

SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is made and entered into by the Board of Ethics of the City of Philadelphia, J. Shane Creamer, Jr., the Executive Director of the Board, Society Hill Towers Community PAC, and Dennis Waterman, the treasurer of Society Hill Towers Community PAC, jointly referred to as “the Parties.”

RECITALS

- A. The Board of Ethics of the City of Philadelphia is an independent City Board and, pursuant to section 4-1100 of the Home Rule Charter, is responsible for administering and enforcing the City’s campaign finance law.
- B. Society Hill Towers Community PAC is a political committee based in Philadelphia. Society Hill Towers Community PAC has previously filed campaign finance reports with the Board. On June 10, 2015, the Board approved a settlement agreement with Society Hill Towers Community PAC resolving a violation for the late filing of the PAC’s 2015 second Friday pre-primary (cycle 2) campaign finance report.
- C. Dennis Waterman is the treasurer of Society Hill Towers Community PAC.
- D. Pursuant to Philadelphia Code § 20-1006(1)(a) and Regulation No. 1 Paragraph 1.21(a):
Any time a political committee or person is required to file a campaign finance report with the City Commissioners or the Secretary of State, as required by the Pennsylvania Election Code, the committee or person shall file electronically a copy of that report with the Board if the report filed with the City Commissioners or Secretary of State discloses, or should disclose, any expenditures made or debt incurred to influence the outcome of a covered election, including expenditures to a candidate for City elective office.
- E. Pursuant to Philadelphia Code §§ 20-1006(4) and 20-1301(2) and Regulation No. 1 Paragraph 1.54, late filing of a campaign finance report violates the City’s campaign finance law and is subject to a civil monetary penalty of \$250 for each day the report is late with maximum total penalties of \$2,000 for the first 30 days the report remains unfiled plus \$1,000 for each additional 30 day period, or part thereof, the report remains unfiled.
- F. October 23, 2015 was the deadline for political committees to file a second Friday pre-election (cycle 5) campaign finance report.
- G. Society Hill Towers Community PAC made contributions to two candidates for City office during the 2015 cycle 5 reporting period. Therefore, the committee should have electronically filed a cycle 5 report with the Board by October 23, 2015. However, the committee failed to file a 2015 cycle 5 report by October 23, 2015
- H. On October 30, 2015, Board enforcement staff notified the committee of its failure to file a 2015 cycle 5 report with the Board. The committee filed its cycle 5 report with the Board on November 1, 2015, nine days late.
- I. The Parties desire to enter into this Agreement in order to resolve the issues described herein.

AGREEMENT

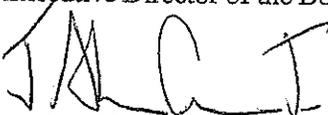
The Parties agree that:

1. Society Hill Towers Community PAC's late filing with the Board of its 2015 cycle 5 campaign finance report violated the City's Campaign Finance Law and is subject to a civil monetary penalty of \$2,000.
2. Dennis Waterman shall pay the civil monetary penalty of \$2,000 described in paragraph 1 on the following schedule:
 - 2.1. \$500 within 14 days of the effective date of the Agreement;
 - 2.2. \$500 by March 31, 2016; and
 - 2.3. \$1,000 by June 30, 2016.

Payment shall be by check made out to the City of Philadelphia and delivered to the offices of the Board.
3. Society Hill Towers Community PAC and Dennis Waterman 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 the Agreement.
4. In consideration of the above and in exchange for the compliance of Society Hill Towers Community PAC and Dennis Waterman with all of the terms of the Agreement, the Board waives any further penalties or fines against them for the violations described in the Agreement.
5. The Parties will not make any public statements that are inconsistent with the terms of the Agreement.
6. If the Board is forced to seek judicial enforcement of the Agreement, and prevails, Society Hill Towers Community PAC and Dennis Waterman shall be liable for attorneys' fees and costs reasonably expended in enforcing compliance with the Agreement. Fees for time spent by Board staff 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 approves 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 this paragraph, nothing in the Agreement shall be effective.

By the Executive Director of the Board of Ethics:

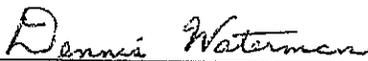
Dated: 12/16/15



J. Shane Creamer, Jr.,

By Society Hill Towers Community PAC

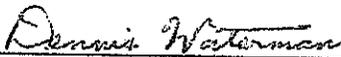
Dated: 12/16/15



Dennis Waterman, Treasurer

By Dennis Waterman

Dated: 12/16/15



Approved by the Board of Ethics:

Dated: 1/20/16



Michael H. Reed
Chair