

Filed
AUG 14 2012
Missouri Ethics
Commission

**BEFORE THE
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)
)
) Petitioner,)
) Case No. 12C145
v.)
)
RANDY PIKE,)
Candidate,)
)
and)
)
RANDY PIKE FOR STATE)
REPRESENTATIVE DISTRICT 126,)
Candidate Committee,)
)
) Respondents.)

**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, Pike and Randy Pike for State Representative District 126, acknowledge that they 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.

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 Randy Pike is a candidate for State Representative in the August 7, 2012, primary election.
3. Respondent Randy Pike for State Representative District 126 is the candidate committee formed by Respondent Randy Pike for purposes of supporting his candidacy in the August 7, 2012, primary election.
4. 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.

5. 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.

6. Respondent Randy Pike for State Representative District 126 published a banner hung on Respondent Pike's mother's garage door, attached hereto as Exhibit A, by paying a sign company to produce the banner.

7. Respondent Randy Pike for State Representative District 126 also published two magnetic signs for his personal vehicle, attached hereto as Exhibit B, by paying a sign company to produce the magnets.

8. The banner and car magnets attached hereto as Exhibit A and Exhibit B, respectively, should have contained a clear and conspicuous statement: "Paid for by Randy Pike for State Representative District 126, Jerry King, Treasurer, but they did not originally have this disclosure.

9. In the course of the investigation on this complaint, Respondents added the "Paid for by" disclosure as shown in Exhibit A and Exhibit B.

JOINT PROPOSED CONCLUSIONS OF LAW

10. "Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office or 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." § 130.031.8, RSMo.

11. "[P]rinted matter' shall be defined to include any pamphlet, circular, handbill, sample ballot, advertisement, including advertisements in any newspaper or other periodical,

sign, including signs for display on motor vehicles, or other imprinted or lettered material; but 'printed matter' is defined to exclude ... any sign personally printed and constructed by an individual without compensation from any other person and displayed at that individual's place of residence or on that individual's personal motor vehicle;" § 130.031.8, RSMo.

12. In regard to any printed matter paid for by a committee, it shall be sufficient identification to print the name of the committee as required to be registered by subsection 5 of section 130.021 and the name and title of the committee treasurer who was serving when the printed matter was paid for. § 130.031.8(2), RSMo

13. There is probable cause to believe that Respondents Pike and Randy Pike for State Representative District 126 violated Section 130.031.8, RSMo, by publishing one banner and two car magnets relating to his candidacy without originally placing a complete "paid for by" disclaimer on those printed materials.

II.

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

1. The parties to this Joint Stipulation understand that the Petitioner will maintain this Joint Stipulation as an open and public record of the Missouri Ethics Commission.
2. The Commission shall issue its Consent Order in the form attached hereto as Exhibit A.
 - a. Respondent shall comply with all relevant sections of Chapter 130, RSMo.
 - b. It is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents Pike and Randy Pike for State Representative District 126 in the amount of \$100.00, pursuant to Section 105.961.4(6), RSMo. The fee will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission at the time of execution of this Joint Stipulation.
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.

RESPONDENT RANDY PIKE RANDY
PIKE,

Petitioner

By: Randy Pike 8-7-12
Randy Pike Date

By: Julie A. Allen 8/14/2012
Julie A. Allen Date
Executive Director

RESPONDENT RANDY PIKE FOR STATE
REPRESENTATIVE DISTRICT 126

By: Randy Pike 8-7-12
Randy Pike, Candidate Date

By: Curtis R. Stokes 8/14/2012
Curtis R. Stokes Date
Attorney for Petitioner

I LIKE

IT

for STATE REPRESENTATIVE

12

tabbles

EXHIBIT

A

I LIKE

DRINK

for

STATE REPRESENTATIVE 126

tabbles®
EXHIBIT
B

**BEFORE THE
MISSOURI ETHICS COMMISSION**

Filed
AUG 14 2012
Missouri Ethics
Commission

MISSOURI ETHICS COMMISSION,)	
)	
Petitioner,)	
)	
v.)	
)	Case No. 12C145
RANDY PIKE,)	
Candidate,)	
)	
and)	
)	
RANDY PIKE FOR STATE)	
REPRESENTATIVE DISTRICT 126,)	
Candidate Committee,)	
)	
Respondents.)	

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 Pike and Randy Pike for State Representative District 126 violated Section 130.031.8, RSMo, as stated in the Joint Stipulation.

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

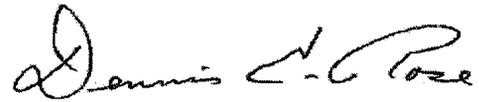
1. Respondents agree that they will comply with all relevant sections of Chapter 130, RSMo.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$100 pursuant to Section 105.961.4(6), RSMo. The fee

will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission at the time of execution of this Joint Stipulation.

3. Respondents Pike and Randy Pike for State Representative District 126 shall be jointly and severally liable for all fees imposed under this order.

SO ORDERED this 14th day of August, 2012

By:



Dennis Rose, Chair
Missouri Ethics Commission