

BEFORE THE
MISSOURI ETHICS COMMISSION

Filed

SEP 09 2011

Missouri Ethics
Commission

MISSOURI ETHICS COMMISSION)
)
Petitioner,)
)
v.)
)
COMMITTEE TO ELECT EL-AMIN 57th, Committee)
)
And)
)
TALIBDIN EL-AMIN, Candidate)
)
Respondents.)

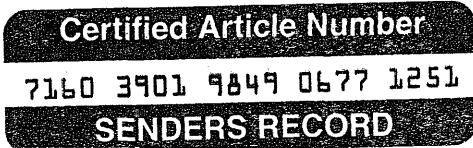
No. 08A162 and 09A225

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This is the Final Decision and Order of the Missouri Ethics Commission following a hearing on a Complaint filed by Petitioner, by and through Counsel, pursuant to §105.961, RSMo, and Chapter 536, RSMo. The hearing was conducted before the following members of the Missouri Ethics Commission: Jim Wright, Jim Tweedy, Jeff Davison, Vernon Dowdy, Louis J. Leonatti, and Dennis Rose.

A closed hearing took place on September 9, 2011 and at the offices of the Missouri Ethics Commission at 3411 A Knipp Drive, Jefferson City, Missouri 65109. The Commission was represented by Elizabeth L. Ziegler and Curtis Stokes, Legal Counsel. Respondents appeared in person and without counsel.

On September 9, 2011, Petitioner and Respondents entered into a Joint Stipulation of Facts and Law which is incorporated into to this Findings of Fact, Conclusions and Order. The Commission admitted into evidence Petitioner's Exhibits 1 through 32. Having considered all the competent and substantial evidence upon the whole record, the Commission finds as follows:



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. Committee to Elect El-Amin 57th is a candidate committee registered with Petitioner in support of Respondent Talibdin El-Amin as a candidate for State Representative for the 57th District.

3. Lizzie Bastain was listed as the treasurer of Respondent Committee at all relevant times.

4. Under §130.026.5, RSMo, both Petitioner and the St. Louis City Board of Elections are the appropriate officers designated to receive campaign finance reports for the Committee.

Official Fund Depository Account –National City Bank

5. On December 22, 2005, a Statement of Committee Organization was filed with Petitioner registering the committee as a candidate committee in support of Respondent Talibdin El-Amin as a candidate for State Representative for the 57th District in the August 2006 primary election.

6. The official fund depository account was listed on the Statement of Committee Organization as National City Bank, Account No. 02 (hereinafter "NCB Account"). Geraldine Guice, was the sole authorized signator on this official fund depository account. Lizzie Bastain and Respondent Talibdin El-Amin were not authorized signors on this official fund depository account.

7. The official fund depository at National City Bank was closed on November 30, 2006. There was no official fund depository from November 30, 2006 through July 2, 2007.

Official Fund Depository Account –Reliance Bank

8. On July 2, 2007, account number 74 (hereinafter “Reliance Account”) was opened in the name of Committee for El-Amin 57th at Reliance Bank with a deposit of contributions to Committee for El-Amin 57th totaling \$46,500.00.

9. On November 20, 2007 an amended statement of Committee Organization was filed in support of Respondent Talibdin El-Amin as a candidate for State Representative for the 57th District in the August 5, 2008 primary election.

10. Reliance Account was not reported as an official fund depository on the amended Statement of Committee Organization.

11. Reliance Account was closed on January 11, 2008 with a withdrawal made by check payable to T.D. El-Amin in the amount of \$187.65.

12. There was again no official fund depository account from January 11, 2008 through April 18, 2008.

Official Fund Depository Account –Bank of America (BOA1)

13. On April 18, 2008, account number 57 (hereinafter “”) was opened at Bank of America in the name of Committee for El-Amin 57th with a deposit of \$5,225.00 in contributions to Committee for El-Amin 57th.

14. Respondent Talibdin El-Amin was the sole authorized owner/signer on BOA1. The signature card was signed by Talibdin El-Amin.

15. BOA1 received a negative balance in November 2008. On November 12, 2008, Talibdin El-Amin received a money order in the amount of \$754.00. BOA1 was forced closed by the bank on March 30, 2009.

16. There was again no official fund depository account for Committee for El-Amin 57th from March 30, 2009 through April 13, 2009.

Official Fund Depository Account –Bank of America (BOA2)

17. On April 13, 2009, a second amended Statement of Committee Organization was filed in support of Respondent Talibdin El-Amin as a candidate for State Representative for the 57th District in the August 2010 primary election. The official fund depository was reported to be Bank of America Account Number 96 (hereinafter “BOA2). This account was opened on April 6, 2009 with a deposit of \$625.00, and was forced closed by the bank on closed on January 19, 2010.

18. Respondent El-Amin resigned from the Missouri General Assembly on September 30, 2009 and did not appear on the ballot on the August 2010 primary election.

19. There was no official fund depository account for Respondent Committee after January 19, 2010.

Campaign Finance Disclosure Reports

22. Respondents filed the following campaign finance reports and limited activity statements untimely: April 2007 Limited Activity Statement on April 20, 2007; July 2007 Quarterly Report on July 16, 2007; January 2008 Quarterly Report, on January 16, 2008; July 2008 Quarterly report on July 24, 2008; 8 Day Before Primary Report, due on July 28, 2008 on July 31, 2008; 30 Day After Primary Election, due September 4, 2008, on October 22, 2008; October 2008 Quarterly on October 22, 2008; 8 Day Before General Election Report due

October 27, 2008, on October 28, 2008; 30 Day After General Election Limited Activity Statement, due December 4, 2008, on January 4, 2009; April 2009 Limited Activity Statement on April 21, 2009; July 2009 Limited Activity Statement on August 15, 2009; October 2009 Limited Activity Statement on November 29, 2009; January 2010 Limited Activity Statement on February 7, 2010; the July 2010 Limited Activity Statement on August 19, 2010; the 8 Day Before Primary Limited Activity Statement, due July 22, 2010 on October 7, 2010; and the October 2010 Limited Activity Statement on November 2, 2010; .

23. Respondents failed to file an April 2010 Quarterly Disclosure Report.

Limited Activity Statements

24. Respondents filed an April 2009 Quarterly limited activity statement. During that period, Respondents received the following contributions and made the following expenditures:

<u>Date</u>	<u>Contributions</u>	<u>Amount</u>
3/30/2009	Safer Families for Missouri	\$325.00
3/31/2009	Brent Hemphill & Assoc	\$300.00
	Total	\$625.00
<u>Date</u>	<u>Expenditures</u>	
01/07/08	AT&T	\$323.42
	Total	\$323.42

25. Respondents filed a July 2009 limited activity statement. During that period, Respondents received the following contributions and made the following expenditures:

<u>Date</u>	<u>Contribution</u>	<u>Amount</u>
5/26/2009	Johnston and Associates Inc.	\$150.00
5/9/2009	Home Building Industry PAC	\$325.00
	Total	\$475.00
<u>Date</u>	<u>Expenditures</u>	
4/27/2009	Star Ne	\$203.95
4/27/2009	Walgreens	\$95.00

4/27/2009	Star Ne	\$2.00
4/28/2009	HyVee	\$47.84
4/28/2009	American Airlines	\$15.00
4/28/2009	American Airlines	\$15.00
5/4/2009	Autozone	\$146.03
5/13/2009	Lone Star	\$89.20
5/18/2009	Kingshighway Cash W/draw	\$102.50
5/18/2009	Expedia Travel	\$142.99
5/19/2009	NYC-Taxi	\$14.15
5/28/2009	U.S. Bank withdrawal	\$43.00
6/4/2009	Lawdepot.com/Codebase	\$30.00
6/9/2009	Shell Service	\$32.29
6/10/2009	BP Food Shop-9	\$2.00
6/10/2009	BP Food Shop-9	\$42.25
6/30/2009	Talibdin El-Amin, Ck #991	\$300.00
	Total	\$1,323.20

26. Respondents filed an October 2009 limited activity statement. During that period, Respondents received the following contributions and made the following expenditures:

<u>Date</u>	<u>Contribution</u>	<u>Amount</u>
7/28/2009	Stone, Leyton & Gershman	\$1,500.00
8/6/2009	Laeq Khan	\$200.00
8/6/2009	Munir Ibrahim	\$250.00
8/11/2009	Farhan/Diba Shamsi	\$75.00
8/11/2009	Basheer/Saleha Khumawala	\$100.00
8/11/2009	Scribbles Academy	\$100.00
8/11/2009	Afaq J/Aaminah O. Durrani	\$100.00
8/11/2009	Najma/Arif Gafur	\$100.00
8/11/2009	Mohamad/Khairia Mukhtar	\$100.00
8/11/2009	Sara Ghafoor	\$100.00
8/11/2009	Farruka/Farhat Shamsi	\$100.00
8/11/2009	Hassan/Farees Khan	\$125.00
8/11/2009	Adil Asaduddin/Samiah Khan	\$200.00
8/11/2009	Nibar/Shaheda Ahmed	\$250.00
8/11/2009	Omer Ilahi	\$250.00
8/11/2009	Ayaz/Najma Nasser	\$500.00
8/11/2009	Mohammed/Zabbean Gire	\$1,000.00

