

COMMONWEALTH OF KENTUCKY
EXECUTIVE BRANCH ETHICS COMMISSION
AGENCY NO. 15-009
ADMINISTRATIVE ACTION NO. 15-EBEC-0223

EXECUTIVE BRANCH ETHICS COMMISSION

COMPLAINANT

vs.

JAMES JOHNSON

RESPONDENT

AGREED FINAL ORDER

WHEREAS, the parties having reached a settlement in this matter, and the Executive Branch Ethics Commission (the "Commission") being otherwise sufficiently advised,

IT IS HEREBY ORDERED AND ADJUDGED as follows:

1. The executed Settlement Agreement attached hereto as Exhibit A is incorporated by reference as if fully stated herein.
2. James Johnson agrees to pay the Commission a civil penalty in the total amount of two thousand five hundred dollars (\$2,500.00) by means of a check or money order made payable to the Kentucky State Treasurer so that the total amount has been received by the Executive Branch Ethics Commission on or before April 1, 2016.
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. If James Johnson fails to make payment in full in the method described in Paragraph 2 above, then the Executive Branch Ethics Commission may immediately file an enforcement action in Franklin Circuit Court for the unpaid balance of the civil penalty, plus twelve percent (12%) per annum from April 1, 2016, until the civil penalty is paid in full, as well as any expenses and attorney's fees associated with collecting the judgment.
5. Upon full payment of the civil penalty, this case shall be dismissed as settled.

SO ORDERED, this 11th day of January 2016.

EXECUTIVE BRANCH ETHICS COMMISSION

Absent

Chair, W. David Denton

William E. Francis

Vice-Chair, William Francis

[Signature]

Member, Richard L. Masters

[Signature]

Member, Martin E. Johnstone

[Signature]

Member, Sheila R. Isaac

Seen and Agreed by:

James Johnson

James Johnson, Respondent

Kathryn H. Gabhart

Hon. Kathryn H. Gabhart, Counsel for Complainant

DISTRIBUTION

By hand delivery, for filing on January 11, 2016:

DEBBIE BRISCOE
ADMINISTRATIVE PROCEEDINGS CLERK
EXECUTIVE BRANCH ETHICS COMMISSION
3 FOUNTAIN PLACE
FRANKFORT, KENTUCKY 40601

By hand-delivery to:

HON. KATHRYN H. GABHART
EXECUTIVE DIRECTOR
EXECUTIVE BRANCH ETHICS COMMISSION
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FRANKFORT, KENTUCKY 40601

By Messenger Mail:

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ADMINISTRATIVE HEARINGS BRANCH
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1024 CAPITAL CENTER DRIVE, SUITE 200
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By U.S. Mail to:

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Debbie Briscoe