

SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is made and entered into between the Board of Ethics of the City of Philadelphia, J. Shane Creamer Jr., Executive Director of the City of Philadelphia Board of Ethics, and Tom Wyatt, jointly referred to as “the Parties.”

RECITALS

- A. The Board of Ethics of the City of Philadelphia is a five-member, independent board established by ordinance, approved by Philadelphia voters in May 2006, and installed on November 27, 2006. Pursuant to section 4-1100 of the Home Rule Charter, the Board is charged with, among other things, enforcing the City’s campaign finance law which is found at Chapter 20-1000 of the Philadelphia Code.
- B. The Friends of Tom Wyatt is the authorized candidate political committee of Tom Wyatt, a former candidate for Philadelphia City Council At-Large in 2015.
- C. In 2014, Mr. Wyatt publicly declared that he was a candidate for the Democratic nomination for a Philadelphia City Council At-Large seat.
- D. Because Mr. Wyatt was a candidate for City of Philadelphia elective office, both he and his authorized candidate committee were subject to Philadelphia’s campaign finance law during the 2015 primary election.
- E. Pursuant to Philadelphia Code § 20-1003 and Regulation No. 1, Paragraph 1.25, candidates for City office shall have no more than one checking account for the City office being sought, into which all contributions and post-candidacy contributions for such office shall be made, and out of which all expenditures for that office shall be made, including post-candidacy expenditures.
- F. On May 8, 2015 and June 18, 2015, Friends of Tom Wyatt filed Cycle 2 and Cycle 3 campaign finance reports with the Board disclosing that Mr. Wyatt made significant campaign related expenses from his personal account. These expenditures are listed in Exhibit A attached hereto.
- G. Mr. Wyatt did not accept or deposit any campaign contributions into his personal accounts. All contributions to the Wyatt campaign were deposited into the Friends of Tom Wyatt’s checking account.
- H. Pursuant to Philadelphia Code § 20-1008 and Regulation No. 1, Paragraph 1.55, the penalty for a violation of Philadelphia Code § 20-1003 and Regulation No. 1, Paragraph 1.25 is \$1,000, which can be increased to \$2,000 if aggravating factors are present and decreased to \$250 if mitigating factors are present.

- I. When Board enforcement staff brought the matters described in this agreement to the attention of Mr. Wyatt, he promptly acknowledged them and agreed to resolve them by settlement. At all times, Mr. Wyatt fully cooperated with the Board's investigation.
- J. The Parties desire to enter into this Agreement in order to resolve the issues described herein.

AGREEMENT

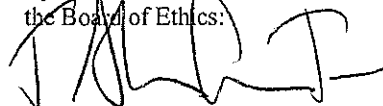
The Parties agree that:

1. Tom Wyatt's use of more than one account to make campaign expenditures violated Philadelphia Code Section 20-1003 and is subject to a civil penalty of \$1,000.
2. Tom Wyatt shall pay the civil penalty of \$1,000 within 14 days of the effective date of the Agreement. Payment shall be by check made payable to the City of Philadelphia and delivered to the offices of the Board.
3. Mr. Wyatt releases and holds harmless the Board and its staff from any potential claims, liabilities, and causes of action arising from the Board's investigation, enforcement, and settlement of the matters described in this Agreement.
4. In consideration of the above and in exchange for Mr. Wyatt's compliance with all of the terms of the Agreement, the Board waives any further penalties or fines against them for the violations described in this Agreement.
5. The Parties will not make any public statements that are inconsistent with the terms of the Agreement.
6. If the Board or the City is forced to seek judicial enforcement of this Agreement, and prevails, Mr. Wyatt shall be liable for attorneys' fees and costs reasonably expended in enforcing compliance with the Agreement. Fees for time spent by Board or City attorneys shall be calculated based upon standard and customary billing rates in Philadelphia for attorneys with similar experience.
7. The Agreement contains the entire agreement between the Parties.
8. The Executive Director will submit a signed copy of the Agreement to the Board for approval.
9. The Agreement shall become effective upon approval by the Board. The effective date of the Agreement shall be the date the Board Chair signs the Agreement.
10. If the Board rejects the proposed Agreement, presentation to and consideration of the Agreement by the Board shall not preclude the Board or its staff from participating in, considering, or resolving an administrative adjudication of the matters described in the Agreement.

11. If the Board rejects the proposed Agreement, nothing in the proposed Agreement shall be considered an admission by either party and, except for paragraphs 10 and 11, nothing in the Agreement shall be effective.

Dated: 7/9/15

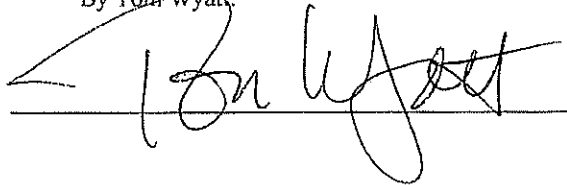
By the Executive Director of
the Board of Ethics:



J. Shane Creamer, Jr.

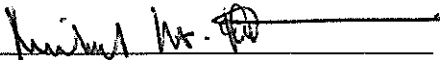
Dated: 7/9/15

By Tom Wyatt:



Approved by the Board of Ethics:

Dated: 7/15/15



Michael H. Reed
Chair

EXHIBIT A

Tom Wyatt Campaign Related Expenses from Personal Account

Date	Amount	Expenditure
3/16/2015	\$81.00	Note Cards
3/2/2015	\$450.00	Fundraising Software
3/1/2015	\$20.00	Digital Media Sponsorship
3/19/2015	\$60.00	Digital Media Sponsorship
2/6/2015	\$1,300.00	Pipeline Office Space
1/26/2015	\$450.00	Campaign Software
4/1/2015	\$210.00	Digital Media Sponsorship
2/14/2015	\$201.27	Office Supplies
2/28/2015	\$166.34	Office Supplies
2/14/2015	\$85.77	Office Supplies
3/5/2015	\$60.00	Digital Media Sponsorship
4/3/2015	\$147.00	Postage
3/2/2015	\$60.00	Office Supplies
2/21/2015	\$19.35	Office Supplies
2/22/2015	\$20.00	Digital Media Sponsorship
2/9/2015	\$3,800.00	Rent
2/20/2015	\$134.79	Office Supplies
4/29/2015	\$663.35	Digital Media Sponsorship
3/3/2015	\$60.00	Digital Media Sponsorship
5/1/2015	\$230.00	Digital Media Sponsorship
3/25/2015	\$20.00	Digital Media Sponsorship
3/3/2015	\$60.00	Digital Media Sponsorship
3/10/2015	\$60.00	Digital Media Sponsorship
3/5/2015	\$20.00	Coffee cards
4/3/2015	\$64.22	Office Supplies
3/9/2015	\$100.00	Candidate Filing Fee
20150513	\$98.00	Postage
20150519	\$5,862.00	Bellevue Hotel Banquet and Lodging