



**STATE OF NEVADA  
COMMISSION ON ETHICS**  
<http://ethics.nv.gov>

**NOTICE OF PUBLIC MEETING**

**NAME OF ORGANIZATION:** NEVADA COMMISSION ON ETHICS  
**DATE & TIME OF MEETING:** Wednesday, October 16, 2019 at 9:30 a.m.  
**PLACE OF MEETING:** This meeting will be held at the following location:

**State of Nevada  
Commission on Ethics Office  
704 W. Nye Lane  
Suite 204  
Carson City, NV 89703**

**\*Commissioners may appear telephonically**

**AGENDA**

**NOTES:**

- Two or more agenda items may be combined for consideration.
- At any time, an agenda item may be taken out of order, removed, or delayed.
- Public comment will be accepted at the beginning of the open session and again before the conclusion of the open session of the meeting. Comment and/or testimony by the public may be limited to three (3) minutes. No action may be taken on any matter referred to in remarks made as public comment. Members of the public may also submit written public comment to the Commission at [NCOE@ethics.nv.gov](mailto:NCOE@ethics.nv.gov).

	1. Call to Order, Roll Call, and Pledge of Allegiance to the Flag.
	2. Public Comment. Comment and/or testimony by any member of the public will be limited to three (3) minutes. No action will be taken under this agenda item.
<b>For Possible Action</b>	3. Approval of Minutes of the August 21, 2019 Commission Meeting.
<b>For Possible Action</b>	4. Discussion and consideration of Proposed Stipulation regarding Consolidated Ethics Complaints, Case Nos. 19-026C and 19-027C (Blundo). (Portions of this Item may be exempt from Nevada's Open Meeting Law, See Notes)
<b>For Possible Action</b>	5. Presentation and approval of the Fiscal Year 2019 Annual Report prepared by the Executive Director pursuant to NAC 281A.180(2).

For Possible Action	<p>6. Report and recommendations by Executive Director on agency status and operations and possible direction thereon. Items to be discussed include, without limitation:</p> <ul style="list-style-type: none"> <li>• Upcoming Commission Meetings</li> <li>• Quarterly Case Status Update &amp; Resource Needs</li> <li>• FY20 Budget Status</li> </ul>
For Possible Action	<p>7. Commissioner Comments on matters including, without limitation, identification of future agenda items, upcoming meeting dates and meeting procedures. No action will be taken under this agenda item.</p>
	<p>8. Public Comment. Comment and/or testimony by any member of the public may be limited to three (3) minutes. No action will be taken under this agenda item.</p>
For Possible Action	<p>9. Adjournment.</p>

**NOTES:**

- ❖ The Commission is pleased to make reasonable accommodations for any member of the public who has a disability and wishes to attend the meeting. If special arrangements for the meeting are necessary, please notify the Nevada Commission on Ethics, in writing at 704 W. Nye Lane, Ste. 204, Carson City, Nevada 89703; via email at [ncoe@ethics.nv.gov](mailto:ncoe@ethics.nv.gov) or call 775-687-5469 as far in advance as possible.
- ❖ To request an advance copy of the supporting materials for any open session of this meeting, contact Executive Director Yvonne M. Nevarez-Goodson, Esq. at [ncoe@ethics.nv.gov](mailto:ncoe@ethics.nv.gov) or call 775-687-5469.
- ❖ This Agenda and supporting materials are posted and are available not later than the 3<sup>rd</sup> working day before the meeting at the Commission's office, 704 W. Nye Lane, Ste. 204, Carson City, Nevada, or on the Commission's website at [www.ethics.nv.gov](http://www.ethics.nv.gov). A copy also will be available at the meeting location on the meeting day.
- ❖ Any meeting or hearing held by the Commission pursuant to NRS 281A.760 to receive information or evidence regarding the conduct of a public officer or employee and deliberations of the Commission concerning an ethics complaint are exempt from the provisions of NRS Chapter 241, Nevada's Open Meeting Law. As a result, these agenda items, or any portion of them, may be heard in closed session.

**This Notice of Public Meeting and Agenda was posted in compliance with NRS 241.020 before 9:00 a.m. on the third working day before the meeting at the following locations:**

- Nevada Commission on Ethics, 704 W. Nye Lane, Suite 204, Carson City
- Nevada Commission on Ethics' website: <http://ethics.nv.gov>
- Nevada Public Notice Website: <http://notice.nv.gov>
- State Library & Archives Building, 100 North Stewart Street, Carson City
- Blasdel Building, 209 E. Musser Street, Carson City
- Washoe County Administration Building, 1001 East 9<sup>th</sup> Street, Reno
- Grant Sawyer State Office Building, 555 E. Washington Ave., Las Vegas

# **Agenda Item 3**



**STATE OF NEVADA  
COMMISSION ON ETHICS**

<http://ethics.nv.gov>

**MINUTES  
of the meeting of the  
NEVADA COMMISSION ON ETHICS**

The Commission on Ethics held a public meeting on  
Wednesday, August 21, 2019, at 9:30 a.m.  
at the following location:

**Governor's Office of Economic Development  
808 W. Nye Lane  
Carson City, NV 89703**

and via video-conference to:

**Grant Sawyer State Building  
Suite 5400  
555 E. Washington Avenue  
Las Vegas, NV 89101**

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics. Verbatim transcripts are available for public inspection at the Commission's office.

1. Call to Order and Roll Call.

Chair Cheryl A. Lau, Esq. appeared in Carson City and called the meeting to order at 9:40 a.m. Also appearing in Carson City were Commissioners Brian Duffrin, Barbara Gruenewald, Esq. and Philip K. (P.K.) O'Neill. Appearing in Las Vegas were Vice-Chair Keith A. Weaver, Esq. and Commissioners Teresa Lowry, Esq. and Amanda Yen, Esq. Commissioner Kim Wallin, CPA appeared telephonically. Present for Commission staff in Carson City were Executive Director Yvonne M. Nevarez-Goodson, Esq., Commission Counsel Tracy L. Chase, Esq., Associate Counsel Judy Prutzman, Esq. and Executive Assistant Kari Pedroza.

The pledge of allegiance was conducted.

2. Public Comment.

Risk Hsu, former Chair and Vice-Chair of the Commission on Ethics, provided public comment and asked the Commission to consider a hearing relating to Agenda Item No. 4 so the Commission could provide clear standards with regard to the alleged behavior.

Mike Cullen, Storey County resident, provided public comment in regard to Agenda Item No. 4 and read Storey County Policy, section 1046.6, pertaining to Political Activities.

Kris Thompson, Project Manager for Tahoe-Reno Industrial Center and Storey County resident, provided public comment about the proposed Stipulation in regard to the Agenda Item No. 4.

3. Approval of Minutes of the July 17, 2019 Commission Meeting.

Chair Lau stated that all Commissioners were present for the July meeting except Commissioner Wallin who was excused from that meeting and would abstain from participating on this item.

Commissioner Gruenewald moved to accept the July 17, 2019 Minutes as presented. Commissioner Duffrin seconded the motion. The Motion was put to a vote and carried as follows:

Chair Lau:	Aye.
Vice-Chair Weaver:	Aye.
Commissioner Duffrin:	Aye.
Commissioner Gruenewald:	Aye.
Commissioner Lowry:	Aye.
Commissioner O'Neill:	Aye.
Commissioner Yen:	Aye.
Commissioner Wallin:	Abstain.

4. Discussion and consideration of Proposed Stipulation regarding Ethics Complaint Case Nos. 18-031C and 18-052C (Antinoro). (Portions of this Item may be exempt from Nevada's Open Meeting Law, See Notes)

Chair Lau stated that the members of the Review Panel considering this Item, Chair Lau, and Commissioners Duffrin and Lowry, were precluded from participating in this matter.

Vice-Chair Weaver presided over this item and disclosed for the record that in his private capacity as a medical malpractice attorney he is aware that subject's counsel Katherine Parks, Esq., of Thorndal, Armstrong, Delk, Balkenbush, and Eisinger is a codefendant counsel in a case he is currently litigating. He added that he did not believe there was a conflict or appearance of conflict in presiding over and acting on this matter, however he wanted to give Counsel Parks an opportunity to object to his participation in this matter. Counsel Parks stated she had no objection. Commission Counsel Chase confirmed that Vice-Chair Weaver's relationship with Ms. Parks as independent counsel to a codefendant in a private litigation unrelated to the Ethics Complaint does not establish a pecuniary interest or a commitment in a private capacity. Therefore neither disclosure nor abstention would be required under the Ethics Law. Nevertheless, she advised that the disclosure was appropriate under the Judicial Canons applicable to him as a quasi-judicial officer, but the relationship did not warrant disqualification under the Canons.

Vice-Chair Weaver asked the parties in the Complaint to come forward and identify themselves for the record. Appearing before the Commission in this matter were Associate Counsel Judy A. Prutzman, Esq., representing the Executive Director and Katherine Parks, Esq., representing Subject Gerald Antinoro, who was not in attendance.

Associate Counsel Prutzman provided a brief overview of the Proposed Stipulation Agreement which would resolve two Ethics Complaint Cases concerning subject Gerald Antinoro, Sheriff of Storey County. Associate Counsel Prutzman summarized that Complaint Case No. 18-031C, which alleged that Sheriff Antinoro violated the Ethics Law when he wore his Sheriff's uniform and/or badge in photos that appeared on his campaign billboard, website and Facebook page. She further provided a summary regarding Complaint Case No. 18-052C, which alleged that Sheriff Antinoro violated the Ethics Law when he wore his uniform and/or badge during several campaign debates and on his campaign float during the Memorial Day Parade in Virginia City. She added that the Complaint alleged that Sheriff Antinoro improperly used his public

position to benefit his campaign for reelection and solicited funds during a live radio show. Associate Counsel Prutzman informed the Commission that the Proposed Stipulation Agreement dismisses the allegations related to the radio show as the investigation did not reveal evidence to support a violation and dismisses the allegations regarding the Sheriff's use of his official uniform and badge during his campaign for reelection with a finding of no violation. She stated that the agreement confirms that the use of a uniform or badge during a campaign by an elected official or any public officer or employee creates an appearance of impropriety and violates NRS 281A.400(7). She explained that in reaching the resolution, Executive Director recognized that use of official uniforms and paraphernalia while campaigning for reelection has not been clearly outlined previously as it applies to elected incumbent officials, and because of this and other mitigating factors outlined in the Proposed Stipulation, Executive Director Nevarez-Goodson recommends that no violation be found in either case.

Associate Counsel Prutzman referenced a 2016 Stipulation issued by the Commission in which allegations regarding Elko County Sheriff Pitts' use of his uniform and badge while campaigning for reelection were dismissed and concluded that Sheriff Pitts did not violate the ethics law. She acknowledged that since the stipulated agreement in Pitts did not declare that such use could actually violate the Ethics Law, there has been some confusion regarding whether such use is appropriate. She explained that the Proposed Stipulation would require that the Executive Director send a letter to the Nevada Sheriffs' and Chiefs' Association with information and guidance about the Commission's position regarding the use of uniforms, badges and other physical accoutrements of public office while campaigning for election. Associate Counsel Prutzman noted that the Stipulation clarifies that the Federal Hatch Act and Advisory Opinions issued by the Federal Office of Special Counsel do not prevent the application of Nevada's Ethics Laws to political activities of Nevada public officers or employees. She concluded her presentation by advising the Commission that she and the Executive Director believe that the resolution is reasonable and fair and will establish important precedent by providing clear guidance to law enforcement personnel regarding the use of their physical accoutrements of office during campaign activities.

Kathy Parks, Esq., on behalf of Subject Antinoro, stated that she had nothing to add, however, she thanked the Commission staff for their cooperation and efforts put into drafting the Stipulation.

Vice-Chair Weaver asked if the Commission had questions for either party.

Commissioner O'Neill asked Associate Counsel Prutzman if Sheriff Antinoro based his actions upon the advice given him by Attorney Beko during the Sheriffs' and Chiefs' meeting and whether the Commission's investigation confirmed this fact. Associate Counsel Prutzman answered affirmatively. Commissioner O'Neill commented that he believed the law already clearly prohibited the use of a uniform or badge during a campaign and asked follow-up questions of Associate Counsel Prutzman and Counsel Parks in regard to the Stipulation and its anticipated effect of providing clarification and direction to law enforcement going forward.

Commissioner Gruenewald moved to accept the terms of the Stipulated Agreement as presented and directed Commission Counsel to finalize it in appropriate form. Commissioner Wallin seconded the Motion.

Commissioner O'Neill stated for the record that despite his belief that law already prohibited such use, he would be voting in favor of the motion (with hesitancy) based upon Sheriff Antinoro's confirmation that he was acting on advice from a licensed attorney.

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The Motion was put to a vote and carried as follows:

Chair Lau:	Abstain.
Vice-Chair Weaver:	Aye.
Commissioner Duffrin:	Abstain.
Commissioner Gruenewald:	Aye.
Commissioner Lowry:	Abstain.
Commissioner O'Neill:	Aye.
Commissioner Wallin:	Aye.
Commissioner Yen:	Aye.

5. Determination and direction regarding referral of the Commission's finding of a willful violation of the Ethics Law pursuant to a Stipulated Agreement in In re Cooper, Comm'n Op. No. 18-005C (2019), and all associated public records to the Nevada Attorney General pursuant to NRS 281A.790(7).

Vice-Chair Weaver presided over the matter and asked Commission Counsel to provide a summary to the Commission.

Commission Counsel Chase confirmed that Chair Lau and Commissioners Duffrin and Lowry served on the panel in this matter and would abstain from participating pursuant to NRS 281A.220.

Commission Counsel Chase presented a summary of Commission Opinion No. 18-005C. She notified the Commission that Subject Cooper was notified of this Agenda Item and that Cooper waived Nevada's Open Meeting Law personal notice requirements and was not present. Commission Counsel Chase summarized the Commission's duties to refer the allegations to the Nevada Attorney General's office for possible criminal implications in compliance with NRS 281A.790(7). She informed the Commission she had contacted the Nevada Attorney General's office on its behalf and obtained the appropriate referral protocols, which she included in the Commission's meeting materials along with the recommendation and proposed motion consistent with the referral.

Commissioner O'Neill moved that the Commission reasonably believes the willful violation of the Ethics Law stipulated in Cooper, Commission Opinion No. 18-005C of 2019 also constitutes a criminal offense and directed Commission Counsel and the Executive Director to refer the matter on behalf of the Commission, including all associated public records, to the Attorney General's office and to cooperate with the Attorney General, as requested. Commissioner Wallin seconded the Motion. The Motion was put to a vote and carried unanimously.

6. Presentation and approval of the Fiscal Year 2019 Annual Report prepared by the Executive Director pursuant to NAC 281A.180(2).

Executive Director Nevarez-Goodson referred the Commission to the Fiscal Year 2019 Annual Report and accompanying charts and graphs provided at the meeting. She reiterated that the report was in draft form and asked that the Commission provide feedback to her on the report prior to finalization for publication. She went over the report in summary and pointed out some minor reporting changes to the Case Statistics and Civil Penalties sections. Executive Director Nevarez-Goodson provided the Commission highlights of each section of the annual report.

Commissioner O'Neill asked Executive Director Nevarez-Goodson if the pie charts would be included in the report and she replied that her intention is to embed the charts into the report if the Commission approved.

Commissioner Wallin suggested more detail be provided on the Complaints by Location chart to encompass data pertaining to the Letters of Caution/Instruction issued by the Commission.

Commissioner Duffrin asked about detailing training provided in the rural areas and correlation to Ethics Complaints.

Commissioner O'Neill requested that staff track time associated with Ethics training including travel time and investigations. The Executive Director replied that this data could prove useful for budget enhancements for investigative and outreach travel.

Commissioner Gruenewald moved to approve the Fiscal Year 2019 Annual Report as presented including the Commission's suggested revisions. Commissioner Yen seconded the Motion. Commissioner O'Neill asked that the motion be withdrawn to allow time for review of the draft Annual Report. There was discussion about the current state of the report and clarification that the report was in draft form. Executive Director Nevarez Goodson informed the Commission of her intent to bring the report before the Commission again at the next meeting for final approval prior to publication and that under this Item she was seeking approval of the draft version of the report. Commissioner Gruenewald amended her motion to accept the draft of the Fiscal Year 2019 Annual Report as presented and include the Commission's suggested revisions. Commissioner Yen amended her second of the Motion. The Motion was put to a vote and carried unanimously.

