



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.¹

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:

¹ 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 21st 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 AND REFERRAL ORDER** 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

Dated: 8/21/19



Employee, Nevada Commission on Ethics