Filed
AUG 29 2013
Missouri Ethics Commission

BEFORE THE
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS COMMISSION, Petitioner, v. REGIONAL GROWTH CONSULTANTS, LLC, MAIN STREET VALUES, Continuing Committee, MISSOURIANS FOR GOVERNMENT ACCOUNTABILITY, Continuing Committee, DANNY POWELL, Personally and as Treasurer, Main Street Values JOHN POWELL, Treasurer, Missourians for Government Accountability, Respondents.	)	Case No. 11E193, 11E194, 11E195, 11E196, 11E197

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 Respondents, Regional Growth Consultants, Main Street Values, Missourians for Government Accountability, Danny Powell, and John Powell, acknowledge that hey have 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 Respondents further acknowledge that they are 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 Respondents be proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Respondents; the right to present evidence on Respondents' behalf at the hearing; and the right to a decision upon the record of the hearing. Being aware of these rights provided to 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 Hearing 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.

Respondent Danny Powell further represents, certifies, and guarantees that he has authority to sign this Joint Stipulation on behalf of Regional Growth Consultants, LLC, and Main Street Values.

Respondent John Powell further represents, certifies, and guarantees that he has authority to sign this Joint Stipulation on behalf of Missourians for Government Accountability.

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 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 130, RSMo.

2. Respondent Regional Growth Consultants, LLC, is a Missouri Limited Liability Company, registered with the Missouri Secretary of State and organized by Respondent Danny Powell on or about July 1, 2010. Respondent Danny Powell filed Articles of Termination and a Notice of Winding Up with the Missouri Secretary of State on or about December 26, 2012. The statutory time limit for bringing suit against Regional Growth Consultants, LLC, has not expired.

3. Respondent Main Street Values is a continuing committee that registered with the Missouri Ethics Commission on or about February 3, 2009.

4. At all times relevant to this complaint, Respondent Danny Powell was and is the named treasurer for Main Street Values.

5. Respondent Missourians for Government Accountability is a continuing committee that registered with the Missouri Ethics Commission on or about January 15, 2010.

6. At all times relevant to this complaint, Respondent John Powell was and is the named treasurer for Missourians for Government Accountability.

7. 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.

8. 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.

COUNT I

Publishing, circulating, and distributing printed material with improper "paid for by" disclosure (Cass County Materials)

9. In 2010, the Cass County Board of Services, a political subdivision of the State of Missouri, hired Regional Growth Consultants to perform campaign work on a ballot measure regarding a tax levy for the Board of Services.

10. The contract, a true and accurate copy of which is attached hereto and incorporated by reference as Exhibit 1, specifically required Regional Growth Consultants to produce yard signs, mailers, and a media plan.

11. Respondent Danny Powell established Respondent Main Street Values, which Respondents Regional Growth Consultants and Danny Powell used to report as the "source" of the expenditures for the yard signs, mailers, robo-calls and media plan.

12. Even though the Cass County Board of Services was the actual sponsor of the yard signs, mailers, and media plan letters, Respondents Regional Growth Consultants, Danny Powell, and Main Street Values published, circulated, and distributed those printed materials with the false and misleading "Paid for by Main Street Values..." disclaimer. Examples of yard signs and mailers are attached hereto and incorporated by reference as Exhibit 2 and Exhibit 3 respectively.

13. When Respondents Regional Growth Consultants, Danny Powell, and Main Street Values went to printers for the printed materials, they instructed the printer to use the "Paid for by Main Street Values..." disclaimer, even though they knew this disclaimer was false and misleading.

COUNT II

Concealment of source of contribution and/or expenditure

(Cass County Materials)

14. Even though the actual source of the expenditures for the yard signs, mailers, robo-calls, and media plan was the Cass County Board of Services, Respondents Regional Growth Consultants, Danny Powell, and Main Street Values concealed the Cass County Board of Services as the actual source by taking the following actions, which are listed by way of example and not limitation:

a. Respondents Regional Growth Consultants and Danny Powell took the "down payment" from Cass County Board of Services, used that money to make an ostensible "contribution" to Main Street Values, then used Main Street Values to make an ostensible "expenditure" to Regional Growth Consultants for the materials and services that were actually invoiced to and paid for by the Cass County Board of Services.

b. Respondents Regional Growth Consultants and Danny Powell thereafter issued invoices from Regional Growth Consultants to the Cass County Board of Services, but directed the Cass County Board of Services to make payments on those invoices to Main Street Values. Respondents Danny Powell and Main Street Values then made contributions from Regional Growth Consultants to Main Street Values then reported these invoice payments as "contributions" from Cass County Board of Services, then used Main Street Values to make ostensible "expenditures" to Regional Growth Consultants for the materials and services that were actually invoiced to and paid for by the Cass County Board of Services.

c. Respondents Regional Growth Consultants, Danny Powell, and Main Street Values circulated printed materials regarding the ballot measure with the disclaimer "Paid for by Main Street Values...," even though the Cass County Board of Services was the actual sponsor who paid for the printed materials regarding the ballot measure.

d. When Respondents Regional Growth Consultants, Danny Powell, and Main Street Values hired printers for the printed materials, they instructed the printer to use the "Paid for by Main Street Values..." disclaimer, even though they knew this disclaimer was false and misleading.

e. Respondents Main Street Values and Danny Powell reported the purpose of these ostensible "expenditures" by Main Street Values as "consulting" or "direct mail," but failed to file supplemental reports that would have specified the services provided.

f. Respondents Main Street Values and Danny Powell failed to identify on campaign disclosure reports that these ostensible "expenditures" by Main Street Values were made in support of the Cass County ballot measure.

COUNT III

Publishing, circulating and distributing printed material with improper "paid for by" disclosure (Cole Materials)

15. Respondent Regional Growth Consultants was hired to perform campaign work by Courtney Cole, a candidate for the Missouri House of Representatives, in the 2010 election.

16. Regional Growth Consultants conducted polling to determine which of their clients would benefit from negative mailers targeting an opponent. Based on the results of this

polling, Regional Growth Consultants determined that Ms. Cole would benefit from a negative mailer targeting her opponent.

17. Adopting almost the same pattern used by Main Street Values, Danny Powell established Respondent Missourians for Government Accountability, which Respondents Regional Growth Consultants and Danny Powell used to report as the "source" of the expenditures for a negative mailer targeting Ms. Cole's opponent. That mailer is attached hereto and incorporated by reference as Exhibit 4.

18. Even though Regional Growth Consultants was the actual sponsor of the negative mailer, Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability published, circulated, and distributed those printed materials with the false and misleading "Paid for by Missourians for Government Accountability..." disclaimer.

19. When Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability went to printers for the printed materials, they instructed the printer to use the "Paid for by Missourians for Government Accountability..." disclaimer, even though they knew this disclaimer was false and misleading.

COUNT IV

Concealment of source of contribution and/or expenditure

(Cole Materials)

20. Even though the actual source of the expenditures for the negative mailer targeting Ms. Cole's opponent was Regional Growth Consultants, Respondent Regional Growth Consultants did not file a non-committee expenditure report (*see* Count V, below).

21. Instead, Respondents Regional Growth Consultants and Danny Powell made a series of ostensible "contributions" from Regional Growth Consultants to Missourians for

Government Accountability, and Respondent Missourians for Government Accountability then reported an ostensible "expenditure" to Regional Growth Consultants for this negative mailer.

22. On these reports, Respondent Missourians for Government Accountability failed to identify the candidates supported and/or opposed by these ostensible "expenditures" by Missourians for Government Accountability.

COUNT V

Failure to file non-committee expenditure report

(Cole Materials)

23. Respondent Regional Growth Consultants is not a committee as defined by Section 130.011, RSMo.

24. Even though Regional Growth Consultants was the actual source of the expenditure, which exceeded $500, for the mailer discussed in Counts III and IV, above, it did not file a non-committee expenditure report with the appropriate officer.

COUNT VI

Publishing, circulating and distributing printed material with improper "paid for by" disclosure

(Woody Materials)

25. Respondent Regional Growth Consultants was hired to perform campaign work by Paul Woody, a candidate for the Missouri House of Representatives, in the 2010 election.

26. Regional Growth Consultants conducted polling to determine which of their clients would benefit from negative mailers targeting an opponent. Based on the results of this polling, Regional Growth Consultants determined that Mr. Woody would benefit from a negative mailer targeting his opponent and issuing a third mailer purporting to endorse a third candidate, whom Respondents would hope split votes from Mr. Woody's perceived "main" opponent.

27. Adopting almost the same pattern used by Main Street Values, Danny Powell established Respondent Missourians for Government Accountability, which Respondents Regional Growth Consultants and Danny Powell used to report as the "source" of the expenditures for negative mailers targeting Mr. Woody's opponent and another mailer endorsing the third candidate. Those mailers are attached hereto and incorporated by reference as Exhibit 5, Exhibit 6, and Exhibit 7, respectively.

28. Even though Regional Growth Consultants was the actual sponsor of these mailers, Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability published, circulated, and distributed those printed materials with the false and misleading "Paid for by Missourians for Government Accountability..." disclaimer.

29. When Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability went to printers for the printed materials, they instructed the printer to use the "Paid for by Missourians for Government Accountability..." disclaimer, even though they knew this disclaimer was false and misleading.

COUNT VII

Concealment of source of contribution and/or expenditure

(Woody Materials)

30. Even though the actual source of the expenditures for the mailers discussed in Count VI above was Regional Growth Consultants, Respondent Regional Growth Consultants did not file a non-committee expenditure report (*see* Count VIII, below).

31. Instead, Respondents Regional Growth Consultants and Danny Powell made a series of ostensible "contributions" from Regional Growth Consultants to Missourians for

Government Accountability, and Respondent Missourians for Government Accountability then reported an ostensible "expenditure" to Regional Growth Consultants for these negative mailers.

32. On these reports, Respondent Missourians for Government Accountability failed to identify the candidates supported and/or opposed by these ostensible "expenditures" by Missourians for Government Accountability.

