

each and every one of these rights and freely enters into this Joint Stipulation of Facts, Waiver of Hearing before the Missouri Ethics Commission, and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law, and agrees to abide by the terms of this document.

I.

Based upon the foregoing, the Petitioner and the undersigned 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 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 Noble was a successful candidate in the August 2016 primary election for Ray County Sheriff.
3. Respondent Cole Noble Campaign Fund is the candidate committee formed by Respondent Noble to support his candidacy in that election.
4. Respondent Noble filed a Statement of Committee Organization dated April 11, 2016, with the Ray County Clerk.
5. On April 21, 2016 Respondent Cole Noble Campaign Fund purchased approximately three hundred (300) signs with a paid for by that stated "Paid for by Committee to Elect Cole Noble Sheriff, Sonda Minnick, Treasurer."
6. Pursuant to Sections 105.957 and 105.961, RSMo, the Commission's staff investigated a complaint filed with the Commission and reported the investigation findings to the Commission.

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

8. Respondents published, circulated, and/or distributed the signs, a true and accurate copy of which is attached hereto as Exhibit A, by displaying and distributing them in various places in Ray County, Missouri.

9. Respondent Cole Noble Campaign Fund committee paid for the printed matter referred to in Exhibit A.

10. The printed matter referred to in Exhibit A relates to a candidate in the August 2016 election.

11. The signs referred to in Exhibit A should have contained a clear and conspicuous statement: "Paid for by Cole Noble Campaign Fund, Sonda Minnick, Treasurer", but they stated instead "Paid for by Committee to Elect Noble Sheriff, Sonda Minnick, Treasurer," which was the not the name of the committee at the time the signs were ordered.

JOINT PROPOSED CONCLUSIONS OF LAW

12. "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.

13. "'[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; any items of personal use given away or sold, such as campaign buttons, pins, pens, pencils, book matches, campaign jewelry, or clothing, which is paid for by a candidate or committee which supports a candidate or supports or opposes a ballot measure and which is obvious in its identification with a specific candidate or committee and is reported as required by this chapter; and any news story, commentary, or editorial printed by a regularly published newspaper or other periodical without charge to a candidate, committee or any other person." § 130.031.8, RSMo.

14. "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 130.21 and the name and title of the committee treasurer who was serving when the printed matter was paid for." § 130.031.8(2), RSMo.

15. There is probable cause to believe that Respondents violated Section 130.031.8(2), RSMo, by failing to include on yard signs an accurate "paid for by" disclosure with the name of the committee at the time the signs were ordered.

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 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 1.

a. Respondents 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 Cole Noble And Cole Noble Campaign Fund 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 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, does hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited to, a claim for attorney's fees whatsoever which Respondent or

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. Respondent understands that late filing fees accrue automatically under Section 105.963, RSMo.

RESPONDENT COLE NOBLE

By: Cole Noble 9-24-16
Cole Noble Date

PETITIONER MISSOURI ETHICS
COMMISSION

By: James Klahr 10/5/16
James Klahr Date
Executive Director

RESPONDENT COLE NOBLE
CAMPAIGN FUND

By: Cole Noble 9-24-16
Cole Noble Date

By: Elizabeth L. Ziegler 10/4/16
Elizabeth L. Ziegler Date
Attorney for Petitioner

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Colle Noble

Ray County

Sherrill

EXHIBIT

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