8/11/2009	Farouk Shami	\$1,000.00
8/12/2009	Sohail/Azeema Syed	\$250.00
8/12/2009	Shaukat/Nihala Zakaria	\$500.00
8/21/2009	Tim Person & Associates LLC	\$300.00
8/22/2009	Committee to Elect Jeff Roorda	\$375.00
8/27/2009	Duffe-Nuernberger Realty Co LLC	\$250.00
8/12/2009	Moiem/Ghazala Butt	\$300.00
8/22/2009	Terry W. Liberman	\$250.00
9/2/2009	Tee-E Trucking Inc.	\$500.00
	Total	\$8,775.00
<u>Date</u>	<u>Expenditures</u>	<u>Amount</u>
7/13/2009	Crown Mart withdrawal	\$62.50
7/15/2009	U.S. Bank withdrawal	\$2.00
7/15/2009	U.S. Bank withdrawal	\$23.00
7/20/2009	Discount Zone	\$71.00
7/21/2009	Overdraft Item Fee	\$35.00
7/27/2009	Extended Overdraft Balance Fee	\$35.00
7/29/2009	Hamilton Heights, Ck #992	\$250.00
8/3/2009	CBI Missouri withdrawal	\$2.00
8/3/2009	Emory Conference withdrawal	\$2.00
8/3/2009	Lambert St Louis	\$80.00
8/3/2009	Emory Conference withdrawal	\$202.75
8/3/2009	CBI Missouri withdrawal	\$302.50
8/4/2009	The Emory Inn Conference	\$157.92
8/5/2009	Agent Fee	\$35.00
8/5/2009	Drury Inn St Louis	\$103.78
8/5/2009	Transfer to related overdrawn account	\$198.52
8/5/2009	Continental	\$385.69
8/6/2009	Overdraft Item Fee Elect X-action	\$35.00
8/6/2009	Overdraft Item Fee Elect X-action	\$35.00
8/6/2009	Overdraft Item Fee Elect X-action	\$35.00
8/7/2009	Overdraft Item Fee Elect X-action	\$35.00
8/7/2009	Overdraft Item Fee Elect X-action	\$35.00
8/11/2009	Balance Inquiry	\$2.00
8/12/2009	Extended Overdraft Balance Fee	\$35.00
8/15/2009	ACE Investments (rent 4260 Union), Ck #994	\$450.00
8/17/2009	Missouri Ethics Commission	\$92.70
8/17/2009	Missouri Ethics Commission	\$205.90
8/17/2009	Missouri Ethics Commission	\$493.68

8/22/2009	Brenda Simpson, Ck #993	\$275.00
8/24/2009	St. Louis Argus Publishing Co, Ck #995	\$642.36
8/25/2009	Forest Park Golf Course	\$2,000.00
8/27/2009	Sydney Johnson, Ck #997	\$202.38
8/27/2009	Sow Unique Garden Club Meltdown, Ck #996	\$250.00
8/28/2009	CBI Missouri withdrawal	\$282.50
8/31/2009	Gios	\$42.12
9/1/2009	Nnt Crown Mart	\$165.00
9/4/2009	Cash Withdrawal	\$575.00
9/8/2009	Cole Farms Inc	\$43.00
9/8/2009	Office Depot	\$43.29
9/10/2009	Sakura Japanese Restaurant	\$45.25
9/14/2009	Phillips 66-02 withdrawal	\$2.00
9/14/2009	Phillips 66-02 withdrawal	\$202.50
9/17/2009	U.S. Bank withdrawal	\$2.00
9/17/2009	Atm	\$266.55
9/17/2009	U.S. Bank withdrawal	\$303.00
9/18/2009	Doubletree Hotel	\$120.15
9/21/2009	Overdraft Item Fee Elect X-action	\$10.00
9/21/2009	J Buck's	\$96.56
9/22/2009	Overdraft Item Fee Elect X-action	\$35.00
9/25/2009	Extended Overdraft Balance Fee	\$35.00
	Total	\$9,041.60

Contributions Received

Reliance Bank

27. Respondents failed to report the following contributions, including the name and address of the contributor which were deposited into the official fund depository at Reliance Bank in the amount of \$3,695.36:

<u>Date</u>	<u>Contribution</u>	<u>Amount</u>
08/29/07	Enterprise Rent-A-Car POS Credit	\$39.80
10/24/07	QC Holdings, Inc	\$325.00
10/15/07	MO PLAN	\$325.00
10/15/07	MO Physician Assistant PAC	\$325.00

10/16/07	MAPAC (MO Assn of Insurance Agents)	\$200.00
10/16/07	AMECPAC	\$150.00
10/12/07	Sonnenschein	\$325.00
10/29/07	Enterprise Rent-A-Car (Humble TX) POS Credit	\$80.56
11/07/07	District 7 MHCA PAC	\$325.00
11/06/07	Dealers Intersted In Government	\$325.00
11/28/07	Freeman R Bosley Jr	\$325.00
10/24/07	MHA Political Action Committee For Health (Health PAC)	\$325.00
12/19/07	MBA Gateway Region PAC	\$325.00
12/07/07	Eli Lilly And Company	\$300.00
	Total	\$3,695.36

Bank of America – (BOA1)

28. Respondents failed to report the following contributions, including the name and address of the contributor which were deposited into the official fund depository account BOA1 in the amount of \$17,638.47:

<u>Date</u>	<u>Contributor</u>	<u>Amount</u>
4/21/2008	David Luetkemeyer	\$150.00
4/21/2008	Hamida Tariq	\$100.00
4/21/2008	Mohammed Ibrahim	\$100.00
4/21/2008	Jawed H Siddiqui	\$200.00
4/21/2008	Naila Tahir	\$100.00
4/21/2008	Pearlie I Evans	\$325.00
4/21/2008	Quality Fire Protection Systems Inc	\$300.00
4/21/2008	Buy-Low Market	\$100.00
05/19/08	MHR International Inc	\$1,000.00
5/28/2008	Humayun Quadir, M.D.	\$100.00
5/28/2008	Earl E Nance Jr	\$100.00
6/2/2008	Cornerstone Health Care Inc	\$325.00
6/2/2008	Jeffrey R Smith	\$325.00
6/10/2008	MBA Pony Express Region PAC	\$325.00
6/10/2008	MBA State PAC	\$325.00
6/10/2008	MBA Truman Region PAC	\$325.00
6/10/2008	57th District Legislative Committee	\$2,500.00
6/10/2008	57th District Legislative Committee	\$750.00
7/9/2008	Valued Pharmacy Services of the Midwest	\$100.00

7/14/2008	Ernestine/Derrick Hill	\$500.00
7/21/2008	MHA Southwest District PAC	\$325.00
7/21/2008	MHA Southwest District PAC	\$125.00
7/23/2008	Realtors Political Action	\$325.00
7/23/2008	MoAHA Political Action Committee	\$325.00
7/23/2008	Interstate Blood Bank Inc	\$325.00
7/28/2008	MO Tlr transfer - Banking Cntr Lindell - confirmation # 7082072773	\$25.00
7/28/2008	MO Tlr transfer - Banking Cntr Lindell - confirmation #	\$25.00
7/29/2008	Yusuf Ata Mohyuddin M.D. M.P.H./Maliha Asif Mohyuddin	\$150.00
8/4/2008	Mohammed S Khan	\$50.00
8/4/2008	Syed T Haider	\$100.00
8/4/2008	Eddie L Hasan	\$300.00
8/4/2008	Munazah S Khan/Raza A Khan	\$50.00
8/4/2008	Lewis C and Patricia O Chartock, TTEES	\$100.00
8/4/2008	Harrah's operating Company Inc	\$325.00
8/4/2008	Page for Missouri	\$300.00
8/4/2008	Missouri Architect's Political Action Committee	\$300.00
8/4/2008	Missouri Beer Wholesalers Association	\$250.00
8/19/2008	Transfer from related acct - Fdes Nca ... Nbk9B49	\$563.47
10/1/2008	Lewis/Patricia Chartock	\$100.00
10/6/2008	Stl Modent PAC	\$250.00
10/6/2008	PT-PAC of Missouri	\$325.00
10/10/2008	All-Star Beverage LLC	\$50.00
10/10/2008	Stone, Leyton & Gershman	\$2,000.00
10/21/2008	MO Ambulatory Surgery Center Assn PAC East	\$1,000.00
10/24/2008	Credit from Unknown Account	\$450.00
10/28/2008	Dealers Interested in Gov't	\$250.00
10/28/2008	Edison Learning Inc	\$200.00
11/12/2008	Monsanto Co	\$1,000.00
	Total	\$17,638.47

