

**Filed**  
**JUN 17 2013**  
Missouri Ethics  
Commission

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,            )  
  )  
  )            Petitioner,            )  
  )            Case No. 12E005  
v.    )  
  )  
ED WATKINS,    )  
  )  
  )            Respondent.        )

**JOINT STIPULATION OF FACTS, WAIVER OF HEARING  
BEFORE THE MISSOURI ETHICS COMMISSION, AND  
CONSENT ORDER WITH JOINT PROPOSED  
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The undersigned parties jointly stipulate to the facts and consent to the action set forth below.

The undersigned Respondent, Ed Watkins, acknowledges that he has received and reviewed a copy of the Complaint filed by the Petitioner in this case, and the parties submit to the jurisdiction of the Missouri Ethics Commission.

The undersigned Respondent further acknowledges that he is aware of the various rights and privileges afforded by law, including but not limited to: the right appear and be represented by counsel; the right to have all charges against Respondent be proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Respondent; the right to present evidence on Respondent's behalf at the hearing; and the right to a decision upon the record of the hearing. Being aware of these rights provided to Respondent by operation of law, the undersigned Respondent knowingly and voluntarily waives each and every one of these rights and freely enters into this Joint Stipulation of Facts, Waiver of Hearing before the Missouri Ethics Commission, and Consent Order with Joint

Proposed Findings of Fact and Conclusions of Law, and agrees to abide by the terms of this document.

**I.**

Based upon the foregoing, the Petitioner and the undersigned Respondent 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 PROPOSED FINDINGS OF FACT**

1. The Missouri Ethics Commission (“the Commission”) is an agency of the State of Missouri established pursuant to Section 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 105, RSMo.

2. Respondent Watkins is a founder, shareholder, and registered agent of WE News, LLC, which was formerly known as Westplex ENEWS, LLC.

3. Respondent Watkins is the owner of the fictitious business name “Winning Endeavors.”

4. Respondent Watkins is the founder of “Graduate America Priority 1,” or “GAP-1.” In or about September of 2011, Respondent Watkins, together with Paul Lambi, filed paperwork with the Missouri Secretary of State to incorporate GAP-1 as a public benefit non-profit corporation, but on February 23, 2012, Respondent Watkins filed articles of dissolution. In July 2012, Paul Lambi filed with the Missouri Secretary of State a registration of fictitious name for Graduate America Priority 1, identifying “WE News, LLC” as the owner of the business name.

5. Mr. Lambi was paid by WE News, LLC, as C.E.O. of Winning Endeavors. Paul Lambi was also the mayor of the City of Wentzville, Missouri, from 2004 through 2012.

6. Pursuant to Section 105.961, RSMo, the Commission's staff has investigated a complaint filed with the Commission and reported the investigation's findings to the Commission.

7. Based on the report of the Commission's staff, the Commission determined that there are reasonable grounds to believe that violations of law occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

8. The City of Wentzville, Missouri, has an annual operating budget over \$10 million.

9. As the founder and owner of Winning Endeavors, Respondent Watkins is a professional fundraiser, usually entering agreements providing for payment of a flat fee that is contingent upon and paid from funds he raises.

10. As the founder and owner of WE News, LLC, which does business as GAP-1, Respondent Watkins maintains that he seeks to increase the number of graduates with a technical or other two-year degree.

11. As the founder and owner of WE News, LLC, and doing business as GAP-1, Respondent Watkins sought to establish an educational facility in the City of Wentzville.

12. Respondent Watkins approached Ranken Technical College with a proposal to locate an educational facility in Wentzville, and requested a fund-raising agreement with Ranken that would have paid Mr. Lambi through GAP-1 a salary of approximately \$60,000 per year for fundraising.

13. Respondent Watkins also arranged meetings between elected city officials of Wentzville and Ranken.

14. Ranken rejected Respondent Watkins's offer for a fund-raising agreement, and thereafter Respondent Watkins sent an email to Leon Tow, a member of the Board of Aldermen for the City of Wentzville, stating "I asked Paul [Lambi] to call Larry [the city's director of economic development] and tell him that we were following [board of alderman member] Chris Gard's understandable suggestion that Wentzville should not be involved with another Technical College until things were resolved, one way or another, with Ranken."

