



TEXAS ETHICS COMMISSION MEETING

Prehearing Conference Minutes

April 3, 2014, 9:49 a.m.

Capitol Extension, Room E1.010

Austin, Texas 78701



COMMISSIONERS PRESENT:

Jim Clancy, Chair; Paul W. Hobby, Vice Chair; Hugh C. Akin, Wilhelmina Delco, Tom Harrison, Bob Long, Tom Ramsay, and Chase Untermeyer.

COMMISSIONERS NOT PRESENT:

None.

STAFF PRESENT:

Natalie Adelaja, Natalia L. Ashley, Amy Barden, Lauren Bellomy, Margie Castellanos, Homer Diaz, Robbie Douglas, Nick Espinosa, Jessie Haug, Bobby Mannas, Mike McElhaney, John Moore, Melissa Ramos, Ian Steusloff, James Tinley, and Patty Williams.

MINUTES

This meeting was recorded. These minutes are a summary record of the Commission's actions at the meeting. For a detailed record of discussions and statements made by persons speaking at the meeting, please consult the audio recordings on file at the Commission's office.

Agenda Item 1: Call to order; roll call.

The meeting was called to order by Chair Clancy. Natalia Luna Ashley, Interim Executive Director, called the roll. All Commissioners were present.

Agenda Item 2: Contested Case Proceeding; Sworn Complaint No. SC-3120485 and Sworn Complaint No. SC-3120486, In the Matter of Empower Texans (DBA Texans for Fiscal Responsibility), Respondent. Prehearing conference.

Agenda Item 3: Contested Case Proceeding; Sworn Complaint No. SC-3120487 and Sworn Complaint No. SC-3120488, In the Matter of Michael Q. Sullivan, Respondent. Prehearing conference.

Chair Clancy briefed the Commission on these agenda items. Discussion proceeded between Chair Clancy, Vice Chair Hobby, and Commissioner Untermeyer and John Moore, Director of Enforcement, and Ian Steusloff, Assistant General Counsel, regarding the subpoenas presented to the Commission by staff. Joe Nixon, counsel for the respondents, addressed the Commission regarding subpoenas issued by the Commission and the proceedings.

Chair Clancy set out the following deadlines for the subpoenas issued by the Commission:

Motion for Protection or Motion to Quash will be due by April 21, 2014.

Responses to any Motion for Protection or Motion to Quash will be due by April 28, 2014.

Replies to any Motion will be due by May 1, 2014.

All non-objectionable documents will be produced by the subpoena deadline of May 5, 2014.

Chair Clancy directed the Commission counsel and the counsel for the respondents to attempt to confer for the purpose of reaching an agreement regarding the subpoenas.

Motion by Vice Chair Hobby to withdraw subpoenas previously issued to Empower Texans and Michael Quinn Sullivan; second by Commissioner Akin. **Motion passed by a vote of eight ayes.**

Amy Penn, assistant attorney general with the Attorney General's Office, addressed the Commission at the request of Vice Chair Hobby. Motion by Vice Chair Hobby to amend the subpoenas submitted by staff; second by Commissioner Ramsay. **Motion passed by a vote of eight ayes.**

Motion by Commissioner Delco to adjourn; second by Commissioner Long. **Motion passed by a vote of eight ayes.**