

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	
RAGA ACTION FUND,	)	Case No. 21-0002-I
Federal Committee,	)	
	)	
and	)	
	)	
LEE RUSSELL,	)	
Treasurer,	)	
	)	
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, RAGA Action Fund and Lee Russell, 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 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 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 (MEC) 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.<sup>1</sup>

2. RAGA Action Fund is a federal political action committee that is registered with the Federal election Commission (FEC) as of April 2014, the filing of its Statement of Organization.

3. Lee Russell was listed as the treasurer on the committee's Statement of Organization.

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

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<sup>1</sup> Unless noted otherwise, all statutory references are to the Revised Statutes of Missouri 2000 (Supp. 2017).

5. Based on the investigation report, 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.

6. Respondents made a \$150,000 contribution to Uniting Missouri PAC on September 30, 2020.

7. Uniting Missouri PAC is a continuing committee that registered with the MEC by filing a Statement of Committee Organization on July 2, 2018.

8. Respondents filed an Initial Out of State Committee Report for RAGA Action Fund on October 8, 2020, disclosing RAGA Action Fund's contributors and disclosing that RAGA Action Fund filed its campaign finance reports with the FEC. However, RAGA Action Fund never filed a statement of organization as a Missouri-domiciled committee with the MEC, did not appoint a treasurer residing in this state, and did not open an account in a depository within this state.

#### **JOINT PROPOSED CONCLUSIONS OF LAW**

9. Pursuant to Section 130.021.10, RSMo: "A committee domiciled outside this state shall be required to file a statement of organization and appoint a treasurer residing in this state and open an account in a depository within this state; provided that either of the following conditions prevail:

- (1) The aggregate of all contributions received from persons domiciled in this state exceeds twenty percent in total dollar amount of all funds received by the committee in the preceding twelve months; or
- (2) The aggregate of all contributions and expenditures made to support or oppose candidates and ballot measures in this state exceeds one thousand five hundred dollars in the current calendar year.

10. The “primary or incidental purpose” of a continuing committee “is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report[.]” § 130.011(1), RSMo.

11. A “contribution” by definition is “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 for paying debts or obligations of any candidate or committee previously incurred for the above purposes.” § 130.011(12), RSMo.

12. There is probable cause to believe that Respondents violated Section 130.021.10, RSMo, by failing to register as a Missouri committee upon making a contribution that exceeded the monetary threshold.

## 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 \$1,000.00, pursuant to Section 105.961.4(6), RSMo. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

c. 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 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 this case.

RESPONDENT RAGA ACTION FUND

By: *Lee Russell* 8/13/21  
Lee Russell Date

RESPONDENT LEE RUSSELL

By: *Lee Russell* 8/13/21  
Lee Russell Date

ATTORNEY FOR RESPONDENTS

By: *Edward D. Greim* 8-19-21  
Edward D. Greim Date

PETITIONER MISSOURI ETHICS COMMISSION

By: *Elizabeth L. Ziegler* 11-15-21  
Elizabeth L. Ziegler Date  
Executive Director

By: *Laura Elsbury* 11-15-2021  
Laura Elsbury Date  
Attorney for Petitioner

**Filed**  
**NOV 15 2021**  
Missouri Ethics  
Commission

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,     )  
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LEE RUSSELL,    )  
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  )     Respondents.     )

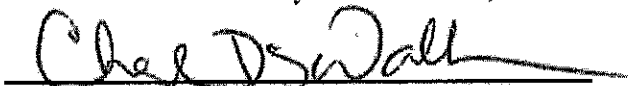
**CONSENT ORDER**

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 there is probable cause to believe that Respondents violated Section 130.021.10, 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. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.
3. Respondents shall be jointly and severally liable for all fees imposed under this order.

SO ORDERED this 15th day of November, 2021

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