

**BEFORE THE
MISSOURI ETHICS COMMISSION**

Filed

JAN 12 2022

**Missouri Ethics
Commission**

MISSOURI ETHICS COMMISSION,)
)
Petitioner,)
)
v.)
)
WEBSTER GROVES RESIDENTS)
ORGANIZATION, an unincorporated)
association, by and through RICHARD)
MAZZARELLA,)
)
and)
)
WEBSTER GROOVES RESIDENTS)
ORGANIZATION, LLC, Campaign)
Committee,)
)
and)
)
AJ ANGAJALA, Treasurer,)
)
Respondents.)

Case No. 21-0031-I & 21-0039-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, Webster Groves Residents Organization, Webster Groves Residents Organization, LLC, and AJ Angajala, 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 (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.¹

2. Respondent Webster Groves Residents Organization (the "Organization") was an unincorporated association of individuals who ought to advocate for or against certain civic matters in Webster Groves, Missouri from approximately March of 2021 through June of 2021. Richard Mazzarella ("Mazzarella") has been identified as the "President" of the Organization and therefore,

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

as a representative, he will “fairly and adequately protect the interests of the association and its members.” See Rule 52.10, Rules of Civil Procedure.

3. Respondent Webster Groves Residents Organization, LLC (the “Committee”) was a campaign committee registered with the MEC on June 16, 2021, whose stated purpose was the support of Webster Groves Proposition 1 on the August 3, 2021 ballot.

4. Respondent AJ Angajala (“Angajala”) was listed as the treasurer on the Committee’s Statement of Committee Organization.

5. The Committee filed a Termination Statement on August 19, 2021.

6. Pursuant to § 105.961, RSMo, the Commission’s staff investigated two complaints that were filed with the Commission and reported the findings to the Commission.

7. 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 § 105.961.3, RSMo.

Webster Groves Residents Organization

COUNT I

Failure to file non-committee expenditure reports

8. Webster Groves is located in St. Louis County, and the local election authority is the St. Louis County Board of Elections.

9. On April 2, 2021, May 7, 2021, and May 14, 2021, the Organization made expenditures supporting or opposing ballot measures in the form of advertisements placed in the Webster-Kirkwood Times as outlined on the table below.

Publication Dates	Cost
April 2 – 8, 2021	\$1,089.00
May 7 – 13, 2021	\$755.00
May 14 – 20, 2021	\$1,358.00

10. The Organization did not file any report(s) with the St. Louis County Board of Elections regarding these three expenditures.

COUNT II

Failure to include an accurate 'Paid for by' disclosure

11. The Organization paid for three advertisements in the Webster-Kirkwood Times between April 4, 2021, and May 14, 2021, which were relative to ballot measures.

12. The "Paid for by" disclosures on the advertisements did not contain any mailing addresses.

Webster Groves Residents Organization, LLC and AJ Angajala, Treasurer

COUNT III

Failure to accurately and timely report contributions received and expenditures incurred

13. On July 10, 2021, the Committee reported a monetary contribution of \$6,000.00 on a 48-Hour Contribution Report as required by § 130.044, RSMo.

14. On July 26, 2021, the Committee filed a full disclosure report for the 8-Day Before Election Report. This report should have included the \$6,000.00 contribution but did not.

15. The Committee either owned or had use of the website "webstergrovesresidents.org" and the telephone number (314) 833-7740.

16. The website and phone line services were not reported as in-kind contributions or expenditures on any campaign finance disclosure report filed by the Committee with the MEC.

17. From Jun 18 – 24, 2021, and again from June 25 – July 1, 2021, advertisements purchased by the Committee were run in the Webster-Kirkwood Times. Each advertisement cost \$870.00, and both contained wording that indicated support for the passage of Webster Groves Proposition 1 on the August 3, 2021 ballot.

18. The Committee failed to timely report the advertisement purchases on the Committee's July Quarterly Report, which covered the period from Committee formation on June 16, 2021, to the end of the quarter on June 30, 2021.