Bank of America – BOA2

29. Respondents failed to report the following contributions, including the name, address of the contributor which were deposited into the official fund account BOA2 in the amount of \$9,875.00:

<u>Date</u>	<u>Contributor</u>	<u>Amount</u>
3/30/2009	Safer Families for Missouri	\$325.00
3/31/2009	Brent Hemphill & Assoc	\$300.00
5/26/2009	Johnston and Associates Inc.	\$150.00
5/29/2009	MBA Gateway Region PAC	\$325.00
7/28/2009	Stone, Leyton & Gershman	\$1,500.00
8/6/2009	Laeq Khan	\$200.00
8/6/2009	Munir Ibrahim	\$250.00
8/11/2009	Farhan/Diba Shamsi	\$75.00
8/11/2009	Basheer/Saleha Khumawala	\$100.00
8/11/2009	Scribbles Academy	\$100.00
8/11/2009	Afaq J/Aaminah O. Durrani	\$100.00
8/11/2009	Najma/Arif Gafur	\$100.00
8/11/2009	Mohamad/Khairia Mukhtar	\$100.00
8/11/2009	Sara Ghafoor	\$100.00
8/11/2009	Farruka/Farhat Shamsi	\$100.00
8/11/2009	Hassan/Farees Khan	\$125.00
8/11/2009	Adil Asaduddin/Samiah Khan	\$200.00
8/11/2009	Nibar/Shaheda Ahmed	\$250.00
8/11/2009	Omer Ilahi	\$250.00
8/11/2009	Ayaz/Najma Nasser	\$500.00
8/11/2009	Mohammed/Zabbean Gire	\$1,000.00
8/11/2009	Farouk Shami	\$1,000.00
8/12/2009	Sohail/Azeema Syed	\$250.00
8/12/2009	Shaukat/Nihala Zakaria	\$500.00
8/21/2009	Tim Person & Associates LLC	\$300.00
8/22/2009	Committee to Elect Jeff Roorda	\$375.00
8/27/2009	Duffe-Nuernberger Realty Co LLC	\$250.00
8/12/2009	Moien/Ghazala Butt	\$300.00
8/22/2009	Terry W. Liberman	\$250.00
9/2/2009	Tee-E Trucking Inc.	\$500.00
	Total	\$9,875.00

Reporting of Contributions Not Found in Any Official Fund Depository

30. Respondents reported the following contributions which were not found in any official fund depository:

<u>Date</u>	<u>Contribution</u>	<u>Amount</u>	<u>Report</u>
10/21/2007	AMECPAC	\$325.00	Jan-08
12/27/2007	Hubbard For Senate	\$4,350.00	Jan-08
9/11/2008	MO Professional Mutual	\$325.00	Oct08Q
10/2/2008	Mo Dealers Automobile Association	\$500.00	30 Day After General
11/26/2008	BizPAC	\$1,000.00	30 Day After General
	Total	\$6,500.00	

Inaccurate reporting of Contributions

31. Respondents reported the following contributions inaccurately:

<u>Check Date</u>	<u>Deposit Date</u>	<u>Description</u>	<u>Actual Amount</u>	<u>Reported Amount</u>	<u>Report</u>
3/30/2008	4/21/2008	Efficacy Consulting LLC	\$325.00	\$100.00	April 08 Qtly
9/17/2007	5/28/2008	AT &T Missouri Missouri Employees PAC	\$175.00	\$150.00	July 08 Qtly
10/20/2008	10/24/2008	MO Assoc of Nurse Anesthetists PAC	\$325.00	\$325.00	July 08 Qtly – reported 5/28/2008
		Total	\$825.00	\$575.00	

32. Respondents received the following contributions from the Home Building

Industry PAC:

<u>Check Date</u>	<u>Deposit Date</u>	<u>Description</u>	<u>Amount</u>	<u>Bank Account</u>
08/28/2007	9/27/2007	Home Building Industry PAC	\$325.00	Reliance
3/31/2009	5/11/2009	Home Building Industry PAC	\$325.00	BOA2
		Total	\$650.00	

33. On the October 2008 Quarterly, Respondents reported one contribution from Home Building Industry PAC on September 10, 2008 in the amount of \$325.00.

Commingling of Funds

34. Respondents deposited into the official fund depository at Reliance Bank a contribution in the amount of \$325.00 on November 1, 2007 from Citizens for Jay Wasson to Yaphette El-Amin for Rep.

35. In October 2007, Committee to Elect Yaphett El-Amin for State Rep. was an active committee registered with Petitioner.

36. Respondents deposited into the official fund depository account BOA1 a contribution in the amount of \$500.00 on May 28, 2008 from Supporters of Health Research & Treatments to the 1st Ward Democratic Organization, check dated December 21, 2007.

37. In December 2007, 1st Ward Democratic Organization was an active continuing committee registered with Petitioner.

38. Respondents deposited into the official fund depository account BOA1 a contribution to the 57th Legislative District Committee in the amount of \$1,000.00 from Asim A

R Ghafoor/Ebtehaj R Khan on July 29, 2008. Respondents reported on the 8 Day Before Primary Election Report contributions from Asim A R Ghafoor and Ebtehaj R Khan on July 23, 2008, each in the amount of \$325.00.

39. Respondents deposited into the official fund depository account BOA1 a contribution to the 57th Legislative District Committee in the amount of \$1,000.00 from Alan Mandel on July 3, 2008.

40. In July 2008, the 57th Legislative District Committee was an active continuing committee registered with Petitioner.

Committee Expenditures

Reliance Bank

41. Respondents failed to report the following expenditures as identified as being paid from the official fund depository at Reliance Bank, including the name and address of each to whom the expenditure was made or incurred from the official fund depository in the amount of \$26,812.66:

<u>Date</u>	<u>Expenditure</u>	<u>Type</u>	<u>Amount</u>
07/09/07	Nicolas Bastain		\$1,000.00
07/10/07	Jamaal Assan Muhammad		\$340.00
07/12/07	Salaama Mkt		\$700.00
07/13/07	Nextel Communic Wireless	Debit	\$141.52
07/18/07	Macy's	Debit	\$147.32
07/20/07	A D French & Assoc		\$600.00
07/20/07	Amoco Oil	Debit	\$60.01
07/20/07	Inkosi (1/2 pg postcard)		\$575.00
07/23/07	Amoco Oil	Debit	\$30.00
07/23/07	Office Depot	Debit	\$439.04
07/26/07	Jimmys On The Park	Debit	\$51.59
07/27/07	John Duechesch	1002	\$580.00

07/27/07	Mike Shannons	Debit	\$88.87
07/30/07	The Drunken Fish	Debit	\$72.82
07/30/07	Wal-Mark Store 322338	Debit	\$21.08
07/31/07	Exxon Mobil	Debit	\$40.00
07/31/07	Sprint Nextel-CS	Debit	\$237.31
07/31/07	St Louis Airport	Debit	\$72.00
07/31/07	The Ritz Carlton	Debit	\$76.18
07/31/07	The Ritz Carlton	Debit	\$48.64
08/01/07	Aldi	Debit	\$41.16
08/01/07	Schnucks	Debit	\$41.17
08/01/07	The Pasta House Company	Debit	\$41.03
08/02/07	Jamaal Muhammad	1003	\$175.00
08/02/07	Larry Bastain Jr (Golf Promo / Back To School Promo)	1005	\$2,375.00
08/06/07	Macy's	Debit	\$339.31
08/07/07	Macy's	Debit	\$247.40
08/10/07	57th District Legislative Committee	1009	\$1,000.00
08/10/07	Levine Hat Company	Debit	\$131.98
08/13/07	USPS	Debit	\$89.00
08/15/07	Kinko's	1011	\$86.42
08/20/07	FedEx Kinko's #4703	Debit	\$46.62
08/20/07	Macy's	Debit	\$25.65
08/21/07	Enterprise Rent-A-Car POS Credit	Debit	\$275.00
08/24/07	AT&T L950 8214	Debit	\$1,171.29
08/24/07	Spectator's Sports Bar	Debit	\$74.23
08/27/07	Three One Nine Grill	Debit	\$87.08
08/27/07	Westland Travel, Kingdom City MO	Debit	\$38.00
08/28/07	Amoco Oil	Debit	\$33.23
08/29/07	Amoco Oil	Debit	\$53.77
08/29/07	The Ritz Carlton	Debit	\$56.15
08/30/07	O'Donoghue's Steaks & Seafood	Debit	\$117.40
09/04/07	Amoco Oil	Debit	\$35.02
09/04/07	Yamini Majeed (print re-imis, canvass)	1014	\$1,275.00