15. In that same email, Respondent Watkins stated, "Here are my suggestions for a 'go forward strategy on this issue,'" and concluded the email by stating:

Leon, I think the first step would be the following:

1. You and the alderman [sic] should go to Linn Tech or one of their satellites, closest is Mexico/Moberly Community College, and compare them with Ranken before you sign an agreement with Ranken. We can leave Paul out of this, if that's what you want, and I'll set it up.

2. I'd like you to represent the city at our next meeting of the WesTec advisory board that includes the following representatives:

....

If I were his boss, I would fire Larry Tucker. But maybe the board could just put him on this sideline like you did with Mayor Paul.

16. At the time he sent this email, Respondent Watkins was in contact with Linn Tech regarding a possible location in the City of Wentzville.

17. At the time Respondent Watkins recommended firing Larry Tucker, the city's economic development director, Mr. Tucker was working with Ranken on a deal to locate in the

City of Wentzville. Mr. Tucker was working with Ranken because Mr. Lambi had recused himself from any further negotiations with Ranken.

18. Respondent Watkins did not timely file a lobbyist registration report or filing fee of \$10 with the Missouri Ethics Commission.

#### **JOINT PROPOSED CONCLUSIONS OF LAW**

19. Not later than January 5 of each year or five days after beginning any activities as a lobbyist, each lobbyist must file a form, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of \$10, with the Missouri Ethics Commission. § 105.473.1, RSMo.

20. A lobbyist is “any natural person defined as an ... elected local government official lobbyist.” § 105.470(6), RSMo.

21. An “elected local government official lobbyist” is “any natural person employed specifically for the purpose of attempting to influence any action by a local government official elected in a county, city, town, or village with an annual operating budget of over ten million dollars.” §105.470(1), RSMo.

22. There is probable cause to believe that Respondent Watkins violated Section 105.473.1, RSMo, by failing to register within five days of first acting as an elected local government official lobbyist with the City of Wentzville, which has an annual operating budget over \$10 million.

## 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. Respondent shall comply with all relevant sections of Chapter 105, RSMo.

b. It is the Order of the Missouri Ethics Commission that a fee is imposed against Respondent Watkins in the amount of \$1,000, pursuant to Section 105.961.4(6), RSMo. However, if Respondent pays \$100 of that fee within forty-five days after the date of the Order, the remainder of the fee will be stayed, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

c. If Respondent Watkins commits any further violation or violations of the lobbyist registration laws under Chapter 105, RSMo, within the two year period from the date of this order, then Respondent will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that Respondent has committed 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. Respondent, together with his heirs, successors, and assigns, does hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys 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 Respondent or Respondent's attorney may now have or which they may hereafter have, which are based upon or arise out of the above cases.

5. This joint stipulation does not settle, release, waive, or otherwise relieve Respondent from any late filing fees due to the appropriate filing authority, including Petitioner Missouri Ethics Commission. Respondent understands that late filing fees accrue automatically under Section 105.963, RSMo.

RESPONDENT WATKINS

By: Ed Watkins 6-8-13  
Ed Watkins Date

PETITIONER MISSOURI ETHICS COMMISSION

By: Stacey Heislen 6-17-13  
Stacey Heislen Date  
Acting Executive Director

By: Curtis R. Stokes 6-17-13  
Curtis R. Stokes Date  
Attorney for Petitioner

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ED WATKINS,                                        )  
  )  
  )  
  )                    Respondent.

**CONSENT ORDER**

The parties having filed a Joint Stipulation of Facts, Waiver of Hearing before the Missouri Ethics Commission, and Consent Order with Proposed Findings of Fact and Conclusions of Law (“Joint Stipulation”) with the Missouri Ethics Commission in this matter, the Missouri Ethics Commission hereby accepts as true the facts stipulated and finds that Respondent Ed Watkins violated Section 105.473.1, RSMo, as stated in the Joint Stipulation.

The Commission directs that all terms and orders of the Joint Stipulation be adopted herein and implemented.

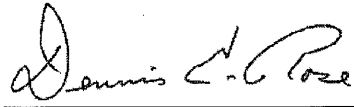
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from the date of this order, then Respondent will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that Respondent has committed such a violation.

SO ORDERED this 17<sup>th</sup> day of June, 2013

By:

A handwritten signature in cursive script that reads "Dennis Rose".

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Dennis Rose, Chair  
Missouri Ethics Commission