COUNT VIII

Failure to file non-committee expenditure report

(Woody Materials)

33. Respondent Regional Growth Consultants is not a committee as defined by Section 130.011, RSMo.

34. Even though Regional Growth Consultants was the actual source of the expenditures, each of which exceeded $500, for the mailers discussed in Counts VI and VII, above, it did not file a non-committee expenditure report with the appropriate officer.

COUNT IX

Publishing, circulating and distributing printed material with improper "paid for by" disclosure

(Biermann Materials)

35. Respondent Regional Growth Consultants was hired to perform campaign work by Kenny Biermann, a candidate for the Missouri House of Representatives, in the 2010 election.

36. Regional Growth Consultants conducted polling to determine which of their clients would benefit from negative mailers targeting an opponent. Based on the results of this polling, Regional Growth Consultants determined that Mr. Biermann would benefit from a negative mailer targeting his opponent.

37. Adopting almost the same pattern used by Main Street Values, Danny Powell established Respondent Missourians for Government Accountability, which Respondents Regional Growth Consultants and Danny Powell used to report as the "source" of the expenditures for negative mailers targeting Mr. Biermann's opponent. Those mailers are attached hereto and incorporated by reference as Exhibit 8 and Exhibit 9.

38. Even though Regional Growth Consultants was the actual sponsor of the negative mailers, Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability published, circulated, and distributed those printed materials with the false and misleading "Paid for by Missourians for Government Accountability..." disclaimer.

39. When Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability went to printers for the printed materials, they instructed the printer to use the "Paid for by Missourians for Government Accountability..." disclaimer, even though they knew this disclaimer was false and misleading.

COUNT X

Concealment of source of contribution and/or expenditure

(Biermann Materials)

40. Even though the actual source of the expenditures for the negative mailers targeting Mr. Biermann's opponent was Regional Growth Consultants, Respondent Regional Growth Consultants did not file a non-committee expenditure report (*see* Count XI, below).

41. Instead, Respondents Regional Growth Consultants and Danny Powell made a series of ostensible "contributions" from Regional Growth Consultants to Missourians for Government Accountability, and Respondent Missourians for Government Accountability then reported an ostensible "expenditure" to Regional Growth Consultants for this negative mailer.

42. On these reports, Respondent Missourians for Government Accountability failed to identify the candidates supported and/or opposed by these ostensible "expenditures" by Missourians for Government Accountability.

COUNT XI

Failure to file non-committee expenditure report

(Biermann Materials)

43. Respondent Regional Growth Consultants is not a committee as defined by Section 130.011, RSMo.

44. Even though Regional Growth Consultants was the actual source of the expenditure, which exceeded $500, for the mailers discussed in Counts IX and X, above, it did not file a non-committee expenditure report with the appropriate officer.

COUNT XII

Publishing, circulating and distributing printed material with improper "paid for by" disclosure

(Hibbeler Materials)

45. Respondent Regional Growth Consultants was hired to perform campaign work by Cheryl Hibbeler, a candidate for the position Saint Charles County Council, District 1, in the 2010 election.

46. Regional Growth Consultants conducted polling to determine which of their clients would benefit from negative mailers targeting an opponent. Based on the results of this polling, Regional Growth Consultants determined that Ms. Hibbeler would benefit from a negative mailer targeting her opponent.

47. Adopting almost the same pattern used by Main Street Values, Danny Powell established Respondent Missourians for Government Accountability, which Respondents

Regional Growth Consultants and Danny Powell used to report as the "source" of the expenditures for a negative mailer targeting Ms. Hibbeler's opponent. That mailer is attached hereto and incorporated by reference as Exhibit 10.

48. Even though Regional Growth Consultants was the actual sponsor of the negative mailer, Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability published, circulated, and distributed those printed materials with the false and misleading "Paid for by Missourians for Government Accountability..." disclaimer.

49. When Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability went to printers for the printed materials, they instructed the printer to use the "Paid for by Missourians for Government Accountability..." disclaimer, even though they knew this disclaimer was false and misleading.

COUNT XIII

Concealment of source of contribution and/or expenditure

(Hibbeler Materials)

50. Even though the actual source of the expenditures for the negative mailer targeting Ms. Hibbeler's opponent was Regional Growth Consultants, Respondent Regional Growth Consultants did not file a non-committee expenditure report (*see* Count XIV, below).

51. Instead, Respondents Regional Growth Consultants and Danny Powell made a series of ostensible "contributions" from Regional Growth Consultants to Missourians for Government Accountability, and Respondent Missourians for Government Accountability then reported an ostensible "expenditure" to Regional Growth Consultants for these negative mailers.

52. On these reports, Respondent Missourians for Government Accountability failed to identify the candidates supported and/or opposed by these ostensible "expenditures" by Missourians for Government Accountability.

COUNT XIV

Failure to file non-committee expenditure report

(Hibbeler Materials)

53. Respondent Regional Growth Consultants is not a committee as defined by Section 130.011, RSMo.

54. Even though Regional Growth Consultants was the actual source of the expenditure, which exceeded $500, for the mailer discussed in Counts XII and XIII, above, it did not file a non-committee expenditure report with the appropriate officer.

COUNT XV

Failure to timely file independent contractor supplemental report form

(Main Street Values)

55. Reports required by Section 130.041, RSMo, are due at the times prescribed in Section 130.046, RSMo.

56. Respondents Main Street Values and Danny Powell reported a payment of $5,120 to Regional Growth Consultants with the purpose of "consulting" on the April 2010 quarterly disclosure report, without filing an "independent contractor" supplemental report specifying the service or services or provided.

57. Respondents Main Street Value sand Danny Powell did not specify on a "direct expenditure" supplemental report that the $5,120 payment to Regional Growth Consultants was in support of the Cass County Board of Services ballot measure.

58. Respondents Main Street Values and Danny Powell reported a payment of $3,092.50 to Regional Growth Consultants with the purpose of "direct mail services" on the July 2010 quarterly disclosure report, without filing an "independent contractor" supplemental report itemizing the services provided.

59. Respondents Main Street Values and Danny Powell did not specify on a "direct expenditure" supplement report that the $3,092.50 payment to Regional Growth Consultants was in support of the Cass County Board of Services ballot measure.

60. Respondents Main Street Values and Danny Powell reported two payments, one for $3,658.23, and another for $2,535.20, to Regional Growth Consultants with the purpose of "direct mail" on the April 2011 quarterly disclosure report, without filing an "independent contractor" supplemental report itemizing the services provided.

COUNT XVI

Failure to timely file independent contractor supplemental report form

(Missourians for Government Accountability)

61. Reports required by Section 130.041, RSMo, are due at the times prescribed in Section 130.046, RSMo.

62. Respondents Missourians for Government Accountability and John Powell reported a payment of $450 to Regional Growth Consultants with the purpose of "consulting" on the April 2010 quarterly disclosure report, without filing an "independent contractor" supplemental report specifying the service or services or provided.

63. Respondents Missourians for Government Accountability and John Powell did not identify on a "direct expenditure" supplemental report the candidate or candidates supported and/or opposed by the $450 payment to Regional Growth Consultants.

64. Respondents Missourians for Government Accountability and John Powell reported the following payments to Regional Growth Consultants on the "8 Days Before" general election report without filing an "independent contractor" supplemental report itemizing the services provided:

NAME/ADDRESS RECIPIENT	DATE	PURPOSE	AMOUNT
Regional Growth Consultants PO Box 45512 Kansas City, Mo.64111	10/3/2010	Direct mail	$2,211.55
Regional Growth Consultants PO Box 45512 Kansas City, Mo. 64111	10/14/2010	Direct mail	$2,360.95
Regional Growth Consultants PO Box 45512 Kansas City, Mo. 64111	10/15/2010	Direct mail	$2,476.32
Regional Growth Consultants PO Box 45512 Kansas City, Mo. 64111	10/16/2010	Direct mail	$3,010.43

65. Respondents Missourians for Government Accountability and John Powell did not specify on a "direct expenditure" report whether the expenditures were to support or opposed the candidates identified in paragraph 64 above.

66. Respondents Missourians for Government Accountability and John Powell reported the following payments to Regional Growth Consultants on the "30 Days After" general election report without filing an "independent contractor" supplemental report itemizing the services provided:

NAME/ADDRESS RECIPIENT	DATE	PURPOSE	AMOUNT
Regional Growth Consultants PO Box 45512 Kansas City, Mo. 64111	11/1/2010	Sally Faith Mailer	$1,385.60
Regional Growth Consultants PO Box 45512 Kansas City, Mo. 64111	11/1/2010	Bill Slantz mailer	$1,433.60
Regional Growth Consultants PO Box 45512 Kansas City, Mo. 64111	11/1/2010	Vicky Schneider Mailer	$975.35
Regional Growth Consultants PO Box 45512 Kansas City, Mo. 64111	11/1/2010	Vicky Shneider mailer	$975.35

NAME/ADDRESS RECIPIENT	DATE	PURPOSE	AMOUNT
Regional Growth Consultants PO Box 45512 Kansas City, Mo. 64111	11/1/2010	Hoskins Mailer	$2,476.32

67. Respondents Missourians for Government Accountability and John Powell did not specify on a "direct expenditure" report whether the expenditures supported or opposed the candidates identified in paragraph 66 above.

COUNT XVII

Failure to timely file campaign finance disclosure report (Main Street Values)

68. Respondents Main Street Values and Danny Powell failed to file a "30 Days After" report for the August 2010 primary, thereby failing to disclose a $500 contribution from a single contributor and a $700 expenditure to Regional Growth Consultants.

