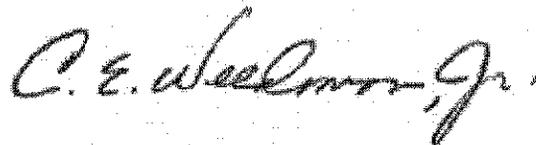


3. Regardless of the stay in paragraph 2 above, if Respondents commit any further violations of the campaign finance laws pursuant to Chapter 130, RSMo, as amended, within the two-year period from the date of this order, then Respondents will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that Respondents committed such a violation.

SO ORDERED this 16th day of November, 2015

By:



Charles E. Weedman, Jr., Chair
Missouri Ethics Commission

Filed
NOV 16 2015
Missouri Ethics
Commission

**BEFORE THE
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)
)
Petitioner,)
)
v.)
)
CHARLI COOKSEY,) Case No. 15-0038-I
)
and)
)
COOKSEY FOR STL CITY SCHOOL)
BOARD,)
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, Cooksey and Cooksey for STL City School Board, 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 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 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 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 Cooksey was a candidate for the Saint Louis City School Board in the April 7, 2015 election.
3. Respondent Cooksey formed her candidate committee, Respondent Cooksey for STL City School Board, and filed a statement of committee organization with the local election authority, the St. Louis City Board of Elections.
4. 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.

5. Based on the report of the Commission's staff, 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.

COUNT I

Timely and accurate reporting of contributions received

6. Respondents omitted the address of two contributors, who gave contributions totaling \$1,200, on the 8 Day Before Election report.

7. Respondents omitted the address of two contributors, who gave contributions totaling \$500, on the April 2015 quarterly report.

8. On March 30, 2015, Respondents received an in-kind contribution of approximately \$20,000 in value, but:

a. did not file a 24-hour notice of late contribution, which was due on April 1, 2015; Respondents filed the notice on April 10, 2015, which was nine (9) days late.

b. did not file a 48-hour electronic notice of contribution over \$5,000, which was due on April 2, 2015; Respondents filed the notice on May 13, 2015, which was forty-two (42) days late.

9. Respondents omitted a \$400 contribution from the 30 Day After Election report.

10. Respondents omitted itemized contributor information for a \$1,428.66 in-kind contribution received from Leadership for Educational Equity.

11. On June 8, 2015, Respondents filed amended reports to correct the errors and omissions listed above.

COUNT II

Timely and accurate reporting of expenditures made

12. Respondents omitted the purpose of three expenditures, totaling \$24,819.61, on the 8 Day Before Election report. On May 7, Respondents amended this report to include the purpose of these expenditures.

13. Respondents omitted the address for eight expenditures, totaling \$4,674.62, on the 30 Day After Election report.

14. On June 8, 2015, Respondents filed amended reports to correct the errors and omissions listed above.

COUNT III

Timely and accurate reports with money on hand.

15. Respondents reported beginning money on hand of \$50, rather than \$0, on the 8 Day Before Election report filed on March 30, 2015.

16. On June 8, 2015, Respondents filed amended reports to correct the error listed above.

JOINT PROPOSED CONCLUSIONS OF LAW

COUNT I

Timely and accurate reporting of contributions received

17. Candidates and candidate committees are required to report “at the times set forth and for the periods prescribed in section 130.046,” all contributions and other receipts received 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. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars ...;

...

(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;

§ 130.041.1(3), RSMo.

18. "All [] committees required to file disclosure reports under section 130.041 shall electronically report any contribution by any single contributor which exceeds five thousand dollars to the Missouri ethics commission within forty-eight hours of receiving the contribution. Such reports shall contain the same content required under section 130.041 and shall be filed in accordance with the standards established by the commission for electronic filing and other rules the commission may deem necessary to promulgate for the effective administration of this section." § 130.044.1, RSMo.

19. The disclosure reports required under Section 130.041 are required 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; except that, a successful candidate who takes office prior to the twenty-fifth day after the election shall have complied with the report requirement of this subdivision if a disclosure report is filed by such candidate and any candidate committee under the candidate's control before such candidate takes office, and such report shall be for the period closing on the day before taking office; and

(3) Not later than the fifteenth day following the close of each calendar quarter. Notwithstanding the provisions of this subsection, if any committee accepts contributions or makes expenditures in support of or in opposition to a ballot measure or a candidate, and the report required by this subsection for the most recent calendar quarter is filed prior to the fortieth day before the election on the measure or candidate, the committee shall file an

additional disclosure report not later than the fortieth day before the election for the period closing on the forty-fifth day before the election.

20. When a candidate committee receives a contribution or loan of more than \$250 after the twelfth day prior to an election, that committee must file a report of the contribution “no later than twenty-four hours after receipt.” § 130.050.3, RSMo.

21. “A late contribution or loan shall be included in subsequent disclosure reports without regard to” the 24-hour report. § 130.050.3, RSMo.

22. There is probable cause to believe that Respondents violated Sections 130.041.1(3), 130.044.1, and 130.050.3, RSMo, by failing to timely, accurately, and completely report all contributions received, and that Respondents did so knowingly.

COUNT II

Timely and accurate reporting of expenditures made

23. Candidates and candidate committees are required to report “at the times set forth and for the periods prescribed in Section 130.046,” all expenditures made and all contributions to other committees, including:

- (a) The total dollar amount of expenditures made by check drawn on the committee's depository;
- (b) The total dollar amount of expenditures made in cash;
- (c) The total dollar value of all in-kind expenditures made;
- (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. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker;

§ 130.041.1(4), RSMo.

24. There is probable cause to believe that Respondents violated Section 130.041.1(4), RSMo, by failing to timely and completely report the address and purpose for all expenditures made, and that Respondents did so knowingly.

COUNT III

Timely and accurate reports with money on hand.

25. Candidates and candidate committees must disclose the “amount of money, including cash on hand at the beginning of the reporting period.” § 130.041.1(2), RSMo.

26. There is probable cause to believe that Respondents violated Section 130.041.1(2), RSMo, by failing to timely and accurately report the committee’s money on hand at the beginning of the reporting period for the 8 Day Before Election report, and that Respondents 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 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 the Order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$2,400, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$240 of that fee within forty-five days after the date of the Order, the remainder of the fee will be stayed. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

c. Regardless of the stay in paragraph 2.b above, if any Respondent commits any further violation of the campaign finance 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 will due immediately upon final adjudication finding that any 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.

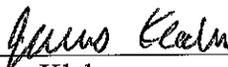
4. Respondents, together with their heirs, successors, and assigns, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited 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.

SO AGREED:

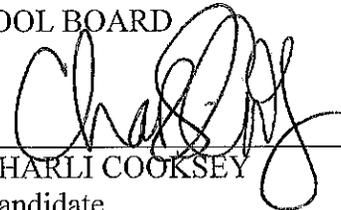
RESPONDENT CHARLI COOKSEY

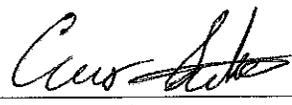
By:  11/3/15
CHARLI COOKSEY Date
Candidate

PETITIONER MISSOURI ETHICS
COMMISSION

By:  11-26-15
James Klahr Date
Executive Director

RESPONDENT COOKSEY FOR STL CITY
SCHOOL BOARD

By:  11/3/15
CHARLI COOKSEY Date
Candidate

By:  11/16/15
Curtis R. Stokes Date
Attorney for Petitioner