

## SETTLEMENT AGREEMENT

This agreement made and entered into between the Executive Branch Ethics Commission (hereinafter the "Commission") and James Johnson.

WHEREAS, this agreement involves the matter styled *Executive Branch Ethics Commission v. James Johnson*, Case No. 15-009, and Administrative Action No. 15-EBEC-0223;

WHEREAS, the Commission is designated by statute as the agency responsible for enforcing the Executive Branch Code of Ethics, KRS Chapter 11A;

WHEREAS, on July 24, 2015, the Commission alleged facts in an Initiating Order that James Johnson violated the Executive Branch Code of Ethics codified at KRS 11A.020(1)(a), (b), and (d);

WHEREAS, James Johnson was at all relevant times mentioned in the Initiating Order a "public servant" as defined in KRS 11A.010(9) and thus subject to the Executive Branch Code of Ethics; and

WHEREAS, James Johnson indicates his desire to resolve all issues in this action by the execution of a Settlement Agreement.

NOW, THEREFORE, in settlement of the above allegations, the Commission and James Johnson agree, pursuant to KRS 11A.100, as follows:

1. James Johnson admits that he committed violations of the Executive Branch Code of Ethics codified at KRS 11A.020(1)(a), (b), and (d), as stated in the Appendix A to the Commission's Initiating Order of July 24, 2015, attached hereto and incorporated by reference herein.

2. James Johnson agrees to pay the Commission a civil penalty of two thousand five hundred dollars (\$2,500.00) by April 1, 2015 in accordance with an Agreed Final order.

3. James Johnson agrees to forfeit any tax refund that he may be entitled to receive to the Executive Branch Ethics Commission to be applied towards the civil penalty remaining referenced in paragraph 2 each year until the full civil penalty is paid.

4. James Johnson agrees to abstain from seeking employment with the executive branch of state government for a period of ten (10) years from the date of this agreement.

5. James Johnson agrees that upon the Settlement and Agreed Final Order being entered by the Commission that he waives all rights to any further administrative process or appeal pursuant to KRS 13B.140 thereon.

6. The parties further agree that the acceptance of this Settlement Agreement and Agreed Final Order by both parties, and the fulfillment of its express terms, is in full accord and satisfaction of the herein referenced *Executive Branch Ethics Commission v. James Johnson*, Agency Case No. 15-009 and Administrative Action No. 15-EBEC-0223.

7. This Settlement Agreement constitutes a public reprimand to James Johnson, a copy of which will be provided to his former appointing authority pursuant to KRS 11A.100(3)(c).

IN WITNESS THEREOF, the parties have caused this agreement to be executed:

  
James Johnson

11-30-2015  
Date

**EXECUTIVE BRANCH ETHICS COMMISSION:**

Absent  
Chair, William David Denton

1-11-16  
Date

  
Vice Chair, William G. Francis

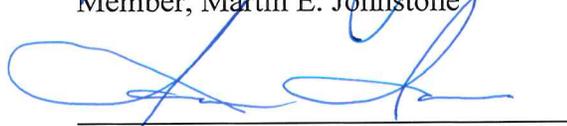
1-11-16  
Date

  
Member, Richard L. Masters

1-11-16  
Date

  
Member, Martin E. Johnstone

1-11-16  
Date

  
Member, Sheila R. Isaac

1/11/2016  
Date