7. Report and recommendations by Executive Director on agency status and operations and possible direction thereon. Items to be discussed include, without limitation:
- Upcoming Commission Meetings
  - Case Status
  - FY20 Budget Status
  - Protocols regarding confidentiality of a requestor's identity pursuant to NRS 281A.750(2)

Upcoming Commission Meetings: Executive Director Nevarez-Goodson asked the Commissioners to reserve the third Wednesday in September and October for Commission Meetings and the second Wednesday in November and December to accommodate Holiday schedules. She stated that she would let the Commission know if she did not anticipate a need for the monthly Commission meeting. She requested availability in September for a panel meeting from existing panel members, Commissioners Duffrin, Lowry and Yen. She informed the Commission that she and Commission Counsel Chase would be attending the annual COGEL conference in December and that between the Holiday and the conference there would mostly like not be a formal Commission meeting that month.

Case Status: Executive Director Nevarez-Goodson provided an informal update on the case status and shared that the Commission is continuing to receive regular Ethics Complaints which will result in the usual email correspondence to the Commission in processing the complaints. She added further that of the Complaints received in the last month and a half there were a number of cases for which the Commission did not receive a waiver of statutory time frame for investigation. She explained that these cases would be required to be presented at panel where applicable sooner and as they were completed staff would resume processing the older pending cases.

Executive Director Nevarez-Goodson requested that at its next meeting the Commission reassess the need for a request to the Board of Examiners and Interim Finance Committee for additional resources due to increased caseload and absence of statutory timeline waivers.



FY20 Budget Status: Executive Director Nevarez-Goodson informed the Commission of some internal budgetary changes, specifically some court reporting funds previously used for review panel transcripts and certain Commission Meetings has been used for the transcription of investigatory interviews to meet demands of the increased case load. She explained that the Commission has recording equipment and will still be in compliance with the Open Meeting Law if panels and meetings are recorded but not transcribed.

The Executive Director noted that while travel funds so far this Fiscal Year have been used for Education and Outreach she is anticipating expending some travel funds for the November Meeting which is scheduled to be held in Northern Nevada with Southern Nevada Commissioners traveling.

Executive Director Nevarez-Goodson provided an update on the EITS conversion and asked Commissioners if they could bring their Commission issued tablets to the next meeting so that updates may be administered.

Protocols regarding confidentiality of a requestor's identity pursuant to NRS 281A.750(2): The Executive Director outlined the two provisions for confidentiality protection under the statute. The first provision mandates confidentiality for an individual who is employed by the same agency as the subject and the second provision provides the Commission's discretion to order confidentiality of a requestor who asserts that there is bona fide threat of physical harm to themselves or to a member of their family from the subject of the complaint. She provided some general examples of the latter provisional circumstances and stated that she has received questions from some Commissioners regarding protocol for ascertaining if a threat is bona fide. As such, she wanted to discuss the matter during a Commission meeting to formulate any direction for staff in determining confidentiality.

Commissioner O'Neill expressed his concern about the lack of equality provided for confidentiality under the discretionary provision as opposed to the mandatory provision. He stated that complainants may be deterred because they are unable to remain confidential and are unable to provide enough evidence of a legitimate threat against themselves or members of their family by the subject. He proposed that the Complaint be first evaluated for legitimacy and then confidentiality determined utilizing a more liberal standard.

Executive Director Nevarez-Goodson responded to Commissioner O'Neill's comments that the statute grants the Commission authority to determine whether the evidence is sufficient to support a concern of a bona fide threat. She added that a determination cannot be based on the merits of the complaint because the individual has the right to withdraw the complaint if their identity is not going to remain confidential. She provided an additional avenue could be for a complaint to be initiated by the Commission if the requestor did not want to continue after being denied confidentiality.

Commission Counsel Chase provided that there is an opportunity for the complainant to submit additional evidence of a threat after the Commission notifies them that their identity will not be protected.

Commissioner Duffrin suggested revisions to the Complaint Form including the possibility of adding more space or a supplemental page for the requestor to provide more detail about the perceived threat if the requestor does not indicate to proceed on the complaint form.

Executive Director closed her report with an expression of her appreciation to Commission staff for their hard work under the demands of the increased case load.

Commissioner O'Neill moved to accept the Executive Director's agency status report as presented. Commissioner Lowry seconded the motion. The motion was put to a vote and carried unanimously.

Executive Director Nevarez-Goodson recognized the efforts and hard work of Associate Counsel Judy Prutzman, Esq. who has obtained other employment and will be leaving the employment of the Commission. She publicly thanked Judy for her investment in the Commission over the years and wished her well in her new endeavor.

On behalf of the Commission, Chair Lau thanked Judy Prutzman for her contribution to the Commission.

8. Commissioner comments and identification of future agenda items. No action will be taken under this agenda item.

There were no Commissioner comments.

9. Public Comment.

No public comment.

10. Adjournment.

Commissioner Gruenewald made a motion to adjourn the public meeting. Commissioner Wallin seconded the motion. The Motion was put to a vote and carried unanimously.

The meeting adjourned at 11:09 a.m.

Minutes prepared by:

/s/ Kari Pedroza

Kari Pedroza  
Executive Assistant

/s/ Yvonne M. Nevarez-Goodson

Yvonne M. Nevarez-Goodson, Esq.  
Executive Director

Minutes approved October 16, 2019:

/s/ Cheryl A. Lau

Cheryl A. Lau, Esq.  
Chair

/s/ Keith A. Weaver

Keith A. Weaver, Esq.  
Vice-Chair

# **Agenda Item 4**



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Leo Blundo**, Commissioner,  
Board of County Commissioners,  
Nye County, State of Nevada,

Ethics Complaints  
Consolidated Case Nos.  
19-026C and 19-027C

\_\_\_\_\_  
Subject./

**PROPOSED DRAFT  
STIPULATED AGREEMENT**

1. **PURPOSE:** This Stipulated Agreement resolves Ethics Complaint Case Nos. 19-026C and 19-027C (“Complaints”) before the Nevada Commission on Ethics (“Commission”) concerning Leo Blundo (“Blundo”), a member of the Board of County Commissioners, Nye County, State of Nevada.

2. **JURISDICTION:** At all material times, Blundo was a public officer as defined in NRS 281A.160. The Ethics in Government Law (“Ethics Law”) set forth in NRS Chapter 281A gives the Commission jurisdiction over elected and appointed public officers and public employees whose conduct is alleged to have violated the provisions of NRS Chapter 281A. See NRS 281A.280. Accordingly, the Commission has jurisdiction over Blundo in this matter.

3. **PROCEDURAL HISTORY BEFORE COMMISSION**

- a. On or about April 16, 2019, the Commission received these Complaints from separate individuals (“Requesters”) alleging that Blundo used his public position to secure services, favors and/or unwarranted preferences or advantages for himself, his private business and/or his fiancé.
- b. On June 3, 2019, The Commission issued separate *Orders on Jurisdiction and Investigation*, directing the Executive Director to conduct an investigation regarding Blundo’s alleged violations of NRS 281A.400(1), (2), (7) and (9).
- c. On June 3, 2019, the Commission also issued an *Order on Consolidation* and a *Consolidated Notice of Complaint and Investigation* pursuant to NRS 281A.720, and Blundo was provided an opportunity to provide a written response to the Complaints.

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- d. On or about July 1, 2019, Blundo provided a written response by and through his legal counsel, Brian R. Hardy Esq., with the law firm of Marquis Aurbach Coffing.
- e. On August 12, 2019, the Executive Director presented a recommendation relating to just and sufficient cause to a three-member review panel pursuant to NRS 281A.720.
- f. In a Panel Determination issued on August 21, 2019, the Panel unanimously found and concluded that:
  - 1) There is sufficient credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding the allegations pertaining to NRS 281A.400(1), (2), (7) and (9).
  - 2) Blundo's conduct may be appropriately addressed through corrective action under the terms and conditions of a deferral agreement instead of referring these Complaints to the Commission for further proceedings.
- g. No deferral agreement was presented to the Panel for approval. Accordingly, the Panel issued a Referral Order on September 11, 2019, referring the Consolidated Complaints to the Commission to render an opinion in the matter.
- h. In lieu of an adjudicatory hearing before the Commission, Blundo now enters into this Stipulated Agreement.

**4. STIPULATED FACTS:** At all material times, the following facts were relevant to this matter:<sup>1</sup>

- a. Blundo is a Nye County Commissioner elected to the Nye County Board of County Commissioners ("Board") in November 2018, commencing his first term in January 2019.
- b. The Pahrump Tourism Advisory Committee ("PTAC") acts in an advisory capacity to the Board with regard to the promotion of the unincorporated Town of Pahrump so as to increase the number of domestic and international tourists. Its mission is to encourage the cooperation between public agencies

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<sup>1</sup> Stipulated Facts do not constitute part of the "Investigative File" as that term is defined by NRS 281A.755. All statutory and common law protections afforded to the Investigative File shall remain and are not affected by this Stipulated Agreement.

and private persons who have an interest in promoting travel and tourism in Pahrump. The PTAC also makes recommendations to the Board regarding requests for expenditures from the room tax fund generated within the unincorporated Town of Pahrump.

- c. The Town of Pahrump, Nevada disbanded its town board on January 5, 2015 and is managed by the County Manager, Timothy Sutton (“Sutton”), who is also the acting Pahrump Town Manager. Sutton reports to the Board and supervises the staff of PTAC.
- d. The PTAC board is comprised of seven members and two alternates. Members submit applications, are nominated by a majority vote of all active PTAC members and then are appointed by the Board of County Commissioners.
- e. James Horton (“Horton”) was serving as the Chair of PTAC during the relevant time period.
- f. Blundo, in his public capacity as a County Commissioner, was designated as the PTAC Liaison for the Board of County Commissioners.
- g. In his private capacity, Blundo has a fiancé and owns and operates Carmelo’s Bistro, a small restaurant located in Pahrump, Nevada.
- h. On March 28, 2019, Blundo met with certain members of the staff of PTAC in his capacity as the PTAC Liaison for the Board of County Commissioners.
- i. During his meeting with PTAC staff, Blundo expressed his concern that PTAC only focused on large businesses and that it would be expedient for PTAC to consider expanding its focus to feature all businesses in Pahrump including, but not limited to local restaurants, including his own.
- j. After his meeting with PTAC staff, Blundo was removed from the PTAC Liaison position by the Nye County Commission Chair, John Koenig.
- k. In an effort to accommodate Blundo’s requests regarding featuring more businesses in Pahrump, including restaurants, PTAC staff implemented a promotion to focus on local restaurants, including Carmelo’s Bistro.

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5. **TERMS / CONCLUSIONS OF LAW**: Based on the foregoing, Blundo and the Commission agree as follows:

- a. Each of the stipulated facts enumerated in Section 4 of this Stipulated Agreement is agreed to by the parties.
- b. Blundo is a public officer, which constitutes a public trust to be held for the sole benefit of the people of the State of Nevada (in particular, the citizens of Nye County).
- c. Blundo has a substantial and continuous business relationship with Carmelo's, which creates a commitment in a private capacity to the interests of the business under NRS 281A.065(5). As the owner of Carmelo's, Blundo also has a pecuniary interest in the business. NRS 281A.139.
- d. Blundo has a commitment in a private capacity to the interests of his fiancé.
- e. As a public officer, Blundo has a duty to avoid conflicts of interest. Specifically, Blundo must not use his position in government to: 1) seek any service, favor or economic opportunity which would tend to improperly influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties (NRS 281A.400(1)); 2) secure or grant unwarranted privileges, preferences or advantages for himself, any business entity in which he has a significant pecuniary interest or any person (or entity) to whom he has a commitment in a private capacity (NRS 281A.400(2)); 3) use government resources to benefit a significant personal or pecuniary interest (NRS 281A.400(7)); or 4) attempt to benefit his or his fiancé's significant personal or pecuniary interest through the influence of a subordinate (NRS 281A.400(9)).
- f. The allegations pertaining to NRS 281A.400(1), (2), (7) and (9) associated with Blundo's alleged attempt to request or secure an appointment to the PTAC board for his fiancé lack sufficient undisputed evidence to support a violation by a preponderance of the evidence and are therefore dismissed through this Stipulated Agreement.
- g. Blundo used his position as a County Commissioner to express his concern that PTAC only focused on large businesses and that it would be expedient for

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- PTAC to consider expanding its focus to feature all businesses in Pahrump including, local restaurants such as Carmelo's Bistro, an entity to which he has a commitment in a private capacity and in which he has a significant pecuniary interest, in violation of NRS 281A.400(1) and (2). Blundo's attempt to influence public employees in a matter related to his private business also implicates NRS 281A.400(7) and (9).
- h. Blundo now understands that it is improper for him to use government time or his position as a County Commissioner to make statements or request services/favors in a public capacity that may affect his personal interests.
  - i. Blundo's actions constitute a single course of conduct resulting in one violation of NRS 281A.400(1), (2), (7) and (9).
  - j. Based upon the consideration and application of the statutory mitigating criteria set forth in NRS 281A.775, the Commission concludes that Blundo's violation in this case should not be deemed a willful violation pursuant to NRS 281A.170 and the imposition of a civil penalty is not appropriate for the following reasons:
    - 1. Blundo has not previously been the subject of any violation of the Ethics Law.
    - 2. Neither Blundo nor Carmelo's received any financial benefit from Blundo's conduct.
    - 3. Blundo has been diligent to cooperate with and participate in the Commission's investigation and resolution of this matter.
    - 4. The seriousness of the violation is minimal.
  - k. This Stipulated Agreement also signifies the Commission's public admonishment of Blundo's conduct described herein. See NRS 281A.790(2)(a) ("An admonishment is a written expression of disapproval of the conduct of the public officer or employee.").
  - n. This Stipulated Agreement is intended to apply to and resolve only these Ethics Complaints and is not intended to be applicable to or create any admission of liability for any other proceeding, including administrative, civil, or criminal regarding Blundo. If the Commission rejects this Stipulated Agreement, none

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of the provisions herein shall be considered by the Commission or be admissible as evidence in a hearing on the merits in this matter.

**6. WAIVER**

- a. Blundo knowingly and voluntarily waives his right to a hearing before the full Commission on the allegations in Ethics Complaint Case Nos. 19-026C and 19-027C and all rights he may be accorded with regard to this matter pursuant to the Ethics Law (NRS Chapter 281A), the regulations of the Commission (NAC Chapter 281A), the Nevada Administrative Procedures Act (NRS Chapter 233B) and any other applicable provisions of law.
- b. Blundo knowingly and voluntarily waives his right to any judicial review of this matter as provided in NRS Chapter 281A, NRS Chapter 233B or any other applicable provisions of law.

**7. ACCEPTANCE:** We, the undersigned parties, have read this Stipulated Agreement, understand each and every provision therein, and agree to be bound thereby. The parties orally agreed to be bound by the terms of this agreement during the regular meeting of the Commission on October 16, 2019.<sup>2</sup>

DATED this \_\_\_\_ day of \_\_\_\_\_, 2019.

DRAFT

\_\_\_\_\_  
Leo Blundo

FOR LEO BLUNDO,  
Subject

DATED this \_\_\_\_ day of \_\_\_\_\_, 2019.

DRAFT

\_\_\_\_\_  
Brian R. Hardy, Esq.  
Counsel for Subject

The above Stipulated Agreement is approved by:

FOR Executive Director, Commission on Ethics

DATED this \_\_\_\_ day of \_\_\_\_\_, 2019.

DRAFT

\_\_\_\_\_  
Yvonne M. Nevarez-Goodson, Esq.  
Executive Director

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<sup>2</sup>Subject waived any right to receive written notice pursuant to NRS 241.033 of the time and place of the Commission's meeting to consider his character, alleged misconduct, professional competence, or physical or mental health.

**DRAFT**

Approved as to form by:

FOR NEVADA COMMISSION ON ETHICS

DATED this \_\_\_\_ day of \_\_\_\_\_, 2019.

DRAFT  
\_\_\_\_\_  
Tracy L. Chase, Esq.  
Commission Counsel

The above Stipulated Agreement is accepted by the majority of the Commission.<sup>3</sup>

DATED \_\_\_\_\_.

By: DRAFT  
\_\_\_\_\_  
Cheryl A. Lau, Esq.  
Chair

By: DRAFT  
\_\_\_\_\_  
Philip K. O'Neill  
Commissioner

By: DRAFT  
\_\_\_\_\_  
Keith A. Weaver, Esq.  
Vice-Chair

By: DRAFT  
\_\_\_\_\_  
Kim Wallin, CPA  
Commissioner

By: DRAFT  
\_\_\_\_\_  
Barbara Gruenewald, Esq.  
Commissioner

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<sup>3</sup>Commissioners Duffrin and Lowry and Yen participated in the Review Panel hearing and are therefore precluded from participating in this Stipulated Agreement pursuant to NRS 281A.220(4).