COUNT XVIII

Signing checks from official depository account when not the named treasurer or deputy treasurer

69. Respondent Danny Powell, who was not the named treasurer or deputy treasurer of Respondent Missourians for Government Accountability, signed the following eight (8) checks, totaling $14,734, out of Missourians for Government Accountability's official depository account:

Check Number	Check Date	Posted Date	Payee	Amount
1200	3/26/10	3/26/10	Regional Growth Consultants	$450.00
1201	3/30/10	3/30/10	Kansas Citians for Crispin Rea	$500.00
1202	6/13/10	6/18/10	Cole for House	$350.00
1203	6/13/10	6/28/10	Friends to Elect Sylvester Taylor	$400.00
1204	8/9/10	8/9/10	Regional Growth Consultants	$700.00

Check Number	Check Date	Posted Date	Payee	Amount
1205	11/2/10	11/2/10	Regional Growth Consultants	$10,059.25
1206	12/3/10	12/3/10	RGC	$440.75
1207	5/31/11	5/31/11	Regional Growth Consultants	$1,834.00
			TOTAL	**$14,734.00**

JOINT PROPOSED CONCLUSIONS OF LAW

COUNT I

Publishing, circulating, and distributing printed material with improper "paid for by" disclosure (Cass County Materials)

70. Pursuant to Section 130.031.8, RSMo:

> Any person publishing, circulating, or distributing any printed matter relative to ... any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words "Paid for by" followed by the proper identification of the sponsor pursuant to this section. For the purposes of this section, "printed matter" shall be defined to include any pamphlet, circular, handbill, ...or other imprinted or lettered material ....
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> ...
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> (3) In regard to any printed matter paid for by a corporation or other business entity, labor organization, or any other organization not defined to be a committee by subdivision (9) of section 130.011 and not organized especially for influencing one or more elections, it shall be sufficient identification to print the name of

> the entity, the name of the principal officer of the entity, by whatever title known, and the mailing address of the entity, or if the entity has no mailing address, the mailing address of the principal officer.
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> ...
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> No person shall accept for publication or printing nor shall such work be completed until the printed matter is properly identified as required by this subsection.

71. "It shall be a violation of [] chapter [130, RSMo] for any person required to be identified as paying for printed matter pursuant to subsection 8 of this section ... to refuse to provide the information required or to purposely provide false, misleading, or incomplete information." § 130.031.11, RSMo.

72. There is probable cause to believe that Respondents Regional Growth Consultants, Danny Powell, and Main Street Values violated Sections 130.031.8 and 130.031.11, RSMo, by publishing, circulating, and/or distributing printed materials with false and misleading "paid for by" making and/or receiving contributions and/or expenditures in such a manner as to conceal their actual source, by intentionally providing false and/or misleading information to printers regarding "paid for by" disclaimers, and that Respondents Regional Growth Consultants, Danny Powell, and Main Street Values did so knowingly.

COUNT II

Concealment of source of contribution and/or expenditure

(Cass County Materials)

73. "No contribution shall be made or accepted and no expenditure shall be made or incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or through another person in such a manner as to conceal the identity of the actual source of the contribution or the actual recipient and purpose of the expenditure. Any person who receives contributions for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate the recipient's own name and address and the name and address of the actual source of each contribution such person has received for that committee. Any person who makes expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate such person's own name and address, the name and address of each person to whom an expenditure has been made and the amount and purpose of the expenditures the person has made for that committee." § 130.031.3, RSMo.

74. There is probable cause to believe that Respondents Regional Growth Consultants, Danny Powell, and Main Street Values violated Section 130.031.3, RSMo, by making and/or receiving contributions and/or expenditures in such a manner as to conceal their actual source, and that Respondents Regional Growth Consultants, Danny Powell, and Main Street Values did so knowingly.

COUNT III

Publishing, circulating and distributing printed material with improper "paid for by" disclosure (Cole Materials)

75. Pursuant to Section 130.031.8, RSMo:

> Any person publishing, circulating, or distributing any printed matter relative to ... any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words "Paid for by" followed by the proper identification of the sponsor pursuant to this section. For the purposes of this section, "printed matter" shall be defined to include any pamphlet, circular, handbill, ...or other imprinted or lettered material ....
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> ...
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> (3) In regard to any printed matter paid for by a corporation or other business entity, labor organization, or any other organization not defined to be a committee by subdivision (9) of section 130.011 and not organized especially for influencing one or more elections, it shall be sufficient identification to print the name of the entity, the name of the principal officer of the entity, by whatever title known, and the mailing address of the entity, or if the entity has no mailing address, the mailing address of the principal officer.
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> ...

No person shall accept for publication or printing nor shall such work be completed until the printed matter is properly identified as required by this subsection.

76. "It shall be a violation of [] chapter [130, RSMo] for any person required to be identified as paying for printed matter pursuant to subsection 8 of this section ... to refuse to provide the information required or to purposely provide false, misleading, or incomplete information." § 130.031.11, RSMo.

77. There is probable cause to believe that Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability violated Sections 130.031.8 and 130.031.11, RSMo, by publishing, circulating, and/or distributing printed materials with false and misleading "paid for by" disclaimer, by intentionally providing false and/or misleading information to printers regarding "paid for by" disclaimers, and that Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability did so knowingly.

COUNT IV

Concealment of source of contribution and/or expenditure

(Cole Materials)

78. "No contribution shall be made or accepted and no expenditure shall be made or incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or through another person in such a manner as to conceal the identity of the actual source of the contribution or the actual recipient and purpose of the expenditure. Any person who receives contributions for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate the recipient's own name and address and the name and address of the actual source of

each contribution such person has received for that committee. Any person who makes expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate such person's own name and address, the name and address of each person to whom an expenditure has been made and the amount and purpose of the expenditures the person has made for that committee." § 130.031.3, RSMo.

79. There is probable cause to believe that Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability violated Section 130.031.3, RSMo, by making and/or receiving contributions and/or expenditures in such a manner as to conceal their actual source, and that Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability did so knowingly.

COUNT V

Failure to file non-committee expenditure report

(Cole Materials)

80. "Any person who is not a defined committee who makes an expenditure or expenditures aggregating five hundred dollars or more in support of, or opposition to ... the qualification or passage of one or more ballot measures, other than a contribution made directly to a candidate or committee, shall file a report signed by the person making the expenditures, or that person's authorized agent.... Such report shall be filed with the appropriate officer having jurisdiction over the election of the candidate or ballot measure in question as set forth in section 130.026 no later than fourteen days after the date of making an expenditure which by itself or when added to all other such expenditures during the same campaign equals five hundred dollars or more. If, after filing such report, additional expenditures are made, a further report shall be filed no later than fourteen days after the date of making the additional expenditures; except that,

if any such expenditure is made within fourteen days prior to an election, the report shall be filed no later than forty-eight hours after the date of such expenditure." § 130.047, RSMo.

81. There is probable cause to believe that Respondent Regional Growth Consultants violated Section 130.047, RSMo, by making an expenditure in excess of $500 in support of a ballot measure and failing to report that expenditure on a non-committee expenditure report with the appropriate officer, and that Respondent Regional Growth Consultants did so knowingly.

COUNT VI

Publishing, circulating and distributing printed material with improper "paid for by" disclosure (Woody Materials)

82. Pursuant to Section 130.031.8, RSMo:

> Any person publishing, circulating, or distributing any printed matter relative to ... any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words "Paid for by" followed by the proper identification of the sponsor pursuant to this section. For the purposes of this section, "printed matter" shall be defined to include any pamphlet, circular, handbill, ...or other imprinted or lettered material ....
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> ...
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> (3) In regard to any printed matter paid for by a corporation or other business entity, labor organization, or any other organization not defined to be a committee by subdivision (9) of section 130.011 and not organized especially for influencing one or more

> elections, it shall be sufficient identification to print the name of the entity, the name of the principal officer of the entity, by whatever title known, and the mailing address of the entity, or if the entity has no mailing address, the mailing address of the principal officer.
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> ...
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> No person shall accept for publication or printing nor shall such work be completed until the printed matter is properly identified as required by this subsection.

83. "It shall be a violation of [] chapter [130, RSMo] for any person required to be identified as paying for printed matter pursuant to subsection 8 of this section ... to refuse to provide the information required or to purposely provide false, misleading, or incomplete information." § 130.031.11, RSMo.

84. There is probable cause to believe that Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability violated Sections 130.031.8 and 130.031.11, RSMo, by publishing, circulating, and/or distributing printed materials with false and misleading "paid for by" disclaimer, by intentionally providing false and/or misleading information to printers regarding "paid for by" disclaimers, and that Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability did so knowingly.

COUNT VII

Concealment of source of contribution and/or expenditure

(Woody Materials)

85. "No contribution shall be made or accepted and no expenditure shall be made or incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or through another person in such a manner as to conceal the identity of the actual source of the contribution or the actual recipient and purpose of the expenditure. Any person who receives contributions for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate the recipient's own name and address and the name and address of the actual source of each contribution such person has received for that committee. Any person who makes expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate such person's own name and address, the name and address of each person to whom an expenditure has been made and the amount and purpose of the expenditures the person has made for that committee." § 130.031.3, RSMo.

86. There is probable cause to believe that Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability violated Section 130.031.3, RSMo, by making and/or receiving contributions and/or expenditures in such a manner as to conceal their actual source, and that Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability did so knowingly.

COUNT VIII

Failure to file non-committee expenditure report

(Woody Materials)

87. "Any person who is not a defined committee who makes an expenditure or expenditures aggregating five hundred dollars or more in support of, or opposition to ... the qualification or passage of one or more ballot measures, other than a contribution made directly to a candidate or committee, shall file a report signed by the person making the expenditures, or that person's authorized agent.... Such report shall be filed with the appropriate officer having jurisdiction over the election of the candidate or ballot measure in question as set forth in section 130.026 no later than fourteen days after the date of making an expenditure which by itself or when added to all other such expenditures during the same campaign equals five hundred dollars or more. If, after filing such report, additional expenditures are made, a further report shall be filed no later than fourteen days after the date of making the additional expenditures; except that, if any such expenditure is made within fourteen days prior to an election, the report shall be filed no later than forty-eight hours after the date of such expenditure." § 130.047, RSMo.