09/10/07	Jamaal Muhammad	1015	\$275.00
09/10/07	The Ritz Carlton	Debit	\$157.37
09/11/07	Fed Ex Kinkos	1020	\$48.12
09/11/07	Hotel Deville Jefferson City MO	Debit	\$66.95
09/12/07	HDC (mail)	1019	\$334.65
09/12/07	Katrina Steed	1022	\$425.00
09/12/07	Salaama Market	1018	\$650.00
09/12/07	The Ritz Carlton	Debit	\$875.00
09/14/07	Hotel Deville Jefferson City MO	Debit	\$66.95
09/17/07	Enterprise Rent-A-Car	Debit	\$142.20
09/18/07	YC Young Jr	1023	\$735.15
09/20/07	Sun Rental	1024	\$58.85
09/21/07	Jihad Mu'Min (van)	1026	\$300.00
09/21/07	Salaama Market (supplies)	1027	\$427.50
09/21/07	Talib Muhammad (canvass)	1025	\$40.00
09/25/07	YC Young	1031	\$35.00
09/27/07	Cornell Merritt	1030	\$200.00
10/02/07	The Men's Wearhouse	Debit	\$632.75
10/01/07	Exxon Mobil	Debit	\$68.00
10/01/07	Hi Tec Copy Center	Debit	\$21.52
10/01/07	Shamid Aqil (office)	1035	\$200.00
10/02/07	Sabrina Allen	1038	\$50.00
10/02/07	St Louis Gateway Classic	1037	\$250.00
10/03/07	Kings Phillips 66	Debit	\$25.00
10/04/07	Clubhouse Shop (office supplies)	1036	\$120.00
10/04/07	Office Depot	Debit	\$417.84
10/05/07	Salaama Market	1041	\$735.00
10/09/07	CNS Cingular Compass	Debit	\$166.72
10/09/07	Electronic Express	Debit	\$281.94
10/09/07	Shell Oil	Debit	\$38.00
10/09/07	Shell Oil	Debit	\$50.00
10/10/07	Office Depot	1042	\$267.66
10/10/07	St Louis Board of Elections (maps)	1039	\$33.00

10/11/07	Rosalynn Guy (office printing)	1040	\$126.92
10/12/07	USPS	Debit	\$66.75
10/15/07	Agent Fee Central Travel	Debit	\$35.00
10/15/07	American Airlines	Debit	\$324.70
10/16/07	CSQ	1044	\$200.00
10/18/07	Agent Fee Central Travel	Debit	\$35.00
10/18/07	Continental	Debit	\$360.30
10/19/07	Fed Ex Kinkos	1045	\$110.35
10/22/07	P K Graphics	Debit	\$518.00
10/22/07	Wal-Mart	Debit	\$65.40
10/23/07	The Ritz Carlton	Debit	\$80.57
10/25/07	Enterprise Rent-A-Car	Debit	\$250.00
10/29/07	Café Annie	Debit	\$79.00
10/30/07	Westin Galleria Houston	Debit	\$869.17
11/05/07	Exxon Mobil Greenville MS	Debit	\$34.78
11/05/07	Kings Hwy BP2	Debit	\$10.00
11/06/07	Larry S Pit St, Sikeston MO	Debit	\$15.01
11/13/07	Lake St Louis	Debit	\$66.65
11/13/07	Westland Travel, Kingdom City MO	Debit	\$70.78
11/14/07	Latifah Shahid	1047	\$740.00
11/15/07	FastSigns	Debit	\$215.54
11/21/07	Westland Travel, Kingdom City MO	Debit	\$29.73
11/23/07	Kings Phillips 66	Debit	\$25.81
11/23/07	Tech One	1049	\$440.00
11/23/07	Walgreens	Debit	\$37.81
11/26/07	Harrah's St Louis	Debit	\$82.94
11/26/07	Kings Phillips 66	Debit	\$20.03
11/26/07	Union Market	Debit	\$8.00
11/27/07	Hilton St Louis Airport	Debit	\$140.25
12/03/07	Palace Café New Orleans LA	Debit	\$58.29
01/07/08	AT&T	Debit	\$323.42
	Total		\$26,812.66

Bank of America – BOA1

42. Respondents failed to report the following expenditures as identified as being paid from the official fund depository account BOA1, including the name and address of each to whom the expenditure was made or incurred from the official fund depository in the amount of \$40,548.19:

Date	Expenditure	Type	Amount
4/28/2008	Office Depot	Debit	\$232.70
5/1/2008	Carmines Steakhouse	Debit	\$391.85
5/1/2008	Check Order	Debit	\$29.00
5/1/2008	The Home Depot	Debit	\$3.16
5/5/2008	Big Shark Bicycle Company	Debit	\$336.00
5/5/2008	Touring Cyclist	Debit	\$128.46
5/5/2008	Big Shark Bicycle Company	Debit	\$92.42
5/5/2008	The Sports Authority #7	Debit	\$80.53
5/5/2008	Goody Diner Inc	Debit	\$60.70
5/7/2008	Cingular	Debit	\$129.40
5/7/2008	Chase Park Plaza Hotel	Debit	\$91.58
5/7/2008	Chase Park Plaza Hotel	Debit	\$25.00
5/9/2008	Ernestine Hill 18th	1061	\$500.00
5/12/2008	P K Graphics	Debit	\$533.00
5/13/2008	St. Louis City Board of Elections	1001	\$82.00
5/13/2008	Inkosi Designs - election '08 car wrap	1002	\$300.00
5/13/2008	Stone Haus	Debit	\$365.81
5/14/2008	Callie Sears	1032	\$225.00
5/15/2008	P K Graphics	Debit	\$636.00
5/19/2008	Galaxy Signs	Debit	\$135.00
5/19/2008	The Home Depot	Debit	\$15.43
5/27/2008	Phil Betts (Cover Assignment #080518)	1004	\$175.00
5/27/2008	VictoryStore.Com	Debit	\$2,353.96
5/28/2008	Overdraft Item Fee For Activity of 5/27/8 Electronic Transfer	Debit	\$25.00

5/27/2008	Energy Express	Debit	\$20.00
5/28/2008	Overdraft Item Fee For Activity of 5/27/8 Electronic Transfer	Debit	\$25.00
5/27/2008	Schnuck's Market	Debit	\$17.48
5/28/2008	Overdraft Item Fee For Activity of 5/27/8 Electronic Transfer	Debit	\$25.00
5/28/2008	NSF: Returned Item Fee For 5/27 Check #1033	Debit	\$25.00
5/29/2008	Overdraft Item Fee For Activity of 5/28/8 Check #1033	Debit	\$35.00
5/30/2008	Overdraft Item Fee For Activity of 5/29/8 Check #1003	Debit	\$35.00
5/29/2008	Callie Sears	1033	\$500.00
6/2/2008	Amoco Oil	Debit	\$3.91
6/2/2008	Schnuck's Market #1	Debit	\$60.51
6/2/2008	White Castle	Debit	\$4.18
6/2/2008	NSF: Returned Item Fee (Rcvd 05/30/08 Check #1031)	Debit	\$35.00
6/3/2008	NSF: Returned Item Fee (Rcvd 06/02/08 Check #1034)	Debit	\$35.00
6/3/2008	NSF: Returned Item Fee (Rcvd 06/02/08 Check #1035)	Debit	\$35.00
6/3/2008	Overdraft Item Fee (Rcvd 06/02/08 Check #1005)	Debit	\$35.00
6/3/2008	Overdraft Item Fee For Activity of 06/02/08 Elect Transfer	Debit	\$35.00
6/3/2008	Overdraft Item Fee For Activity of 06/02/08 Elect Transfer	Debit	\$35.00
6/3/2008	Overdraft Item Fee For Activity of 06/02/08 Elect Transfer	Debit	\$35.00
6/5/2008	NSF: Returned Item Fee (Rcvd 06/04/08 Check #1031)	Debit	\$35.00
6/9/2008	Return Item Chargeback	Debit	\$200.00
6/9/2008	Return Item Chargeback Fee	Debit	\$5.00
6/10/2008	Y.C. Young	1091	\$75.00
6/10/2008	Yaphett El-Amin (Campaign Reimbursements)	1040	\$529.37
6/11/2008	Board of Elections	1037	\$34.80
6/11/2008	Cingular	Debit	\$219.86
6/11/2008	David Luetkemeyer (RENT)	1038	\$375.00
6/11/2008	Troy Signs	1039	\$35.00
6/16/2008	22nd Ward Democratic League	1094	\$500.00
6/16/2008	Fed Ex Kinkos	1043	\$149.46
6/16/2008	Rosalynn Guy (part of Oct Cell Ph Bill)	1093	\$200.00
6/17/2008	Guy & Associates	1042	\$101.63
6/17/2008	Sydney Cain Johnson	1044	\$100.00

