

## **SETTLEMENT AGREEMENT**

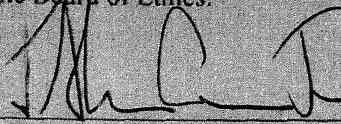
Pursuant to Section 4-1100 of the Philadelphia Home Rule Charter, the Board of Ethics is responsible for enforcing the Philadelphia's Campaign Finance Law, which is found at Chapter 20-1000 of the Philadelphia Code.

1. Kenney 2015 is the authorized candidate political committee of James Kenney, a candidate for Mayor in the November 2015 Philadelphia general election. James Kenney was a candidate in the May 2015 primary election. John J. O'Connor, Jr. is the treasurer of Kenney 2015.
2. Pursuant to the City's Campaign Finance Law, from May 5 through May 19, 2015, within 24 hours of accepting any contributions of \$500 or more, Kenney 2015 was required to electronically file a campaign finance report with the Board disclosing those contributions.
3. During the 24 hour reporting period, on May 10, 2015, Kenney 2015 should have electronically filed a campaign finance report with the Board disclosing three contributions, each of which was for \$500 or more, but failed to do so. The committee did disclose the contributions in the 2015 post-primary (Cycle 3) campaign finance report it filed with the Board.
4. Kenney 2015 made a good faith effort to comply with the City's Campaign Finance Law during the 24 hour reporting period by filing fifteen of the sixteen reports it was required to file with the Board and by disclosing almost all of the qualifying contributions it received during that time period. Kenney 2015 has fully cooperated with Board enforcement staff in the resolution of this matter.
5. Kenney 2015's late filing of a 24 hour report with the Board violated the City's Campaign Finance Law, for which Mr. O'Connor and Kenney 2015 are jointly and severally liable for a civil monetary penalty of \$1,500. Payment shall be by check made payable to the City of Philadelphia and delivered to the offices of the Board within 14 days of the effective date of the Agreement.
6. Mr. O'Connor and Kenney 2015 release and hold 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.
7. In consideration of the above and in exchange for the compliance of Mr. O'Connor and Kenney 2015 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.
8. If the Board or the City is forced to seek judicial enforcement of this Agreement, and prevails, Mr. O'Connor and Kenney 2015 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.
9. The Executive Director will submit a signed copy of the Agreement to the Board for approval. 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. If the Board rejects the proposed Agreement, nothing in the proposed Agreement shall be considered an admission by either party and, except for this paragraph, nothing in the Agreement shall be effective.

By the Executive Director of  
the Board of Ethics:

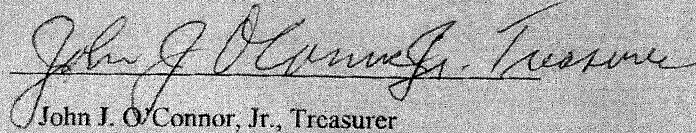
Dated: 7/29/15



J. Shane Creamer, Jr.

By Kenney 2015:

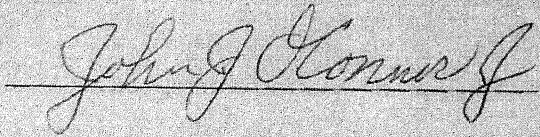
Dated: 7/28



John J. O'Connor, Jr., Treasurer

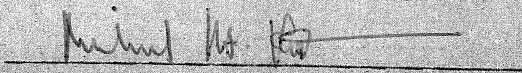
By John J. O'Connor, Jr.:

Dated: 7/28



Approved by the Board of Ethics:

Dated: 8/20/2015



Michael H. Reed

Chair