

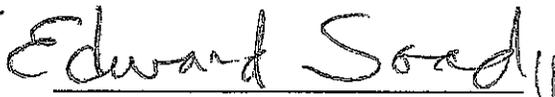
SETTLEMENT OF COPP v. SOADYS, CAUSE NO. XADV-2014-202
FIRST JUDICIAL DISTRICT COURT, LEWIS AND CLARK COUNTY

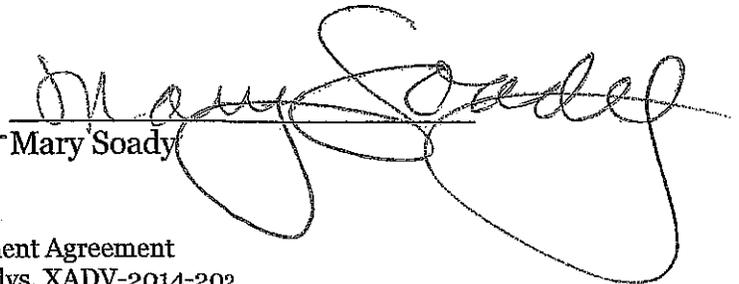
The parties to this settlement agreement are Edward Soady, Mary Soady, and the Office of the Commissioner of Political Practices, through Commissioner Jon Motl. Edward and Mary Soady make a settlement statement and then parties agree to settle as follows:

Soady Settlement Statement

We agree to settle this Matter as set out below but in doing so we affirmatively assert and state that we did not violate Montana law as alleged in the Commissioner's administrative decision in *Bonogofsky v. Boniek*, COPP-2010-CFP-027 and as alleged in the Commissioner's District Court action. To wit:

- We, Edward and Mary Soady, in our capacities as voluntary Treasurer and Deputy Treasurer for the Joel Boniek 2010 primary campaign for state legislature, believe we complied with Montana's campaign finance reporting and practices laws and administrative regulations by timely and accurate filing of the Boniek campaign finance reports;
- We, Edward and Mary Soady believe the campaign finance reports filed by Mary Soady with the Commissioner's Office, which are on file with the Commissioner's office and that are available for review by the general public, disclosed all contributions and expenditures of the Boniek campaign;
- We, Edward and Mary Soady, believe we maintained and preserved, contrary to what the Commissioner alleged in his lawsuit, all campaign records and expenditure receipts for the statutorily required four-year period and such files are both extensive, thorough, and available for public review through the James Brown Law Office, PLLC, if such information is requested;
- Contrary to what the Commissioner alleged in his administrative decision, Edward Soady, not Christian Lefer, served as campaign manager for the Boniek 2010 primary campaign, and therefore, acted in the manner described in his deposition; and
- Edward Soady states that, to the extent of his personal knowledge, the Boniek campaign did not have contact with or unlawfully coordinate with any third-party entity, namely Western Tradition Partnership or Montana Right to Work, during the Boniek 2010 primary campaign.


Edward Soady


Mary Soady

SETTLEMENT AGREEMENT

This settlement agreement is entered into by Jonathan R. Motl, in his official capacity as the Montana Commissioner of Political Practices (hereinafter "the Commissioner") and the following parties: Edward Soady and Mary Soady (hereinafter "the Respondents").

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 end litigation, the Commissioner and the Respondents enter into this agreement to resolve this matter.

1. Mr. Boniek appointed Mr. Soady and Mrs. Soady, the Respondents, as his campaign treasurers on his Form C-1, Statement of Candidate, filed with COPP on January 20, 2010.
2. On January 22, 2014 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-2010-CFP-0027 (hereinafter "decision"). The decision determined that sufficient facts existed to show that the Respondents failed to comply with certain campaign finance and practices laws and administrative regulations.
3. The Respondents acknowledge that they have read the Commissioner's sufficiency decision issued in the above-referenced cause.
4. On March 14, 2014 the Commissioner filed a civil action in Montana's First Judicial District Court, Cause No. XADV-2014-202, *COPP v. Boniek and Soadys*.
5. The Respondents provided some Boniek 2010 House District 61 campaign records in response to the Commissioner's District Court Discovery Requests on April 28, 2014, bates stamped BROBON 0001-0313.