88. There is probable cause to believe that Respondent Regional Growth Consultants violated Section 130.047, RSMo, by making expenditures in excess of $500 in support of and/or in opposition to a candidate and failing to report that expenditure on a non-committee expenditure report with the appropriate officer, and that Respondent Regional Growth Consultants did so knowingly.

COUNT IX

Publishing, circulating and distributing printed material with improper "paid for by" disclosure (Biermann Materials)

89. Pursuant to Section 130.031.8, RSMo:

> Any person publishing, circulating, or distributing any printed matter relative to ... any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words "Paid for by" followed by the proper identification of the sponsor pursuant to this section. For the purposes of this section, "printed matter" shall be defined to include any pamphlet, circular, handbill, ...or other imprinted or lettered material ....
>
> ...
>
> (3) In regard to any printed matter paid for by a corporation or other business entity, labor organization, or any other organization not defined to be a committee by subdivision (9) of section 130.011 and not organized especially for influencing one or more elections, it shall be sufficient identification to print the name of the entity, the name of the principal officer of the entity, by whatever title known, and the mailing address of the entity, or if the entity has no mailing address, the mailing address of the principal officer.
>
> ...

> No person shall accept for publication or printing nor shall such work be completed until the printed matter is properly identified as required by this subsection.

90. "It shall be a violation of [] chapter [130, RSMo] for any person required to be identified as paying for printed matter pursuant to subsection 8 of this section ... to refuse to provide the information required or to purposely provide false, misleading, or incomplete information." § 130.031.11, RSMo.

91. There is probable cause to believe that Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability violated Sections 130.031.8 and 130.031.11, RSMo, by publishing, circulating, and/or distributing printed materials with false and misleading "paid for by" disclaimer, by intentionally providing false and/or misleading information to printers regarding "paid for by" disclaimers, and that Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability did so knowingly.

COUNT X

Concealment of source of contribution and/or expenditure

(Biermann Materials)

92. "No contribution shall be made or accepted and no expenditure shall be made or incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or through another person in such a manner as to conceal the identity of the actual source of the contribution or the actual recipient and purpose of the expenditure. Any person who receives contributions for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate the recipient's own name and address and the name and address of the actual source of

each contribution such person has received for that committee. Any person who makes expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate such person's own name and address, the name and address of each person to whom an expenditure has been made and the amount and purpose of the expenditures the person has made for that committee." § 130.031.3, RSMo.

93. There is probable cause to believe that Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability violated Section 130.031.3, RSMo, by making and/or receiving contributions and/or expenditures in such a manner as to conceal their actual source, and that Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability did so knowingly.

COUNT XI

Failure to file non-committee expenditure report

(Biermann Materials)

94. "Any person who is not a defined committee who makes an expenditure or expenditures aggregating five hundred dollars or more in support of, or opposition to ... the qualification or passage of one or more ballot measures, other than a contribution made directly to a candidate or committee, shall file a report signed by the person making the expenditures, or that person's authorized agent.... Such report shall be filed with the appropriate officer having jurisdiction over the election of the candidate or ballot measure in question as set forth in section 130.026 no later than fourteen days after the date of making an expenditure which by itself or when added to all other such expenditures during the same campaign equals five hundred dollars or more. If, after filing such report, additional expenditures are made, a further report shall be filed no later than fourteen days after the date of making the additional expenditures; except that,

if any such expenditure is made within fourteen days prior to an election, the report shall be filed no later than forty-eight hours after the date of such expenditure." § 130.047, RSMo.

95. There is probable cause to believe that Respondent Regional Growth Consultants violated Section 130.047, RSMo, by making an expenditure in excess of $500 in support of and/or in opposition to a candidate and failing to report that expenditure on a non-committee expenditure report with the appropriate officer, and that Respondent Regional Growth Consultants did so knowingly.

COUNT XII

Publishing, circulating and distributing printed material with improper "paid for by" disclosure (Hibbeler Materials)

96. Pursuant to Section 130.031.8, RSMo:

> Any person publishing, circulating, or distributing any printed matter relative to ... any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words "Paid for by" followed by the proper identification of the sponsor pursuant to this section. For the purposes of this section, "printed matter" shall be defined to include any pamphlet, circular, handbill, ...or other imprinted or lettered material ....
>
> ...
>
> (3) In regard to any printed matter paid for by a corporation or other business entity, labor organization, or any other organization not defined to be a committee by subdivision (9) of section

> 130.011 and not organized especially for influencing one or more elections, it shall be sufficient identification to print the name of the entity, the name of the principal officer of the entity, by whatever title known, and the mailing address of the entity, or if the entity has no mailing address, the mailing address of the principal officer.
>
> ...
>
> No person shall accept for publication or printing nor shall such work be completed until the printed matter is properly identified as required by this subsection.

97. "It shall be a violation of [] chapter [130, RSMo] for any person required to be identified as paying for printed matter pursuant to subsection 8 of this section ... to refuse to provide the information required or to purposely provide false, misleading, or incomplete information." § 130.031.11, RSMo.

98. There is probable cause to believe that Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability violated Sections 130.031.8 and 130.031.11, RSMo, by publishing, circulating, and/or distributing printed materials with false and misleading "paid for by" disclaimer, by intentionally providing false and/or misleading information to printers regarding "paid for by" disclaimers, and that Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability did so knowingly.

COUNT XIII

Concealment of source of contribution and/or expenditure

(Hibbeler Materials)

99. "No contribution shall be made or accepted and no expenditure shall be made or incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or through another person in such a manner as to conceal the identity of the actual source of the contribution or the actual recipient and purpose of the expenditure. Any person who receives contributions for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate the recipient's own name and address and the name and address of the actual source of each contribution such person has received for that committee. Any person who makes expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate such person's own name and address, the name and address of each person to whom an expenditure has been made and the amount and purpose of the expenditures the person has made for that committee." § 130.031.3, RSMo.

100. There is probable cause to believe that Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability violated Section 130.031.3, RSMo, by making and/or receiving contributions and/or expenditures in such a manner as to conceal their actual source, and that Respondents Regional Growth Consultants, Danny Powell, and Missourians for Government Accountability did so knowingly.

COUNT XIV

Failure to file non-committee expenditure report

(Hibbeler Materials)

101. "Any person who is not a defined committee who makes an expenditure or expenditures aggregating five hundred dollars or more in support of, or opposition to ... the qualification or passage of one or more ballot measures, other than a contribution made directly to a candidate or committee, shall file a report signed by the person making the expenditures, or that person's authorized agent.... Such report shall be filed with the appropriate officer having jurisdiction over the election of the candidate or ballot measure in question as set forth in section 130.026 no later than fourteen days after the date of making an expenditure which by itself or when added to all other such expenditures during the same campaign equals five hundred dollars or more. If, after filing such report, additional expenditures are made, a further report shall be filed no later than fourteen days after the date of making the additional expenditures; except that, if any such expenditure is made within fourteen days prior to an election, the report shall be filed no later than forty-eight hours after the date of such expenditure." § 130.047, RSMo.

102. There is probable cause to believe that Respondent Regional Growth Consultants violated Section 130.047, RSMo, by making an expenditure in excess of $500 in support of and/or in opposition to a candidate and failing to report that expenditure on a non-committee expenditure report with the appropriate officer, and that Respondent Regional Growth Consultants did so knowingly.

COUNT XV

Failure to timely file independent contractor supplemental report form

(Main Street Values)

103. The words "consulting or consulting services, fees, or expenses", or similar words, shall not be used to describe the purpose of a payment. § 130.041.4, RSMo.

104. "Any payment to such an independent contractor shall be on a form ... established by the ethics commission and shall include identification of the specific service or services provided including, but not limited to, public opinion polling, research on issues or opposition background, print or broadcast media production, print or broadcast media purchase, computer programming or data entry, direct mail production, postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount prorated for each service." § 130.041.4, RSMo.

105. Respondents were required to report "[t]he amount of expenditures for or against a ... ballot measure during the period covered and the cumulative amount of expenditures for or against that ... ballot measure...." § 130.041.1(7), RSMo.

106. There is probable cause to believe that Respondents Main Street Values and Danny Powell violated Sections 130.041.1(7) and 130.041.4, RSMo, by reporting expenditures with the purposes of "consulting," "direct mail services," and "direct mail," by failing to timely and accurately file "independent expenditure" supplemental reports for those expenditures specifying the service or services providing, and by failing to timely and accurately file "direct expenditure" supplemental reports identifying the ballot measure supported by expenditures, and that Respondents Main Street Values and Danny Powell did so knowingly.

COUNT XVI

Failure to timely file independent contractor supplemental report form

(Missourians for Government Accountability)

107. The words "consulting or consulting services, fees, or expenses", or similar words, shall not be used to describe the purpose of a payment. § 130.041.4, RSMo.

108. "Any payment to such an independent contractor shall be on a form ... established by the ethics commission and shall include identification of the specific service or services provided including, but not limited to, public opinion polling, research on issues or opposition background, print or broadcast media production, print or broadcast media purchase, computer programming or data entry, direct mail production, postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount prorated for each service." § 130.041.4, RSMo.

109. Respondents were required to report "[t]he amount of expenditures for or against a ... ballot measure during the period covered and the cumulative amount of expenditures for or against that ... ballot measure...." § 130.041.1(7), RSMo.

110. There is probable cause to believe that Respondents Missourians for Government Accountability and John Powell violated Sections 130.041.1(7) and 130.041.4, RSMo, by reporting expenditures with the purposes of "consulting," "direct mail" and "mailer," by failing to timely and accurately file "independent expenditure" supplemental reports for those expenditures specifying the service or services providing, and by failing to timely and accurately file "direct expenditure" supplemental reports identifying the candidate or candidates support or opposed by the expenditures, and that Respondents Missourians for Government Accountability and John Powell did so knowingly.

COUNT XVII

Failure to timely file campaign finance disclosure report (Main Street Values)

111. Respondents were required to file campaign finance disclosure reports at the following times and for the following periods:

...

