

BEFORE THE
MISSOURI ETHICS COMMISSION

Filed
JUN 18 2018
Missouri Ethics
Commission

MISSOURI ETHICS COMMISSION,)	
)	
Petitioner,)	
v.)	
)	Case No. 18-0010-I
TOM LOVELL FOR HOUSE OF)	
REPRESENTATIVES,)	
Candidate Committee)	
)	
and)	
)	
JOHN THOMAS LOVELL,)	
Candidate)	
)	
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, John Thomas Lovell and Tom Lovell for House of Representatives, 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 Respondent 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 waives 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 Lovell is a candidate for District 35 Missouri House of Representatives for the August 7, 2018 primary election.

3. Respondent Tom Lovell for Houses of Representatives is a candidate committee registered with the Missouri Ethics Commission on December 8, 2017 by filing a Statement of Committee Organization.

4. The Statement of Committee Organization was amended on March 23, 2018 to reflect a change of treasurer.

5. Pursuant to Section 105.961, RSMo, the Commission's staff investigated a complaint filed with the Commission and reported the investigation findings to the Commission.

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

7. Respondent Lovell reported on the 2018 January Quarterly Report that he loaned his candidate committee \$10,000.00 on December 4, 2017.

8. Respondents filed a 48 Hour Report for the \$10,000.00 loan on March 6, 2018.

9. Respondents failed to file a 48 Hour Report for the \$10,000.00 loan by December 6, 2017.

JOINT PROPOSED CONCLUSIONS OF LAW

10. Pursuant to 130.011(11), RSMo, a contribution is defined as “a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value.”

11. Pursuant to Section 130.044.1, RSMo, “all individuals and 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.”

12. There is probable cause to believe that Respondents violated Section 130.044.1, RSMo, by failing to report a \$10,000.00 loan to his candidate committee within 48 hours of receipt.

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. It is the Order of the Missouri Ethics Commission that a letter be issued that no further action shall be taken.

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. Respondent, together with his 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 Respondent's attorney may now have or which they may hereafter have, which are based upon or arise out of the above cases.

RESPONDENT TOM LOVELL FOR HOUSE
OF REPRESENTATIVES

PETITIONER MISSOURI ETHICS
COMMISSION

By: John Lovell 5/23/18
John Thomas Lovell Date

By: James Klahr 6/18/18
James Klahr Date
Executive Director

RESPONDENT JOHN THOMAS LOVELL

By: John Lovell 5/23/18
John Thomas Lovell Date

By: Brian Hamilton 6/18/18
Brian Hamilton Date
Attorney for Petitioner

ATTORNEY FOR RESPONDENT

By: Mike McCormick 5/23/18
Mike McCormick Date

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JOHN THOMAS LOVELL,)	
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CONSENT ORDER

The parties have filed a Joint Stipulation of Facts, Waiver of Hearing, and Proposed Consent Order with the Missouri Ethics Commission. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and finds that Respondents violated Section 130.044.1, RSMo.

The Commission directs that the Joint Stipulation be adopted.

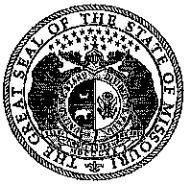
1. Respondents shall comply with all relevant sections of Chapter 130, RSMo.
2. It is the order of the Missouri Ethics Commission that a letter be issued that no further action shall be taken.

SO ORDERED this 18th day of June, 2018

By:



Don Summers, Chair
Missouri Ethics Commission



MISSOURI ETHICS COMMISSION

P.O. Box 1370
Jefferson City, MO 65102
www.mec.mo.gov
(573) 751-2020 / (800) 392-8660

James Klahr
Executive Director

June 18, 2018

John Thomas Lovell
Tom Lovell for House of Representatives
3321 SW Rockbridge Drive
Lee's Summit MO 64081

RE: 18-0010-I

Dear Mr. Lovell:

A Letter of No Further Action is issued to you pursuant to the authority granted to the Missouri Ethics Commission in Section 105.961.4(5).

The Commission has accepted the submission of the Joint Stipulation of Facts, Waiver of Hearings Before the Missouri Ethics Commission, and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law in this matter, a copy of which is marked as Exhibit A and incorporated herein by reference.

The Commission has found probable cause to believe that you violated Section 130.044.1, RSMo, by failing to report a \$10,000 loan to your candidate committee within 48 hours of receipt.

The Commission hereby issues this letter that it will take no further action for violation of Section 130.044.1, RSMo.

Sincerely,

A handwritten signature in cursive script that reads "Don Summers".

Don Summers, Chair
Missouri Ethics Commission