6. In response to the Respondent's District Court Discovery Requests, the Commissioner provided COPP's records of all of the information used in support of the allegations in the Commissioner's District Court Complaint in this matter through bates stamped materials, inspection, and privilege logs on June 9, July 29, August 13 and August 21 of 2014. The documents produced were categorized as follows:
 - a. Esp Family Archive,
 - b. Box 1, WTP,
 - c. Box 2, WTP
 - d. Box 3, WTP
 - e. Box 4
 - f. Box 5
 - g. WTP v. Graybill District Court Documents
 - h. Loendorf Document Set
 - i. Investigative Files for 2010 candidates
 - j. WTP Bank Statements
 - k. WTP/LeFer General
 - l. 2010 WTP Candidates in General
 - m. Email production for Motl, Baker, MacNaughton, Scheier and Sanddal.

7. The Respondents provided additional Boniek 2010 House District 61 campaign records in response to the Commissioner's District Court Discovery Requests on February 26, 2015, bates stamped SOADYDEPO 001-098.

8. The Respondents appeared without subpoena and provided testimony in this matter on February 26, 2015 in Helena Montana. Mr. Soady's deposition consists of 166 pages of testimony and 16 Exhibits. Mrs. Soady's deposition consists of 18 pages of testimony.

9. The Commissioner states that the allegation in the District Court Complaint that the Respondents failed to maintain and produce campaign records was based upon the Respondents failure to produce the records to the Commissioner as a part of the COPP administrative investigation. That allegation is now resolved by document production and deposition appearance in this matter. Since initiation of the District Court action, the Respondents have given testimony and have now produced what the Commissioner accepts as the complete Boniek 2010 House District 61 campaign records that were maintained by the Respondents.

10. Since the initiation of the District Court action, the Commissioner has produced additional candidate Boniek 2010 House District 61 campaign documents that the Respondents accept as authentic in the manner set out in the Respondents' depositions.

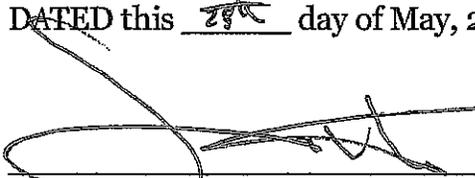
11. In consideration of the execution of this settlement agreement by the parties, Edward Soady, Mary Soady, and the Commissioner, each to the other, agree to dismiss and not to pursue any further administrative or court proceedings against the other based on the matters discussed in the sufficiency decision or District Court Complaint. The parties, the Commissioner, Edward Soady, and Mary Soady, each to the other, enter into this agreement to avoid additional litigation and to resolve and settle all disputes with the other party. It is understood and agreed that the execution of this settlement agreement by the parties is accepted as the sole consideration for full satisfaction and compromise of what may be disputed claims.

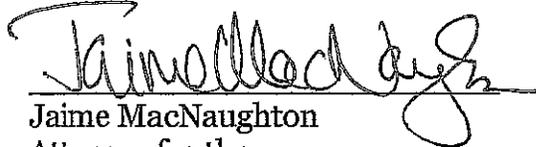
12. The Commissioner and the Respondents agree that execution of this settlement agreement by both parties, fully and finally resolves all of the claims and counterclaims between the Commissioner, Edward Soady and Mary Soady as set forth in the First Judicial District Court, *COPP v. Boniek and Soady*, Cause No. XADV-2014-202. The Commissioner, COPP, Edward Soady and Mary Soady 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 that relate to the Respondents' actions.