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# NEVADA COMMISSION ON ETHICS

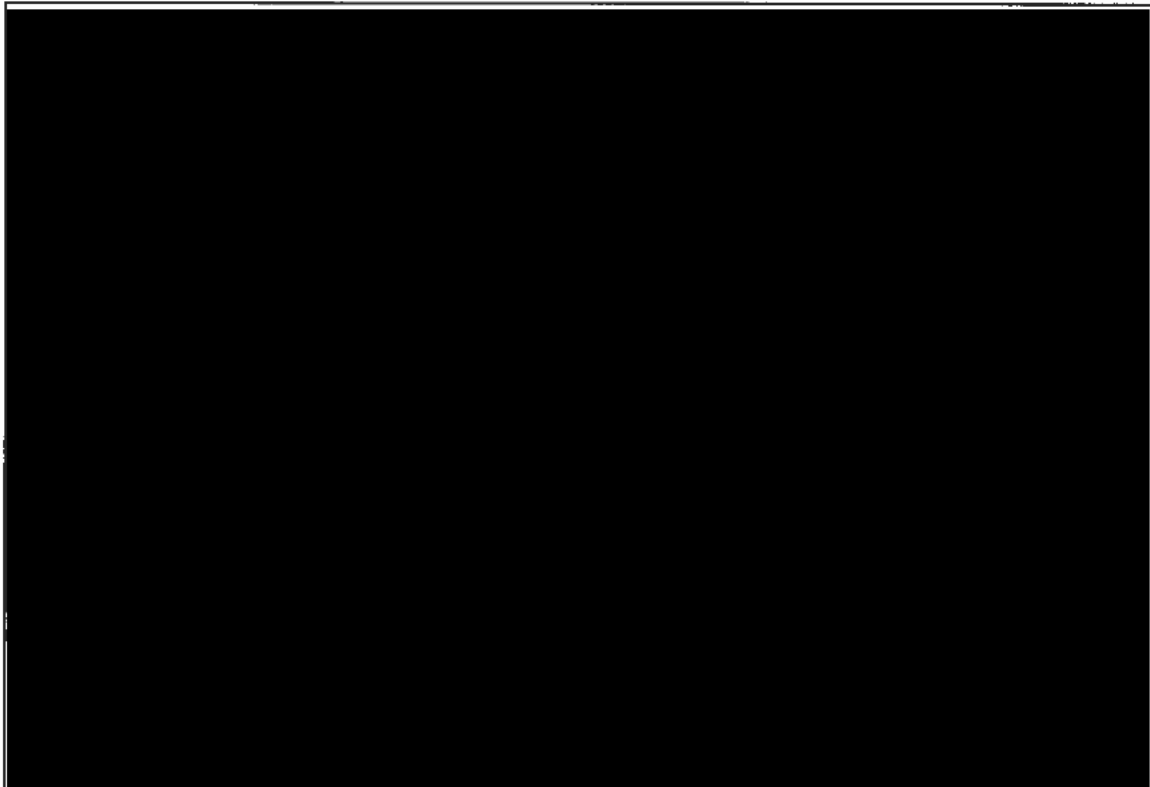
## ETHICS COMPLAINT

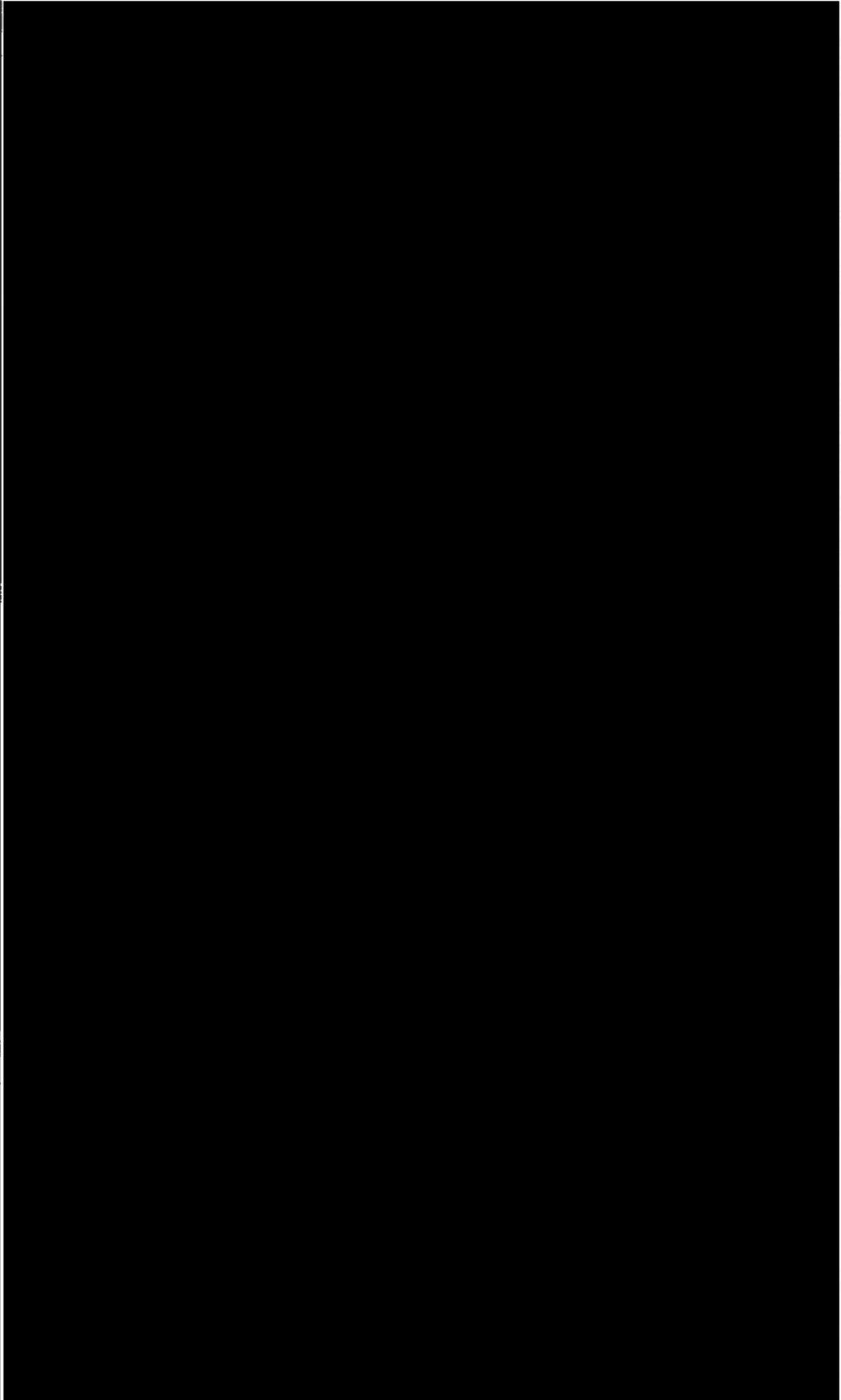
[Sec. 3.6 to 13, inclusive, of S.B. 84 \(2017\)](#)

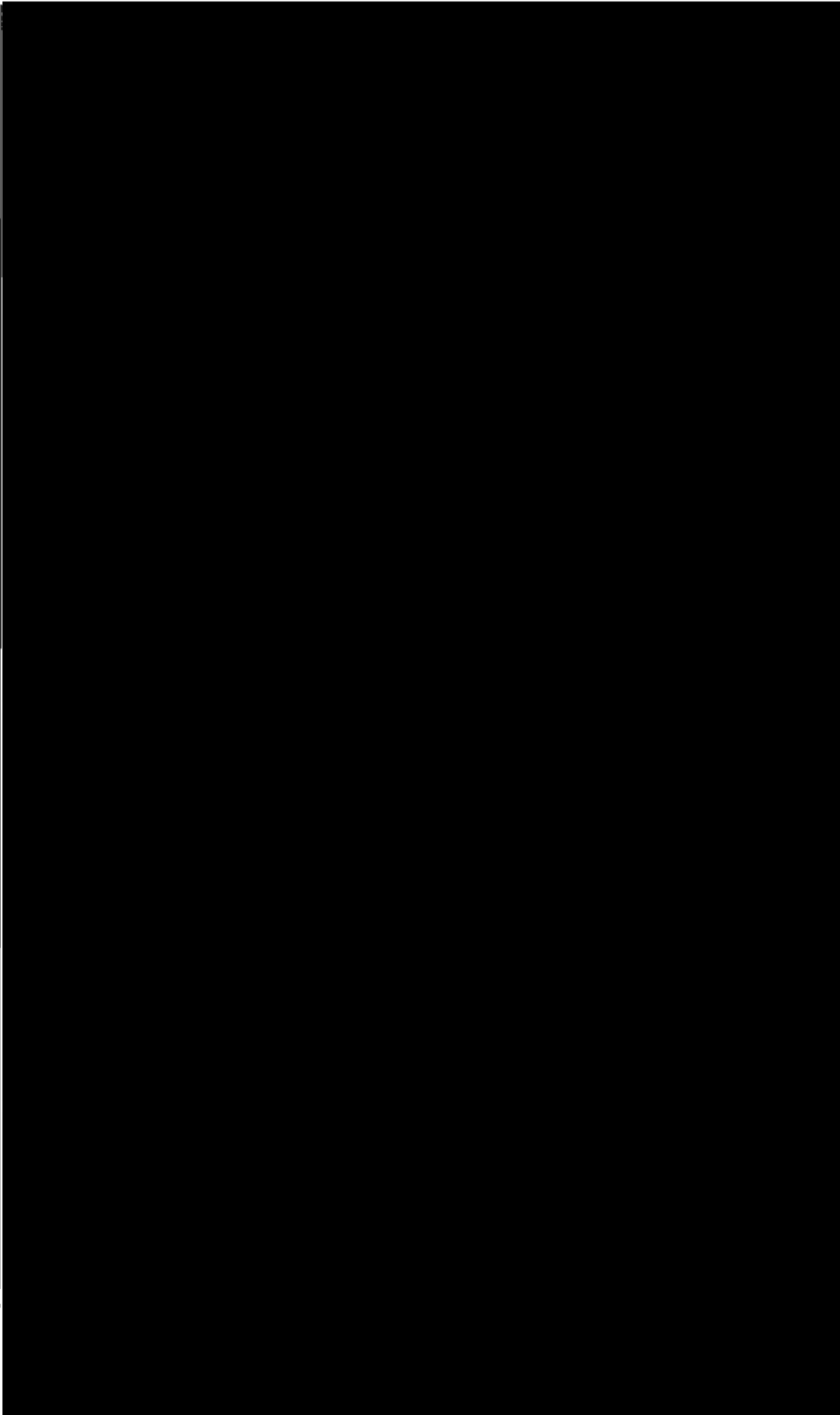
1. Provide the following information for the public officer or employee you allege violated the Nevada Ethics in Government Law, NRS Chapter 281A. *(If you allege that more than one public officer or employee has violated the law, use a separate form for each individual.)*

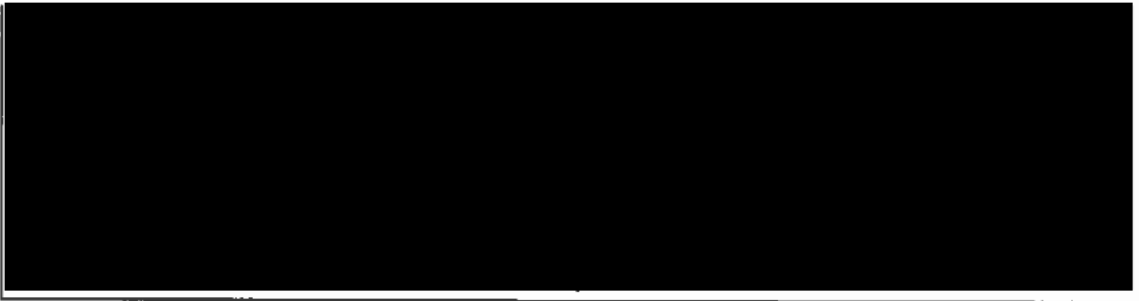
<b>Name:</b> <i>(Last, First)</i>	Blundo, Leo		<b>Title of Public Office:</b> <i>(Position)</i>	Board of County Commissioner/Town Board Member
<b>Public Entity:</b> <i>(Name of the entity employing this position)</i>	Nye County/Town of Pahrump			
<b>Address:</b>	2100 Walt Williams Drive		<b>City, State, Zip Code:</b>	Pahrump, NV 89048
<b>Telephone:</b>	<u>Work:</u> 775-727-5107	<u>Other (home/cell):</u> 775-751-7075	<b>Email:</b>	lfblundo@co.nye.nv.us

2. Describe in specific detail the public officer's or employee's conduct that you allege violated NRS Chapter 282A. *(Include specific facts and circumstances to support your allegation: times, places, and the name and position of each person involved.)*









3. Is the alleged conduct the subject of any action or matter currently pending before another administrative or judicial body? If yes, describe:



4. NRS 281A requires public officers and employees to hold public office as a public trust and avoid conflicts between public duties and private interests. (NRS 281A.020) What provisions of NRS Chapter 281A are relevant to the conduct alleged? **Please check all that apply.**

<input type="checkbox"/> NRS 281A.400(1)	Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
<input checked="" type="checkbox"/> NRS 281A.400(2)	Using his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
<input type="checkbox"/> NRS 281A.400(3)	Participating as an agent of government in the negotiation or execution of a contract between the government and himself, and any business entity in which he has a significant pecuniary interest or any person to whom he has a commitment in a private capacity.
<input type="checkbox"/> NRS 281A.400(4)	Accepting any salary, retainer, augmentation, expense allowance or other compensation from any private source for himself or any person to whom he has a commitment in a private capacity for the performance of his duties as a public officer or employee.
<input type="checkbox"/> NRS 281A.400(5)	Acquiring, through his public duties or relationships, any information which by law or practice is not at the time available to people generally, and using the information to further the pecuniary interests of himself or any other person or business entity.
<input type="checkbox"/> NRS 281A.400(6)	Suppressing any governmental report or other document because it might tend to affect unfavorably his pecuniary interests, or any person to whom he has a commitment in a private capacity.
<input type="checkbox"/> NRS 281A.400(7)	Using governmental time, property, equipment or other facility to benefit his significant person or financial interest, or any person to whom he has a commitment in a private capacity. <i>(Some exceptions apply)</i>
<input type="checkbox"/> NRS 281A.400(8)	A State Legislator using governmental time, property, equipment or other facility for a nongovernmental purpose or for the private benefit of himself or any other person, or requiring or authorizing a legislative employee, while on duty, to perform personal services or assist in a private activity. <i>(Some exceptions apply)</i>
<input checked="" type="checkbox"/> NRS 281A.400(9)	Attempting to benefit his personal or financial interest or any person to whom he has a commitment in a private capacity through the influence of a subordinate.
<input type="checkbox"/> NRS 281A.400(10)	Seeking other employment or contracts for himself or any person to whom he has a commitment in a private capacity through the use of his official position.
<input type="checkbox"/> NRS 281A.400(1)	Representing or counseling a private person for compensation on an issue pending before the agency while employed, or within 1 year after leaving the service of the agency, including before any state agency of the Executive or Legislative Department. (State and local legislators and part time public officers and employees may represent/counsel private persons before agencies they do not serve, except local legislators may not represent/counsel private persons before other local agencies within the same county.)

<input type="checkbox"/> NRS 281A.420(1)	Failing to sufficiently disclose his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person that is reasonably affected by an official matter.
<input type="checkbox"/> NRS 281A.420(3)	Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.
<input type="checkbox"/> NRS 281A.430	Negotiating, bidding on or entering into a government contract in which he has a significant pecuniary interest.
<input type="checkbox"/> NRS 281A.500	Failing to file or timely file a Nevada Acknowledgement of Ethical Standards for Public Officers form.
<input type="checkbox"/> NRS 281A.510	Accepting or receiving an improper honorarium.
<input type="checkbox"/> NRS 281A.520	Requesting or otherwise causing a governmental entity to incur an expense or make an expenditure to support or oppose a ballot question or candidate during the relevant timeframe.
<input type="checkbox"/> NRS 281A.550	Negotiating or accepting employment from a business or industry regulated by or contracted with former public agency within one year after leaving the service of the agency. (Failing to honor the applicable "cooling off" period after leaving public service).