6/19/2008	St. Louis City Board of Elections	1045	\$40.00
6/19/2008	Wal-Mart #1188	Debit	\$123.51
6/20/2008	62390570 6/19 #000549916 Purchase	Debit	\$30.00
6/23/2008	87978390 06/21 #000576305 Purchase	Debit	\$30.06
6/23/2008	Kings Phillips	Debit	\$45.02
6/23/2008	Time 4 Fun (Inflatable for 18th Ward Juneteenth)	1097	\$100.00
6/23/2008	Yolanda Bastain	1049	\$75.00
6/24/2008	BP Oil	Debit	\$30.00
6/24/2008	Fast Stop	Debit	\$20.00
6/24/2008	Nubia Café (Fundraiser Catering)	1098	\$400.00
6/24/2008	Walgreen Company	Debit	\$62.90
6/25/2008	Schnuck's Market #1	Debit	\$22.96
6/25/2008	Schnuck's Market #1	Debit	\$17.24
6/26/2008	Ruths Chris Steakhouse	Debit	\$184.27
6/26/2008	Schnuck's Market #1	Debit	\$131.48
6/26/2008	Kings Phillips	Debit	\$40.01
6/27/2008	The Home Depot	Debit	\$79.89
6/27/2008	Shell Oil	Debit	\$50.00
6/27/2008	Schnuck's Market #1	Debit	\$13.97
6/30/2008	Trvoli Theatre (rental deposit)	1050	\$200.00
6/30/2008	Jerome Bracely (Stepping into Light)	1101	\$736.00
6/30/2008	Arcelias Mexicana	Debit	\$56.92
6/30/2008	Schnuck's Market #1	Debit	\$43.33
6/30/2008	Lee's Famous Recipe Q33	Debit	\$37.00
6/30/2008	Lee's Famous Recipe Q33	Debit	\$35.35
6/30/2008	BP Oil	Debit	\$35.00
6/30/2008	Kings Phillips	Debit	\$30.03
6/30/2008	BP Oil	Debit	\$25.00
6/30/2008	Kings Phillips	Debit	\$20.01
7/7/2008	Talib Muhammad	1054	\$150.00
7/7/2008	US Bank Balance Inquiry	Bank Charge	\$2.00
7/7/2008	Bank of America withdrawal # on 7/4	ATM	\$500.00
7/7/2008	P K Graphics	Check Card	\$443.00

		0704	
7/7/2008	US Bank Withdrawal # 9 on 7/7	Bank Charge	\$403.00
7/7/2008	US Bank Withdrawal # on 7/7	Bank Charge	\$2.00
7/8/2008	P K Graphics	Check Card 0708	\$406.00
7/9/2008	P K Graphics	Check Card 0708	\$17.00
7/10/2008	Talibdin El-Amin	1007	\$130.00
7/10/2008	Talibdin El-Amin	1105	\$237.47
7/10/2008	Softbrix Tech	Check Card 0708	\$689.49
7/11/2008	Eye Fashion	1051	\$250.00
7/14/2008	Economical Mailing Inc	1106	\$1,136.46
7/15/2008	Overdraft Item Fee for activity of 7/14	Bank Charge	\$35.00
7/15/2008	Overdraft Item Fee for activity of 7/14 - check #1106	Bank Charge	\$35.00
7/21/2008	Doris Magwood	1110	\$200.00
7/22/2008	Bryan Neil	1006	\$50.00
7/22/2008	NSF Return Item fee #1108	Bank Charge	\$35.00
7/24/2008	MO Tlr transfer to check 6955 - confirmation #	Bank Charge	\$25.00
7/24/2008	MO Tlr transfer to check 1319 - confirmation #	Bank Charge	\$25.00
7/28/2008	P K Graphics	Check Card 0724	\$426.00
7/29/2008	Nathaniel Fardan	1116	\$125.00
7/29/2008	Talibdin El-Amin	1124	\$125.00
7/29/2008	US Bank Balance Inquiry	Bank Charge	\$2.00
7/29/2008	US Bank Balance Inquiry	Bank Charge	\$2.00
7/29/2008	US Bank Withdrawal # on 7/28	Bank Charge	\$63.00
7/29/2008	US Bank Withdrawal # on 7/28	Bank Charge	\$2.00
7/31/2008	MO Tlr transfer to check 1157 - confirmation #	Bank Charge	\$100.00
8/4/2008	Nathan Fardan	1057	\$125.00
8/5/2008	Najwam Wakil	1129	\$125.00
8/4/2008	Rev. Jerome Braceley	1130	\$1,017.00
8/5/2008	Cash	1136	\$3,750.00
8/6/2008	Overdraft item fee - 8/5	Bank Charge	\$35.00
8/6/2008	Overdraft item fee - 8/5	Bank Charge	\$35.00
8/6/2008	Overdraft item fee - 8/5	Bank Charge	\$35.00
8/6/2008	NSF Returned Item fee - check # 1058	Bank Charge	\$35.00

8/6/2008	Overdraft item fee - check # 1129 - 8/5	Bank Charge	\$35.00
8/6/2008	Return Item Chargeback	Bank Charge	\$100.00
8/6/2008	Return Item Chargeback Fee	Bank Charge	\$5.00
8/6/2008	US Bank Balance Inquiry	Bank Charge	\$2.00
8/7/2008	Overdraft Item fee - 8/6	Bank Charge	\$35.00
8/7/2008	Overdraft Item fee - 8/6	Bank Charge	\$35.00
8/7/2008	NSF Returned Item fee - check # 1134	Bank Charge	\$35.00
8/8/2008	Overdraft Item fee - 8/7	Bank Charge	\$35.00
8/8/2008	Overdraft Item fee - 8/7	Bank Charge	\$35.00
8/8/2008	Overdraft Item fee - 8/7	Bank Charge	\$35.00
8/8/2008	Overdraft Item fee - 8/7	Bank Charge	\$35.00
8/8/2008	Overdraft Item fee - 8/7	Bank Charge	\$35.00
8/8/2008	NSF Returned Item fee - check # 1127	Bank Charge	\$35.00
8/8/2008	NSF Returned Item fee - check # 1135	Bank Charge	\$35.00
8/8/2008	US Bank Balance Inquiry	Bank Charge	\$2.00
8/22/2008	NSF Returned Item fee - check # 1065 - 8/21	Bank Charge	\$35.00
8/26/2008	NSF Returned Item fee - check # 1131 - 8/25	Bank Charge	\$35.00
8/27/2008	NSF Returned Item fee - check # 0997 - 8/26	Bank Charge	\$35.00
8/5/2008	HI Tec Copy Center	Check Card	\$161.31
8/5/2008	Walmart # 5150	Purchase	\$136.31
10/5/2008	Yaphett El-Amin	1016	\$310.00
10/7/2008	Talibdan El-Amin	1015	\$435.00
10/10/2008	David Luetkemeyer	1013	\$1,000.00
10/12/2008	Jimad Mumin	1068	\$360.00
10/14/2008	Fastlane	Debit Card	\$50.00
10/15/2008	Attm	Debit Card	\$176.20
10/15/2008	Talibdan El-Amin	1070	\$225.00
10/16/2008	St. George Oil	Debit Card	\$20.00
10/16/2008	Efficacy Consulting	1071	\$500.00
10/17/2008	Motomart	Debit Card	\$35.00
10/17/2008	Metrotix Fox Theater	Debit Card	\$128.00
10/20/2008	Ruths Chris Steakhouse	Debit Card	\$84.76
10/22/2008	Transfer to Account	Transfer	\$165.14
10/22/2008	Boss Brothers	1076	\$400.00
10/24/2008	Khalid Salaama	1075	\$350.00
10/25/2008	Yamini Maseed	1078	\$250.00
10/25/2008	John Watson	1077	\$500.00
10/27/2008	Renaissance Hotel parking	Debit Card	\$3.00
10/27/2008	Marathon Oil	Debit Card	\$28.00
10/27/2008	B and B Restaurant	Debit Card	\$42.04

