



OKLAHOMA ETHICS COMMISSION

PHONE: (405) 521-3451 • FAX: (405) 521-4905 • WEBSITE: WWW.ETHICS.OK.GOV

SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”), between the Oklahoma Ethics Commission (“Commission”) and Conservative Alliance PAC (“CAP”) and Chris Marston, individually and as Treasurer of CAP (“Marston”) (CAP and Marston collectively referred to herein as “Respondents”), is conditioned on approval by the Commission and will become effective upon such approval.

A. The Commission and Respondents acknowledge the following:

1. The Commission is authorized to initiate investigations into possible violations of the Oklahoma Ethics Rules, Okla. Stat. tit. 74, Ch. 62, Appx. 1 (the “Rules” or “Ethics Rules”), and to resolve investigations through civil prosecution or settlement agreements pursuant to Article XXIX, Section 4 of the Oklahoma Constitution and Rules.
2. That on June 8, 2018, the Commission determined there was reasonable cause to believe that a violation of the Rules may have occurred and authorized an investigation into Respondents.
3. That Commission issued an investigative subpoena to Respondents pursuant to Okla. Const. art 29, § 4 to which Respondents failed to comply.
4. On June 13, 2022, the Commission filed a lawsuit against Respondents before the Oklahoma County District Court, styled *State of Oklahoma ex rel. Oklahoma Ethics Commission v. Conservative Alliance PAC, a political action committee and Chris Marston, individually and as Treasurer of Conservative Alliance PAC*, CJ-2022-2760 (the “Litigation”).
5. That since August 5, 2018, CAP has been registered with the Commission in the Guardian System as an unlimited independent expenditure or electioneering communication committee whose purpose is to “support conservative candidates.”
6. That prior to registration in the Guardian System, CAP was formed and registered with the Federal Elections Commission (“FEC”) on March 27, 2018.
7. That CAP disseminated over \$150,000 in independent expenditures to the citizens of Oklahoma that supported and opposed state candidates during Oklahoma’s 2018 election cycle.

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8. That CAP did not include proper disclosures within the independent expenditures, which should have included CAP's name, permanent street address, and phone number.
9. That Respondents were required to file Reports of Contributions and Expenditures, including pre-election reports detailing independent expenditures, and annually renew CAP's registration with Commission until it dissolved in accordance with the Ethics Rules.
10. That, to date, Respondents have not filed any reports, including those disclosing independent expenditures made in Oklahoma campaigns, with the Commission other than its initial registration.
11. That, to date, Respondents have reported all contributions and expenditures to the FEC but such does not comply with the state reporting requirements established in the Rules.
12. That Respondents are voluntarily agreeing to the remedies set forth below to avoid additional disputes, proceedings, and expenses with regard to CAP.

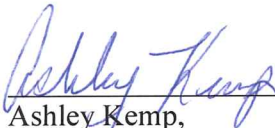
B. THEREFORE, the Commission and Respondents agree:

1. That within thirty (30) days of the Commission's approval of this Agreement, Respondents shall pay a total amount of Forty-Five Thousand Dollars and 00/100 (\$45,000.00). This amount represents a compromised amount of the total fines and fees that could be levied for violations of the Rules, including the failure to file reports and failure to include appropriate disclosures on independent expenditures:
 - a. Forty Thousand Dollars and 00/100 (\$40,000.00) shall be payable to the Oklahoma General Revenue Fund via certified check, and proof of such shall be provided to the Commission within ten (10) days of the payment; and
 - b. Five Thousand Dollars and 00/100 (\$5,000.00) to the Commission to satisfy Compliance Orders for failing to timely file quarterly reports, annually renew registration, and file a final report.
2. That within thirty (30) days of the Commission's approval of this Agreement, Respondents shall file all outstanding quarterly Reports of Contributions and Expenditures, and all pre-election reports detailing the independent expenditures CAP made regarding Oklahoma's 2018 election cycle, the value of those independent expenditures, and the candidate whom those independent expenditures supported or opposed.

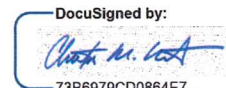
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3. That within thirty (30) days of receiving notice of Respondents' compliance with section B (1) and (2), above, the Commission will dismiss the Litigation with prejudice.
4. That this Agreement shall become effective upon the date of its approval by the Commission.
5. That this Agreement constitutes the entire agreement between the parties on the matters raised within, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained within this written agreement shall be enforceable.
6. That this Agreement is limited to the facts of this case, including facts not set forth in this agreement, and shall not have binding precedential effect for any other matter currently pending before the Commission or that may come before the Commission at a future date.

FOR THE COMMISSION:

 5/12/2023
Ashley Kemp, Date
Executive Director

FOR CONSERVATIVE ALLIANCE PAC and CHRIS MARSTON:

 5/5/2023
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Chris Marston, Date
Individually and as Treasurer of
Conservative Alliance PAC