\*Pursuant to NRS 281A.065, a public officer or employee has a commitment in a private capacity to the following persons:

1. Spouse; domestic partner
2. Household member
3. Family member within 3<sup>rd</sup> degree of consanguinity
4. Employer or spouses/domestic partners employer
5. Substantial and continuing business partner/associate
6. Substantially similar relationships

5. YOU MUST SUBMIT EVIDENCE TO SUPPORT YOUR ALLEGATIONS. Attach all documents or items you believe support your allegations. NAC 281A.400(6) defines evidence which supports the allegation as any reliable and competent form of proof provided by witnesses, public and private records, audio or visual recordings, documents, exhibits, concrete objects, and such forms of proof that support a reasonable belief in the truth of the allegation. A newspaper article or other media report will not support your allegations if it is offered by itself, but may be included with evidence that corroborates the article on report.

6. Witnesses: Identify all persons who have knowledge of the facts and circumstances you have described, as well as the nature of the testimony the person will provide.

Name and Title:	<b>Alexandra Crow</b>		
Address:		City, State, Zip:	Pahrump, NV 89060
Telephone:	<u>Work:</u>	<u>Other (home/cell):</u> 775-727-2814	Email: acrow@pahrumprnv.org
Nature of Testimony:	[REDACTED]		

7. Requesters Information:

Your Name:	[REDACTED]		
Your Address:		City, State, Zip:	[REDACTED]
Your Telephone:	<u>Day:</u>	<u>Evening:</u>	Email: [REDACTED]

\* NOTE: Your identity as the Requester and a copy of this Complaint will be provided to the Subject if the Commission accepts jurisdiction of the matter, unless:

Pursuant to Sec. 8 of S.B. 84, I request that my identity as the requester of this Ethics Complaint remain confidential because (please check appropriate box)



I am a public officer or employee who works for the same public body, agency or employer as the subject of this Ethics Complaint. Provide evidence of your employment with the same public body, agency or employer.

OR

I can show a reasonable likelihood that disclosure of my identity will subject me or a member of my household to a bona fide threat of physical force or violence. Describe the facts and circumstances which support a reasonable likelihood of a bona fide threat of physical force or violence.

The Commission may decline to maintain the confidentiality of your identity as the Requester for lack of sufficient evidence of your employment status with the same public body, agency or employer, or proof of a bonafide threat of physical harm.

If the Commission declines to maintain my confidentiality, I wish to:

Withdraw my Complaint, OR

Submit the Complaint understanding that the Subject will know my identity as the Requester.

By my signature below, I affirm that the facts set forth in this document and all of its attachments are true and correct to the best of my knowledge and belief. I am willing to provide sworn testimony regarding these allegations. I acknowledge that, pursuant to NRS 281A, this Ethics Complaint, the materials submitted in support of the allegations, and the Commissions Investigation are confidential unless and until the Commissions Review Panel renders a determination. The Commission's Investigatory File remains confidential.

Signature: 

Date: 04-16-2019

Print Name: 

---

**You must submit this form bearing your signature to:**

Executive Director  
Nevada Commission on Ethics  
704 W. Nye Lane, Suite 204  
Carson City, Nevada 89703

Or through the Commissions website: [www.ethics.nv.gov](http://www.ethics.nv.gov)

April 1, 2019

**FORMAL COMPLAINT AGAINST COMMISSIONER LEO BLUNDO**

[REDACTED]

[REDACTED]

Please consider this letter my formal complaint against Commissioner Leo Blundo for the following conduct:

[REDACTED]

1) Blundo told [REDACTED] Melissa Gebhart, Interim CEO Pahrump Chamber was his fiancé and that she applied for a position on the PTAC board. [REDACTED] must put his fiancé on the PTAC board. [REDACTED] PTAC makes a recommendation to the BOCC to which Blundo pointed out that he must recuse himself, acknowledging his conflict of interest. [REDACTED] He further commented on the Chamber seat for the PTAC board, [REDACTED] explained the designation for the seats based on [REDACTED] procedures and Blundo then said, "I know, I believe [REDACTED] by-laws need changing". The conversation continues and Blundo goes on [REDACTED] "If you want someone with some brains on your board you'll appoint her. I don't like your board. They talk too much. That meeting lasted 2 hours. I don't have any time for a particular member who said I won't work on an unfunded project (fairgrounds). No time for that member anymore."

At this point [REDACTED] he is attempting to use his position as a commissioner to not only threaten [REDACTED] but to improperly assert his power in order to get his fiancé a position on the PTAC board.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

4) Blundo [REDACTED] demands [REDACTED] “carve \$5,000 out of [REDACTED] budget for holiday lights”. [REDACTED]

[REDACTED] He said “I don’t care. I want it. You know I will get this done. If they don’t reply I will do it anyway.” Blundo then says “I’m thinking tourism belongs with the Chamber. That’s the best fit. I think I’ll combine them.” Notably, this is a private non-profit business of which his fiancé is the Interim Executive Director.

[REDACTED]

6) Blundo then mentioned he had applied for PTAC years ago and was turned down. Blundo said someone told him his restaurant was small business and didn’t qualify therefore he couldn’t be included. [REDACTED]

[REDACTED] Blundo was holding on to a grudge for not getting on to the board and perhaps this was his way of getting payback.

[REDACTED]

[REDACTED]

[REDACTED]

9) [REDACTED] other meetings and comments he has made previously, that now deserve mention:

On Jan 10, 2019 Pahrump tourism advisory committee (PTAC) held a meeting. Blundo attended with Melissa Gebhart, his fiancé. During that meeting it was announced she is the Interim Executive Director of Pahrump Chamber of Commerce (PCC).

On March 14, 2019 at the PTAC meeting, which is a recorded meeting, Commissioner Blundo introduces himself, says he doesn't feel well and that Melissa is home sick with flu. Blundo was agitated with the PTAC board, making aggressive comments and being argumentative. He makes demands for holiday lighting program and restaurant advertising. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Case No. 19-027

*For official use only*

Submitted Electronically on 04-17-2019



## NEVADA COMMISSION ON ETHICS

### ETHICS COMPLAINT

[Sec. 3.6 to 13, inclusive, of S.B. 84 \(2017\)](#)

1. Provide the following information for the public officer or employee you allege violated the Nevada Ethics in Government Law, NRS Chapter 281A. *(If you allege that more than one public officer or employee has violated the law, use a separate form for each individual.)*

<b>Name:</b> <small><i>(Last, First)</i></small>	Blundo, Leonardo	<b>Title of Public Office:</b> <small><i>(Position)</i></small>	Commissioner
<b>Public Entity:</b> <small><i>(Name of the entity employing this position)</i></small>	Nye County Commissioner Blundo		
<b>Address:</b>	2100 walt william	<b>City, State, Zip Code:</b>	Pahrump, NV 89048
<b>Telephone:</b>	<u>Work:</u>	<u>Other (home/cell):</u>	<b>Email:</b>

2. Describe in specific detail the public officer's or employee's conduct that you allege violated NRS Chapter 282A. *(Include specific facts and circumstances to support your allegation: times, places, and the name and position of each person involved.)*

Commissioner Blundo

proposed to start promoting

with his restaurant right now

3. Is the alleged conduct the subject of any action or matter currently pending before another administrative or judicial body? If yes, describe:

4. NRS 281A requires public officers and employees to hold public office as a public trust and avoid conflicts between public

duties and private interests. (NRS 281A.020) What provisions of NRS Chapter 281A are relevant to the conduct alleged? Please check all that apply.

<input type="checkbox"/> NRS 281A.400(1)	Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
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<input type="checkbox"/> NRS 281A.400(9)	Attempting to benefit his personal or financial interest or any person to whom he has a commitment in a private capacity through the influence of a subordinate.
<input type="checkbox"/> NRS 281A.400(10)	Seeking other employment or contracts for himself or any person to whom he has a commitment in a private capacity through the use of his official position.
<input type="checkbox"/> NRS 281A.400(1)	Representing or counseling a private person for compensation on an issue pending before the agency while employed, or within 1 year after leaving the service of the agency, including before any state agency of the Executive or Legislative Department. <i>(State and local legislators and part time public officers and employees may represent/counsel private persons before agencies they do not serve, except local legislators may not represent/counsel private persons before other local agencies within the same county.)</i>
<input type="checkbox"/> NRS 281A.420(1)	Failing to sufficiently disclose his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person that is reasonably affected by an official matter.
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<input type="checkbox"/> NRS 281A.430	Negotiating, bidding on or entering into a government contract in which he has a significant pecuniary interest.
<input type="checkbox"/> NRS 281A.500	Failing to file or timely file a Nevada Acknowledgement of Ethical Standards for Public Officers form.
<input type="checkbox"/> NRS 281A.510	Accepting or receiving an improper honorarium.
<input type="checkbox"/> NRS 281A.520	Requesting or otherwise causing a governmental entity to incur an expense or make an expenditure to support or oppose a ballot question or candidate during the relevant timeframe.
<input type="checkbox"/> NRS 281A.550	Negotiating or accepting employment from a business or industry regulated by or contracted with former public agency within one year after leaving the service of the agency. <i>(Failing to honor the applicable "cooling off" period after leaving public service).</i>

\*Pursuant to NRS 281A.065, a public officer or employee has a commitment in a private capacity to the following persons:

1. Spouse; domestic partner

2. Household member
3. Family member within 3<sup>rd</sup> degree of consanguinity
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5. Substantial and continuing business partner/associate
6. Substantially similar relationships

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6. Witnesses: Identify all persons who have knowledge of the facts and circumstances you have described, as well as the nature of the testimony the person will provide.

Name and Title:	Arlette Ledbetter		
Address:		City, State, Zip:	Pahrump, NV 89060
Telephone:	<i>Work:</i>	<i>Other (home/cell):</i>	Email: aledbetter@pahrumprnv.org
Nature of Testimony:	[REDACTED]		

7. Requesters Information:

Your Name:	[REDACTED]		
Your Address:		City, State, Zip:	[REDACTED]
Your Telephone:	<i>Day:</i>	<i>Evening:</i>	Email: [REDACTED]

\* NOTE: Your identity as the Requester and a copy of this Complaint will be provided to the Subject if the Commission accepts jurisdiction of the matter, unless:

Pursuant to Sec. 8 of S.B. 84, I request that my identity as the requester of this Ethics Complaint remain confidential because (please check appropriate box)

I am a public officer or employee who works for the same public body, agency or employer as the subject of this Ethics Complaint. Provide evidence of your employment with the same public body, agency or employer.

OR

I can show a reasonable likelihood that disclosure of my identity will subject me or a member of my household to a bona fide threat of physical force or violence. Describe the facts and circumstances which support a reasonable likelihood of a bona fide threat of physical force or violence.

The Commission may decline to maintain the confidentiality of your identity as the Requester for lack of sufficient evidence of your employment status with the same public body, agency or employer, or proof of a bonafide threat of physical harm.

If the Commission declines to maintain my confidentiality, I wish to:

Withdraw my Complaint, OR

Submit the Complaint understanding that the Subject will know my identity as the Requester.

By my signature below, I affirm that the facts set forth in this document and all of its attachments are true and correct to the best of my knowledge and belief. I am willing to provide sworn testimony regarding these allegations. I acknowledge that, pursuant to NRS 281A, this Ethics Complaint, the materials submitted in support of the allegations, and the Commissions investigation are confidential unless and until the Commissions Review Panel renders a determination. The Commission's Investigatory File remains confidential.



Date: 04-17-2019

Signature: 

Print Name: 

---

**You must submit this form bearing your signature to:**

Executive Director  
Nevada Commission on Ethics  
704 W. Nye Lane, Suite 204  
Carson City, Nevada 89703

Or through the Commissions website: [www.ethics.nv.gov](http://www.ethics.nv.gov)

Commissioner Leo Blundo

[REDACTED]

[REDACTED]

[REDACTED] idea of featuring local restaurants [REDACTED]  
He mentioned [REDACTED] video and photography equipment [REDACTED] no one was using [REDACTED] he  
suggested going and getting the equipment. [REDACTED]

[REDACTED]  
[REDACTED] Commissioner Blundo was suggesting [REDACTED] use that equipment. [REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



## STATE OF NEVADA

### BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Leo Blundo**, Commissioner,  
Board of County Commissioners,  
Nye County, State of Nevada,

Ethics Complaints  
Consolidated Case Nos.  
19-026C and 19-027C

Subject. /

### REVIEW PANEL DETERMINATION NRS 281A.730

The Nevada Commission on Ethics ("Commission") received Ethics Complaints Nos. 19-026C and 19-027C ("Complaints") on April 16, 2019, regarding the alleged conduct of Leo Blundo ("Blundo"), a member of the Nye County Board of County Commissioners ("Board"), State of Nevada, in violation of the Ethics in Government Law set forth in NRS Chapter 281A ("Ethics Law"). The Commission instructed the Executive Director to investigate alleged violations of NRS 281A.400(1), (2), (7) and (9) for Blundo's conduct associated with the use of his public position to pursue services, favors and/or engagements and unwarranted preference or advantages for himself, his private business and/or his fiancé.

Blundo is a public officer as defined in NRS 281A.160. The Commission has jurisdiction over this matter pursuant to NRS 281A.280 because the allegations contained in the Complaint relate to Blundo's conduct as a public officer and have associated implications under the Ethics Law.

On August 21, 2019, a Review Panel ("Panel") consisting of Commissioners Brian Duffrin (Presiding Officer), Teresa Lowry, Esq. and Amanda Yen, Esq., reviewed the following: 1) Ethics Complaint No. 19-026C; 2) Ethics Complaint No. 19-027C; 3) Order on Jurisdiction and Investigation in Ethics Complaint No. 19-026C; 4) Order on Jurisdiction and Investigation in Ethics Complaint No. 19-027C; 5) Order on Consolidation; 6) Subject's Response to the Complaint; and 4) Executive Director's Recommendation to the Review Panel with Summary of Investigatory Findings.<sup>1</sup>

Under NAC 281A.430, the Panel unanimously finds and concludes that the facts establish credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding the alleged violations of NRS 281A.400(1), (2), (7) and (9). However, pursuant to NRS 281A.730, the Panel reasonably believes that Blundo's conduct may be appropriately addressed through corrective action under the terms and conditions of a deferral agreement instead of referring these allegations to the Commission for further proceedings. The Deferral Agreement must confirm Blundo's acknowledgement of the following:

---

<sup>1</sup> All materials provided to the Panel, except the Complaints and the Orders on Jurisdiction and Investigation, represent portions of the investigatory file and remain confidential pursuant to NRS 281A.750.

- Compliance with the Ethics Law for a period of 2 years after approval of the deferral agreement, including the following:
  1. Blundo does not become the subject of another ethics complaint arising from an alleged violation of the Ethics Law during the deferral period for any conduct as a public officer or employee under the Commission's jurisdiction for which the review panel determines that there is just and sufficient cause for the Commission to render an opinion in the matter.
  2. The Executive Director does not acquire any new or additional information relevant to the facts and circumstances relied upon by the Panel herein that would warrant further proceedings by the Commission.
- The Review Panel's public admonishment.
- The Executive Director's authority to monitor compliance with the deferral agreement.
- Blundo's willingness to present the approved deferral agreement to the Board and/or issue a public apology in a manner authorized and approved by the Executive Director.
- The obligation to comply with the terms of the deferral agreement and consequences associated with noncompliance, including the authority of the Review Panel to refer the Complaint to the Commission for further proceedings, which could include an adjudicatory hearing on the merits.
- Upon satisfactory compliance with the deferral agreement, the Complaint will be dismissed.

Unless an extension of time is authorized or directed by the Commission Counsel on behalf of the Review Panel, the Executive Director and Subject shall provide a proposed deferral agreement to the Panel through its Commission Counsel on or before September 9, 2019, which deadline may be extended by Commission Counsel for good cause. If the Panel does not approve the deferral agreement or if the Subject declines to enter into a deferral agreement, the Panel will issue an order referring this matter to the Commission for further proceedings.

Dated this 21<sup>st</sup> day of August, 2019.