10/27/2008	Westin Michigan Ave	Debit Card	\$299.57
10/28/2008	QT #601	Debit Card	\$37.70
10/28/2008	Grill on the Alley Chicago	Debit Card	\$58.01
10/28/2008	Avary Group	1079	\$750.00
10/29/2008	Talib Muhammad	1082	\$75.00
10/29/2008	Budget Rent-A-Car	Debit Card	\$381.17
10/30/2008	Yamini Majeed	1086	\$100.00
10/30/2008	Christina Brooks	1087	\$625.00
10/31/2008	26th Democratic Organization	1088	\$500.00
11/3/2008	Exxonmobil	Debit Card	\$30.00
11/3/2008	King Phillips	Debit Card	\$36.00
11/3/2008	Office Depot	Debit Card	\$66.72
11/3/2008	Macy's	Debit Card	\$264.54
11/3/2008	Pelican Plumbing	1089	\$271.06
11/6/2008	Omega Consulting	Debit Card	\$28.16
11/7/2008	Attm	Debit Card	\$223.06
11/10/2008	Doubletree Hotel	Debit Card	\$115.52
11/10/2008	Circle K withdrawal	Debit Card	\$201.75
11/11/2008	Phil Betts	1017	\$175.00
11/12/2008	The Home Depot	Debit Card	\$136.71
11/12/2008	Janet Hafner	1018	\$227.00
11/12/2008	Pulaski Bank withdrawal	Debit Card	\$302.50
11/12/2008	purchased money order	705337	\$754.00
11/13/2008	H.S. Clayhouse B&B	1019	\$360.00
11/14/2008	Expedia Service Fees	Debit Card	\$7.00
11/14/2008	The Aquarium	Debit Card	\$77.69
11/14/2008	The Home Depot	Debit Card	\$229.40
11/14/2008	US Airways	Debit Card	\$355.69
11/17/2008	Agent Fee	Debit Card	\$25.00
11/17/2008	Rac Enterpirses LLC	Debit Card	\$57.63
11/17/2008	Doubletree Hotel	Debit Card	\$109.12
11/17/2008	Rosen Hotels Shngl Crk	Debit Card	\$139.00
11/17/2008	American Airlines	Debit Card	\$296.50
11/17/2008	Cash Withdrawal	Debit Card	\$382.00
11/17/2008	Ritz Carlton	1021	\$875.00
11/18/2008	Jr Cigars	Debit Card	\$213.70
11/19/2008	Ritz Carlton giftshop	Debit Card	\$46.15
11/20/2008	BP oil	Debit Card	\$30.00
11/20/2008	U.S. Bank withdrawal	Debit Card	\$303.00

11/23/2008	Hi Tec	1022	\$368.93
11/24/2008	Hotel Deville	Debit Card	\$334.75
11/25/2008	withdrawal	CASH	\$250.00
11/26/2008	Budget Rent-A-Car	Debit Card	\$75.00
11/26/2008	St. Louis Fish & Chicken	Debit Card 6	\$138.83
11/28/2008	Talibdin El-Amin	1023	\$300.00
	Total		\$40,548.19

Bank of America – BOA2

43. Respondents failed to report the following expenditures as identified as being paid from the official fund depository account BOA2, including the name and address of each to whom the expenditure was made or incurred from the official fund depository in the amount of \$10,364.80:

<u>Date</u>	<u>Expenditure</u>	<u>Type</u>	<u>Amount</u>
4/27/2009	Star Ne	Debit Card	\$203.95
4/27/2009	Walgreens	Debit Card	\$95.00
4/27/2009	Star Ne	Debit Card	\$2.00
4/28/2009	HyVee	Debit Card	\$47.84
4/28/2009	American Airlines	Debit Card	\$15.00
4/28/2009	American Airlines	Debit Card	\$15.00
5/4/2009	Autozone	Debit Card	\$146.03
5/13/2009	Lone Star	Debit Card	\$89.20
5/18/2009	Kingshighway Cash withdrawal	Debit Card	\$102.50
5/18/2009	Expedia travel	Debit Card	\$142.99
5/19/2009	NYC-Taxi	Debit Card	\$14.15
5/28/2009	U.S. Bank withdrawal	Debit Card	\$43.00
6/4/2009	Lawdepot.com/Codebase	Debit Card	\$30.00
6/9/2009	Shell Service	Debit Card	\$32.29
6/10/2009	BP Food Shop-9	Debit Card	\$2.00
6/10/2009	BP Food Shop-9	Debit Card	\$42.25
6/30/2009	Talibdin El-Amin	991	\$300.00
7/13/2009	Crown Mart withdrawal	Debit Card	\$62.50

7/15/2009	U.S. Bank withdrawal	Debit Card	\$2.00
7/15/2009	U.S. Bank withdrawal	Debit Card	\$23.00
7/20/2009	Discount Zone	Debit Card	\$71.00
7/21/2009	Overdraft Item Fee	Bank Chg	\$35.00
7/27/2009	Extended Overdraft Balance Fee	Bank Chg	\$35.00
7/29/2009	Hamilton Heights	992	\$250.00
8/3/2009	CBI Missouri withdrawal	Debit Card	\$2.00
8/3/2009	Emory Conference withdrawal	Debit Card	\$2.00
8/3/2009	Lambert St Louis	Debit Card	\$80.00
8/3/2009	Emory Conference withdrawal	Debit Card	\$202.75
8/3/2009	CBI Missouri withdrawal	Debit Card	\$302.50
8/4/2009	The Emory Inn Conference	Debit Card	\$157.92
8/5/2009	Agent Fee	Debit Card	\$35.00
8/5/2009	Drury Inn St Louis	Debit Card	\$103.78
8/5/2009	Transfer to related overdrawn account	Transfer	\$198.52
8/5/2009	Continental	Debit Card	\$385.69
8/6/2009	Overdraft Item Fee Elect X-action	Bank Chg	\$35.00
8/6/2009	Overdraft Item Fee Elect X-action	Bank Chg	\$35.00
8/6/2009	Overdraft Item Fee Elect X-action	Bank Chg	\$35.00
8/7/2009	Overdraft Item Fee Elect X-action	Bank Chg	\$35.00
8/7/2009	Overdraft Item Fee Elect X-action	Bank Chg	\$35.00
8/11/2009	Balance Inquiry	Bank Chg	\$2.00
8/12/2009	Extended Overdraft Balance Fee	Bank Chg	\$35.00
8/15/2009	ACE Investments (rent 4260 Union)	994	\$450.00
8/17/2009	Missouri Ethics Commission	Debit Card	\$92.70
8/17/2009	Missouri Ethics Commission	Debit Card	\$205.90
8/17/2009	Missouri Ethics Commission	Debit Card	\$493.68
8/22/2009	Brenda Simpson	993	\$275.00
8/24/2009	St. Louis Argus Publishing Co	995	\$642.36
8/25/2009	Forest Park Golf Course	Debit Card	\$2,000.00
8/27/2009	Sydney Johnson	997	\$202.38
8/27/2009	Sow Unique Garden Club Meltdown	996	\$250.00
8/28/2009	CBI Missouri withdrawal	Debit Card	\$282.50

8/31/2009	Gios	Debit Card	\$42.12
9/1/2009	Nnt Crown Mart	Debit Card	\$165.00
9/4/2009	Cash Withdrawal	CASH	\$575.00
9/8/2009	Cole Farms Inc	Debit Card	\$43.00
9/8/2009	Office Depot	Debit Card	\$43.29
9/10/2009	Sakura Japanese Restaurant	Debit Card	\$45.25
9/14/2009	Phillips 66-02 withdrawal	Debit Card	\$2.00
9/14/2009	Phillips 66-02 withdrawal	Debit Card	\$202.50
9/17/2009	U.S. Bank withdrawal	Debit Card	\$2.00
9/17/2009	Atm	Debit Card	\$266.55
9/17/2009	U.S. Bank withdrawal	Debit Card	\$303.00
9/18/2009	Doubletree Hotel	Debit Card	\$120.15
9/21/2009	Overdraft Item Fee Elect X-action	Bank Chg	\$10.00
9/21/2009	J Buck's	Debit Card	\$96.56
9/22/2009	Overdraft Item Fee Elect X-action	Bank Chg	\$35.00
9/25/2009	Extended Overdraft Balance Fee	Bank Chg	\$35.00
	Total		\$10,364.80

Inaccurate reporting of Expenditures

44. Respondents inaccurately reported the following expenditures as follows:

<u>Date</u>	<u>Description</u>	<u>Actual Amount</u>	<u>Reported Amount</u>	<u>Report</u>
07/09/2007	Divine Journeys	\$850.00	\$800.00	Oct 07 Qtly
09/26/2007	AAA Computer Solutions LLC	\$340.00	\$300.00	Oct 07 Qtly
	Total	\$1,190.00	\$1,100.00	

Cash Expenditures

45. Respondents made the following cash withdrawals from the official fund depositories which exceeded \$50.00 as follows:

