

## SETTLEMENT AGREEMENT

This settlement agreement is entered into by Jeffrey A. Mangan, in his official capacity as the current Montana Commissioner of Political Practices (hereinafter “the Commissioner”) and the following party: Yellowstone County Republican Women (hereinafter “the Respondent”).

Montana law authorizes the Commissioner to file an action in district court in order to seek a civil penalty for violation of Montana’s campaign finance and practices laws and rules, §§13-37-124 and 13-37-128 Mont. Code Ann. In order to avoid litigation, the Commissioner and the Respondent enter into this agreement to resolve this matter.

1. The Commissioner acknowledges that a Campaign Finance and Practices Complaint was filed against the Respondents for violation of Montana’s campaign finance and practices laws on August 24, 2018.
2. On September 26, 2018 the Commissioner issued a Summary of Facts and Finding of Sufficient Evidence to Show a Violation of Montana’s Campaign Practices Act, the Commissioner’s cause number COPP-2018-CFP-038 (hereinafter “the Decision”). The Decision determined that the Respondent failed to comply with certain campaign finance and practices laws and administrative regulations.
3. The Respondent acknowledges that they have read and understand the Commissioner’s decision issued in the above referenced cause.
4. The Respondent acknowledges the findings of fact contained in the Decision and admits violations of Montana's Campaign Finance and Practice Laws including:
  - a) failure to timely file five 2016 campaign finance reports, Mont. Code Ann. § 13-37-226;
  - b) failure to timely <sup>file</sup> file two 2017 campaign finance reports, Mont. Code Ann. § 13-37-226;
  - c) failure to timely file three 2018 campaign finance reports, Mont. Code Ann. § 13-37-226;
  - d) failure to properly itemize in-kind contributions or services provided to the committee, Mont. Code Ann. § 13-37-229;
  - e) failure to report and disclose contributors mailing addresses, occupation and employer information, Mont. Code Ann. § 13-37-229; and
  - f) failure to properly report and itemize expenditures, Mont. Code Ann. § 13-37-229.

5. This matter is settled under the following terms, for a total civil fine of \$7,400 payable to the people of Montana as follows:
  - a. The Commissioner and the Respondent agree that execution of this settlement agreement by both parties, and a payment of \$4,000.00 cash by the Respondent to the Commissioner on or before February 16, 2019; and
  - b. The Commissioner has determined to exercise his discretion in this matter and applies the principals of mitigation to supplement the monetary civil fine that could have been applied based on an agreement by also providing \$3,400.00 in personal services within two years to: the Explorers Academy (Headstart), Billings Community Foundation, Family Promise, Orchard Elementary School Reading Program, Montana Rescue Mission, Child Bridge, Quilts for Valor, Festival of Trees, Rocky Mountain Elk Foundation, AM Foundation for Suicide Prevention, Dress for Success, Angela's Piazza, St. Vincent De Paul, to fully and finally resolve all of the issues as set forth in the Sufficiency Decision.
6. Simultaneously with the return of the executed settlement agreement the Respondent will remit to the Commissioner \$4,000.00, on a check made out to: "Commissioner of Political Practices" and mailed to the Office of the Commissioner of Political Practices, 1209 8<sup>th</sup> Avenue, P.O. Box 202401, Helena, Montana, 59620.
7. In consideration of payment of the civil fine referenced above, the Commissioner agrees not to pursue any further administrative or court proceedings against the Respondent or other persons that may be named or unnamed in the Decision, based on the matters discussed in the Decision and in this Settlement Agreement.
8. The Respondent enters into this agreement to avoid litigation and to resolve and settle this dispute with the Commissioner. It is understood and agreed that the payment of the civil fine referenced above, and execution of this settlement agreement by the Respondent is accepted as the sole consideration for full satisfaction and compromise of what may be disputed claims.
9. The Commissioner and the Respondent fully and forever release and discharge each other and their respective officials, officers, members, employees, successors, assigns, agents, ostensible agents, attorneys, and representatives from any and all actions, claims, causes of action, demands, expenses, damages or injuries, whether

asserted or unasserted, known or unknown, foreseen or unforeseen, arising out of the matters investigated by the Commissioner and summarized in the Decision and in this Settlement Agreement.

10. The Commissioner and the Respondent agree that the executed Settlement Agreement is a public document and will be made available to members of the public.
11. This settlement agreement, consisting of 3 pages, sets forth the entire agreement that has been reached between the Commissioner and the Respondent. No modification or amendment of this agreement will be effective unless both parties complete a subsequent written statement that is signed by both parties.

  
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Jeffrey A. Mangan  
Commissioner of Political Practices

1-22-19  
Dated

  
\_\_\_\_\_  
Brenda Dugas  
For Yellowstone County Republican  
Women

1-16-19  
Dated