NEVADA COMMISSION ON ETHICS

By: /s/ Brian Duffrin  
 Brian Duffrin  
 Commissioner/Presiding Officer

By: /s/ Amanda Yen  
 Amanda Yen, Esq.  
 Commissioner

By: /s/ Teresa Lowry  
 Teresa Lowry, Esq.  
 Commissioner

**CERTIFICATE OF MAILING**

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the foregoing **REVIEW PANEL DETERMINATION** via U.S. Certified Mail and electronic mail addressed as follows:

Leo Blundo  
c/o Brian R. Hardy, Esq.  
Marquis Aurbach Coffing  
10001 Park Run Drive  
Las Vegas, NV 89145

Certified Mail No.: 9171 9690 0935 0037 6381 29  
Email: [bhardy@maclaw.com](mailto:bhardy@maclaw.com)

Dated: 8/21/19

  
\_\_\_\_\_  
Employee, Nevada Commission on Ethics

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STATE OF NEVADA  
**COMMISSION ON ETHICS**  
704 W. Nye Lane, Suite 204  
Carson City, Nevada 89703  
(775) 687-5469 • Fax (775) 687-1279  
ethics.nv.gov

In re **Leo Blundo**, Commissioner,  
Board of County Commissioners,  
Nye County, State of Nevada,

Ethics Complaints  
Consolidated Case Nos.  
19-026C and 19-027C

Subject: /

**WAIVER OF STATUTORY TIME REQUIREMENTS: ADJUDICATORY HEARING**

INITIAL  
HERE

I, Leo Blundo, the above Subject, affirm that I am represented by counsel and have read the provisions of NRS 281A.745 and hereby freely and voluntarily waive the sixty (60) day statutory time limit for the Commission to hold the adjudicatory hearing to permit the Commission to consider resolution of this matter by stipulation on October 16, 2019 or other dated date scheduled by the Commission with the parties.

Dated: 10/8/19

Leo Blunde

Date received: 10/8/19

Carri Hay  
Employee of the Commission



**STATE OF NEVADA  
BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Leo Blundo**, Commissioner,  
Board of County Commissioners,  
Nye County, State of Nevada,

Ethics Complaints  
Consolidated Case Nos.  
19-026C and 19-027C

\_\_\_\_\_  
Subject. /

**WAIVER OF NOTICE REQUIRED UNDER NRS 241.033(1) TO  
CONSIDER CHARACTER, MISCONDUCT, OR COMPETENCE  
OF SUBJECT IN ETHICS COMPLAINTS PROCEEDINGS**

The Nevada Commission on Ethics ("Commission") may be holding various hearings, meetings, judicial review or appellate proceedings and other proceedings to consider the Subject Leo Blundo's character, misconduct or competence as related to the above referenced Ethics Complaints (collectively "Proceedings"). If the Proceedings are not exempt from Nevada's Open Meeting Law pursuant to NRS Chapters 241 or 281A, NRS 241.033(1) requires notice be personally served on Subject of the time and place of the meeting at least 5 working days before the meeting or sent by certified mail to the last known address at least 21 working days before the meeting. Subject agrees to comply with all noticed deadlines and scheduled dates for the Proceedings, including those noticed by a posted public agenda, scheduled with the parties or set forth in a Notice of Hearing and Scheduling Order and other issued Orders, including any amendments thereto.

I, Leo Blundo, understand the statutory notice requirements of NRS 241.033 and hereby knowingly and voluntarily waive my rights thereto associated with any Proceedings. In doing so, I expressly consent to any discussion of my qualifications, competence and character in the Proceedings. Prior to signing this waiver, I either had the opportunity to discuss this matter with my attorney or have voluntarily determined to proceed on my own accord, thereby waiving the right to consult with an attorney.

Dated this 8<sup>th</sup> day of OCTOBER, 2019.

Subject:

By:

\_\_\_\_\_  
Leo Blundo





STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Leo Blundo**, Commissioner,  
Board of County Commissioners,  
Nye County, State of Nevada,

Ethics Complaints  
Consolidated Case Nos.  
19-026C and 19-027C

\_\_\_\_\_ Subject. /

**NOTICE OF HEARING TO CONSIDER STIPULATED AGREEMENT**  
NRS 281A.745

**PLEASE TAKE NOTICE**, the Nevada Commission on Ethics ("Commission") will hold a public meeting to consider a **Proposed Stipulated Agreement** regarding the allegations submitted in Ethics Complaints Case Nos. 19-026C and 19-027C ("Complaints") at the following time and location:

When: Wednesday, **October 16, 2019** at **9:30 a.m.**

Where: Nevada Commission on Ethics  
704 W. Nye Lane, Suite 204  
Carson City, NV 89703

Subject has waived the personal notice requirements of NRS 241.033 (Nevada's Open Meeting Law) and is provided the opportunity to appear at the hearing telephonically. If the Proposed Stipulated Agreement is approved, it will serve as the final written opinion in this matter pursuant to NRS 281A.135.

DATED: October 8, 2019

/s/ Tracy L. Chase  
Tracy L. Chase, Esq.  
Commission Counsel

## CERTIFICATE OF SERVICE

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the forgoing **NOTICE OF HEARING TO CONSIDER A STIPULATED AGREEMENT** via electronic mail to the Parties as follows:

Yvonne M. Nevarez-Goodson, Esq.  
Executive Director  
Nevada Commission on Ethics  
704 W. Nye Lane, Suite 204  
Carson City, NV 89703

Email: [ynevarez@ethics.nv.gov](mailto:ynevarez@ethics.nv.gov)

Leo Blundo  
c/o Brian R. Hardy, Esq.  
Marquis Aurbach Coffing  
10001 Park Run Drive  
Las Vegas, NV 89145

Email: [bhardy@maclaw.com](mailto:bhardy@maclaw.com)  
Cc: [mmonkarsh@maclaw.com](mailto:mmonkarsh@maclaw.com)

DATED: October 8, 2019



\_\_\_\_\_  
Employee of the Nevada Commission on Ethics

# **Agenda Item 5**

STATE OF NEVADA  
COMMISSION ON ETHICS -  
ANNUAL REPORT  
JULY 1, 2019

*A public office is a public trust, to be held for the sole benefit of the people.*

Nevada Commission on Ethics  
704 W. Nye Lane, Suite 204  
Carson City, NV 89703  
Tel. 775-687-5469  
Fax 775-687-1279  
[ethics.nv.gov](http://ethics.nv.gov)  
[ncoe@ethics.nv.gov](mailto:ncoe@ethics.nv.gov)

# ANNUAL REPORT TO THE COMMISSION ON ETHICS REGARDING FISCAL YEAR 2019

Pursuant to Nevada Administrative Code 281A.180(2), the Executive Director provides this Annual Report to the Commission on Ethics (“Commission”) regarding the fiscal, legislative, regulatory and other business undertaken by and on behalf of the Commission in the past fiscal year and the goals for new fiscal year. This report recognizes the Commission's activities and accomplishments between July 1, 2018 and June 30, 2019 (FY19) and its objectives for the coming year.

The information presented is based upon public records of the Commission. Additionally, the Commission maintains a public website at [ethics.nv.gov](http://ethics.nv.gov) at which the public may search the Commission's database of opinions, review meeting minutes and agendas, instructions and forms for filing Ethics Complaints, Requests for Advisory Opinions, and access other public information. The Commission also posts its meeting agendas on the Nevada Public Notice statewide website at [notice.nv.gov](http://notice.nv.gov).

Dear Commissioners:

The following Annual Report is provided to you as a summary of the Commission's accomplishments and challenges from Fiscal Year 2019 (FY19) and goals for the next fiscal year. FY19 marked the significant efforts of the Commission during the 2019 Legislative Session combined with staffing and resource demands resulting from more than double the case load from the prior fiscal year. These challenges, along with the continued priorities for outreach and education, signified the Commission's focus in FY19.

To reflect on the Commission's recent journey, the passage of Senate Bill 84 during FY17 triggered the Commission's response in FY18 to reform all of its systems and documents related to advisory requests and complaint cases, including the development of new forms, templates and documents, staff recommendations, orders, pre-hearing requirements and hearing procedures. The laborious task of converting, testing and reviewing all internal documents and systems culminated in the drafting of an entirely revised Chapter 281A of the Nevada Administrative Code, the Commission's administrative/procedural regulations. As anticipated, those regulations were adopted and implemented in FY19. Notably, the efficacy of the regulations became apparent as the Commission processed the increased case load.

FY19 also introduced the Commission to Social Media! The Commission established a Twitter account to post news of its meetings, trainings and case/opinion determinations. Ethics commissions throughout the Country share data on Twitter and it has become a welcome resource to reflect on the issues and decisions made by similar bodies. Furthermore, many state and local government agencies follow the Commission, so Twitter has created the bonus of additional outreach and education. Of course, the Commission continued with its traditional training and education programs throughout Nevada to provide education to public officers and employees.

The Commission's legislative efforts this fiscal year were focused on the passage of Senate Bill 129. The Commission spent several years and countless hours and resources to hold multiple public meetings and engage feedback from state and local agency stakeholders on the Commission's proposed robust legislative measure considered by the Nevada Legislature. The legislation was intended to increase

transparency and due process with regard to advisory requests and ethics complaints, provide public agencies with additional access to the Commission for advice, streamline and clarify the procedural requirements of the Commission, explain and expand the standards of ethical conduct attributable to public officers and employees and address various loopholes identified while implementing the 2017 Legislation (SB 84) during the last 2 years. Unfortunately, the efforts of the Commission to pass this worthwhile legislation were unsuccessful before the Legislature and the Commission will reassess these priorities during the next legislative session.

During FY19, the Commission experienced some setbacks with respect to its budgetary needs. The Commission pursued various enhancements to its budget, including, without limitation, additional staff, digital training resources, additional travel funds to accommodate statewide investigations and outreach, information technology support, additional training and increased salaries for certain staff. Despite the pursuit and justification of these enhancements, the Commission was granted only the enhanced information technology resources. The Commission will continue to assess its resource requirements and budgetary demands during the next fiscal year, including the fiscal impacts of its increased case load, for future enhancement requests.

The Commission's ongoing implementation of the many procedural amendments resulting from the 2017 Legislative Session (SB 84), its 2019 legislative pursuits as well as its response to the 100 percent increase in cases were administered under the continued leadership of Chair Cheryl Lau, Esq. and Vice-Chair Keith Weaver, Esq. The Chair and Vice-Chair collectively represent years of experience from both of their private and public legal careers as well as their respective tenures serving the Commission exceeding 7 years. They have garnered the support and respect of their colleagues to continue serving in these leadership roles during FY19. Together with Commissioners Brian Duffrin, Barbara Gruenewald, Esq., Teresa Lowry, Esq., P.K. O'Neill, Kim Wallin, CPA, and Amanda Yen, Esq., the Commission engaged in yet another year of developing precedent-setting opinions and responding to constitutional, legal and fiscal challenges before the Legislature and the Courts.

Commissioners Duffrin and Gruenewald are to be commended for rounding out their first terms with the Commission this fiscal year, emphasizing their respective former public service in administering a public agency and significant legal experience, and

supporting the efforts of the Commission to enhance legislative and budgetary reform. Their endeavors held public officers and employees accountable in performing their public duties for the sole benefit of the public. Commissioner O'Neill deserves special recognition for encouraging continued outreach and education with an emphasis on incorporating public education, as well as offering his experiences and perspectives in the investigatory field. Commissioner Yen is credited with her dedication to the goals and demands of the Commission and her expert legal analysis all while holding down a full time career as an attorney in private practice.

This fiscal year showcased newly appointed Commissioner Lowry's and Wallin's immediate contributions to the Commission. In particular, both Commissioners' prior experience as appointed and elected public officers in Nevada provided the necessary backdrop to hit the ground running on legislative, fiscal and case-related matters. Commissioner Lowry demonstrated her legal expertise by challenging and applying evidence at various stages of complaint proceedings, analyzing legal precedent in advisory and complaint matters and representing the Commission in numerous Ethics Law presentations in Southern Nevada. Commissioner Wallin's experience as a certified public accountant and former State Controller brought a renewed perspective to budget issues and the dynamics of pecuniary interests that create conflicts of interest. Commissioner Wallin is further recognized for dedicating countless volunteer hours to support the Commission's legislative and outreach efforts by engaging in numerous legislative meetings and hearings. The diversity and breadth of experience shared by all members of the Commission along with their extensive volunteer service continues to elevate the Commission.

It has been the continued honor of Executive Director Yvonne M. Nevarez-Goodson, Esq., in partnership with Commission Counsel Tracy L. Chase, Esq., to lead the Commission's mission and governance before the various State and local agencies and judicial forums. Also to be commended for their continued dedicated service to the Commission during the past fiscal year are the Commission's Associate Counsel, Judy Prutzman, Esq., Senior Legal Researcher, Darci Hayden, PP-SC, and Executive Assistant, Kari Pedroza. New to the staff this fiscal year was the Commission's Investigator Erron Terry who joined the group with immediate investigatory contributions after a distinguished career as an FBI Special Agent.



Just prior to the publication of this Report, the Commission was apprised of a recent nationwide study regarding ethics commissions and agencies throughout the Country, including the strength of their enforcement and sanctioning powers and transparency in the outcomes. Nevada was ranked 8<sup>th</sup> in the Country. See *Enforcement of Ethics Rules by State Ethics Agencies: Unpacking the S.W.A.M.P. Index*, Coalition for Integrity, September 12, 2019 (<http://unpacktheswamp.coalitionforintegrity.org/>). Notably, the data relied upon in the study was based primarily upon case statistics from FY18, which reflected the first year the Commission applied the new laws from 2017. However, had the study reflected the FY19 data indicating the significantly increased case load and more robust proceedings, opinions and sanctions, I have no doubt that the Commission would have ranked in the top 5! This study signifies the complete overhaul experienced by the Commission since 2011. In 2011, the Commission defended the its laws before the Supreme Court of the United States, which unanimously upheld the constitutionality and historical significance of its conflict of interest laws and drew national attention to the State of Nevada. The Nevada Legislature has supported the Commission's transformation in the 2013, 2015 and 2017 Legislative Sessions to strengthen the Code of Ethical Standards and the Commission's processing of cases and advisory opinions.

Upon reflection of the goals and accomplishments during FY19, I am immensely proud of the Commission's efforts and successes at maintaining its significantly increased case load and outreach and education throughout the entire State. Thank you for the opportunity to continue serving the Commission, its staff and the public for these last 10 years. I look forward to pursuing the Commission's mission in the coming fiscal year.

Sincerely,

[/s/ Yvonne M. Nevarez-Goodson](#)  
Yvonne M. Nevarez-Goodson, Esq.  
Executive Director

## I. About the Nevada Commission on Ethics

### **Nevada Commission on Ethics - Ethics in Government Law:**

The Nevada Commission on Ethics is an independent public body appointed equally by the Governor and Legislative Commission to interpret and enforce the provisions of Nevada's Ethics in Government Law, NRS Chapter 281A ("Ethics Law"). The Ethics Law preserves the public's trust in government and ensures that public officers and employees avoid conflicts between their private interests and the interests of the public in carrying out their public duties. The Ethics Law sets forth various standards of conduct to guide public officers and employees to avoid such conflicts and maintain integrity in public service.

The Commission's primary mission includes providing outreach and education to Nevada's public officers, employees and attorneys regarding conflicts of interest and the provisions of the Ethics Law. Encompassed in its educational efforts, the Commission provides advisory opinions to public officers and employees to guide them in compliance with the Ethics Law ("Requests for an Advisory Opinion"). The Commission also enforces the provisions of the Ethics Law by investigating and adjudicating alleged conduct of public officers and employees in violation of the Ethics Law ("Ethics Complaints").

### **Membership:**

The Commission consists of 8 members, appointed equally by the Governor and the Nevada Legislative Commission. The Governor and Legislative Commission must each appoint at least two former public officers or employees and one attorney licensed in the State of Nevada, and no members may be actively involved in any political activity or campaign or conduct lobbying activities for compensation on behalf of private parties. Not more than half of the total commissioners may be members of the same political party or residents of the same county in the State. The appointment criteria establishes independence and objectivity in addressing Requests for Advisory Opinions and Ethics Complaints as applicable to all State and local government elected and appointed public officers and employees. The Commission operated with full membership during FY19.

**Requests for Advisory Opinions and Ethics Complaints:**

The Commission holds the exclusive statutory authority to interpret and enforce the provisions of the Ethics Law and renders its opinion regarding the applicability of the Ethics Law to public officers and employees via Requests for Advisory Opinion and Ethics Complaints. The Commission's primary mission to provide outreach and education to public officers and employees is consistent with its responsiveness to requests for advisory opinion and efforts to prevent ethics complaints. The Commission staff is responsible for reviewing and preparing all matters accordingly, including jurisdictional and legal analysis and preparation and presentation of evidence for hearings and determinations by the Commission.

