

Filed
MAR 18 2021
Missouri Ethics
Commission

**BEFORE THE
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)
)
 Petitioner,)
)
 v.)
)
 CONSERVATIVE LEADERSHIP OF)
 THE OZARKS, Continuing Committee,)
)
 TERRY NEWTON, Treasurer,)
)
 and)
)
 BILLY PIPPIN, Deputy Treasurer,)
)
 Respondents.)

Case No. 20-0098-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, Conservative Leadership of the Ozarks, Terry Newton, and Billy Pippin, acknowledge that they have received and reviewed a copy of the Legal 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.¹
2. On April 4, 2020, Conservative Leadership of the Ozarks registered as a continuing committee by filing a Statement of Committee Organization with the Missouri Ethics Commission.
3. Terry Newton was listed as the committee's Treasurer on the Statement of Committee Organization.
4. Billy Pippin was listed as the committee's Deputy Treasurer on the Statement of Committee Organization.
5. Pursuant to Section 105.961, RSMo, the Commission's staff received and investigated a complaint filed with the Commission and reported the findings to the Commission.

¹ Unless noted otherwise, all statutory references are to the Revised Statutes of Missouri 2000 (Supp. 2019).

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

7. Respondents reported at least seventeen expenditures on seven different reports in 2020 that were either in support of or in opposition to a candidate.

Expenditure	Purpose	Date	Amount	Report
Lamar	Advertising	7/24/20	\$3,035.00	24 Hour Expenditure Report
Majority Strategies	Advertising	7/24/20	\$51,146.84	24 Hour Expenditure Report
Warfield & Company	Advertising	7/24/20	\$30,000.00	24 Hour Expenditure Report
Capital Consulting	Fundraising	7/27/20	\$16,815.00	24 Hour Expenditure Report
Warfield & Company	Advertising	7/27/20	\$30,000.00	24 Hour Expenditure Report
Missouri Strategies	Consulting	7/31/20	\$1,000.00	24 Hour Expenditure Report
Warfield & Company	Advertising	7/31/20	\$2,100.00	24 Hour Expenditure Report
Majority Strategies	Advertising	8/04/20	\$21,000.00	24 Hour Expenditure Report
Majority Strategies	Advertising	8/04/20	\$9,994.45	24 Hour Expenditure Report
Missouri Strategies	Consulting	7/02/20	\$1,000.00	8 Day Before Primary Election
Warfield & Company	Radio	7/07/20	\$10,269.20	8 Day Before Primary Election
Warfield & Company	Radio	7/09/20	\$1,500.00	8 Day Before Primary Election
Warfield & Company	Radio	7/16/20	\$11,611.95	8 Day Before Primary Election
Warfield & Company	Radio	7/21/20	\$10,111.95	8 Day Before Primary Election
Lamar	Billboards	7/24/20	\$3,035.00	30 Day After Primary Election
Majority Strategies	Advertising	7/24/20	\$51,146.87	30 Day After Primary Election
Warfield & Company	Advertising	7/24/20	\$30,000.00	30 Day After Primary Election
Capital Consulting Llc	Fundraising	7/27/20	\$16,815.00	30 Day After Primary Election
Warfield & Company	Advertising	7/27/20	\$30,000.00	30 Day After Primary Election
Pippin Cpa Llc	Consulting	7/31/20	\$4,500.00	30 Day After Primary Election
Warfield & Company	Advertising	7/31/20	\$2,100.00	30 Day After Primary Election
Majority Strategies	Advertising	8/04/20	\$21,000.00	30 Day After Primary Election
Majority Strategies	Advertising	8/06/20	\$9,994.45	30 Day After Primary Election
Missouri Strategies	Consulting	8/06/20	\$5,000.00	30 Day After Primary Election
Missouri Strategies	Management	9/30/20	\$7,000.00	October 2020 Quarterly

8. While Respondents reported the expenditures, Respondents did not initially report the portions that were either for or against a candidate on a campaign finance report.

9. On December 9, 2020, Respondents amended their campaign finance reports to include expenditure apportionments to candidates the committee supported or opposed.

JOINT PROPOSED CONCLUSIONS OF LAW

10. Pursuant to Section 130.041.1(7), RSMo, “every committee... shall file a legibly printed or typed disclosure report of receipts and expenditures... each report shall set forth... the amount of expenditures for or against a candidate or ballot measure during the period covered and the cumulative amount of expenditures for or against that candidate or ballot measure, with each candidate being listed by name, mailing address and office sought.”

11. There is probable cause to believe that Respondents violated Section 130.041.1(7), RSMo, by failing to timely report the amount of at least seventeen expenditures made that were for or against a candidate in the form of a Direct Expenditure Report.

II.

Based on the foregoing, the parties 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 \$1,000.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$100.00 within forty-five days after the date of the Consent 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 there is probable cause to believe that 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 the Respondent who committed the violation will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that there was probable cause to believe that such Respondent has committed such a violation.
 - d. Respondents shall be jointly and severally liable for all fees imposed under this order.
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 Legal Complaint filed by the Petitioner in this 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, which Respondents or Respondents' attorney may now have or hereafter have, based upon or arising out of this case.

SO AGREED:

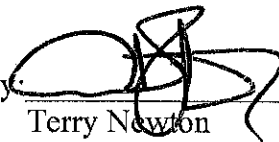
RESPONDENT CONSERVATIVE
LEADERSHIP OF THE OZARKS

By:  3-3-21
Terry Newton Date

PETITIONER MISSOURI ETHICS
COMMISSION

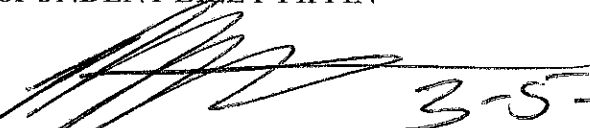
By: _____
Elizabeth L. Ziegler Date
Executive Director

RESPONDENT TERRY NEWTON

By:  3-3-21
Terry Newton Date

By: _____
Brian Hamilton Date
Attorney for Petitioner

RESPONDENT BILLY PIPPIN

By:  3-5-21
Billy Pippin Date

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SO AGREED:

RESPONDENT CONSERVATIVE
LEADERSHIP OF THE OZARKS

By: _____
Terry Newton Date

PETITIONER MISSOURI ETHICS
COMMISSION

By: Elizabeth L. Ziegler
Elizabeth L. Ziegler Date
Executive Director

RESPONDENT TERRY NEWTON

By: _____
Terry Newton Date

By: Brian Hamilton
Brian Hamilton Date
Attorney for Petitioner

RESPONDENT BILLY PIPPIN

By: _____
Billy Pippin Date

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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 there is probable cause to believe that Respondents violated Section 130.041.1(7), 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 fee is imposed against Respondents in the amount of \$1,000.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$100.00 within forty-five days after the date of the Consent 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.
3. Regardless of the stay in paragraph 2 above, if there is probable cause to believe that any Respondent commits any further violation or violations of the campaign finance laws under Chapter 130, RSMo, within the two year period from the date of this Order, then the Respondent who committed the violation will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that there was probable cause to believe such Respondent has committed such a violation.

4. Respondents shall be jointly and severally liable for all fees imposed under this order.

SO ORDERED this 18th day of March, 2021

By: 
Cheryl D. S. Walker, Chair
Missouri Ethics Commission