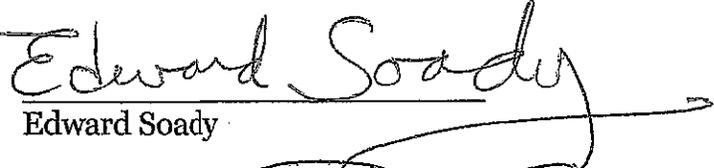
13. The Commissioner and the Respondents agree that the executed Settlement Agreement is a public document and will be made available to members of the public.

14. This settlement agreement, consisting of 5 pages, sets forth the entire agreement that has been reached between the Commissioner and the Respondents. No modification or amendment of this agreement will be effective unless both parties complete a subsequent written statement that is signed by both parties.

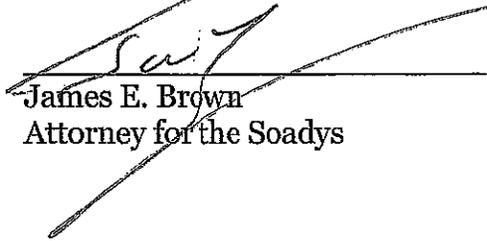
DATED this 28th day of May, 2015.


Jonathan R. Motl
Commissioner of Political Practices


Jaime MacNaughton
Attorney for the
Commissioner of Political Practices


Edward Soady


Mary Soady


James E. Brown
Attorney for the Soadys

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NANCY SWEENEY
CLERK DISTRICT COURT

2015 MAY 28 AM 11: 46

FILED

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MONTANA FIRST JUDICIAL DISTRICT COURT
LEWIS AND CLARK COUNTY

The COMMISSIONER OF POLITICAL
PRACTICES FOR THE STATE OF
MONTANA, through JONATHAN R.
MOTL, acting in his official capacity as
the Commissioner of Political Practices,

Plaintiff,

v.

JOEL BONIEK, EDWARD SOADY, and
MARY SOADY,

Defendants.

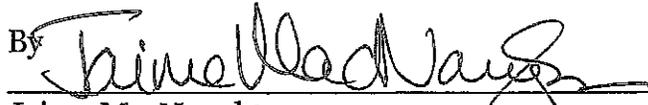
Cause No. XADV-2014-202

**STIPULATION TO DISMISS
WITH PREJUDICE**

Pursuant to Mont. R. Civ. P. 41 (a)(1)(A)(ii) and under a settlement agreement signed by the Commissioner of Political Practices and Defendants Edward and Mary Soady (a copy of which is attached hereto), they Stipulate to Dismiss all claims against one another, made in this matter, including all of the

Commissioner of Political Practice's claims against Edward and Mary Soady, and all of Edward and Mary Soady's counterclaims against the Commissioner of Political Practices, with prejudice, with each party to bear their own attorneys' fees and costs.

DATED this 28th day of May, 2015.

By 
Jaime MacNaughton
Attorneys for Plaintiff and Counterclaim Defendant

By 
James Brown
Attorney for Defendant and Counterclaim Plaintiff

CERTIFICATE OF SERVICE

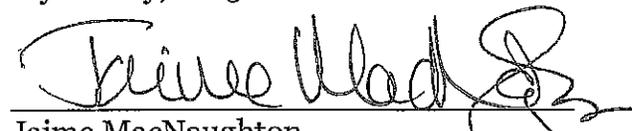
I certify that I mailed a true copy of the foregoing, via regular mail, to the following:

Joel Boniek
General Delivery
Livingston Post Office
Livingston, MT 59047

James Brown
The James Brown Law Office
30 South Ewing, Suite 100
Helena, MT 59601
thunderdomelaw@gmail.com

Courtesy Copy to Judge's
Chambers:
Hon. Judge Pinski
415 2nd Ave. N., Rm 307
Great Falls, MT 59401
jscanlon@mt.gov

Dated this 28th day of May, 2015.


Jaime MacNaughton,
Attorney for the Commissioner of Political Practices