19. The advertisement purchases were subsequently reported on the Committee's 8 Day Before Election Report.

JOINT PROPOSED CONCLUSIONS OF LAW

Webster Groves Residents Organization

COUNT I

Failure to file non-committee expenditure reports

20. For purposes of Chapter 130, RSMo, the definition of a person includes, but is not limited to "an individual, group of individuals, . . . [an] association, . . . or any other club or organization however constituted." § 130.011(22), RSMo.

21. Pursuant to § 130.047, RSMo:

Any person who is not a defined committee who makes an expenditure or expenditures aggregating five hundred dollars or more . . . in support of, or in opposition to, the qualification or passage of one or more ballot measures . . . shall file a report signed by the person making the expenditures, or that person's authorized agent. The report shall include the name and address of the person making the expenditure, the date and amount of the expenditure or expenditures, the name and address of the payee, and a description of the nature and purpose of each expenditure. Such report shall be filed with the appropriate officer having jurisdiction over the election of the candidate or ballot measure in question as set forth in section 130.026 no later than fourteen days after the date of making an expenditure which by itself or when added to all other such expenditures during the same campaign equals five hundred dollar or more. If, after filing such report, additional expenditures are made, a further report shall be filed no later than fourteen days after the date of making the additional expenditures; except that, if any such expenditure is made within fourteen days prior to an election, the report shall be filed no later than forty-eight hours after the date of such expenditure.

22. The appropriate filing officer for a ballot measure that is not a statewide ballot measure is the local election authority. § 130.026.2(5), RSMo.

23. For purposes of Chapter 130, RSMo, an expenditure is “a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing . . . the qualification or passage of any ballot measure[.]” § 130.011(16), RSMo.

23. There is probable cause to believe that the Webster Groves Residents Organization violated § 130.047, RSMo, by failing to file Non-Committee Expenditure Reports for three expenditures which each exceeded \$500.00 and which were in support of or opposition to the qualification or passage of a ballot measure.

COUNT II

Failure to include an accurate “Paid for by” disclosure”

24. “Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office of any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words ‘Paid for by’ followed by the proper identification of the sponsor pursuant to this section.” § 130.031.8, RSMo.

25. “[P]rinted matter” shall be defined to include any pamphlet, circular, handbill, sample ballot, advertisement, including advertisements in any newspaper or other periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered material[.]”

26. “In regard to any printed matter paid for by a corporation or other business entity, labor organization, or any other organization not defined to be a committee by subdivision (7) of section 130.011 and not organized especially for influencing one or more elections, if shall be sufficient identification to print the name of the entity, the name of the principal officer of the entity, by whatever title known, *and the mailing address of the entity, or if the entity has no mailing address, the mailing address of the principal officer.*” § 130.031.8(3), RSMo. (emphasis added).

27. There is probable cause to believe that the Webster Groves Residents Organization violated § 130.031.8, RSMo, by failing to include accurate "Paid for by" disclosures on newspaper advertisements.

Webster Groves Residents Organization, LLC and AJ Angajala, Treasurer

COUNT III

Failure to accurately and timely report contributions received and expenditures incurred

28. "The candidate or the committee treasure of any committee except a candidate committee is ultimately responsible for all reporting requirements pursuant to [Chapter 130]." § 130.058, RSMo.

29. In line with the reporting deadlines contained in § 130.046, RSMo., All committees are required to report receipts for each reporting periods including the following:

(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 and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state;

...

(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.

30. An in-kind contribution is a "contribution . . . in a form other than money[.]"

§ 130.011(19), RSMo.

31. Pursuant to § 130.046.1(3), all committees must file regular campaign finance disclosure reports not later than the fifteenth day following the close of each calendar quarter.

32. All committees are required to report expenditures at the times and for the periods prescribed in § 130.046, including:

(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.

§ 130.041.1(4)(d), RSMo.