<u>Date</u>	<u>Transaction</u>	<u>Type</u>	<u>Amount</u>	<u>Bank</u>
07/23/2007	Foreign ATM Wit, 12235 McKelvey, Maryland Heights	Debit	\$401.75	Reliance
07/25/2007	Foreign ATM, 11200 W Florissant, Florissant MO	Debit	\$302.00	Reliance
07/30/2007	Foreign ATM, 25 Brentwood Pomenade, Brentwood MO	Debit	\$202.00	Reliance
07/30/2007	Foreign ATM, 3720 N Kingshighway, Saint Louis MO	Debit	\$102.00	Reliance
08/06/2007	Foreign ATM Withdrawal USB City Plaza Schnucks	Debit	\$262.00	Reliance
08/20/2007	Foreign ATM Withdrawal US Bank N Kings Hwy St Louis MO	Debit	\$402.00	Reliance
08/21/2007	Foreign ATM Withdrawal Central Bank, Jefferson City MO	Debit	\$502.00	Reliance
08/27/2007	Foreign ATM Withdrawal, 3700 Union Blvd, St Louis MO	Debit	\$201.95	Reliance
08/28/2007	Foreign ATM Withdrawal US Bank N Kings Hwy St Louis MO	Debit	\$402.00	Reliance
09/04/2007	Foreign ATM Withdrawal US Bank N Kings Hwy St Louis MO	Debit	\$402.00	Reliance
11/05/2007	Foreign ATM Withdrawal 2415 East Malone, Sikeston MO	Debit	\$41.50	Reliance
11/21/2007	Foreign ATM Withdrawal 3412 N Union Blvd, St Louis MO	Debit	\$201.95	Reliance
11/26/2007	Foreign ATM Withdrawal 6150 Natural Bridge St Louis MO	Debit	\$102.00	Reliance
12/04/2007	Cash	Countercheck	\$634.75	Reliance
12/07/2007	Foreign ATM Withdrawal 6001 W Florissant St Louis MO	Debit	\$201.95	Reliance
12/10/2007	Foreign ATM Withdrawal 5212 Lucas & Hunt Rd St Louis MO	Debit	\$201.75	Reliance
01/11/2008	Withdrawal & Close Reliance Bank	Countercheck	\$338.18	Reliance
4/23/2008	Talib Muhammad (deposited Salama Supermarket dba Union Market)	993	\$500.00	BOA1
6/13/2008	Talibdin El-Amin (Petty Cash/Remit)	1041	\$175.00	BOA1

6/30/2008	Withdrawal - US Bank	Debit	\$363.00	BOA1
7/7/2008	Bank of America withdrawal # on 7/4	ATM	\$500.00	BOA1
7/7/2008	US Bank Withdrawal # on 7/7	Bank Charge	\$403.00	BOA1
7/29/2008	US Bank Withdrawal # on 7/28	Bank Charge	\$63.00	BOA1
8/5/2008	Cash	1136	\$3,750.00	BOA1
11/10/2008	Circle K withdrawal	Debit Card	\$201.75	BOA1
11/12/2008	Pulaski Bank withdrawal	Debit Card	\$302.50	BOA1
11/12/2008	purchased money order	705337	\$754.00	BOA1
11/17/2008	Cash Withdrawal	Debit Card	\$382.00	BOA1
11/20/2008	U.S. Bank withdrawal	Debit Card	\$303.00	BOA1
11/25/2008	Withdrawal	Cash	\$250.00	BOA1
5/18/2009	Kingshighway Cash W/draw	Debit Card	\$102.50	BOA2
7/13/2009	Crown Mart withdrawal	Debit Card	\$62.50	BOA2
8/3/2009	Emory Conference withdrawal	Debit Card	\$202.75	BOA2
8/3/2009	CBI Missouri withdrawal	Debit Card	\$302.50	BOA2
8/28/2009	CBI Missouri withdrawal	Debit Card	\$282.50	BOA2
9/4/2009	Cash Withdrawal	Cash	\$575.00	BOA2
9/14/2009	Phillips 66-02 withdrawal	Debit Card	\$202.50	BOA2
9/17/2009	U.S. Bank withdrawal	Debit Card	\$303.00	BOA2
	Total		\$14,882.28	

46. The cash expenditures for 2007 exceeded \$50.00 or the lesser of five thousand dollars or ten percent of all expenditures made by the committee during that calendar year.

Consulting Services

47. The following expenditures were made or reported to consultants from the official fund depository but not reported with specific purpose of the payment for consulting services:

<u>Date</u>	<u>Item</u>	<u>Payee</u>	<u>Amount</u>	<u>Reported</u>
10/28/2008	1080	Nord-Ellis Strategies	\$412.82	30DAGen'l
10/16/2008	1071	Efficacy Consulting	\$500.00	No
		Total	\$912.82	

Receipt of Contributions in Excess of Limits

48. Prior to July 19, 2007, Respondents accepted contributions in excess of \$325.00 as follows:

<u>Date</u>	<u>Contribution</u>	<u>Amount Received</u>	<u>Amount Over</u>	<u>Report</u>
6/8/2007	Stone, Leyton & Gershman	\$2,500.00	\$2,175.00	July 07 Q
6/29/2007	Freeman R. Bosley, Jr.	\$500.00	\$175.00	July 07 Q
6/27/2007	Alan Mandel	\$1,000.00	\$675.00	July 07 Q
6/20/2007	Rex Sinquefeld	\$40,000.00	\$39,675.00	July 07 Q
6/27/2007	MHR International	\$1,000.00	\$675.00	July 07 Q
	Total	\$45,000.00	\$43,375.00	

49. On November 25, 2007, Respondent Talibdin El-Amin notified Petitioner that Respondents would return contributions received in excess of \$325.00. Respondents failed to return these contributions from an official fund depository.

50. Respondents received the following contributions from MO PLAN and MO Physician Assistant PAC and deposited the contributions into the Official Fund Depository at Reliance Bank as follows:

<u>Check Date</u>	<u>Deposit Date</u>	<u>Contribution</u>	<u>Amount Received</u>	<u>Amount Over</u>
7/24/2007	9/28/2007	MO PLAN	\$300.00	
9/18/2007	10/12/2007	MO PLAN	\$325.00	\$300.00
7/24/2007	9/27/2007	MO Physician Assistant PAC	\$300.00	
9/18/2007	10/15/2007	MO Physician Assistant PAC	\$325.00	\$300.00
		Total		\$600.00

51. In June 2008, Respondents posted checks from the Bank of America Official Fund Depository to MO PLAN for \$300.00 and MO Physician Assistant PAC for \$300.00. Both checks were returned for insufficient funds in the official fund depository.

52. Respondents received contributions in excess of \$325 from MO PLAN and MO Physician Assistant PAC.

53. Respondents received the following contributions in excess of \$325.00:

<u>Check Date</u>	<u>Deposit Date</u>	<u>Contribution</u>	<u>Amount Received</u>	<u>Amount Over</u>	<u>Report</u>
5/9/2008	5/19/2008	MHR International	\$1,000.00	\$1,000.00	No
6/4/2008	6/6/2008	57th Legislative District Committee	\$2,500.00	\$2,175.00	No
6/8/2008	6/8/2008	57th Legislative District Committee	\$750.00	\$750.00	No
5/31/2008	6/3/2008	Michael A. Decola	\$675.00	\$350.00	July 08Q
		Total	\$4,925.00	\$4,275.00	

Failure to Terminate Committee

54. On the amended Statement of Committee Organization filed April 13, 2009, Respondents reported that Respondent El-Amin would be a candidate in the August 2010 primary election.

55. Respondent El-Amin did not appear on the ballot for the April 2010 primary election.

56. The official fund depository at Bank of America, Account Number [redacted] was closed on January 19, 2010.

57. Respondents were required to terminate upon failure to maintain an official fund depository and failure to be a candidate in the August 2010 primary election.

58. Respondents have failed to terminate and failed to file a termination statement.

59. Pursuant to §105.959.5 and §105.961.1, RSMo a special investigator has conducted an investigation and reported findings to the Commission.

CONCLUSIONS OF LAW

COUNT I – Official Fund Depository Accounts

1. According to §130.021.7, RSMo:

A committee which has filed a statement of organization and has not terminated shall not be required to file another statement of organization, except that when there is a change in any of the information previously reported as required by subdivisions (1) to (8) of subsection 5 of this section an amended statement of organization shall be filed within twenty days after the change occurs, but no later than the date of the filing of the next report required to be filed by that committee by section 130.046.

2. According to §130.021.5 RSMo:

The treasurer or deputy treasurer acting on behalf of any person or organization or group of persons which is a committee by virtue of the definitions of committee in section 130.011 and any candidate who is not excluded from forming a committee in accordance with the provisions of section 130.016 shall file a statement of organization with the appropriate officer within twenty days after the person or organization becomes a committee but no later than the date for filing the first report required pursuant to the provisions of section 130.046. The statement of organization shall contain the following information:

(6) The name and mailing address of its depository, and the name and account number of each account the committee has in the depository...

3. According to §130.021.4(1):

Every committee shall have a single official fund depository within this state which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan association, or a federally or state-chartered credit union in which the committee shall open and thereafter maintain at least one official depository account in its own name.

4. There is probable cause to believe Respondents violated §130.021, RSMo by failing to file an amended statement of committee organization identifying one official fund depository for Respondent Committee following the closing the National City Bank Account,

and the opening of the Reliance and Bank of America accounts in July 2007, and April 2008, respectively.