**Requests for Advisory Opinions:**

A public officer or employee may request a confidential advisory opinion from the Commission regarding the applicability of the Ethics Law to his/her own past, present or future circumstances. If the request relates to a conflict of interest between a public duty and private interest, the Commission will conduct a closed hearing or consider the written request under submission and render a confidential opinion in the matter advising the public officer or employee whether there is a conflict of interest and whether or how the ethical standards of conduct apply to the circumstances. To assist the Commission in this process, Commission Counsel collects all relevant facts and circumstances related to the request and prepares a proposed findings of fact presenting the resulting materials to the Commission for its review. Once the Commission renders its opinion, it is published as a formal written opinion on its website making it available to the public. The Commission will publish an abstract opinion in the matter if the confidentiality is retained by the public officer or employee. The Commission's advice is binding with respect to future conduct and certain advice related to present or future conduct may be subject to judicial review for errors of law or abuses of discretion.

In its proposed legislation for 2019, the Commission identified various areas where its advisory opinions could become a better tool for outreach and education. Specifically, the Commission proposed providing the ability to seek an advisory opinion to agency legal counsel who are charged with representing public officers and employees regarding the Ethics Law and sought the ability to consult with agency legal counsel regarding

issues that affect an agency in the course and scope of providing the advisory opinions. While these proposals were not enacted during the Legislative Session, the Commission will consider whether to propose similar legislation next session.

**Ethics Complaints:**

Any person may file and the Commission may initiate an ethics complaint against a public officer or employee alleging a violation of the Ethics Law for which the Commission may investigate the allegations, conduct hearings and impose penalties or sanctions. If the Commission has jurisdiction regarding an ethics complaint and it is properly filed with sufficient information to support the allegations, the Executive Director will investigate the matter and make a recommendation to a three-member review panel of the Commission regarding whether the evidence is sufficient to warrant a hearing and written opinion in the matter. If the Panel determines that the matter supports just and sufficient cause for the Commission to render an opinion, it may be resolved through the Panel's approval of a deferral agreement between the Executive Director and the subject of the ethics complaint, or it may be referred to the Commission for further proceedings, including an adjudicatory hearing, stipulated agreement or dispositive motions. Many ethics complaints have been concluded via other appropriate resolutions such as letters of caution or instruction.

## II. Legislative Matters

During FY19, the Commission proposed a vigorous bill draft request to amend various provisions of the Nevada Ethics in Government Law set forth in NRS Chapter 281A to the 2019 Nevada Legislature. The Governor sponsored the proposal which was presented to the Legislature as Senate Bill 129 (“SB 129”). The bill signified efforts by the Commission over several years of public meetings and stakeholder input to address amendments that would promote and clarify the Ethics in Government Law. In particular, the bill was aimed at increasing and clarifying due process, transparency in the Commission’s processes, additional outreach and education, confidentiality protections, streamlining procedural requirements, and addressing jurisdictional issues. Unfortunately, the bill did not pass during the Legislative Session. The Executive Director intends to reassess the Commission’s priorities and propose recommendations to the Commission throughout the next fiscal year for future legislative reforms. In summary, SB 129 proposed the following amendments to NRS Chapter 281A, the Ethics in Government Law:

### **1. Requests for Advisory Opinions**

Increase accessibility to the Commission for advisory opinions from state and local governmental agencies and cooperation therewith and clarify proceedings and confidentiality with regard to issuance of advisory opinions.

### **2. Ethics Complaints**

Significant clarifications and procedures to enhance transparency and due process for ethics complaints, including jurisdictional determinations, investigations and adjudication.

### **3. Ethical Standards of Conduct**

Clarify scope of ethical standards that apply to public officers and employees, including cooling-off prohibitions, abuse of power/authority, misuse of government resources, disclosure and abstention obligations and prohibited contracts.

#### **4. Open Meeting Law (“OML”) Exemption/Application**

Under current law, the Commission is exempt from OML for its proceedings regarding requests for advisory opinion, review panels and for its receipt of information and deliberations regarding ethics complaints. Final actions taken in an ethics complaint must comply with OML. Given the dynamics of the confidential adjudicatory process, this bill would have made the final action exempt from the procedural requirements of OML, which require special notice and public meeting materials. This bill would also have authorized the Commission to delegate litigation decisions to its Chair, Executive Director or both and to allow Commission Counsel to initiate, defend, participate and appeal in legal proceedings with consent or ratification of the Commission or Chair/Executive Director (if so delegated). Such delegation would be exempt from OML during the confidential phase of requests for advisory opinion proceedings or ethics complaints. The Commission would continue to maintain its transparency by publishing all decisions on its website, which is accessible to the public.

#### **5. Jurisdiction of State Legislators**

Current law limits the Commission’s jurisdiction over State legislators to when they are performing core legislative functions. Additionally, only a Legislator’s own house can discipline a legislator for conduct that is afforded protection by principles of legislative privilege and immunity. SB 129 would have provided a procedural mechanism for the Commission to confidentially refer appropriate cases to the Legislature for review under its jurisdiction.

### III. Case Statistics – FY19 (7/2018 – 6/2019)

**Requests for Advisory Opinions Received: 32**

<u>No Jurisdiction Withdrawn/Dismissed or Duplicate</u>	<u>Processed By Commission</u>	<u>Stayed by Order</u>	<u>Written Opinions Issued</u>	<u>Abstract Opinions Issued From Written Opinions (No Waiver of Confidentiality)</u>
13	19 <sup>1</sup>	1 of 19 <sup>2</sup>	14 of 19 <sup>3</sup>	8 of 14 <sup>4</sup>

**Ethics Complaints Received: 123**

<u>Dismissed, without a Letter of Caution or Instruction</u>	<u>Dismissed, with a Letter of Caution or Instruction</u>	<u>Withdrawn</u>	<u>Investigated</u>
71	10	14	28

**Ethics Complaints Received in FY 19, which the NCOE Investigated: 28**

<u>Panel Dismissed, with or without a Letter of Caution or Instruction</u>	<u>Panel Deferral Agreements</u>	<u>Stipulations/ Opinions</u>	<u>Investigations Remain in Progress for FY20</u>
1	4	1	22 <sup>5</sup>

**Ethics Complaints Received in FY17 and FY18; Investigated/Resolved in FY19: 7<sup>6</sup>**

<u>Panel Dismissed, with or without a Letter of Caution or Instruction</u>	<u>Panel Deferral Agreements</u>	<u>Commission Motion Hearings/ Adjudicatory Hearings</u>	<u>Stipulations/ Opinions</u>
3	0	1 <sup>7</sup>	3

<sup>1</sup> 5 of the 19 Requests for Advisory Opinion remain pending in FY 20 (Case Nos. 18-145A, 19-049A, 19-050A, 19-051A and 19-052A).

<sup>2</sup> 1 Request for Advisory Opinion has been stayed until FY20 – (Case No. 18-145A).

<sup>3</sup> 13 of the 14 written Opinions were issued during FY19, 1 of the 14 written Opinions was issued in July 2019 (FY20), before the publication of this Report.

<sup>4</sup> 8 of the 14 written Opinions issued in FY19 remain confidential and an additional 8 Abstract Opinions were issued for these cases during FY19.

<sup>5</sup> 22 Complaints received and investigated in FY19 remain pending in FY20; Complaint Nos. 18-049C, 18-052C, 18-060C, 18-061C, 18-064C, 18-077C, 18-114C, 18-121C, 18-130C, 18-139C, 19-004C, 19-018C, 19-021C, 19-022C, 19-026C, 19-027C, 19-028C, 19-029C, 19-031C, 19-035C, 19-039C & 19-044C.

<sup>6</sup> From FY17 - Complaint No. 17-21C. From FY18 – Complaint Nos. 18-005C, 18-011C, 18-024C, 18-028C, 18-031C and 18-039C.

<sup>7</sup> Complaint No. 17-21C received in FY17 included cross motions for summary judgment heard in FY18 that were both denied by the Commission and an adjudicatory hearing was held in FY19.

**For Comparison – Ethics Complaints Investigated in FY18 (7/17-6/18): 13<sup>8</sup>**

<u>Panel Dismissed, with or without a Letter of Caution or Instruction</u>	<u>Panel Deferral Agreements</u>	<u>Commission Motion Hearings/ Adjudicatory Hearings</u>	<u>3rd Pty Stipulations/ Opinions</u>
3	2	0	2

**Ethics Complaints Resolved by Letters of Caution/Instruction or Deferral Agreements:**

	<u>Letters of Caution</u>	<u>Letters of Instruction</u>	<u>Deferral Agreements</u>
Pre-Panel	6	4	
By Panel	3	1	4
2 FY18 Cases Resolved in FY19 By Panel	1		1

The Commission’s case statistics are calculated based on the number of cases received during the fiscal year; however, many cases are not resolved during the same fiscal year they are received, in particular those cases that are received toward the end of the fiscal year. Accordingly, the statistics outlined above are intended to denote not only the cases received and processed during the current fiscal year, but also those that were received in prior years and resolved during the current fiscal year.

Notably, the Commission experienced more than twice the amount of advisory and complaint cases during FY19 from the prior fiscal year. The Commission saw a sizeable increase in the number of requests this fiscal year, which are believed to be attributable to the Commission’s increased outreach efforts during the year as well as the Commission’s ability to be responsive within a short turn-around time for advisory opinions. In accordance with the Commission’s newly adopted regulations from FY18, Commission Counsel established a streamlined system of communication and procedures to ensure the efficient review of advisory requests by submission and approval of written opinions. These requests may be considered by submission or in a hearing before the Commission. The majority of requests for advisory opinion received in FY19 were resolved on written submission of requests and draft opinions, rather

<sup>8</sup> Many complaints received during a fiscal year are not investigated during the same fiscal year, depending on when the complaint is received. At the end of FY 17, 6 of the 12 complaints investigated remained pending in FY18. 5 of the 6 were resolved in FY 18 and 1 of the 6 was resolved in FY19. Complaint Nos: 16-80C – panel dismissal; 16-81C – stipulation; 17-22C – panel dismissal; 17-23C – panel deferral agreement; and 17-24C – panel dismissal with letter of caution, were resolved in FY18 and Complaint No. 17-21C was resolved in FY19.

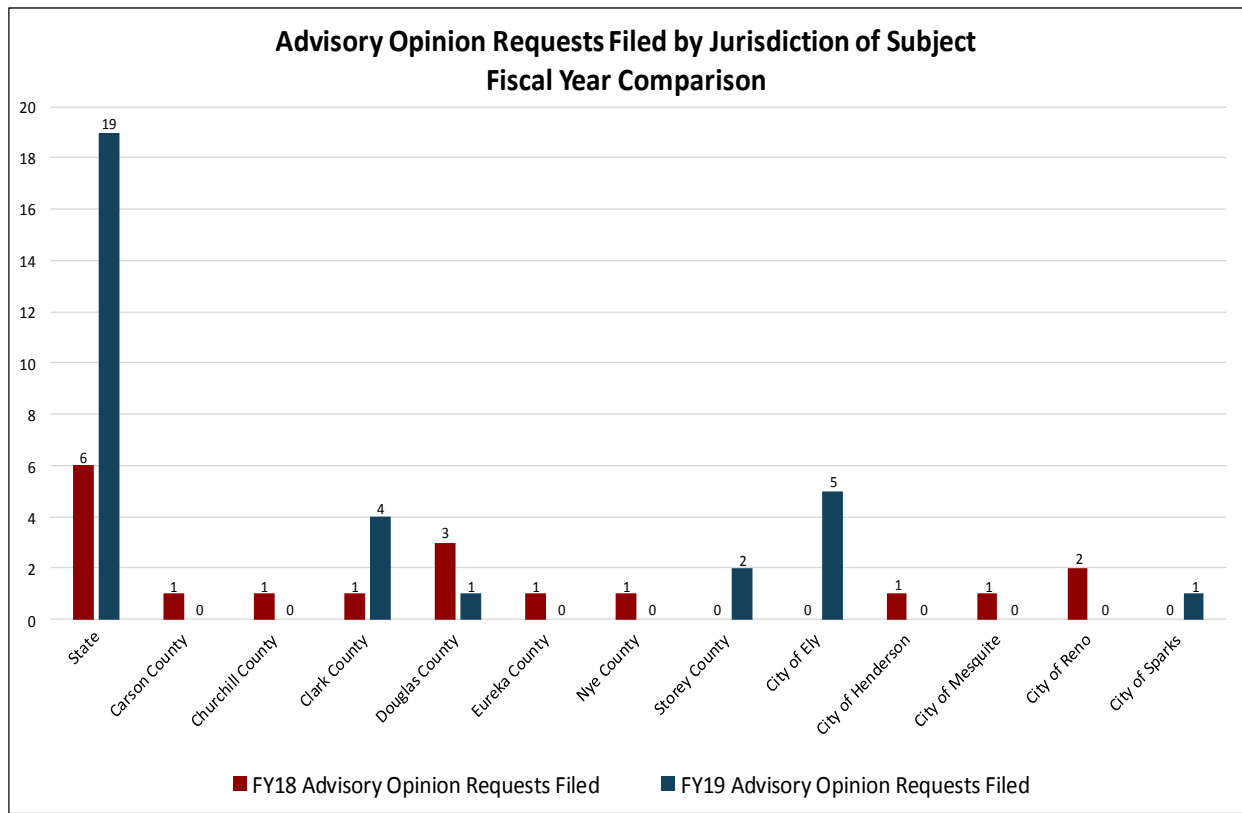
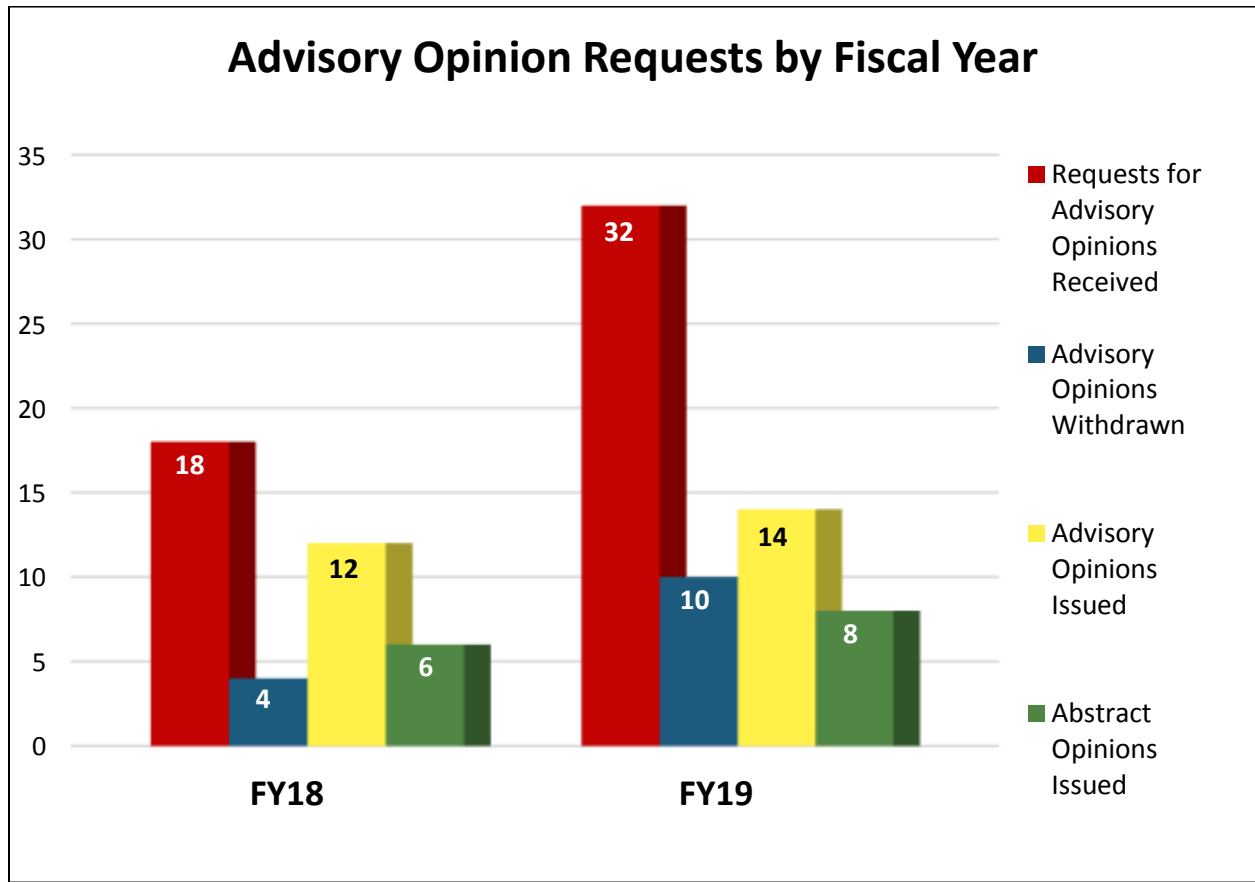


than formal hearings, which significantly increased the Commission's ability to produce advice in a timely manner. It is anticipated that the Commission will continue to receive more requests for advisory opinion as the State's public officers and employees are better educated regarding the applicability of the Ethics Law and their responsibilities thereunder.

