

# State of Nebraska Accountability and Disclosure Commission

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



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## Synopsis Case #24-05

Action Taken on December 6, 2024

### **Respondent: Cabell Hobbs**

The Respondent is Cabell Hobbs. A Complaint was filed against the Respondent, alleging that R.E.D. PAC purchased political advertisements prior to the May Primary election. The advertisements opposed Emily Haxby, who was a candidate for Gage County Supervisor. The advertisements failed to list a street address for the entity purchasing the advertisements. The Complaint alleges that failure to list a street address is a violation of Section 49-1474.01 of the Nebraska Political Accountability and Disclosure Act ("NPADA"). The Respondent was identified as a representative of the said PAC.

A Notice of Preliminary Investigation was issued by the NADC alleging a violation of Section 49-1474.01 of the NPADA, in that the Respondent had failed to provide a street address in the political advertisements issued prior to the Primary election.

The Respondent obtained legal counsel. Thereafter, settlement negotiations were initiated, and the parties then entered into a proposed Settlement Agreement, by the terms of which the Respondent accepted a violation of Section 49-1474.01, failure to provide a street address on the political literature opposing the Complainant, which was sent prior to the Primary election. Under the terms of the Agreement, the Respondent agreed to pay a civil penalty in the amount of \$1,000.00.

The Commission adopted the Settlement Agreement with six (6) Commissioners concurring, no Commissioners dissenting, and no Commissioners abstaining.

**Violation and Civil Penalty:** Pursuant to the Settlement Agreement, the Commission found that the Respondent violated Section 49-1474.01 by sending political advertisements prior to the Primary election, which failed to provide a street address. A Civil Penalty of \$1,000.00 was imposed.

**Civil Penalty:** \$1,000.00

**Attorney for the Commission:** Neil B. Danberg

**Synopsis Prepared by:** David Hunter, Executive Director

Nebraska Accountability and Disclosure Commission

P.O. Box 95086, Lincoln, NE 68509 (402)-471-2522

**BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION**

In the Matter of Cabell Hobbs

Respondent

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Case #23-05

ORDER

Now on this 6th day of December, 2024, this matter comes before the Nebraska Accountability and Disclosure Commission. Commissioners Anderson, Davis, Evnen, Gloor, Reuss, and Sullivan are present with Commissioner Davis presiding. The Respondent is not present. The Commission notes the submission of a proposed Settlement Agreement.

Whereupon, the Commission with six (6) 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 the Nebraska Revised Statutes, Section 49-1474.01 as recited in the attached Settlement Agreement.

In accordance with the Settlement Agreement, the Commission imposes a civil penalty of \$1,000.00 upon the Respondent.

Issued this 6th day of December, 2024.

Nebraska Accountability and Disclosure Commission



David M. Hunter, 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 6<sup>th</sup> day of December, 2024 to the following address :: Cabell Hobbs, P.O. Box 341027, Austin, TX 78734, and his attorney, by regular U.S. Mail, Gwen Benevento, 6501 West Belleview Ave., Suite 375, Denver, CO 80111.

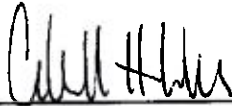


David M. Hunter Executive Director

**BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION**  
**IN THE MATTER OF:                    CASE No. 24-05            SETTLEMENT AGREEMENT**  
**CABELL HOBBS**

- 1) **Parties:** The parties to this Settlement Agreement (hereinafter "Agreement") are the Nebraska Accountability and Disclosure Commission, hereafter referred to as the "Commission" and Cabell Hobbs, Respondent
- 2) **Jurisdiction:** The Respondent acknowledges that the Commission has jurisdiction in this matter pursuant to the terms of Nebraska Statutes 49-1401 et seq., known as the Nebraska Political Accountability and Disclosure Act ("NPADA").
- 3) **Intention:** The parties hereby agree and intend that this Agreement shall constitute a waiver of any further proceedings in this matter, thereby resolving the matter without further delay and expense to the parties.
- 4) **The Alleged Violation:** In its Notice of Preliminary Investigation in this case, the Commission has alleged that the Respondent, as a representative of R.E.D. PAC, on or about May 8, 2024, purchased certain direct mail ads opposing Emily Haxby, who was a candidate for Gage County Supervisor, District 2, and said ads failed to state the street address of the entity purchasing said ads, in violation of §49-1474.01 of the NPADA.
- 5) **Stipulation:** The Respondent and the Commission stipulate and agree that at the time of the alleged violation, the Respondent failed to include the street address of the entity purchasing the ads.
- 6) **The Alleged Violation, Agreement:** The Respondent states that it was not his intent to violate the NPADA as alleged, but he agrees and stipulates that there is sufficient evidence to support the Commission's findings of a violation Section 49-1474.01 of the NPADA, as stated in the Notice of Preliminary Investigation in this matter, and as described in Paragraph 4, above. The Respondents further agrees that he will not contest the Commission's Order in this case. The Respondent further agrees to present a valid street address for R.E.D. PAC, which purchased the ads.
- 7) **Civil Penalty and Agreement:** The parties have agreed that, in view of the Respondent's willingness to resolve this matter, accept the finding of the Commission in this case, and provide the street address at issue, the Commission will impose a civil penalty in this matter in the amount of \$1,000.00

- 8) The Commission must approve this Agreement in order for it to be effective: The parties agree that for this Agreement to become effective, the Commission must approve it, and enter an Order according to the terms of the Agreement.
- 9) Effective Date of Agreement: This Agreement shall not be binding upon the parties until the date it is approved by the Commission and the Commission issues an Order in accordance with the terms of this Agreement. The date of the Order shall be deemed its effective date. If this Agreement is not approved by the Commission, this Agreement shall be void and may not be used in this or any other proceeding. The parties acknowledge that this Agreement and any subsequent Order shall be announced at an open public meeting of the Commission. The parties further acknowledge that, upon adoption, this Agreement, the Order, and the Commission's file pertaining to this matter shall become open and public.
- 10) Right to Address the Commission: The Respondent has a right to address the Commission on the matter of the approval of this Settlement Agreement.
- 11) Advice of Counsel: The Respondent acknowledges that he has had an opportunity to seek the advice of an attorney concerning this Agreement.



Cabell Hobbs, Respondent

8/15/24  
Date



David M. Hunter, Interim Executive Director  
Nebraska Accountability and Disclosure Commission

12/06/2024  
Date