

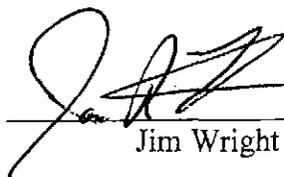
\$100.00 of that fee within 45 days of the entry of the consent order, the remainder of the fee will be stayed for two years, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission.

If Respondents R. Scott Stephens and Our Hospital Matters have not committed any further violations of the campaign finance disclosure laws pursuant to Chapter 130, RSMo 2000, 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 2000, 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 29th day of October, 2010.

By: _____



Jim Wright

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. On January 12, 2010, a Statement of Committee Organization was filed for Respondent, Our Hospital Matters Committee (“Committee”), as a Campaign Committee with the Livingston County Clerk.
3. Respondent, R. Scott Stephens is the Treasurer of Respondent Committee.
4. Respondent Committee was formed in support of a City of Chillicothe Proposition on the February 2, 2010 Livingston County election.
5. Pursuant to §130.026, RSMo, the Livingston County clerk is the appropriate officer designated to receive the statement of committee organization and campaign finance reports for Committee.

6. Pursuant to §130.058, RSMo Respondent Stephens as Treasurer is ultimately responsible for all reporting requirements pursuant to this chapter.

7. On January 19, 2010, Petitioner received a complaint filed against Respondents.

8. Pursuant to §105.961.1, RSMo, following the receipt of the complaint, a special investigator has conducted an investigation and reported findings to the Commission.

9. Based on the report of its staff, the Commission determined that there are reasonable grounds to believe that a violation of law has occurred and is therefore authorized to hold a hearing in this matter pursuant to §105.961.3, RSMo.

JOINT CONCLUSIONS OF LAW

Campaign Finance Disclosure Reports

1. According to §130.046.3(2), RSMo:

A continuing committee shall submit additional reports if it makes aggregate expenditures, other than contributions to a committee, of five hundred dollars or more, within the reporting period at the following times for the following periods:

...

(2) Not later than twenty-four hours after aggregate expenditures of two hundred fifty dollars or more are made after the twelfth day before the election;

2. For the Feb 2, 2010 special election, expenditures in excess of \$250.00 made on or after January 22, 2010 were required to be reported on a 24 Hour Late Expenditure Reports.

3. On March 1, 2010, Respondents filed a 30 Day After Election Report. Respondent reported the following expenditures which were required to be reported on a 24 Hour Late Expenditure Report:

NAME & ADDRESS OF RECIPIENT	DATE	AMOUNT
KCHI 421 Washington St., Chillicothe, MO 64601	01/26/10	\$1,192.80
Chillicothe Constitution Tribune 818 Washington, Chillicothe, MO 64601	01/26/10	\$2,340.40
Ad Pages 430A Washington, PO Box 618, Chillicothe, MO 64601	01/26/10	\$801.00
KUHL 105.9 802 Calhoun Street, Chillicothe, MO 64601	01/26/10	\$420.00
Community Press 1016 N. Washington, Chillicothe, MO 64601	01/29/10	\$3,893.35
Chillicothe Constitution Tribune 818 Washington, Chillicothe, MO 64601	01/29/10	\$1,629.40
United States Post Office 401 Washington, Chillicothe, MO 64601	01/29/10	\$364.00
Chillicothe Constitution Tribune 818 Washington, Chillicothe, MO 64601	02/01/10	\$829.50

4. Respondents failed to file a 24 Hour Notice late expenditure made for any of the expenditures listed on paragraph 3.

5. There is probable cause that Respondents have violated §130.046.3(2), RSMo by failing to file three 24 Hour Reports of Late Expenditures in the total amount of \$11,470.45, and that Respondents did so knowingly.

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 R. Scott Stephens and Our Hospital Matters 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 R. Scott Stephens and Our Hospital Matters have not committed any further violations of the campaign finance disclosure laws pursuant to Chapter 130, RSMo 2000, 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 2000, 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

PETITIONER

By: R. Scott Stephens 10/21/10
R. Scott Stephens Date
Respondent

By: Julie A. Allen 10/29/10
Julie A. Allen Date
Executive Director

By: Robert Cowherd 10/21/10
Robert Cowherd Date
Attorney for Respondent

By: Elizabeth L. Ziegler 10/28/10
Elizabeth L. Ziegler Date
General Counsel

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Telephone: (573) 751-2020
Attorney for Petitioner