(2) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election, if the committee has made any contribution or expenditure either in support of or opposition to any candidate or ballot measure; ...

...

§ 130.046.1, RSMo.

112. There is probable cause to believe that Respondents Main Street Values and Danny Powell violated Section 130.046.1, RSMo, by failing to timely file a "30 Days After" report for the August 2010 primary, thereby failing to disclose a $500 contribution from a single contributor and a $700 expenditure to Regional Growth Consultants and that Respondents did so knowingly.

COUNT XVIII

Signing checks from official depository account when not the named treasurer or deputy treasurer

113. "Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account and the committee treasurer, deputy treasurer or candidate." § 130.021.4(1), RSMo.

114. "[E]ach expenditure of more than fifty dollars, except an in-kind expenditure, shall be made by check drawn on the committee's depository and signed by the committee treasurer, deputy treasurer or candidate." §130.031.2, RSMo.

115. There is probable cause to believe that Respondent Danny Powell violated Section 130.021.4(1) and 130.031.2, RSMo, by signing checks for a committee for which he was not the named treasurer or deputy treasurer, and that he 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 shall comply with all relevant sections of Chapter 130, RSMo.

b. For Counts 1 and 2, it is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents Regional Growth Consultants, Main Street Values, and Danny Powell, in the amount of $11,050.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay $1,200 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. Respondents Regional Growth Consultants, Main Street Values, and Danny Powell shall be jointly and severally liable for the fees imposed for Counts 1 and 2 above.

c. For Counts 3, 4, 6, 7, 9, 10, 12, and 13, it is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents Regional Growth Consultants, Missourians for Government Accountability and Danny Powell in the amount of $10,979.29. However, if Respondents pay $1,450 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. Respondents Regional Growth Consultants, Missourians for Government Accountability, and Danny Powell shall be jointly and severally liable for the fees imposed for Counts 3, 4, 6, 7, 9, 10, 12, and 13 above.

d. For Counts 5, 8, 11, and 14, it is the Order of the Missouri Ethics Commission that a fee is imposed against Respondent Regional Growth Consultants in the amount of $4,000, pursuant to Section 105.961.4(6), RSMo. However, if Respondent Regional Growth Consultants pays $400 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.

e. For Counts 15 and 17, it is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents Main Street Values and Danny Powell in the amount of $4,000, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay $400 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. Respondents Main Street Values and Danny Powell shall be jointly and severally liable for the fees imposed for Counts 15 and

f. For Count 16, it is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents Missourians for Government Accountability and John Powell in the amount of $3,000, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay $300 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. Respondents Missourians for Government Accountability and John Powell shall be jointly and severally liable for the fee imposed for Count 16.

g. For Count 18, it is the Order of the Missouri Ethics Commission that a fee is imposed against Respondent Danny Powell in the amount of $14,734, pursuant to Section 105.961.4(6), RSMo. However, if Respondent Danny Powell pays $1,500 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.

h. For purposes of subparagraphs b through g of this paragraph 2, if a Respondent named in a subparagraph commits any further violation or violations of the campaign finance laws under Chapter 130, RSMo, within the two year period from the date of this order, then all Respondents named in that subparagraph will be required to pay the remainder of the fee imposed in that subparagraph. The fee will be due immediately upon final adjudication finding that such a 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. Respondents, together with their heirs, successors, and assigns, do 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 Respondents or Respondents' 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 Respondents from any late filing fees due to the appropriate filing authority, including Petitioner Missouri Ethics Commission. Respondents understand that late filing fees accrue automatically under Section 105.963, RSMo.

RESPONDENT REGIONAL GROWTH CONSULTANTS, LLC

By: 8-27-13
Danny Powell, Date
Member

PETITIONER MISSOURI ETHICS COMMISSION

By: 8/29/13
Stacey Heislen Date
Acting Executive Director

By: 8/29/13
Curtis R. Stokes Date
Attorney for Petitioner

RESPONDENT MAIN STREET VALUES

By: 8-27-13
Danny Powell Date
Treasurer

RESPONDENT MISSOURIANS FOR GOVERNMENT ACCOUNTABILITY

By: 8-27-13
John Powell, Date
Treasurer

RESPONDENT DANNY POWELL

By: 8-27-13
Danny Powell Date

RESPONDENT JOHN POWELL

By: 8-27-13
John Powell Date

Election Services Agreement

This Agreement is made this 23 day of January 2010, between Regional Growth Consultants, referred to as "RGC", having it's principal place of business at 510 Westchester Avenue, Harrisonville, MO 64701, and Cass County Republican Committee referred to as "Client", having their principal place of business or personal address at 1800 Vine Harrisonville MO In consideration of the Client retaining RGC to conduct an independent service for Election Consulting Services, it is agreed as follows:

1. Compensation and Terms
The Client hereby retains RGC and RGC hereby agrees to perform the following services:

- RGC will perform the following jobs:
  - Manage the (Issue 3) Cass County Levy Campaign on the ballot April 6th, 2010.
    - This will include the following Services:

      1. Approximately 300 yard signs

      2. 10,000 to 15,000 post card mailers to targeted voters

      3. Earned Media plan

      4. Approximately three (3) autodials to targeted voters

- Time Detail:
  1. RGC will begin the development of the campaign plan for the Cass County Levy Campaign (Issue 3) upon the completion of this contract, and having received a down payment of $ 1737.50.

- Payments:
  1. $ 9737.50 down payment to begin Election Consulting Services. This shall be nonrefundable.
  2. Additional payments will be invoiced as autocall and direct mail services are initiated.
  3. All such bills for costs and expenses are due upon receipt.

2. Additional Services
Any additional services needed not agreed upon in the original contract shall be negotiated between Client and RGC.

3. Confidentiality
This Agreement creates a confidential relationship between RGC and the Client. Information concerning RGC's and/or the Client's business affairs, vendors, finances, properties, methods of operation, employees, documentation, and other such information whether written, oral, or otherwise, is confidential in nature. RGC, the Client, and employees of both will adhere fully to this confidentiality agreement.

4. Governing law
This agreement shall be binding upon the heirs and assigns of the parties and shall be governed by and interpreted according to the laws of the State of Missouri.

EXHIBIT
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D4

5. Entire agreement
This agreement represents the full understanding between the parties and there is no other agreement, oral or written, between them, and that this agreement may not be modified without an agreement in writing signed by the party to be charged. This contract is in effect until written notification of termination from either party.

6. Notices
All notices or other documents under this agreement shall be in writing and delivered personally or fax received, or mailed by certified mail, postage prepaid, addressed to RGC and the Client at their last known addresses.

7. Copyrights
The Client must guarantee any usage of trademarks, copy, or images.

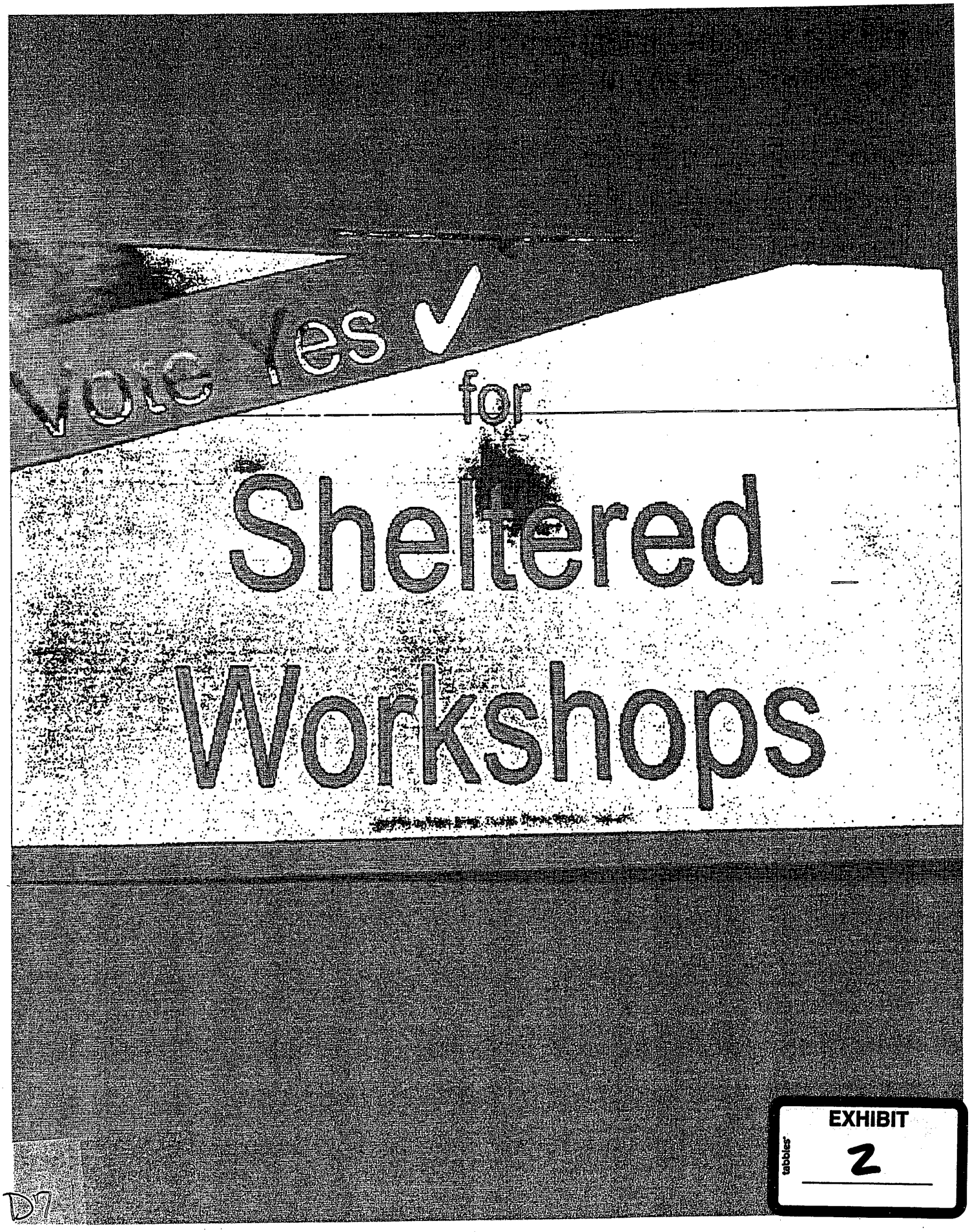
8. Subcontracting Services
RGC shall have the right to subcontract with vendors for any portion of services rendered pursuant to the contract.

