

## **SETTLEMENT AGREEMENT**

This settlement agreement is entered into by Jonathan R. Motl, in his official capacity as the current Montana Commissioner of Political Practices (hereinafter "the Commissioner") and the following party: Sanders County Political Action Committee (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 Mr. Legard filed a Campaign Finance and Practices Complaint against Sanders County PAC for violation of Montana's campaign finance and practices laws on June 11, 2012. The Commissioner also acknowledges that Ms. French filed a Campaign Finance and Practices Complaint against Sanders County PAC for the same violations of Montana's campaign finance and practices laws on July 16, 2012.
2. On November 26, 2013 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 numbers COPP-2012-CFP-0016 and 0018 (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 understands the Commissioner's decision issued in the above referenced cause.
4. The Respondent acknowledges the findings of fact contained in the Decision and admits that they procedurally failed to timely a file report and disclosure to the Commissioner of Political Practices Office in violation of §§13-37- 226(5), 229 and 230 Mont. Code Ann.
5. The Respondent further acknowledges and admits to a procedural failure to completely disclose the purpose of a campaign flyer that was sent to registered voters in the district, in violation of § 13-37-230 Mont. Code Ann.
6. The Commissioner and the Respondent agree that execution of this settlement agreement by both parties, and a payment of a civil fine in the amount of

\$1,220.00 by the Respondent, fully and finally resolves all of the issues as set forth in the Decision.

7. Simultaneously with the return of the executed settlement agreement the Respondent will remit to the Commissioner \$1,220.00, on a check made out to: "Commissioner of Political Practices" and mailed to the Office of the Commissioner of Political Practices, 1205 8<sup>th</sup> Avenue, P.O. Box 202401, Helena, Montana, 59620.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.

Michael Hashisaki

Michael Hashisaki for the  
Sanders County PAC

February 5, 2014

Dated

[Signature]

Jonathan R. Motl  
Commissioner of Political Practices

2-7-14

Dated

OR:

Jaime MacNaughton, Attorney for the  
Commissioner of Political Practices

Dated

AND

Mary Baker, Program Supervisor for the  
Commissioner of Political Practices

Dated