

State of Nebraska

Accountability and Disclosure Commission

P.O. BOX 95086
Lincoln, Nebraska 68509
www.nadc.nebraska.gov



11th Floor, State Capitol
Phone (402) 471-2522
Fax (402) 471-6599

Synopsis Case #15-07

Action Taken on December 4, 2015

Respondent: John Sieler

The Respondent was a candidate in the 2014 General Election for Public Service Commission. His candidate committee was Friends of John Sieler which was required to file a Post General Election Campaign Statement on or before January 13, 2015. The Executive Director of the Commission commenced a Preliminary Investigation on April 22, 2015 alleging a failure to file a Post General Election Campaign Statement in violation of section 49-1459(1)(c) of the Nebraska Political Accountability and Disclosure Act. The required campaign statement was filed on October 30, 2015. The parties entered into a settlement agreement by the terms of which the Commission finds a violation of section 49-1459(1)(c) and no civil penalty is assessed. It was noted by the Commission that a late filing fee of \$750 was assessed against the Respondent by operation of law. The Commission approved the Settlement Agreement with five Commissioners concurring, no Commissioners dissenting, and no Commissioners abstaining.

Violation: Pursuant to the Settlement Agreement, the Commission found that the Respondent failed to file a Post General Election Campaign Statement on or before January 13, 2015 in violation section 49-1493 of the NPADA.

Civil Penalty: None

Other: Required statement is now on file. A late filing fee of \$750 was assessed by operation of law.

Synopsis Prepared by: Frank Daley
Executive Director
Nebraska Accountability & Disclosure Commission
P.O. Box 95086
Lincoln, NE 68509
402-471-2522

BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION

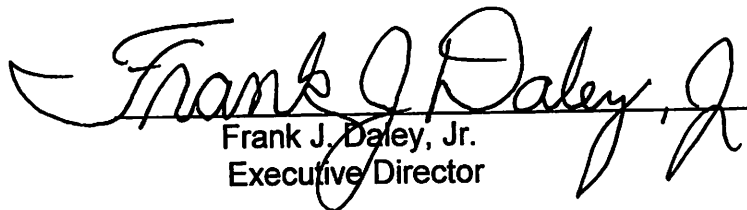
In the Matter of John Sieler)
Respondent)
ORDER)

Now on this 4th day of December, 2015, this matter comes before the Nebraska Accountability and Disclosure Commission. Commissioners Conway, Enenbach, Loudon, Schulz, and von Gillern are present with Commissioner Schulz presiding. The Respondent is not present. Neil Danberg appears on behalf of the Commission. The Commission notes the submission of a proposed Settlement Agreement.

Whereupon, the Commission with five Commissioners concurring, no Commissioners dissenting, and no Commissioners abstaining, finds that the attached Settlement Agreement should be and hereby is approved and incorporated into this Order. Pursuant to that Agreement, the Commission finds that the Respondent has committed a violation of Nebraska Revised Statutes, Section 49-1459(1)(c), as more fully explained in the attached Settlement Agreement. Pursuant to the agreement, the Commission notes the pending late filing fee of \$750 and imposes no civil penalty.

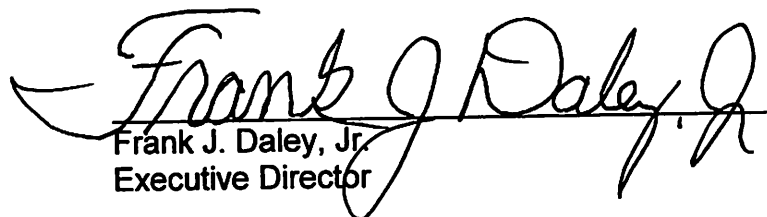
Issued this 4th day of December, 2015

Nebraska Accountability and Disclosure Commission


Frank J. Daley, Jr.
Executive Director

Certificate of Service

I hereby certify that a copy of this Order was sent by certified U.S. Mail, postage prepaid, return receipt requested on this 4th day of December, 2015, to the following at the following address or addresses: John Sieler, 2820 N. 66th Avenue, #210, Omaha, NE 68104


Frank J. Daley, Jr.
Executive Director

BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION

In the Matter of John Sieler

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) **CASE #15-07**
)
) **Settlement Agreement**
)
)

11/19/15
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 NEBRASKA ACCOUNTABILITY & DISCLOSURE COMMISSION

- 1) Parties: The parties to this Settlement Agreement are the Nebraska Accountability and Disclosure Commission, hereafter referred to as the "Commission" and John Sieler of Omaha, Nebraska, hereafter referred to as the "Respondent".
- 2) Jurisdiction: The parties acknowledge the jurisdiction of the Commission pursuant to the Nebraska Political Accountability and Disclosure Act.
- 3) Intention: The parties enter into this Settlement Agreement after a finding of probable cause by the Commission and agree that this Agreement shall constitute a waiver of a formal hearing thereby resolving the matter without further delay and expense to the parties.
- 4) Admissions and Findings: The Respondent admits that: a) Friends of John Sieler was the candidate committee of John Sieler who sought election to the Public Service Commission during the 2014 State General Election; b) he was required to file a Post General Election Campaign Statement on or before January 13, 2015; c) the statement was not filed until October 30, 2015; and d) the failure to timely file the statement was a violation of §49-1459(1)(c).
- 5) Penalty: The parties acknowledge that violation of Section §49-1459(1)(c) may result in a maximum civil penalty of two thousand dollars. The parties note that the sum of \$750 in late filing fees has been assessed against the committee by operation of law and so the parties agree that no civil penalty shall be assessed.
- 6) Future Compliance: Respondent agrees that in the future, he will use all reasonable diligence in complying with all of the provisions of the Nebraska Political Accountability and Disclosure Act.
- 7) Commission Order. The parties agree that the Commission shall enter an Order finding the violation as set out in paragraph 4 above and order the payment of no civil penalty as agreed herein.
- 8) Effective Date of Agreement: This Agreement shall not be binding upon the

parties until approved by the Commission. The date upon which the Commission enters its Order shall be deemed the effective date. If this Agreement is not approved in whole by the Commission, the Settlement Agreement shall be void and may not be used in this or any other proceeding.

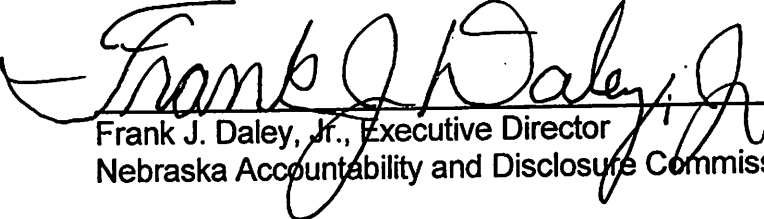
- 9) Acknowledgement: The parties acknowledge that this Settlement Agreement and any subsequent Order shall be announced at an open public meeting of the Commission and that the vote on such matter shall take place at the Closed Session portion of the meeting. The parties further acknowledge that upon adoption this Settlement Agreement and Order shall become open and public.
- 10) Address the Commission: The parties agree that the Respondent or his representative shall have the opportunity to address the Commission on the matter of the approval of this Settlement Agreement. The presentation of the Respondent may be made in person, through an attorney, or in written form. However, no appearance by the Respondent is required.
- 11) Advice of Counsel: The Respondent acknowledges that he has had the opportunity to seek the advice of an attorney in this matter.

11-16-15
Date



John Sieler, Respondent

11-23-15
Date



Frank J. Daley, Jr., Executive Director
Nebraska Accountability and Disclosure Commission