

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION )  
 )  
 Petitioner, )  
 )  
 v. ) Case No. 16-0107-1  
 )  
 GREITENS FOR MISSOURI and )  
 ERIC GREITENS, )  
 )  
 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, Greitens for Missouri and Eric Greitens, 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 them by law, including but not limited to: the right to appear and be represented by counsel; the right to have all allegations against Respondents be proven upon the record by competent and substantial evidence; the right to cross-examine any witness appearing against Respondents at a hearing; the right to present evidence on Respondents' behalf at a hearing; and the right to a decision upon the record of a hearing. Being aware of these rights provided to Respondents by 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 proposed Joint Findings of Fact and the proposed Joint 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 § 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 130, RSMo.

2. Respondent Greitens for Missouri (the “Committee”) is a candidate committee under Chapter 130, RSMo.

3. Respondent Eric Greitens (“Greitens”) was a candidate for Governor of Missouri in the August 2, 2016 primary election and the November 8, 2016 general election.

4. Pursuant to Section 105.961, RSMo, the Commission’s staff has investigated a complaint filed with the Commission relating to activities of the Respondents and reported the investigation’s findings to the Commission.

5. Based upon the report of the Commission’s staff, the Commission determined that there are reasonable grounds to believe that a violation of law occurred, and it therefore voted to refer the matter to Commission counsel pursuant to Section 105.961, RSMo.

COUNT I

Failure to Report Contribution Received

6. At a date uncertain but believed by the undersigned parties to be in early 2015, the Committee received the benefit of a list of prospective donors (the "List"), for which the Committee did not pay, and which was not expressly contemplated in any contract executed by the Committee for fundraising or other services. At least one employee or agent of the Committee used the List to contact potential donors to the Committee.

7. The List had a fair market value in excess of One Hundred Dollars (\$100.00).

8. No person acting as an agent of the Committee for purposes of accepting possession of the List rendered to the Committee's treasurer a detailed account thereof, as contemplated by 130.036(1), RSMo.

9. The Committee did not disclose as a contribution received, on the disclosure report that it filed for the period during which a Committee employee or agent accepted the List, the fair market value of the list.

10. On or about April 28<sup>mt</sup>, 2017, the Committee filed an amendment of its disclosure report that was filed on April 15<sup>mt</sup>, 2015, reporting that it received the List as an in-kind contribution, that the value of the in-kind contribution was Six Hundred<sup>mt</sup> Dollars (\$ 600.00 <sup>mt</sup>), and that the contribution was received from Daniel Laub<sup>mt</sup>.

**JOINT CONCLUSIONS OF LAW**

**COUNT I**

**Failure to Report Contribution Received**

1. Section 130.041.1(3), RSMo reads in pertinent part as follows:

1. Except as provided in subsection 5 of section 130.016, the candidate, if applicable, a 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:

.....

(d) Total dollar value of all in-kind contributions received;

(e) A separate listing by name and address and employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received contributions in money or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution.

2. Section 130.046.1, RSMo sets out the times for filing disclosure reports for periods prior to an election.

3. Under Section 130.058, RSMo, the candidate is ultimately responsible for all reporting requirements for the candidate's committee under Chapter 130, RSMo.

4. The Commission finds there is probable cause to believe that a violation of § 130.041.1(3), RSMo occurred when the Committee failed to timely disclose the List as an in-kind contribution on the disclosure report for the period during which it was received. Respondents assert that they acted in good faith to comply with Missouri's campaign finance laws.

## 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 A.
  - a. Respondents shall comply with all relevant sections of Chapter 130, RSMo.
  - b. It is order of the Missouri Ethics Commission that a fee is imposed against the Respondent Greitens for Missouri in the amount of \$1,000.00 pursuant to § 105.961.4(6), RSMo. However, if Respondent pays ten percent (10%), of that fee, amounting to \$100.00, within forty-five (45) days after the date of this Order, the remainder of the fee will be stayed, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

c. If either of the Respondents commits any further violation or violations of the laws under Chapter 130, RSMo, within the two-year period from the date of this Order, then Respondents will be required to pay the remainder of the fee. The fee would be due immediately upon final adjudication finding that either of the Respondents had 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.

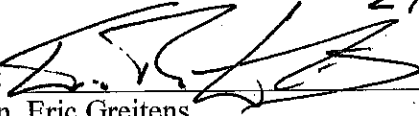
4. Respondents, together with their respective heirs, successors, and assigns, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including, but 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 is based upon or arise out of the above case.

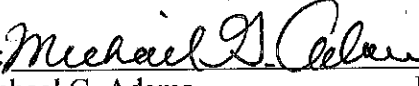
PETITIONER MISSOURI ETHICS COMMISSION

By: James Klahr 4-28-17  
James Klahr Date  
Executive Director

By: John S. Pletz 4-27-17  
John S. Pletz Date  
Attorney for Petitioner

RESPONDENT HON. ERIC GREITENS

By:  24 April 2017  
Hon. Eric Greitens Date

By:  April 26, 2017  
Michael G. Adams Date  
Attorney for Respondent

RESPONDENT GREITENS FOR MISSOURI

By: \_\_\_\_\_  
Jeff Stuerman Date  
Treasurer


By: \_\_\_\_\_  
Michael G. Adams Date  
Attorney for Respondent


RESPONDENT HON. ERIC GREITENS

By: \_\_\_\_\_  
Hon. Eric Greitens Date

By: \_\_\_\_\_  
Michael G. Adams Date  
Attorney for Respondent

RESPONDENT GREITENS FOR MISSOURI

By:  4/24/17  
Jeff Stuermer Date  
Treasurer

By:  \_\_\_\_\_  
Michael G. Adams Date  
Attorney for Respondent April 26, 2017



**Filed**  
**APR 28 2017**  
Missouri Ethics  
Commission

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION	)	
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Petitioner,	)	
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v.	)	Case No. 16-0107-1
	)	
GREITENS FOR MISSOURI	)	
and ERIC GREITENS,	)	
Respondents.	)	

**CONSENT ORDER**

The parties have filed a Joint Stipulation of Facts, Waiver of Hearing Before the Missouri Ethics Commission, and Consent Order With Joint Proposed Findings of Facts and Conclusions of Law (the "Joint Stipulation") with the Missouri Ethics Commission in this matter. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and adopts the Joint Conclusions of Law, and finds that the Respondents Greitens for Missouri and Eric Greitens failed to comply with certain provisions of Chapter 130, RSMo, as stated in the Conclusions of Law.

The Commission directs that the Joint Stipulation be adopted.

1. It is the order of the Commission that Respondents Greitens for Missouri and Eric Greitens comply with all relevant sections of Chapter 130, RSMo.

2. It is further the order of the Commission that a fee is imposed against the Respondent Greitens for Missouri in the amount of One Thousand Dollars (\$1,000.00) pursuant to § 105.961.4(6), RSMo. However, if Respondent Greitens for Missouri pays ten percent (10%) of that fee, amounting to \$100.00, within forty-five (45) days after the date of this Order, the

**EXHIBIT A**

remainder of the fee will be stayed, subject to the provisions below. The fee shall be paid by check or money order made payable to the Missouri Ethics Commission.

3. If either of the Respondents commits any further violation or violations of the laws under Chapter 130, RSMo, within the two-year period from the date of this Order, then Respondents will be required to pay the remainder of the fee. The fee would be due immediately upon final adjudication finding that either of the Respondents had committed such a violation.

SO ORDERED this 28 day of April, 2017.

By: Nancy Hagan  
Nancy Hagan, Chair  
Missouri Ethics Commission