9. Liability
RGC and its employees cannot guarantee the outcome of any election and shall not be liable for any election outcome.

10. Display of Project Descriptions
RGC shall have the right to display descriptions of its projects or services on its website.

ACCEPTED AND AGREED:

REGIONAL GROWTH CONSULTANTS	THE CLIENT
BY:	BY: Jo Ann Johnson
_____ (signature)	(signature)
_____ (Print Name)	JO ANN JOHNSON (Print Name)
Date: _____	Date: Feb 23, 2010



Vote Yes ✓

for

Sheltered Workshops

EXHIBIT

2

D7

SUPPORT LOCAL WORKSHOPS
IN CASS COUNTY

Sheltered Workshops help developmentally disabled and handicapped persons get jobs.

Issue 3 will help Sheltered Workshops with no levy increase

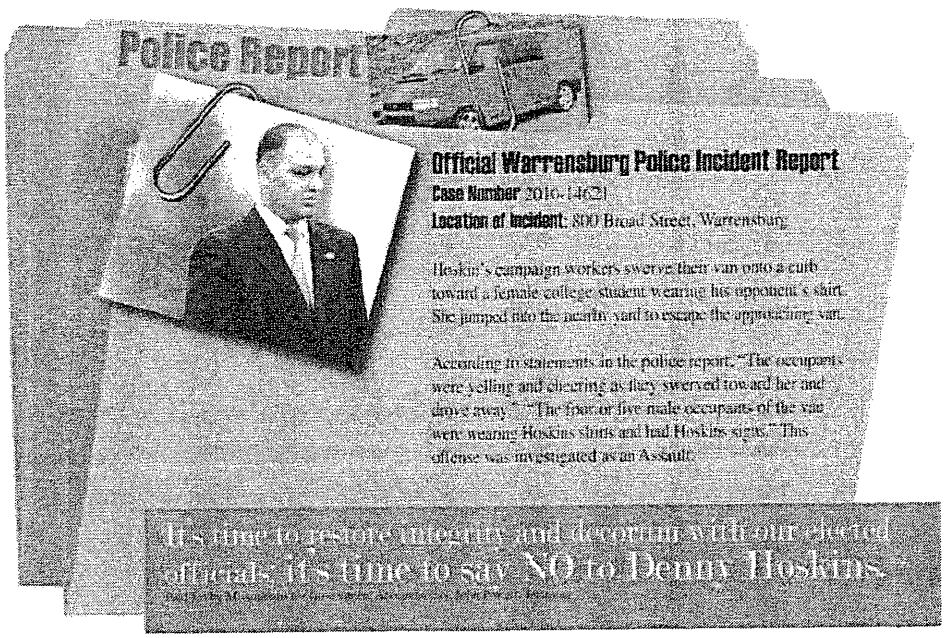
VOTE YES ON ISSUE 3 APRIL 6th

paid for by Main Street Values, Danny Powell, Treasurer

EXHIBIT 3

D10

SHELTERED WORKSHOPS
=
JOBS FOR CASS COUNTY
YES
ISSUE 3 ON APRIL 6th



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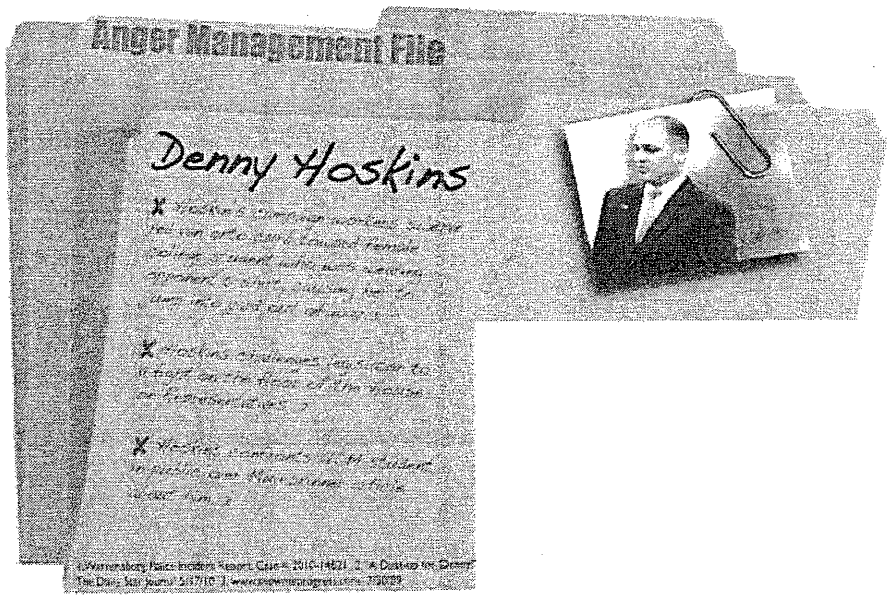
Anger Management File
Denny Hoskins

Political Opportunist **Sally Faith** Wants Your Money!

Prsrt Std
US Postage
PAID
St. Louis, MO
Permit 815

[redacted]
Saint Charles MO [redacted]