With regard to ethics complaints, the Commission received and investigated more than twice the amount of complaints this fiscal year than the prior year. The majority of cases received waivers of statutory deadlines by the subjects of the complaints. For those cases wherein the subject did not waive the 70-day deadline, the cases were given investigatory priority. Consequently, older cases have taken longer to investigate. At the end of this fiscal year, the Commission had 15 pending investigations, the oldest from July 2018.

#### **Requests for Advisory Opinions:**

The Commission received approximately twice the amount of requests for its advice from the prior fiscal year. Significant staff resources were expended to evaluate all requests, including those that were withdrawn (10 requests), and to conduct research and legal analysis and prepare proposed findings of fact with the requesters. The Commission Counsel then prepares legal memoranda in each case and drafts proposed recommendations based on the Commission's precedential opinions. Finally, the Commission Counsel prepares a written opinion of the Commission's decision for its approval, and a separate abstract opinion for those matters which remain confidential.

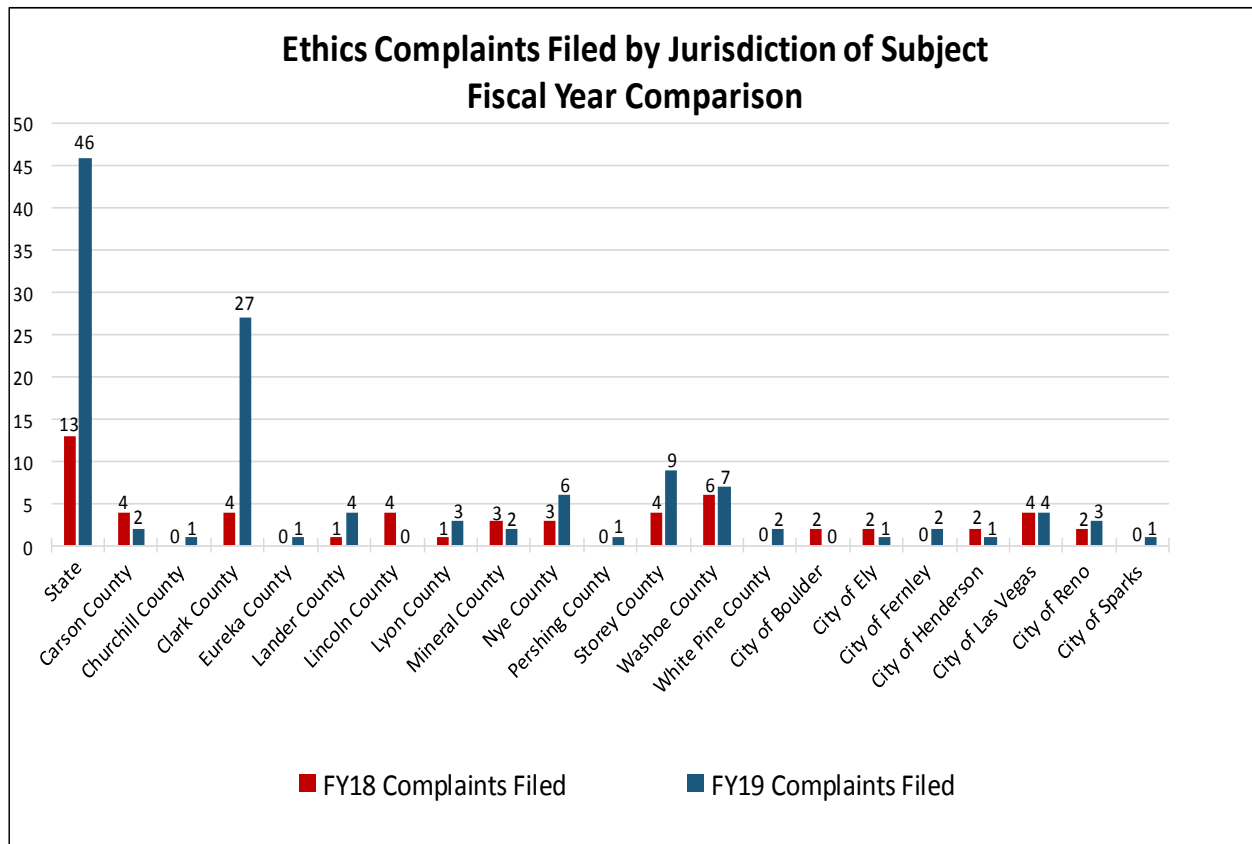
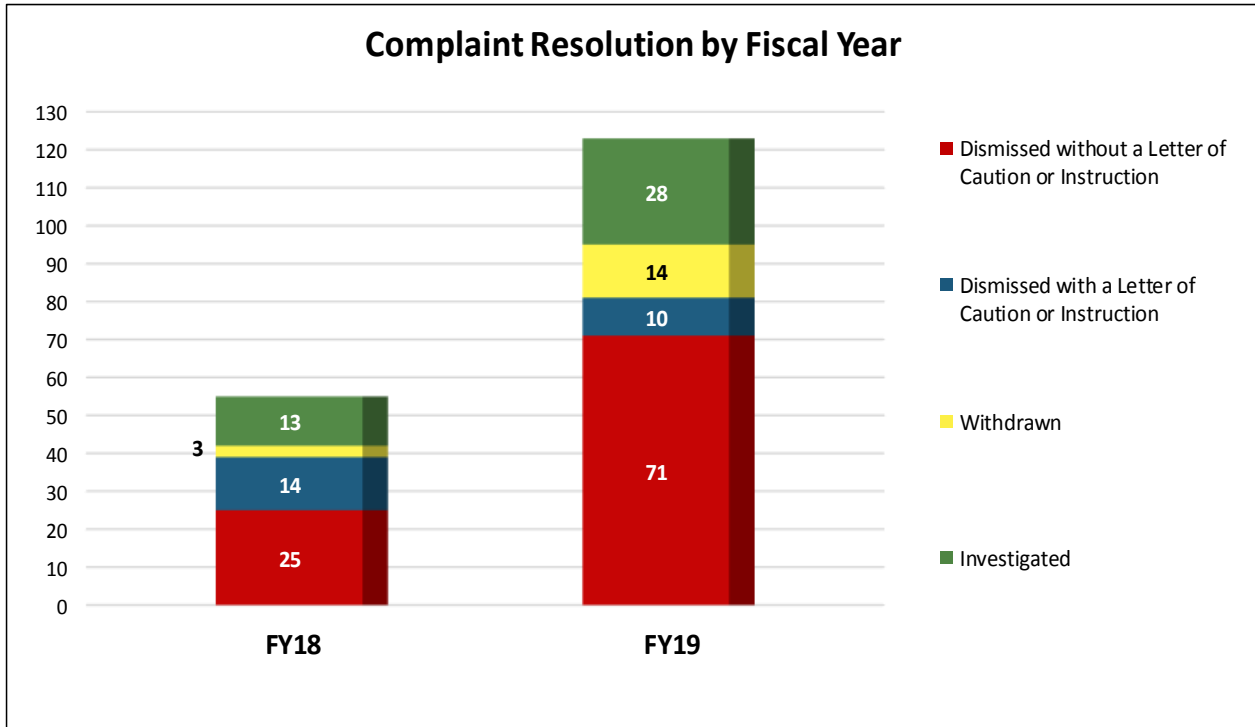


**Ethics Complaints:**

The Commission and its staff reviewed and vetted for jurisdiction and whether an investigation was warranted in every ethics complaint case that was filed, which included formal written staff recommendations and legal analysis, Commission deliberations and determinations, and the issuance of orders and letters, as applicable. Notably, despite the increased case load, the Commission satisfied its 45-day statutory deadline to issue jurisdictional orders in every case. In years prior to FY18, the review and determination for jurisdiction and investigation of an ethics complaint was undertaken solely by staff unless there was an appeal to the Commission. The purpose for reviewing each complaint case is to assure the public that each complaint has been reviewed and considered by the Commission and to otherwise streamline the processing of cases and eliminate the need for appeals. Even when a case is dismissed by the Commission before an investigation, the Commission issues a formal order in the case explaining its decision. In those cases that did not warrant a full investigation, but nevertheless supported additional outreach by the Commission, a letter of caution or instruction was issued.

Final dispositions of an ethics complaint, including deferral agreements and stipulations, reflect significant negotiation and legal procedure between the Executive Director and Associate Counsel with the subject of a complaint, often after a full investigation has been conducted. The staff time required to review each ethics complaint, conduct investigations, prepare legal motions or negotiations and compile and present evidence for hearing or settlement is not adequately reflected in the final statistics. For example, the Commission held an adjudicatory hearing this year that encompassed a full day of testimony, presentation of evidence and deliberations of the Commission, which occurred after months of hearing preparation by the Associate Counsel and Executive Director.

The Commission does not control the number of ethics complaints that may be filed in any particular year; however, the Commission's outreach and education, and accessibility of complaint forms through the Commission's website and the statutory protection of the identity of certain requesters may be attributable to the increased number of complaints. If requested, the Commission is required to protect the identity of a requester who works for the same agency as the subject of the complaint.



**Penalties/ Sanctions Imposed:**

In FY19, the Commission imposed \$41,734.28 in civil penalties for willful violations of the Ethics Law. Pursuant to State law, the Commission collects and deposits all funds received from the imposition of sanctions into the State General Fund. Subjects who do not pay the civil sanction debt are turned over to the State Controller for collection. Notably, many of the resolutions which imposed these sanctions authorized the payment of these penalties over 1 or 2 years.

<u>FY 2019 Sanctions Imposed or Received</u>	<u>Date Imposed</u>	<u>Statute(s) violated</u>	<u>Civil Penalty Amount Imposed</u>	<u>Civil Penalty Amount Rec'd in FY19</u>
<u>Jeffrey Witthun, Director, Family Support Division, Clark Co</u>	<u>5/9/2018</u>	<u>NRS 281A.400(2), (7) and (9), and NRS 281A.420(1)</u>	<u>\$1,000</u>	<u>\$714</u>
<u>Gerald Antinoro, Sheriff, Storey Co.</u>	<u>10/17/2018</u>	<u>NRS 281A.400(2) and (7)</u>	<u>\$2,500</u>	<u>\$0</u>
<u>Lawrence Weekly, Chair, Las Vegas Convention &amp; Visitors Authority</u>	<u>1/16/2019</u>	<u>NRS 281A.400(1), (2), (7) and (9)</u>	<u>\$2,398.64</u>	<u>\$400</u>
<u>Judie Allan, Commissioner, Lander Co.</u>	<u>5/22/2019</u>	<u>NRS 281A.400(1), (2) and (9)</u>	<u>\$500</u>	<u>\$0</u>
<u>Lisa Cooper, Former Executive Director, Board of Massage Therapy</u>	<u>5/22/2019</u>	<u>NRS 281A.400(1) and (2)</u>	<u>\$25,023</u>	<u>\$50</u>
<u>Cathy Tull, Chief Marketing Director, Las Vegas Convention &amp; Visitors Authority</u>	<u>6/17/2019</u>	<u>NRS 281A.400(1), (2), (7) and (9)</u>	<u>\$8,700</u>	<u>\$0</u>

**Documents Filed:**

Pursuant to NRS 281A.500, public officers filed 695 Acknowledgment of Ethical Standards Forms (“Acknowledgment Forms”) with the Commission for calendar year 2018. This is a significant decrease from the prior calendar year of over 1,000 Acknowledgment Forms that were filed. Public officers are required to file an Acknowledgment Form within 30 days of any appointment and reappointment to a public office or special election, and on or after January 15 following a general election for each term of office. The number of Acknowledgment Forms filed generally increases following educational outreach by the Commission as the awareness of this requirement is implemented throughout the State and local jurisdictions. The Commission acknowledged its limitations in enforcing the filing of Acknowledgment Forms in its legislation (SB 129)

by seeking to impose a requirement for all State and local agencies to provide a master list of public officers throughout the state and impose administrative penalties for failure to file. The ability to enforce the required filing of Acknowledgment Forms is an important goal to assure public officers understand the Ethics Law and will be pursued again in the future.

The Commission's website allows for submission of Acknowledgment Forms directly through the website and the Commission anticipates it will make the filed forms publicly available in searchable format on the Commission's website during the next fiscal year.

#### IV. Litigation & Appellate Review:

During FY19, the Commission defended several of its decisions that were the subject of petitions for judicial review and other litigation initiated in State courts.

Commission Case No.15-74A (Confidential Subject) – Nevada Supreme Court Case No. 73105 and Second Judicial District Court of the State of Nevada Case No. CV16-0211

In response to this confidential request for an advisory opinion filed by Confidential Subject, the Commission issued an opinion regarding the application of the disclosure and abstention provisions of the Ethics Law to the Confidential Subject's private circumstances. Confidential Subject filed a Petition for Judicial Review in the Second Judicial District Court of the State of Nevada in and for the County of Washoe, Case No. CV16-02118, asserting that the Commission committed various errors of law, including constitutional errors. The District Court upheld the Commission's determination regarding disclosure and concluded that the Commission's opinion did not violate any constitutional protections. However, the Court overturned the Commission's determination regarding abstention.

The Commission filed a Notice of Appeal with the Nevada Supreme Court asserting that the District Court lacked jurisdiction to consider Subject's Petition for Judicial Review and had committed error in its reversal of the Commission's abstention analysis. The Confidential Subject filed a cross-appeal asserting the District Court committed error in its affirmance of the Commission's opinion related to disclosure and its dismissal of the constitutional claims. All pleadings were filed under seal with the Nevada Supreme Court, Case No. 73105, to maintain the statutory confidentiality of the Commission's opinion. The Nevada Supreme Court considered the briefs of the parties and issued a unanimous *en banc* order in favor of the Commission on July 18, 2018. The order vacated the District Court's judgment and remanded the case to the District Court to enter an order dismissing the petition for lack of jurisdiction. Dismissal was duly entered by the District Court on July 26, 2018. Thereafter, the Commission proceeded to publish an abstract of its original opinion.

Commission Case No. 16-54C (Antinoro) – Nevada Supreme Court Case No. 74206 and First Judicial District Court Case No. 17 OC 00138

The Commission issued a final opinion finding that Subject Antinoro committed a willful violation of the Ethics Law by using government letterhead as a mechanism to endorse a political candidate and the Commission imposed a \$1,000 sanction. Subject Antinoro filed a Petition for Judicial Review of the Commission's decision in the First Judicial District Court of the State of Nevada in and for Carson City, Case No. 17 OC 00138, asserting that the Commission committed legal error and asserting a constitutional challenge to NRS 281A.400(7). The Commission filed a motion to dismiss asserting the Court lacked jurisdiction to consider the petition due to noncompliance with the mandatory requirements of Nevada's Administrative Procedures Act set forth in NRS Chapter 233B, including failing to name all parties of record in the administrative proceedings and failing to exhaust administrative remedies. The District Court granted the motion to dismiss in favor of the Commission. Subject Antinoro filed a Notice of Appeal with the Nevada Supreme Court, Case No. 74206. The issues presented on appeal were briefed by the parties and the appeal was directed by the Nevada Supreme Court to the Nevada Court of Appeals for consideration.

On May 24, 2019, the Nevada Court of Appeals issued an Order of Reversal and Remand indicating, in part, that at the time the District Court dismissed the petition, it did not have the benefit of the Nevada Supreme Court's opinion in *Prevost v. State, Dep't of Admin.*, 134 Nev Adv. Op. No. 42, \_\_\_, 418 P. 3d 675, 676 (2018), which clarified prior case precedent and determined that the failure to identify a party in the caption of the petition for judicial review is not a fatal jurisdictional defect when the petitioner attached a copy of the underlying administrative decision that identified the parties. The Court of Appeals also determined that exhaustion of remedies was not required by application of NRS Chapter 281A and NAC Chapter 281A. Upon remand, the District Court issued an Order for Briefing Schedule and the parties are in the process of preparing their respective briefs on the merits.



