

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

**Filed**

**JAN 25 2025**

Missouri Ethics  
Commission

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. 24-0089-I
	)	
FIERCE CREATIVE AGENCY,	)	
	)	
Respondent.	)	

**JOINT FINDINGS OF FACT,  
CONCLUSIONS OF LAW, AND ORDER**

The Missouri Ethics Commission (“MEC”), together with Fierce Creative Agency (“Respondent”), collectively the “parties” jointly stipulate and consent to action as set forth here (the “agreement”).

Respondent acknowledges its right to have this agreement reviewed by counsel. Respondent further acknowledges it has received actual notice of the legal complaint filed by the MEC in this case, have reviewed the contents of the Complaint, and submit to the jurisdiction of the Missouri Ethics Commission.

Respondent further acknowledges it is aware of the various rights and privileges afforded by law, including but not limited to: the right to appear and be represented by counsel at a hearing before the MEC; the right to have all allegations against Respondent proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Respondent; the right to present evidence on Respondent’s behalf at the hearing; and the right to a decision upon the record of the hearing. Being aware of these rights,

Respondent knowingly and voluntarily waives each one of these rights and freely enters into this agreement and agrees to abide by its terms.

**I.**

The parties mutually agree and stipulate, subject to adoption by the Missouri Ethics Commission, the following shall constitute the Findings of Fact and Conclusions of Law in this matter:

**FINDINGS OF FACT**

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

2. Based upon the investigation report, the Commission determined there were reasonable grounds to believe violations of the law had occurred and authorized a hearing pursuant to § 105.961.3, RSMo.

3. Steven Blair was a successful candidate for Francis Howell School District school board member in the April 2024 election.

4. Francis Howell School District periodically publishes the *North Star* newspaper. It sells advertising space. The *North Star* is available online and it prints copies.

5. The March 20, 2024, edition of the *North Star* included an advertisement in support of Blair's candidacy.

6. The ad space was donated to Steven Blair by Fierce Creative Agency.

7. On an Amended 8-day Before April 2, 2024, Election report, filed on April 11, 2024, Steven Blair reported receiving an in-kind contribution from Fierce Creative Agency for the ad.

8. The paid for by disclosure statement printed on the ad was not legible. The paid for by disclosure statement should have been clear and conspicuous.

### CONCLUSIONS OF LAW

9. “Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office or 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.

10. “[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[.]” § 130.031.8, RSMo.

11. Section 130.031.8, RSMo, further states the following:

(3) 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, it 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.

12. There is probable cause to believe that Respondent violated § 130.031.8, RSMo, by purchasing for distribution, an ad in support of a candidate, which failed to include a clear and conspicuous "Paid for by" disclosure statement.

## II.

Based on the foregoing, the parties mutually agree and stipulate, subject to adoption by the Missouri Ethics Commission, the following shall constitute the Order issued by the Missouri Ethics Commission in this matter:

### CONSENT ORDER

The Missouri Ethics Commission finds probable cause to believe Respondent violated § 130.031.8, and pursuant to § 105.961.4, hereby **ORDERS**:

1. Respondent shall comply with all relevant sections of Chapter 130.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondent in the amount of \$100.00, 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.

## III.

1. The parties understand the Missouri Ethics Commission will maintain this agreement as an open record of the Commission.

2. This agreement does not bind the Missouri Ethics Commission or restrict the remedies available concerning any violations not expressly detailed here, including any future violations.

3. Each party agrees to pay all of their own fees and expenses incurred as a result of this case, its litigation, and/or its disposition.

4. Respondent, together with its heirs, assigns, agents, representatives and attorneys, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission, the Commission's respective members, employees, agents and attorneys including former members, employees, agents and attorneys, of, or from any liability, claim, actions, causes of action, fees, costs, expenses and compensation, including, but not limited to, any claim for attorney's fees and expenses, whether or not now known or contemplated, including, but not limited to, any claims pursuant to Section 536.087, RSMo, as amended, or any claim arising under 42 U.S.C. § 1983, which now or in the future may be based upon, arise out of, or relate to any of the matters raised in this case or its litigation or from the negotiation or execution of this Joint Stipulation. The parties acknowledge that this paragraph is severable from the remaining portions of this agreement in that it survives in perpetuity even in the event that any court or administrative tribunal deems this agreement or any portion thereof void or unenforceable.

5. This agreement shall become effective immediately upon (1) the signature of all parties; (2) adoption of the Joint Proposed Findings of Fact, Conclusions of Law by the Missouri Ethics Commission; and (3) issuance of a Final Order by the Commission, without any further action of the parties.

SO AGREED:

RESPONDENT FIERCE CREATIVE  
AGENCY

Kathryn 1/18/25  
Date

ATTORNEY FOR RESPONDENT

D R Bohm 1/23/25  
Date  
David R. Bohm  
Danna McKittrick, PC

MISSOURI ETHICS COMMISSION

Stacey Heislen 1/24/2025  
Date  
Stacey Heislen  
Executive Director

Brian Hamilton 1/23/25  
Date  
Brian Hamilton  
Attorney for Petitioner

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**Filed**

**JAN 29 2025**

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SO ORDERED this 29th day of January, 2025

*Robin Wheeler Sanders*

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Robin Wheeler Sanders, Chair  
Missouri Ethics Commission