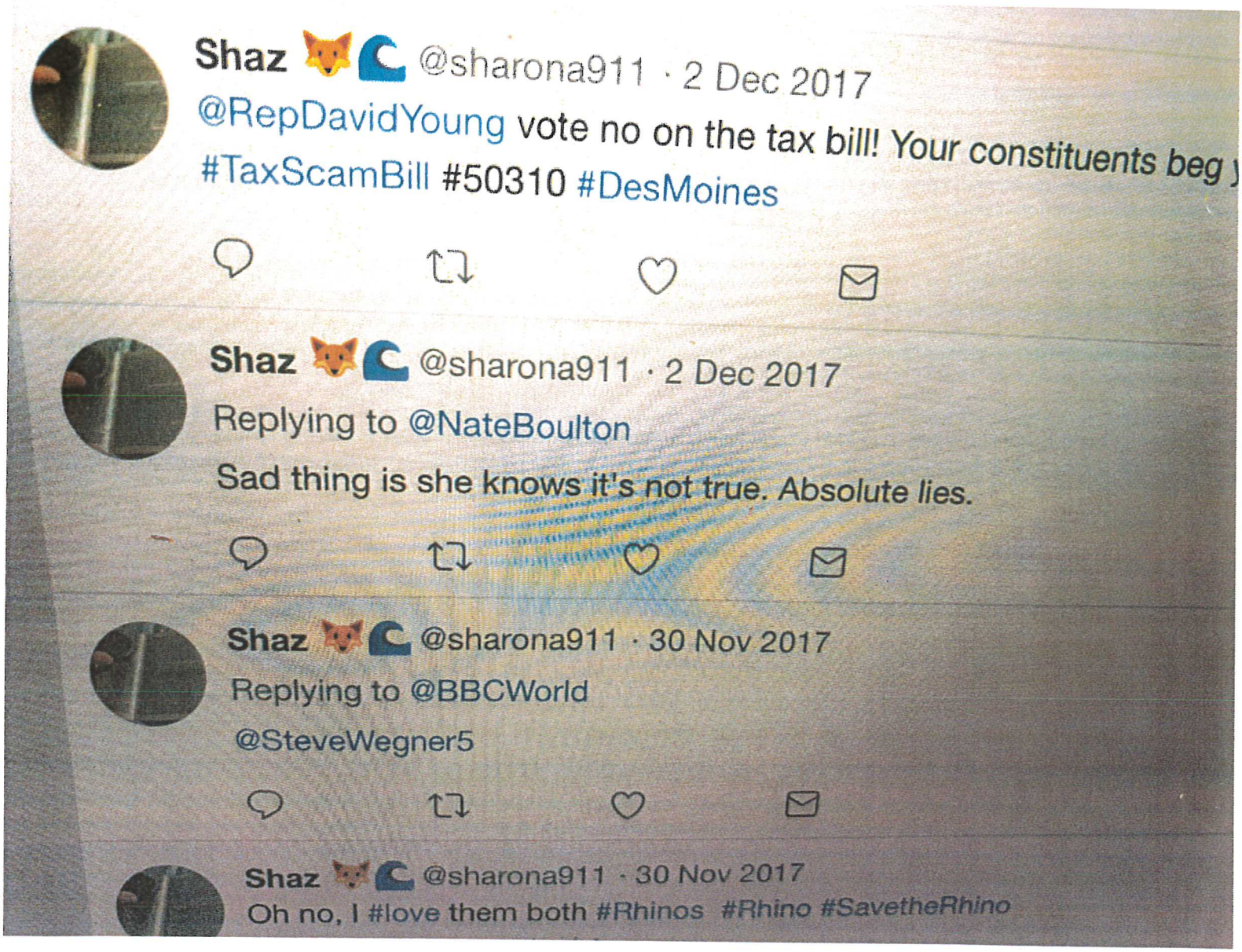
54 Retweets **154** Likes



Sean Jankowski @sean_janko · 12/1/17
Replying to @NateBoulton
We need better mental health resources in Iowa

Tweet your reply

www.legalstore.com No. 7113
EXHIBIT
17



Shaz @sharona911 · 2 Dec 2017

@RepDavidYoung vote no on the tax bill! Your constituents beg y

#TaxScamBill #50310 #DesMoines

Shaz @sharona911 · 2 Dec 2017

Replying to @NateBoulton

Sad thing is she knows it's not true. Absolute lies.

Shaz @sharona911 · 30 Nov 2017

Replying to @BBCWorld

@SteveWegner5

Shaz @sharona911 · 30 Nov 2017

Oh no, I #love them both #Rhinos #Rhino #SavetheRhino

Tweets Tweets & replies Media Likes

160 10.9K 22.3K



Nate Boulton @NateBoulton · 12/22/17

This administration must stop pretending that this privatized medicaid experiment is working. It is failing Iowans at all levels, with serious and troubling consequences. -NB



Iowa Medicaid providers hit with $1.5 million in penalties

desmoinesregister.com

2 19 41

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18
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