94

Paid for by Missourians for Government Accountability, John Powell, Treasurer

EXHIBIT
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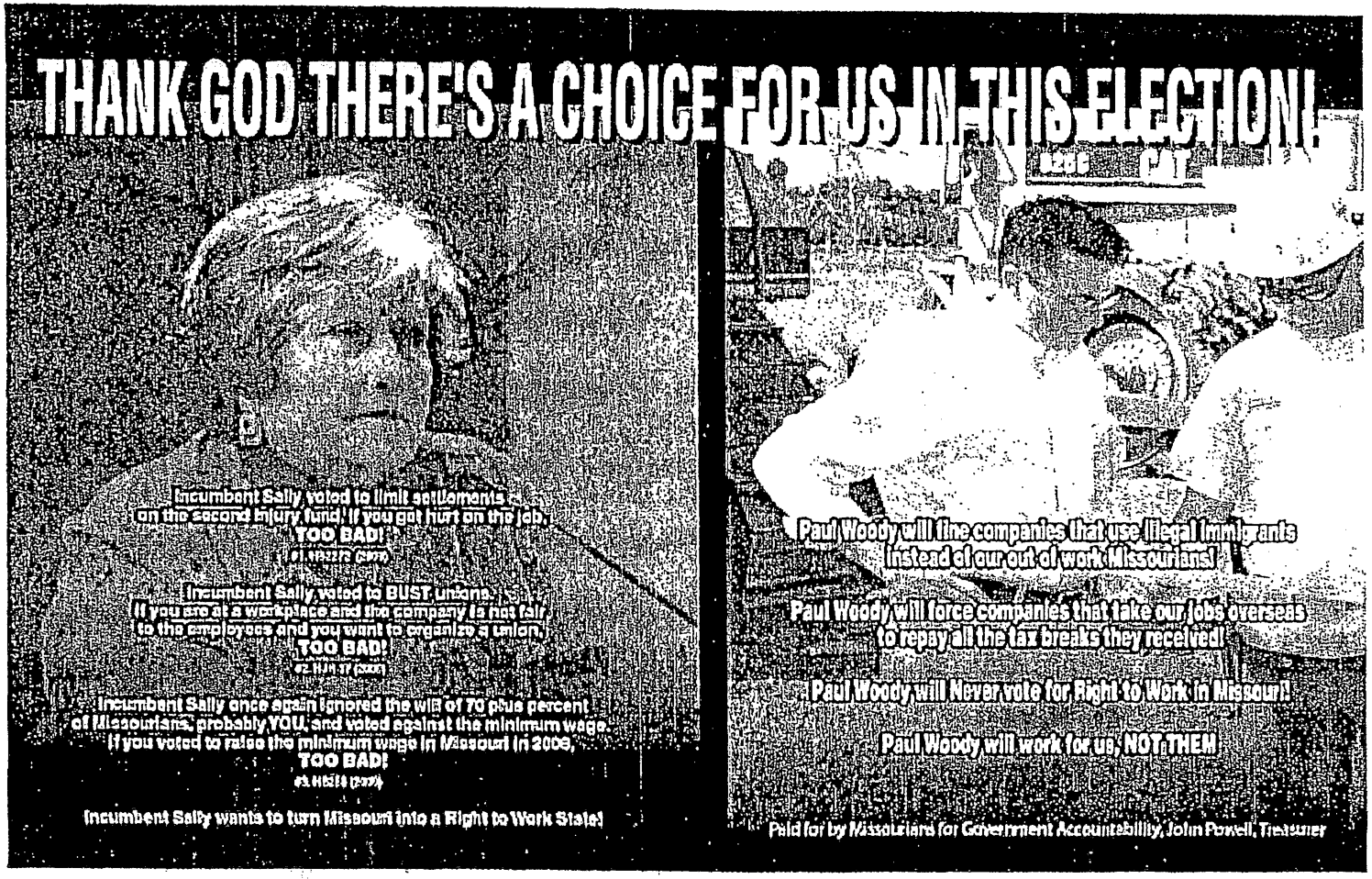
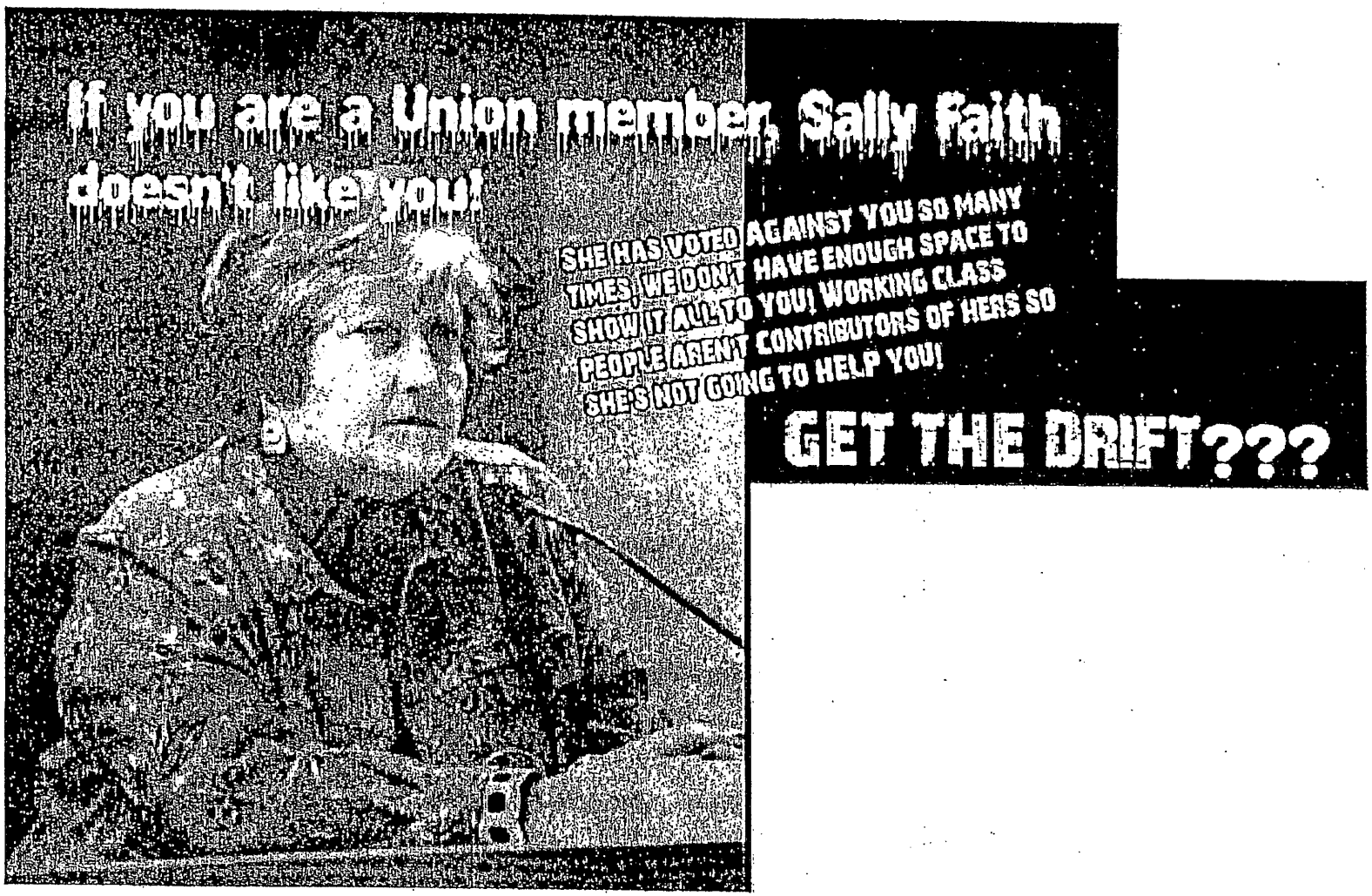
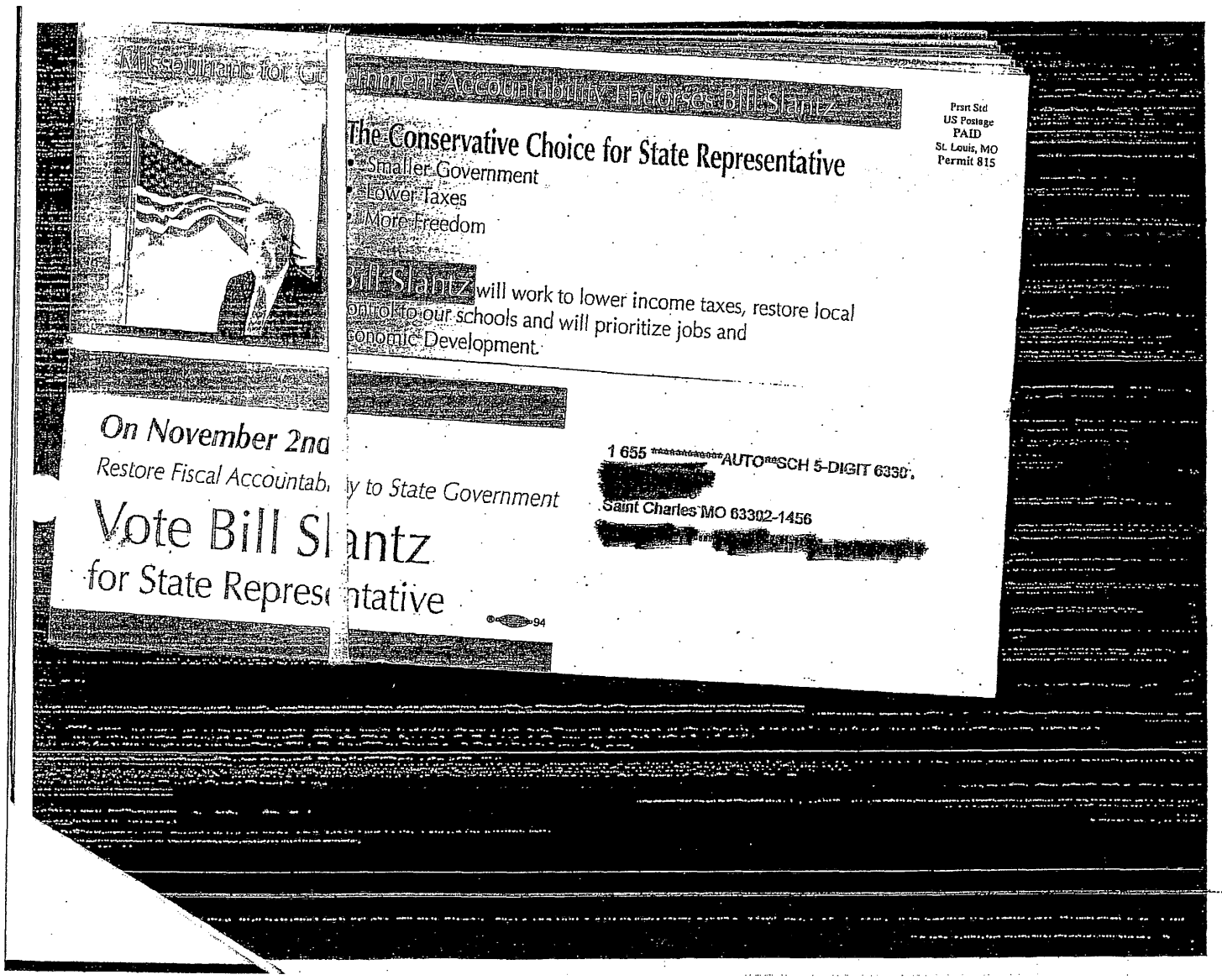
EXHIBIT 6 tabbies




If you are a Union member, Sally Faith doesn't like you!
SHE HAS VOTED AGAINST YOU SO MANY TIMES, WE DON'T HAVE ENOUGH SPACE TO SHOW IT ALL TO YOU! WORKING CLASS PEOPLE ARENT CONTRIBUTORS OF HERS SO SHE'S NOT GOING TO HELP YOU!
GET THE DRIFT???



Missourians for Government Accountability Endorse Bill Slantz

The Conservative Choice for State Representative

- Smaller Government
- Lower Taxes
- More Freedom

Bill Slantz will work to lower income taxes, restore local control to our schools and will prioritize jobs and Economic Development.

Prsrt Std
US Postage
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St. Louis, MO
Permit 815

1 655 **********AUTO**SCH 5-DIGIT 63301

[redacted]
Saint Charles MO 63302-1456

[redacted]

On November 2nd

Restore Fiscal Accountability to State Government

Vote Bill Slantz

for State Representative

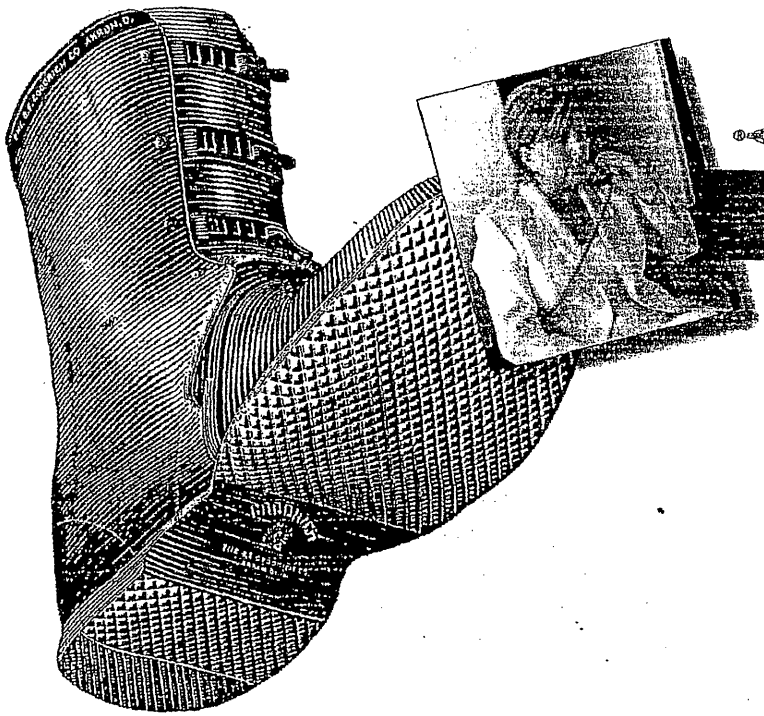
94

EXHIBIT

tabbies

7

EXHIBIT 8



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St. Louis, MO
Permit 815

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Boot Vicki Out of Politics for good!

