

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, Isaiah Thomas, and Friends of Isaiah Thomas, 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 Isaiah Thomas is the authorized candidate political committee of Isaiah Thomas, who was a candidate for the Democratic nomination for a Philadelphia City Council at-Large seat in the 2015 May primary election.
- C. Pursuant to Philadelphia Code § 20-1006(1)(a) and Regulation No. 1, Paragraph 1.19(b), candidates for City office and their political committees are required to electronically file campaign finance reports with the Board.
- D. Pursuant to the City’s Campaign Finance Law, from May 5 through May 19, 2015, within 24 hours of accepting a contribution of \$500 or more, Friends of Isaiah Thomas was required to electronically file a campaign finance report with the Board disclosing that contribution.
- E. During the 24 hour reporting period, Friends of Isaiah Thomas failed to file two required campaign finance reports with the Board.
- F. The Friends of Isaiah Thomas timely filed three other reports during the 24 hour reporting period. However, the report the committee filed with the Board on May 13, 2015 omitted a contribution of \$11,500 it had received from AFSCME-PEOPLE on May 12, 2015.
- G. Friends of Isaiah Thomas made a good faith effort to comply with the City’s Campaign Finance Law during the 24 hour reporting period by disclosing all but four of the twenty two total qualifying contributions it received during that time period.
- H. On June 18, 2015, Friends of Isaiah Thomas electronically filed a thirty day post primary (cycle 3) campaign finance report. The report failed to disclose the May 12, 2015 contribution from AFSCME-PEOPLE.
- I. Pursuant to Philadelphia Code § 20-1006(4) and Regulation No. 1, Paragraph 1.24, the making of a material misstatement or omission in a report filed with the Board is a violation of the City’s Campaign Finance Law.

- J. At all times, Friends of Isaiah Thomas has fully cooperated with the Board's investigation and resolution of the matters described in this Agreement. After being contacted by Board enforcement staff, Friends of Isaiah Thomas electronically filed with the Board its late 24 hour campaign finance reports. Additionally, Friends of Isaiah Thomas filed an amended report with the Board correcting the omissions from the committee's 24 hour report and cycle 3 report.
- K. The Parties desire to enter into this Agreement in order to resolve the issues described herein.

AGREEMENT

The Parties agree that:

1. Friends of Isaiah Thomas' late filing of two 24 hour reports with the Board violated Philadelphia Code § 20-1006(1) and is subject to a civil monetary of \$1,500.
2. By making material omissions from campaign finance reports it filed with the Board, Friends of Isaiah Thomas violated Philadelphia Code § 20-1006(4), and is subject to a civil monetary penalty of \$1,000.
3. Mr. Thomas shall pay the aggregate civil monetary penalty of \$2,500 on the following schedule:
 - 3.1 \$250 within 14 days of the effective date of the Agreement;
 - 3.2 \$250 by October 31, 2015;
 - 3.3 \$250 by November 30, 2015;
 - 3.4 \$250 by December 31, 2015;
 - 3.5 \$250 by January 31, 2016;
 - 3.6 \$250 by February 29, 2016;
 - 3.7 \$250 by March 31, 2016;
 - 3.8 \$250 by April 30, 2016;
 - 3.9 \$250 by May 31, 2016; and
 - 3.10 \$250 by June 30, 2016.Payment shall be by check made payable to the City of Philadelphia and delivered to the offices of the Board.
4. Friends of Isaiah Thomas and Mr. Thomas 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 Friends of Isaiah Thomas and Mr. Thomas 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 Board or the City is forced to seek judicial enforcement of this Agreement, and prevails, Friends of Isaiah Thomas and Mr. Thomas 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.
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.
10. 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.
11. 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.

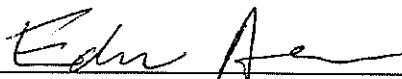
By the Executive Director of
the Board of Ethics:



J. Shane Creamer, Jr.

Dated: 9/2/13

By Friends of Isaiah Thomas:

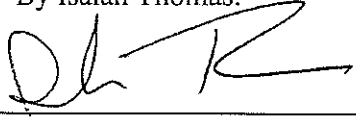


Edye Aurelio, Treasurer

Dated: 9/16/15

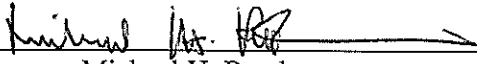
Dated: 9/18/15

By Isaiah Thomas:



Approved by the Board of Ethics:

Dated: 10/21/15



Michael H. Reed
Chair