

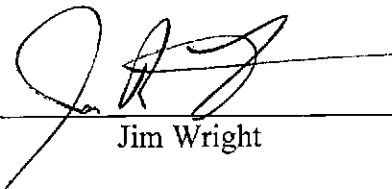
pays \$100.00 of that fee within 45 days of the entry of the consent order, the remainder of the fee will be stayed for two years, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission.

If Respondents Kelley Stahlin and Kelley Stahlin for County Clerk have not committed any further violations of the campaign finance disclosure laws pursuant to Chapter 130, RSMo, during the two year stay then Respondents will not be required to pay the remainder of this fee.

If, however, either Respondent is found to have violated the campaign finance laws pursuant to Chapter 130, RSMo, during this two year stay, Respondents will be required to pay the remainder of the fee as originally imposed by the Commission. The fee will be due immediately upon final adjudication finding probable cause of such a violation.

SO ORDERED this 26th day of October, 2010.

By:



Jim Wright

hearing; and the right to a decision upon the record of the hearing. Being aware of these rights provided to the Respondents by operation of law, the undersigned Respondents knowingly and voluntarily waive each and every one of these rights and freely enter into this Joint Stipulation of Facts, Waiver of Hearings before the Missouri Ethics Commission, and Consent order with Joint Proposed Findings of Fact and Conclusions of Law, and agree to abide by the terms of this document.

I.

Based upon the foregoing, the Petitioner and the undersigned Respondents jointly stipulate to the following and request that the Missouri Ethics Commission adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law, as follows:

JOINT FINDINGS OF FACT

1. The Missouri Ethics Commission (“the Commission”) is an agency of the State of Missouri established pursuant to §105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 130, RSMo.

2. Respondent Kelley Stahlin was a successful candidate for County Clerk of Buchanan county in the August 2010 primary election and is candidate in the November 2, 2010 General Election.

3. Respondent Kelley Stahlin for County Clerk is a candidate committee registered with Petitioner. On July 26, 2010, a statement of committee organization was filed with Petitioner.

4. The Statement of Committee Organization was filed with the Buchanan County Clerk’s office on or about February 4, 2010.

5. Respondent Stahlin, as Candidate was ultimately responsible for filing campaign finance reports for Respondent Committee, pursuant to §130.041.1 and §130.058 RSMo.

6. On August 9, 2010, a complaint was filed with Petitioner.

7. Pursuant to §105.961, RSMo 2000, a special investigator reported its findings to the Commission.

JOINT CONCLUSIONS OF LAW

1. According to §130.026.2(2), RSMo:

Notwithstanding the provisions of subsection 1 of this section, in the case of candidates for the offices of state senator, state representative, county clerk, and associate circuit court judges and circuit court judges, the appropriate officers shall be the Missouri ethics commission and the election authority for the place of residence of the candidate.

2. §130.046. 1, RSMo provides:

The disclosure reports required by section 130.041 for all committees shall be filed at the following times and for the following periods:

(1) Not later than the eighth day before an election for the period closing on the

(3) Not later than the fifteenth day following the close of each calendar quarter... Notwithstanding the provisions of this subsection, if any committee accepts

3. There is probable cause that Respondents violated §130.026.2(2) RSMo and §130.046.1, RSMo by failing to file timely a statement of committee organization, and the April and July 2010 Quarterly Disclosure Reports with Petitioner, when Respondents filed the statement with the local election authority.

II.

Based on the foregoing, the parties hereto mutually agree and stipulate that the following shall constitute the order entered by the Missouri Ethics Commission in this matter. This order will be effective immediately upon the issuance of the Consent Order of the Missouri Ethics Commission without further action by any party:

1. The parties to this Joint Stipulation understand that the Petitioner will maintain this Joint Stipulation as an open and public record of the Missouri Ethics Commission.

2. The Commission shall issue its Consent Order in the form attached hereto as Exhibit A.

a. Respondents agree that they will comply with all relevant sections of Chapter 130, RSMo.

b. It is the order of the Missouri Ethics Commission that a fee is imposed against the Respondents Kelley Stahlin and Kelley Stahlin for County Clerk in the amount of \$1,000.00 pursuant to §105.961.4(6) RSMo. However, if either Respondent pays \$100.00 of that fee within 45 days of the entry of the consent order, the remainder of the fee will be stayed for two years, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission.

If Respondents Kelley Stahlin and Kelley Stahlin for County Clerk have not committed any further violations of the campaign finance disclosure laws pursuant to Chapter 130, RSMo, during the two year stay then Respondents will not be required to *pay the remainder of this fee.*

If, however, either Respondent is found to have violated the campaign finance laws pursuant to Chapter 130, RSMo, during this two year stay, Respondents will be required to pay the remainder of the fee as originally imposed by the Commission. The fee will be due immediately upon final adjudication finding probable cause of such a violation.

3. The parties consent to the entry of record and approval of this Joint Stipulation and to the termination of any further proceedings before the Commission based upon the Complaint filed by the Petitioner in the above action.

4. Respondents, together with their heirs, successors and assigns, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorney of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including, but not limited to, a claim for attorney's fees whatsoever which Respondents and their attorney now have or which they may hereafter have, which is based upon or arises out of the above case.

RESPONDENT

By: Kelley Stahlin 10-18-10
Kelley Stahlin Date
Kelley Stahlin for County Clerk

Respondents

PETITIONER

By: Julie A. Allen 10/24/10
Julie A. Allen Date
Executive Director

By: Elizabeth L. Ziegler 10/26/10
Elizabeth L. Ziegler Date
General Counsel

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Telefax: (573) 526-4506

Attorney for Petitioner