COUNT II - Campaign Finance Disclosure Reports

5. According to §130.046.1, RSMo:

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

(1) Not later than the eighth day before an election for the period closing on the twelfth day before the election if the committee has made any contribution or expenditure either in support or opposition to any candidate or ballot measure;

(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... and

(3) Not later than the fifteenth day following the close of each calendar quarter.

6. There is probable cause to believe that Respondents violated §130.046, RSMo by failing to filing timely sixteen (16) campaign finance disclosure reports as set forth in paragraph 24, and by failing to file an April 2010 campaign finance disclosure report, and that Respondents did so knowingly.

COUNT III – Limited Activity Statements

7. §130.046.5(2), RSMo provides:

Notwithstanding any other provisions of this chapter to the contrary:

(2) No disclosure report needs to be filed for any reporting period if during that reporting period the committee has neither received contributions aggregating more than five hundred dollars nor made expenditure aggregating more than five hundred dollars and has not received contributions aggregating more than three hundred dollars from any single contributor and if the committee's treasurer files a statement with the appropriate officer that the committee has not exceeded the identified thresholds in the reporting period.

8. There is probable cause to believe that Respondents violated §130.046, RSMo by filing three Statements of Limited Activity when Respondents received contributions, and made expenditures which totaled \$ 20,563.22 respectively, as set forth in paragraphs 24, 25 and 26, and that Respondents did so knowingly.

COUNT IV - Contributions Received

9. According to § 130.041.1(3)(a) , RSMo:

Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor...

10. There is probable cause that Respondents have violated §130.041.1(3)(a) , RSMo by failing to report contributions totaling \$31,208.83 including the name and address of the contributor which were deposited into the official fund depositories, by reporting contributions totaling \$6,500.00 which did not appear in any official fund depository, by inaccurately reporting contributions in the amount of \$1,475.00, and that Respondents did so knowingly.

COUNT V – Commingling of Funds

11. According to §130.021.4(1), RSMo, in pertinent part: “Contributions received by a committee shall not be commingled with any funds of an agent of the committee, a candidate or any other person, except that contributions from a candidate of the candidate's own funds to

the person's candidate committee shall be deposited to an official depository account of the person's candidate committee.”

12. There is probable cause that Respondents violated §130.021.4(1), RSMo by commingling the funds of Committee to Elect Yaphett El-Amin for State Rep., the 1st Ward Democratic Organization, and the 57th Legislative District Committee by making deposits into the official fund depository in the amount of \$1,825.00, and that Respondents did so knowingly.

COUNT VI—Committee Expenditures

13. §130.041. 1(4)(d), RSMo provides:

§130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(4) Expenditures for the period, including:

...

(d) The full name and mailing address of each person to whom an expenditure of money or any other thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure.

14. There is probable cause that Respondents have violated §130.041.1(4)(d), RSMo by failing to report expenditures totaling \$77,725.65, including the name and address of each to whom the expenditure was made or incurred from the official fund depositories, and by inaccurately reporting expenditures in the amount of \$1,190.00 and that Respondents did so knowingly.

COUNT VII - Cash Expenditures

15. According to §130.031.2, RSMo:

Except for expenditures from a petty cash fund which is established and maintained by withdrawals of funds from the committee's depository account and with records maintained pursuant to the record-keeping requirements of section 130.036 to account for expenditures made from petty cash, each 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. A single expenditure from a petty cash fund shall not exceed fifty dollars, and the aggregate of all expenditures from a petty cash fund during a calendar year shall not exceed the lesser of five thousand dollars or ten percent of all expenditures made by the committee during that calendar year. A check made payable to "cash" shall not be made except to replenish a petty cash fund.

16. There is probable cause that Respondents violated §130.031.2, RSMo by making cash expenditures in the amount of \$14,882.28 which is in excess of \$50.00 or which exceeded the lesser of five thousand dollars or ten percent of all expenditures made by the committee during that calendar year.

COUNT VIII – Consulting Services

17. According to §130.041. 4, RSMo:

The words "consulting or consulting services, fees, or expenses", or similar words, shall not be used to describe the purpose of a payment as required in this section. The reporting of any payment to such an independent contractor shall be on a form supplied by the appropriate officer, 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.

18. There is probable cause the Respondents violated §130.041.4, RSMo by failing to properly report \$912.82 in expenditures to an independent contractor as "campaign" and by failing

to include identification of the specific service or services provided, and that Respondents did so knowingly.

COUNT IX – Receipt of Contributions in Excess of Limits

19. §130.032.1(3) and §130.032.2 RSMo (repealed) provided as follows:

1. In addition to the limitations imposed pursuant to section 130.031, the amount of contributions made by or accepted from any person other than the candidate in any one election shall not exceed the following:

.....
(3) To elect an individual to the office of state representative, two hundred fifty dollars;
.....

2. For purposes of this subsection “base year amount” shall be the contribution limits prescribed in this section on January 1, 1995. Such limits shall be increased on the first day of January in each even-numbered year by multiplying the base year amount by the cumulative consumer price index, as defined in section 104.010, RSMo, and rounded to the nearest twenty-five dollar amount, for all years since January 1, 1995.

20. The adjusted contribution limits effective January 19, 2006 made by or accepted from any person, other than the candidate, in any one election to elect an individual to the office of state representative is \$325.00.

21. In 2006, the General Assembly passed House Bill 1900, which was subsequently signed by the Governor. It contained a provision, which was to become effective on January 1, 2007, to repeal the provisions in §130.032, RSMo which established limitations on contributions from individual donors.

22. On July 19, 2007, the Missouri Supreme Court issued its opinion in *Trout v. State of Missouri*, 231 S.W. 3d 140 (Mo. Banc 2007), reinstating the contribution limits set forth in paragraph 2.

23. In 2008, the General Assembly passed Senate Bill 1038, which repealed contribution limits in §130.032, RSMo, effective August 28, 2008.

24. There is probable cause that Respondents received contributions in excess of contribution limits in effect from July 19, 2007 through August 27, 2008 in the total amount of \$48,250, and that Respondents did so knowingly.

COUNT X - Failure to Terminate Committee

25. According to §130.011(5), RSMo candidate committee shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election.

26. According to §130.021.8, RSMo:

Upon termination of a committee, a termination statement indicating dissolution shall be filed not later than ten days after the date of dissolution with the appropriate officer or officers with whom the committee's statement of organization was filed. The termination statement shall include: the distribution made of any remaining surplus funds and the disposition of any deficits; and the name, mailing address and telephone number of the individual responsible for preserving the committee's records and accounts as required in section 130.036.

27. According to §130.046.7, RSMo:

In the case of a committee which disbands and is required to file a termination statement pursuant to the provisions of section 130.021 with the appropriate officer not later than the tenth day after the committee was dissolved, the candidate, committee treasurer or deputy treasurer shall attach to the termination statement a complete disclosure report for the period closing on the date of dissolution. A committee shall not utilize the provisions of subsection 8 of section 130.021 or the provisions of this subsection to circumvent or otherwise avoid the reporting requirements of subsection 6 or 7 of this section.

28. There is probable cause that Respondents violated §130.021.8, RSMo and §130.046.7, RSMo by failing to terminate upon failing to be a candidate and failing to maintain an official fund depository.

ORDER

The Commission finds probable cause that Respondents Talibdin El-Amin and Committee to Elect El-Amin 57th knowingly violated, and have knowingly violated, sections 130.021.7, 130.021.5, 130.021.4(1), 130.046.1, 130.046.5(2), 130.041.1(3)(a), 130.021.4(1), 130.041.1(4)(d), 130.031.2, 130.041.4, 130.032.1(3), 130.032, 130.011(5), 130.021.8, and 130.046.7, RSMo (as amended).

It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents Talibdin El-Amin and Committee to Elect El-Amin 57th in the amount of \$217,119.58 pursuant to § 105.961.4(6), RSMo. It is the further order of the Commission that Respondents Talibdin El-Amin and Committee to Elect El-Amin 57th file accurately all necessary campaign finance reports and statements. However, if either Respondent pays \$21,712.00 of that fee within sixty (60) days after the date of the Order and files all required campaign finance disclosure reports, the remainder of the fee will be stayed for two years, subject to the provisions below.

If Respondents Talibdin El-Amin and Committee to Elect El-Amin 57th have not committed any further violations of the campaign finance disclosure laws pursuant to Chapter 130, RSMo, as amended during this two year stay, Respondents Talibdin El-Amin and Committee to Elect El-Amin 57th will be required to pay the balance of the fee as originally imposed by the Commission. The amount of the balance will be due immediately upon final adjudication finding probable cause of such a violation. Respondents Talibdin El-Amin and Committee to Elect El-Amin 57th shall be jointly and severally liable for the balance.

Date: 9-9-2011



Jim Wright, Chairman
MISSOURI ETHICS COMMISSION