

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 of Ethics, Citizens for Rich Negrin, Rich Negrin, the Treasurer of Citizens for Rich Negrin, and Richard Glazer, the former Treasurer of Citizens for Rich Negrin, jointly referred to as “the Parties.”

RECITALS

- A. The Board of Ethics of the City of Philadelphia is an independent, five-member City board established in 2006 through voter approval of an amendment to the Philadelphia Home Rule Charter. Pursuant to Section 4-1100 of the Home Rule Charter, the Board is charged with administering and enforcing the City’s Campaign Finance Law.
- B. Rich Negrin was a candidate for Philadelphia District Attorney in the May 2017 Primary Election. Mr. Negrin designated the political committee Citizens for Rich Negrin as the one committee to accept contributions and make expenditures for his campaign for District Attorney.
- C. During the May 2017 Primary Election, Richard Glazer was the treasurer of the committee. Rich Negrin is currently the treasurer of Citizens for Rich Negrin.
- D. Pursuant to Philadelphia Code § 20-1006(1)(a)(.1) and Regulation No. 1, Paragraph 1.20(a), candidate political committees are required to electronically file campaign finance reports with the Board.
- E. The 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. The Board has established a schedule of reduced penalties for late filings that are resolved by agreement. For a first time violator, a filing that is five days late results in a \$650 penalty.
- F. Pursuant to Philadelphia Code § 20-1006(4), the making of a material misstatement or omission in a report filed with the Board violates the City’s Campaign Finance Law. Pursuant to Philadelphia Code § 20-1302, the penalty for a violation of Philadelphia Code § 20-1006(4) is \$1,000, but can be increased to \$2,000 depending on aggravating factors or decreased to \$250 depending on mitigating factors.
- G. In April of 2017, the Negrin campaign agreed with State Representative Donna Bullock to create and distribute a mailer that featured a picture of Representative Bullock and Mr. Negrin and included an endorsement of Mr. Negrin by Representative Bullock. The mailer also included endorsements by Representative Bullock of several judicial candidates. Neither Mr. Negrin nor Mr. Glazer was involved in discussions about the mailer.

- H. The political committee Friends of Donna Bullock paid the full cost of the printing and distribution of the mailer, which totaled \$9,998. Friends of Donna Bullock properly disclosed the in-kind contributions in campaign finance filings with the Board, but the committee did not provide documentation to the Negrin campaign regarding the expenditure.
- I. Despite receiving an in-kind contribution from Friends of Donna Bullock in April of 2017 for the printing and distribution of the mailers, Citizens for Rich Negrin did not disclose an in-kind contribution from Friends of Donna Bullock in the Cycle 2 campaign finance report it filed with the Board. Neither Mr. Negrin nor Mr. Glazer was aware of the in-kind contribution until learning, after the filing deadline, of the disclosure made by Friends of Donna Bullock.
- J. Separately, although June 15, 2017 was the deadline for candidate committees of candidates in the 2017 Primary Election for Philadelphia District Attorney to file a 30 day post-primary (Cycle 3) campaign finance report, Citizens for Rich Negrin did not file its Cycle 3 report until June 20, 2017, five days after the deadline.
- K. The Parties desire to enter into this Agreement in order to resolve the issues described herein.

AGREEMENT

The Parties agree that:

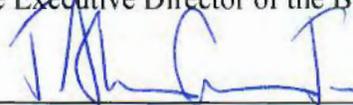
1. By failing to disclose an in-kind contribution from Friends of Donna Bullock, Citizens for Rich Negrin violated Philadelphia Code § 20-1006(4) and is subject to a civil monetary penalty of \$1,000.
2. By filing its 2017 Cycle 3 campaign finance report five days late, Citizens for Rich Negrin violated the City's Campaign Finance Law and is subject to a civil monetary penalty of \$1,250. As provided by the Board's schedule of penalties for late filings that are resolved by agreement, this penalty is reduced to \$650.
3. Payment of the aggregate civil monetary penalty of \$1,650 shall be by check or money order made payable to the City of Philadelphia and delivered to the offices of the Board within 45 days of the effective date of the Agreement.
4. Citizens for Rich Negrin, Rich Negrin, and Richard Glazer 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.
5. In consideration of the above and in exchange for the compliance of Citizens for Rich Negrin, Rich Negrin, and Richard Glazer 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.

6. The Parties will not make any public statements that are inconsistent with the terms of the Agreement.
7. If the Ethics Board is forced to seek judicial enforcement of paragraph 3 of the Agreement, and prevails, Citizens for Rich Negrin, Rich Negrin, and Richard Glazer shall be liable for attorneys' fees and costs reasonably expended in enforcing compliance with the Agreement. Fees for time spent by City or Board attorneys shall be calculated based upon standard and customary billing rates in Philadelphia for attorneys with similar experience.
8. The Agreement contains the entire agreement between the Parties.
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.

Dated: _____

4/11/18

By the Executive Director of the Board of Ethics:



J. Shane Creamer, Jr.
Executive Director

Dated: 4/11/18

By Citizens for Rich Negrin:

Richard Negrin
Rich Negrin, Treasurer

Dated: 4/11/18

By Richard Glazer:

[Signature]

Dated: 4/11/18

By Rich Negrin:

Richard Negrin

Approved by the Board of Ethics:

Dated: 4/18/18

Michael H. Reed

Michael H. Reed
Chair