

## OKLAHOMA ETHICS COMMISSION

PHONE: (405) 521-3451 • FAX: (405) 521-4905 • Website: www.ethics.ok.gov

In the matter of:	
Hoguen Apperson 2016; Terra Apperson, its Treasurer;) Hoguen Apperson, its Chairperson and Candidate,	Ethics Commission
Respondents.	Case No. 2018-11

## SETTLEMENT AGREEMENT

This matter was initiated by the Oklahoma Ethics Commission ("Commission") on July 13, 2018, pursuant to Rule 6 of the Oklahoma Ethics Commission Rules.

NOW, THEREFORE, the Commission and the Respondents agree as follows:

- 1. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding.
- 2. Respondents enter voluntarily into this agreement with the Commission.
- Hoguen Apperson voluntarily registered a candidate committee, Hoguen Apperson 2016, for the 2016 election for House District 7 in the Commission's Guardian System on April 12, 2016, naming his mother, Terra Apperson, as Treasurer of the committee.
- 4. Hoguen Apperson filed a declaration of candidacy for the 2016 election.
- 5. Hoguen Apperson ran unopposed in the primary and lost in the 2016 general election.
- 6. The committee opened a depository account with a \$600 contribution from the candidate's father, Charlie Apperson. The records for the depository account and the reports filed with the Commission show no other monetary contributions were accepted by the committee.
- 7. The only in-kind contributions to the committee were from Respondent Terra Apperson, in the amount of \$1,148.95, which includes payment to the Commission of a \$1,000 late

- fee for late filing of the committee's  $2018\ 2^{nd}$  Quarter Contributions and Expenditures Report.
- 8. Respondents failed to dissolve the committee by the mandatory dissolution date and failed to timely file the following seven reports of contributions and expenditures:
  - 2018 4<sup>th</sup> Quarter Report
  - 2018 1st Quarter Report
  - 2017 4th Quarter Report
  - 2017 3<sup>rd</sup> Quarter Report
  - 2017 2<sup>nd</sup> Quarter Report
  - 2016 Pre-Primary Election Report
  - 2016 Post-General Election Report
- 9. Respondents' failure to timely dissolve and file the seven reports caused to be issued final compliance orders assessing late fees totaling \$5,600.
- 10. Respondents have a pending collection action for six of the seven outstanding compliance orders, in the case styled Oklahoma Ethics Commission v. Hoguen Darrel Apperson, et al., Case No. CV-2019-69, in the District Court of Oklahoma County, State of Oklahoma.
- 11. In order to settle this complaint, investigation, all outstanding late fees due the Commission, and the pending district court action, the Commission agrees to settle the complaint and outstanding late fees owed by Respondents, and dismiss with prejudice the pending district court action in consideration of the following:
  - a. The Commission acknowledges that Respondents have now filed all outstanding reports and dissolved the candidate committee:
  - b. Respondents will pay to the Commission \$1,000 in late fees;
  - c. Respondents will pay attorney fees of \$300 to the Commission; and
  - d. All payments to the Commission due under this agreement will be made within 30 days of the effective date of this agreement.

- 12. This agreement shall become effective as of the date that all parties have executed this agreement and the Commission has approved this agreement at an official meeting.
- 13. This agreement constitutes the entire agreement between the parties on the matters miscd within, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained within this written agreement shall be enforceable.
- 14. This settlement agreement is limited to the facts of this case. This settlement agreement shall not have binding precedential effect for any other matter currently pending before the Commission or that may come before the Commission at a future date.

TO THE	A.A. A. M. Mile	COMMISSION:
LAK	1 1 1 15	COMMISSION

**Executive Director** 

5/10/2019 Date

FOR THE RESPONDENTS:

Place Break Section 3-26-19
Terra Apperson, Preasurer Date