

BEFORE THE
MISSOURI ETHICS COMMISSION

Filed
NOV 14 2018
Missouri Ethics
Commission

MISSOURI ETHICS COMMISSION,)
)
Petitioner,)
v.)
)
TEAM JUSTIN BROWN)
Candidate Committee,)
)
JUSTIN BROWN)
Candidate,)
)
and)
)
DANETTE SHERRELL)
Treasurer,)
)
Respondents.)

Case No. 18-0062-I, 18-0063-I

**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, Team Justin Brown, Justin Brown, and Danette Sherrell, 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 Brown was a successful candidate for District 16 Senator in the August 7, 2018 primary election.

3. Respondent Brown registered a candidate committee, Team Justin Brown, by filing a Statement of Committee Organization with the Missouri Ethics Commission on May 5, 2016.

4. Respondent Sherrell was listed as the treasurer of Team Justin Brown on the Statement of Committee Organization.

5. 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.

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

7. On January 8, 2018, Respondents filed a January 2018 Quarterly Report on which they reported receipt of a \$2,600 monetary contribution from Dr. Dan Brown for Senate on December 29, 2017. Dan Brown for Senate is a candidate committee.

8. On or about July 23, 2018, Respondents issued a refund of \$2,600 to Dr. Dan Brown for Senate.

JOINT PROPOSED CONCLUSIONS OF LAW

9. The Missouri Constitutional Article VIII Section 23.3(4) provides that no candidate's candidate committee shall accept contributions from, or make contributions to, another candidate committee, including any candidate committee, or equivalent entity, established under federal law.

10. There is probable cause to believe that Respondents violated Missouri Constitutional Article VIII Section 23.3(4), by accepting a \$2,600 contribution from another candidate committee.

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 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 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 based upon the Complaint filed by the Petitioner in the above action.

4. Respondents, together with his 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 TEAM JUSTIN BROWN

PETITIONER MISSOURI ETHICS COMMISSION

By: Justin Brown 10/24/18
Justin Brown Date

By: Elizabeth Ziegler 11/14/18
Elizabeth Ziegler Executive Director Date

RESPONDENT JUSTIN BROWN

By: Justin Brown 10/24/18
Justin Brown Date

By: Brian Hamilton 11/15/18
Brian Hamilton Attorney for Petitioner Date

RESPONDENT DANETTE SHERRELL

By: Danette Sherrell 10/24/18
Danette Sherrell Date

ATTORNEY FOR RESPONDENT

By: Edward Greim 11-5-18
Edward Greim Date

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Petitioner,)	
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v.)	
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TEAM JUSTIN BROWN,)	Case No. 18-0062-I, 18-0063-I
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JUSTIN BROWN,)	
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AND)	
)	
DANETTE SHERRELL,)	
)	
Respondents.)	

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 Missouri Constitutional Article VII Section 23.3(4).

The Commission directs that the Joint Stipulation be adopted.

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

SO ORDERED this 14th day of November, 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

Elizabeth L. Ziegler
Executive Director

November 14, 2018

Justin Brown, Candidate
Team Justin Brown
PO Box 934
Rolla MO 65402

RE: 18-0062-I, 18-0063-I

Dear Mr. Brown:

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 Missouri Constitutional Article VII Section 23.3(4) by accepting a \$2,600 contribution from another candidate committee.

The Commission hereby issues this letter that it will take no further action for violation of Missouri Constitutional Article VII, Section 23.3(4).

Sincerely,

A handwritten signature in black ink that reads "Don Summers".

Don Summers, Chair
Missouri Ethics Commission



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Elizabeth L. Ziegler
Executive Director

November 14, 2018

Danette Sherrell, Treasurer
Team Justin Brown
PO Box 934
Rolla MO 65402

RE: 18-0062-I, 18-0063-I

Dear Ms. Sherrell:

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 Missouri Constitutional Article VII Section 23.3(4) by accepting a \$2,600 contribution from another candidate committee.

The Commission hereby issues this letter that it will take no further action for violation of Missouri Constitutional Article VII, Section 23.3(4).

Sincerely,

A handwritten signature in black ink that reads "Don Summers". The signature is written in a cursive, slightly slanted style.

Don Summers, Chair
Missouri Ethics Commission