

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, District 1199C PAC, and Marguerite Stanford, the treasurer of District 1199C PAC, 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. District 1199C PAC is a political committee based in Philadelphia. District 1199C PAC has previously filed campaign finance reports with the Board.
- C. Marguerite Stanford is the treasurer of District 1199C PAC.
- D. Pursuant to Philadelphia Code § 20-1006(1)(a)(.2) and Regulation No. 1 Paragraph 1.20(d):

Any time any person or political committee is required by the Pennsylvania Election Code to file a campaign finance report or statement with the City Commissioners or the Secretary of State and that report or statement discloses, or is required to disclose, any expenditures or any debt incurred to influence the outcome of a covered election, the person or political committee shall file a copy of the report or statement with the Board of Ethics in a digital electronic format prescribed by the Board no later than the state law due date.
- E. Pursuant to Philadelphia Code §§ 20-1006(4) and 20-1301(2) and Regulation No. 1 Paragraph 1.53, 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. December 7, 2017 was the deadline for political committees to file a thirty day post-general election (cycle 6) campaign finance reports.
- G. District 1199C PAC made a contribution to a candidate for City office during the 2017 cycle 6 reporting period. Therefore, the committee should have electronically filed that report with the Board by December 7, 2017, but failed to do so.
- H. On December 8, 2017, Board Enforcement Staff notified the committee of its failure to file a 2017 cycle 6 report with the Board. The committee filed its 2017 cycle 6 report with the Board on December 20, 2017.
- I. The Parties desire to enter into this Agreement in order to resolve the issues described herein.

AGREEMENT

The Parties agree that:

1. District 1199C PAC's late filing of its 2017 cycle 6 campaign finance report with the Board violated the City's Campaign Finance Law and is subject to a civil monetary penalty of \$2,000, for which District 1199C PAC and Marguerite Stanford are jointly and severally liable. This penalty shall be paid within 14 days of the effective date of the Agreement. Payment shall be by check or money order made payable to the City of Philadelphia and delivered to the offices of the Board.
2. District 1199C PAC and Marguerite Stanford 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.
3. In consideration of the above and in exchange for the compliance of District 1199C PAC and Marguerite Stanford 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.
4. The Parties will not make any public statements that are inconsistent with the terms of the Agreement.
5. If the Ethics Board is forced to seek judicial enforcement of the Agreement, and prevails, District 1199C PAC and Marguerite Stanford shall be liable for attorneys' fees and costs reasonably expended in enforcing compliance with the Agreement. Fees for time spent by City attorneys shall be calculated based upon standard and customary billing rates in Philadelphia for attorneys with similar experience.
6. The Agreement contains the entire agreement between the Parties.
7. 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 approves the Agreement.
8. 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: 1/25/18

J. Shane Creamer, Jr.
J. Shane Creamer, Jr.

By District 1199C PAC

Dated: 1/23/18

Marguerite Stanford
Marguerite Stanford, Treasurer

By Marguerite Stanford

Dated: 1/23/18

Marguerite Stanford

Approved by the Board of Ethics on 2/21/2018

Michael H. Reed
Michael H. Reed
Chair