33. There is probable cause to believe that Webster Groves Residents Organization, LLC and AJ Angajala violated §§ 130.041.1(3), 130.041.1(4)(d), and 130.044, RSMo, by failing to timely report a monetary contribution, by failing to report the website and phone line as in-kind contributions or expenditures incurred, and by failing to timely report two incurred expenditures.

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 fee is imposed against Respondent Webster Groves Resident Organization in the amount of \$1,100.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondent files a Non-Committee Expenditure report and pays \$200.00 of the 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. It is the order of the Missouri Ethics Commission that fee is imposed against Respondents Webster Groves Residents Organization LLC and its treasurer, A.J. Angajala in the amount of \$1,000.00, pursuant to Section 105.961.4(6), RSMo. However, if these Respondents file amended campaign finance reports and pay \$100.00 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. These Respondents shall be jointly and severally liable for this fee.

d. Regardless of the stays in the preceding paragraphs, 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 or Respondents who committed the violation will be required to pay the remainder of their fee. The remainder of the fee or fees will be due immediately upon final adjudication finding that there was probable cause to believe that such 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 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, which Respondents or Respondents' attorney may now have or hereafter have, based upon or arising out of this case.

SO AGREED:

RESPONDENT WEBSTER GROVES
RESIDENTS ORGANIZATION

By: Richard Mazzarella 1/5/22
Richard Mazzarella President: Date

PETITIONER MISSOURI ETHICS
COMMISSION

By: Elizabeth L. Ziegler 1/12/22
Elizabeth L. Ziegler Executive Director: Date

RESPONDENT WEBSTER GROVES
RESIDENTS ORGANIZATION, LLC

By: AJ Angajala 01/06/2022
AJ Angajala Date

By: Brian J. Hamilton 1/12/22
Brian J. Hamilton Commission Counsel: Date

RESPONDENT AJ ANGATALA

By: AJ Angajala 01/06/2022
AJ Angajala Date

ATTORNEY FOR RESPONDENTS

By: Douglas W. King 1/7/2022
Douglas W. King Date
Shands, Elbert, Gianoulakis & Olfum, LLP

Filed

JAN 12 2022

Missouri Ethics Commission

BEFORE THE MISSOURI ETHICS COMMISSION

MISSOURI ETHICS COMMISSION,)
Petitioner,)
v.)
WEBSTER GROVES RESIDENTS)
ORGANIZATION, an unincorporated)
association, by and through RICHARD)
MAZZARELLA,)
and)
WEBSTER GROOVES RESIDENTS)
ORGANIZATION, LLC, Campaign)
Committee,)
and)
AJ ANGAJALA, Treasurer,)
Respondents.)

Case No. 21-0031-I & 21-0039-I

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 Sections 130.031.8, 130.041.1(3), 130.041.1(4)(d), 130.044, and 130.047, RSMo.

The Commission directs that the Joint Stipulation be adopted.

- 1. Respondent shall comply with all relevant sections of Chapter 130, RSMo.
2. It is the order of the Missouri Ethics Commission that fee is imposed against Respondent Webster Groves Resident Organization in the amount of \$1,100.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondent files a Non-Committee Expenditure report and pays \$200.00 of the 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.

3. It is the order of the Missouri Ethics Commission that fee is imposed against Respondents Webster Groves Residents Organization LLC and its treasurer, A.J. Angajala in the amount of \$1,000.00, pursuant to Section 105.961.4(6), RSMo. However, if these Respondents file amended campaign finance reports and pay \$100.00 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. These Respondents shall be jointly and severally liable for this fee.
4. Regardless of the stays in the preceding paragraphs, 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 or Respondents who committed the violation will be required to pay the remainder of their fee. The remainder of the fee or fees will be due immediately upon final adjudication finding that there was probable cause to believe that such Respondent has committed such a violation.

SO ORDERED this 12th day of January, 2022

By:



Cheryl D. S. Walker, Chair
Missouri Ethics Commission