Commission Case No. 17-21C (Antinoro) – First Judicial District Court Case No. 19 OC 00073 1B

The Commission issued a final opinion finding that Subject Antinoro committed a willful violation of the Ethics Law by using government property in furtherance of his significant personal interest in supervising a child visitation matter for members of his family at the Sheriff's office, and the Commission imposed a \$2,500 sanction. Subject Antinoro filed a Petition for Judicial Review of the Commission's decision in the First Judicial District Court of the State of Nevada in and for Carson City, Case No. 19 OC 00073 1B, asserting that the Commission committed an abuse of discretion because its opinion was not supported by substantial evidence and not in compliance with the requirements of NRS 281A.400 (7). On May 13, 2019, Subject Antinoro concluded the litigation by voluntarily dismissing the case with prejudice. The Commission's final opinion stands as issued.

Shull v. Roseman University, Desert Springs Hospital, Nevada Commission on Ethics, et al. - Eighth Judicial District Court Case No. A-18-783874-C

On November 2, 2018, Frederick H. Shull, Jr. pro se, filed a complaint naming a number of defendants, including the Commission. The complaint sought declaratory relief under the Nevada Uniform Judgment Act against all defendants. The claims applicable to the Commission were associated with Plaintiff's request for the District Court to declare that co-defendants Accreditation Counsel for Pharmacy Education ("ACPE"), a nonprofit organization located in Chicago, Illinois, and its Executive Director, Peter Vlasses had violated Nevada's Ethics in Government Law and breached their duty of reasonable care associated with ACPE's compliance standards pertaining to pharmacy educational curriculums. While the Commission was waiting service of process on the complaint, two other defendants pursued a motion to dismiss and other filings. Plaintiff Shull responded to the motion to dismiss, which response included the filing of a First-Amended Complaint. The First-Amended Complaint removed claims and defendants from the case, including the Commission. The litigation is proceeding against the remaining named defendants and is concluded with respect to the Commission.

## V. Fiscal Matters

### **Commission Budget:**

The Commission derives its funding based upon a proportionate split between the State General Fund and certain of Nevada's local governments (cities and counties). The portion attributable to the local governments is based on a proportionate split relative to the respective populations of the cities and counties.

The Commission's funding split between the State General Fund and local governments for each biennium is based upon the jurisdictional split between the number of public officers and employees who serve the State versus local governments. Accordingly, the Commission relied upon and the Legislature-approved objective labor data reported by the Nevada Department of Employment, Training and Rehabilitation showing a split of Nevada's public officers and employees between State and local governments at approximately 28 percent State and 72 percent local governments.

FY19 wrapped up the second year of the Commission's biennial budget. The Commission expended nearly the entirety of its legislatively approved budget for the fiscal year, which reflects the projected operating costs requested and approved for the fiscal year. The Commission's legislatively approved budget for FY19 was \$892,661 including personnel (salaries/benefits), travel, operating expenses, court reporting, information technology equipment and services and other State-related cost allocations and assessments. Other than personnel and operating costs, the Commission's primary efforts to provide outreach and education regarding the Ethics in Government Law and respond to advisory requests and ethics complaints establish the largest fiscal impacts on the Commission's budget.

Given the legislative priorities and demands on Commissioners and staff during FY19 to respond to its increased case load and ongoing outreach efforts, the Commission held fewer in person meetings, which enabled Commission staff to utilize the Commission's travel budget for investigations and training efforts throughout the state.

The Commission's budget objectives in FY19 included direction to the Executive Director to seek numerous enhancements from the Legislature, including additional staff, digital training resources, information technology resources, additional travel to accommodate investigations and outreach/education, and appropriate salary enhancements for certain staff positions within the agency to establish parity with similar positions in other State agencies, in particular, the Commission's counterpart in the Judicial Branch, the Nevada Judicial Discipline Commission. The Nevada Legislature approved the Commission's request for information technology resources.

Recognizing the Commission's continuous requests for salary parity, the 2017 Legislature adopted Senate Concurrent Resolution ("SCR") 6, which required an Interim Salary Study of the Unclassified and Nonclassified positions in State Government to better inform the Legislature how salaries are analyzed and whether the salaries are competitive with private sector positions and similar positions within State Government. SCR 6 specifically named the Ethics Commission as one of the entities to be studied. The Commission participated in this Interim Study during FY18, which consisted of a report regarding how positions and salaries are tiered within the Unclassified Pay system and a salary survey of similar agencies in the private sector and other State and local governments.

The results of the salary survey confirmed a significant disparity in pay for the Commission's Executive Director, Commission Counsel and Associate Counsel from similarly situated positions within the private sector and the related governmental entities. The Salary Study Committee issued a report to the 2019 Legislature and the Governor, but none of the agency salaries were adjusted.

Going forward, the Executive Director will work with the Commission to determine its priorities for additional positions and salary projections. In continuing to achieve the Commission's mission of education and outreach and as the case load increases and demands on staff become greater to process those cases, it will be necessary to consider increasing staff with appropriate positions and to continue streamlining case and opinion management; and modernizing the Commission's tools and resources for outreach and educational programs.

## VI. Outreach & Education Program

In FY19, the Commission continued its program of outreach and education to Nevada's public officers and employees and public attorneys. This fiscal year included the period encompassing the 2019 Legislative Session, which typically leads to a decrease in the number of presentations by the Executive Director. However, even under the demands of the Session, the Executive Director was able to continue outreach at nearly the same pace as the prior fiscal year. The Executive Director travelled to a significant number of rural communities in the State as well as maintained outreach to the jurisdictions that request training on an annual basis. This year, the Commission offered increased representation in the northern rural communities by both the Executive Director and Commission Counsel. The outreach included an emphasis on conflicts of interest and understanding the prohibitions under the Code of Ethical Standards.

The Commission has expressed its intention to increase the number and type of outreach in the future to promote its primary mission of education, including modernizing public and media outreach. Given the staffing limitations, the Commission will continue to seek a budget enhancement during the next biennium to acquire resources for digital outreach and training as well as a plan to increase general outreach to the public at large.

### Ethics Trainings - FY19

<b>Trainings Provided to:</b>	<b>Number of Ethics in Government Law Trainings Presented:</b>
State Government Entities	15
Local Government Entities	17
Other	1
<b>Total</b>	<b>33</b>

In addition to the Commission's training program, the Commission engages in other outreach efforts via staff communications and correspondence with the public. The Commission staff provides regular, often daily, feedback for the public, public officers and employees and attorneys regarding the applicability of NRS Chapter 281A and Commission's opinion precedent.

## VI. Closing Remarks

FY19 can be best summarized as a year of tremendous growth. Not only did the Commission experience political growth in navigating various legislative and budgetary reforms, but it experienced a significant increase of its overall case load. Whether it is a symptom of the types of cases and nature of alleged conduct, or the pursuit by the Commission for more accountability in government service, FY19 demonstrated a number of cases involving incredible examples of abuse of power and/or mismanagement of government resources resulting in the imposition of significantly higher sanctions than the Commission has imposed in prior years. The Commission and its staff have been remarkably responsive to the public and increased case load during FY19, and have complied with all statutory deadlines for preliminary and final resolutions of its cases. These successes are to be celebrated all while the Commission embraces future efforts to revisit issues left unresolved in FY19, including further streamlining of advisory and complaint processes and modernizing outreach and educational programs.

The members of the Commission and its staff remain dedicated to the mission of the agency to ensure the public's trust in those holding public office, which is held for the sole benefit of the people.

## Commission and Commissioner Information

Nevada Commission on Ethics  
as of 06/30/19

### Commissioners

\*=Appointed by Governor

\*\*=Appointed by Legislative Commission

**Chair - Cheryl Lau, Esq. (R)\***  
(07/01/16 – 06/30/20)

**Teresa Lowry, Esq. (D)\*\***  
(05/16/18 - 05/15/22)

**Vice Chair - Keith Weaver, Esq. (D)\***  
(04/06/16 – 09/30/20)

**Philip “P.K.” O’Neill (R)\***  
(01/30/17 – 6/30/19)

**Brian Duffrin (NP)\***  
(10/01/16 – 10/31/19)

**Kim Wallin, CPA (D)\*\***  
(6/26/18 – 6/25/22)

**Barbara Gruenewald, Esq. (D)\*\***  
(11/01/15 - 10/31/19)

**Amanda Yen, Esq. (R)\*\***  
(12/21/16 – 06/30/20)

### Staff

**Yvonne M. Nevarez-Goodson, Esq.**  
Executive Director

**Tracy L. Chase, Esq.**  
Commission Counsel

**Judy A. Prutzman, Esq.**  
Associate Counsel

**Darci L. Hayden, PP-SC**  
Senior Legal Researcher

**Kari Pedroza**  
Executive Assistant

**Erron Terry**  
Investigator



## **Nevada Commission on Ethics**

Nevada Commission on Ethics

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# **Agenda Item 6**



RFO No.	Date Filed	Jurisdiction	Local or State	Subject of RFO	Requester	Status
19-098A	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Submission/ Opinion
19-097A	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Submission/ Opinion
19-096A	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Submission/ Opinion
19-095C	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
19-094C	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
19-093C	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
19-092A	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Submission/ Opinion
19-091C	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-090C	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-089C	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-088C	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
19-087C	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
19-086C	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
19-085C	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
19-084C	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
19-083A	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 10/2/19; Abstract Opinion Pending
19-082C	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
19-081C	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
19-080A	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 10/8/19; Abstract Opinion Pending
19-079C	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-078A	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-077A	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Submission/ Opinion
19-076A	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Submission/ Opinion
19-075C	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-074C	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-073A	XXXXXX	XXXXXXXXXX	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn

19-072C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-071C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-070C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-069C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-068A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 10/8/19; Abstract Opinion Pending
19-067C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending
19-066A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn
19-065C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending
19-064C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-063C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-062C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-061C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-060C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-059A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 9/3/19; Abstract Opinion Pending
19-058C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed w/Ltr of Caution 8/15/19 (Jurisdiction; No Investigation)
19-057C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending
19-056C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending
19-055A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 8/13/19; Reconsideration Pending
19-054C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn
19-053C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)

↑ FISCAL YEAR 2020 ↑

19-052A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 9/24/19; Abstract Opinion Pending
19-051A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 8/1/19; Abstract Opinion issued 10/7/19
19-050A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 8/13/19; Abstract Opinion Pending
19-049A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 8/13/19; Abstract Opinion Pending
19-048A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 6/25/19; Abstract Opinion issued 7/11/19
19-047A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn
19-046A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn
19-045A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 7/1/19; Confidentiality waived
19-044C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Panel Pending
19-043C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-042C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed w/Ltr of Instruction 7/15/19 (Jurisdiction; No Investigation)
19-041C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-040C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-039C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Deferral Agreement Form Approved by Panel 10/8/19
19-038C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-037C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-036C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-035C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending

19-034A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn
19-033C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed w/Ltr of Instruction 6/17/19 (Jurisdiction; No Investigation)
19-032A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 5/18/19; Abstract Opinion issued 6/20/19
19-031C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed by Panel w/Ltr of Caution 8/21/19
19-030C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-029C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed by Panel w/Ltr of Caution 8/21/19
19-028C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed by Panel w/Ltr of Caution 8/21/19
19-027C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Pending Stipulation 10/16/19; Consolidated with 19-026C
19-026C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Pending Stipulation 10/16/19; Consolidated with 19-027C
19-025A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 19-024A Duplicate)
19-024A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction)
19-023C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-022C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed by Panel 8/5/19 (Jurisdiction; No Investigation)
19-021C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Hearing Pending 11/13/19
19-020C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-019C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 19-019C Duplicate)
19-018C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Stipulated Agreement 6/17/19 Compliance Pending
19-017C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-016A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 4/15/19; Confidentiality waived

19-015C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-014C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-013C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-012C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-011C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-010C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn
19-009A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 3/13/19; Abstract Opinion issued 4/24/19
19-008A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn
19-007A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn
19-006C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-005A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 2/19/19; Abstract Opinion issued 3/14/19
19-004C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending
19-003A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 2/27/19; Confidentiality waived
19-002C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 19-001C Duplicate)
19-001C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
18-145A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Stayed by Order of the Commission pending related Ethics Complaint Matter
18-144C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
18-143C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed w/Ltr of Caution 1/22/19 (No Jurisdiction)
18-142C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)

18-141C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed w/Ltr of Caution 1/22/19 (No Jurisdiction)
18-140C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-139C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending
18-138C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
18-137A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 1/29/19; Abstract Opinion issued 3/11/19
18-136A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 12/18/18; No Abstract Opinion
18-135C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-134C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-133C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-132C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-131A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction)
18-130C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending
18-129A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Insufficient Information)
18-128A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Insufficient Information)
18-127C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-126C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-125C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-124C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)

18-123A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn
18-122A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn
18-121C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending
18-120C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-119C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-118A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 12/18/18; Confidentiality waived
18-117C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-116A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 11/1/18; Abstract Opinion issued 11/28/18
18-115C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
18-114C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending
18-113C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
18-112C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed by Panel w/Ltr of Caution 4/22/19
18-111C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed w/Ltr of Caution 11/8/18 (Jurisdiction; No Investigation)
18-110C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn
18-109C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-108A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 18-107A Duplicate)
18-107A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 11/1/18; Confidentiality waived
18-106C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Deferral Agreement 5/22/19; Compliance Pending
18-105C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-104C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)

18-103C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-102C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-101C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-100C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-099C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-098C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-097C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-096C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-095C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-094C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-093C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-092C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-091C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-090C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-089C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-088C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-087C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)



18-086C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-085C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-084C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 18-085C Duplicate)
18-083C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 18-082C Duplicate)
18-082C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-081C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed w/Ltr of Caution 10/22/18 (Jurisdiction; No Investigation)
18-080A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 11/21/18; Abstract Opinion issued 1/29/19
18-079C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-078A	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 10/10/18; Abstract Opinion issued 11/7/18
18-077C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed by Panel w/Ltr of Instruction 9/18/19
18-076C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 18-075C Duplicate)
18-075C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed w/Ltr of Instruction 10/22/18 (Jurisdiction; No Investigation)
18-074C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed by Panel
18-073C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 18-072C Duplicate)
18-072C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Deferral Agreement 1/15/19 Compliance Pending
18-071C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-070C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-069C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-068C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)

18-067C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-066C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 18-065C Duplicate)
18-065C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-064C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed by Panel w/Ltr of Instuction 9/18/19
18-063C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-062C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Stipulated Agreement 1/16/19 Compliance Pending
18-061C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending
18-060C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending
18-059C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed w/Ltr of Caution 10/1/18 (Jurisdiction; No Investigation)
18-058C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 18-057C Duplicate)
18-057C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Deferral Agreement 3/11/19 Compliance Pending
18-056C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-055C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 18-056C Duplicate)
18-054C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-053C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-052C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Stipulated Agreement 8/21/19; Consolidated with 18-031C
18-051C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed w/Ltr of Instruction 9/10/18 (Jurisdiction; No Investigation)
18-050C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed w/Ltr of Instruction 9/6/18 (Jurisdiction; No Investigation)
18-049C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending

18-048C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
18-047C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 18-046C Duplicate)
18-046C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
18-045C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 18-046C Duplicate)
18-044C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 18-046C Duplicate)
18-043C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed in Part by Panel 2/20/19 w/Ltr of Caution; Deferral Agreement 3/14/19; Compliance Pending
↑ FISCAL YEAR 2019 ↑						
18-039C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Stipulated Agreement 5/28/19 Compliance Pending
18-031C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Stipulated Agreement 8/21/19; Consolidated with 18-052C
18-028C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed by Panel w/Ltr of Caution 2/20/19
18-005C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Stipulated Agreement 5/29/19 Compliance Pending
17-27C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Deferral Agreement 1/16/18, Compliance Pending
↑ FISCAL YEAR 2017-2018 ↑						
17-23C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Deferral Agreement 11/7/17, Compliance Pending
↑ FISCAL YEAR 2016-2017 ↑						
16-54C	XXXXXX	XXXXXXXXXXXX	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Pending Litigation/Judicial Review
↑ FISCAL YEAR 2015-2016 ↑						