2 2447 **********AUTO**5-DIGIT 63376
Our Friends At
Saint Peters MO [redacted]

RETIRE VICKI AND HER DISGRACEFUL TACTICS ONCE AND FOR ALL ON NOV. 2ND!!

VICKI HAS COST THE CITY OF ST. PETERS
OVER $1,000,000.

Prsrt Std
US Postage
PAID
St. Louis, MO
Permit 815

Vicki HURT our State and Vicki HURT
the City of St.Peters!
that's wh[illegible] we got rid of her....isn't it??
Why woul[illegible] we want her back???
[illegible] make sense!

She HURT us once, it's on HER!
If she HURTS us twice, it's on US!!
For God's sake, let's not let her
HURT us again!

2 1603 ********AUTO**SCH 3-DIGIT 630
[redacted]
Old Monroe MO 63369-2811
[redacted]

Vicki Schneider and her Disgraced Friend Rod Jetton have burned St. Peter's Once! For God's Sake, Let's Not Elect her to do it Again!

ST. LOUIS POST-DISPATCH

August 13, 2010

State legislators (VICKI SCHNEIDER) stopped the tax in its tracks in May 2005 by passing a law that barred St. Peters from collecting a hotel license fee of more than $1,000 a year.

Tim Drury of Drury Development Company (VICKI SCNEIDER'S FRIEND), who opposed the 2004 tax, could not be reached for comment Friday.

http://www.stltoday.com/news/local/stcharles/article_d82c9b46-a718-11df-81e3-00127992bc8b.html

September 30, 2010

St. Peters Mayor Len Pagano has said St. Peters was singled out by lobbyists and legislators. I am pleased that the court wisely decided not to interfere with the rights of St. Peters voters," he said Wednesday. "St. Peters voters should be the ones deciding St. Peters issues.

Tim Drury, Drury Capital's president, could not be reached for comment.

http://www.stltoday.com/news/local/stcharles/article_05a0f911-2492-5477-8485-69dce6f5acd1.html

Paid for by Missourians for Government Accountability, John Powell, Treasurer

ST. LOUIS POST-DISPATCH

October 6, 2009

The 2005 state law bars St. Peters from collecting a hotel license fee of more than $1,000 a year. Pagano said the city has lost about $400,000 a year it could have been collecting had its 5 percent tax on hotel gross receipts remained in effect.

http://www.stltoday.com/news/article_80222505-5eb3-5ec7-825e-6de3537cf119.html

THE KANSAS CITY STAR.

October 17th, 2009

Mayor Len Pagano of St. Peters, MO., told The Star that he contacted the FBI with concerns about the legality of legislation passed under Jetton's House leadership in 2005.The bill specifically targeted the St. Louis suburb, prohibiting it from collecting revenues from a voter-approved 5 percent hotel tax. Critics such as Pagano contend it's another example of special-interest legislation, since one of the backers of the legislation was the head of the Drury Inn hotel chain. Only weeks after the vote, the Drury company contributed a total of about $15,000 to the House Republican Campaign Committee headed by Jetton.

http://www.kansascity.com/2009/10/17/1513951/house-for-sale-a-lot-of-money.html

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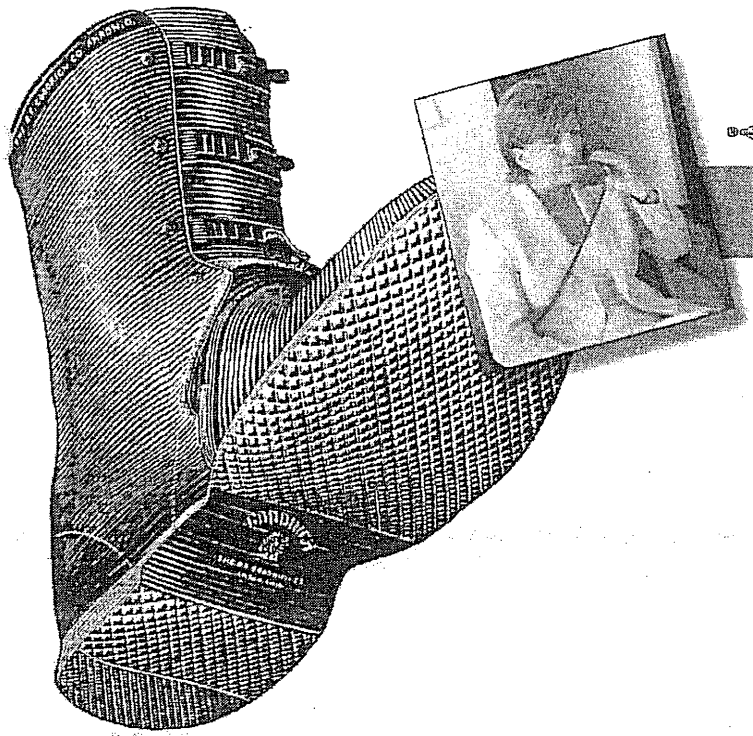

Boot Vicki Out of Politics for good!

Our Friends At
Saint Peters MO 63376-5338

RETIRE VICKI AND HER DISGRACEFUL TACTICS ONCE AND FOR ALL ON NOV. 2ND!!

"Sour Grapes" Joe

Throws a Fit Every Time he doesn't get his Way!

"Sour Grapes" Joe cost St. Charles County thousands of dollars in frivolous lawsuits because he was not chosen by his OWN party to run for office.[1]

St. Charles County can't afford anymore of **"Sour Grapes" Joe** or his frivolous lawsuits.

1. Mo. Case # 0511-CV08222 (2005)

On November 2nd, tell "Sour Grapes" Joe to stop wasting our time and our money!

EXHIBIT

tabbies

10

Missourians for Government Accountability endorses Cheryl Hibbeler

She is the Watchdog for our Tax Dollars!

On November 2nd Vote Cheryl Hibbeler,

St. Charles County, Council District

Suburban Journals

Voted "Best Public Official"

by the readers of the Suburban Journal
and the "2009 Spirit of O'Fallon Award" winner

Paid for by Missourians for Government Accountability, John Powell, Treasurer

Filed
AUG 29 2013
Missouri Ethics Commission

BEFORE THE
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS COMMISSION, Petitioner, v. REGIONAL GROWTH CONSULTANTS, LLC, MAIN STREET VALUES, Continuing Committee, MISSOURIANS FOR GOVERNMENT ACCOUNTABILITY, Continuing Committee, DANNY POWELL, Personally and as Treasurer, Main Street Values JOHN POWELL, Treasurer, Missourians for Government Accountability, Respondents.	)	Case No. 11E193, 11E194, 11E195, 11E196, 11E197

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 Respondents Regional Growth Consultants, Danny Powell, Main Street Values, and Missourians for Government Accountability violated Sections 130.031.8, 130.031.11 and 130.031.3, RSMo, that Respondent Regional Growth Consultants violated Section 130.047, RSMo, that

Respondents Main Street Values, Danny Powell, Missourians for Government Accountability, and John Powell violated Sections 130.041.1(7) and 130.041.4, RSMo, that Respondents Main Street Values and Danny Powell violated Section 130.046.1, RSMo, and that Respondent Danny Powell violated Sections 130.021.4(1) and 130.031.2 as stated in the Joint Stipulation.

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

1. Respondents shall comply with all relevant sections of Chapter 130, RSMo.

2. For Counts 1 and 2, it is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents Regional Growth Consultants, Main Street Values, and Danny Powell, in the amount of $11,050.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay $1,200 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. Respondents Regional Growth Consultants, Main Street Values, and Danny Powell shall be jointly and severally liable for the fees imposed for Counts 1 and 2 above.

3. For Counts 3, 4, 6, 7, 9, 10, 12, and 13, it is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents Regional Growth Consultants, Missourians for Government Accountability and Danny Powell in the amount of $10,979.29. However, if Respondents pay $1,450 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. Respondents Regional Growth Consultants, Missourians for Government Accountability, and Danny Powell shall be jointly and severally liable for the fees imposed for Counts 3, 4, 6, 7, 9, 10, 12, and 13 above.

4. For Counts 5, 8, 11, and 14, it is the Order of the Missouri Ethics Commission that a fee is imposed against Respondent Regional Growth Consultants in the amount of $4,000,

pursuant to Section 105.961.4(6), RSMo. However, if Respondent Regional Growth Consultants pays $400 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.

5. For Counts 15 and 17, it is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents Main Street Values and Danny Powell in the amount of $4,000, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay $400 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. Respondents Main Street Values and Danny Powell shall be jointly and severally liable for the fees imposed for Counts 15 and 17 above.

6. For Count 16, it is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents Missourians for Government Accountability and John Powell in the amount of $3,000, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay $300 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. Respondents Missourians for Government Accountability and John Powell shall be jointly and severally liable for the fee imposed for Count 16 above.

7. For Count 18, it is the Order of the Missouri Ethics Commission that a fee is imposed against Respondent Danny Powell in the amount of $14,734, pursuant to Section 105.961.4(6), RSMo. However, if Respondent Danny Powell pays $1,500 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.

8. For purposes of paragraphs 2 through 7, if a Respondent named in a paragraph commits any further violation or violations of the campaign finance laws under Chapter 130,

RSMo, within the two year period from the date of this order, then all Respondents named in that paragraph will be required to pay the remainder of the fee imposed in that paragraph. The fee will be due immediately upon final adjudication finding that such a Respondent has committed such a violation.

SO ORDERED this 29th day of August, 2013

By: Dennis L. Rose

Dennis Rose, Chair
Missouri Ethics Commission