# BEFORE THE IOWA
# ETHICS AND CAMPAIGN DISCLOSURE BOARD
**Pursuant to Chapter 17A and Chapter 68B**

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| **IN THE MATTER OF:** | ) | |
| | ) | **Case No. 2008 IECDB 07** |
| **BARB NUSS,** | ) | |
| **In the Capacity as Candidate for Barb Nuss** | ) | **STATEMENT of CHARGES and** |
| **For Harding County Recorder,** | ) | **NOTICE of HEARING** |
| **RESPONDENT.** | ) | |

**HEREIN,** pursuant to Iowa Code section 68B.32C a contested case will be held before Presiding Officer Gerald Sullivan. The hearing is scheduled for 11:30 a.m. on July 1, 2008, and shall be held telephonically. At least 5 days before the hearing, the Respondent shall provide the Board's Legal Counsel with a telephone number where she will be present for the hearing.

## ALLEGATION

Pursuant to Iowa Code section 68A.402 and Iowa Code section 68B.32A(7), as the candidate of a candidate's committee the Respondent was required to file a January 19, 2008 campaign report and has failed to do so.

## DESCRIPTION OF PROCEDURE

If the conduct described in the Allegation is proven by a preponderance of the evidence, the Respondent is subject to the imposition of penalties under Iowa Code section 68B.32D. Both parties may present evidence, call witnesses, and enter motions. The Board's Legal Counsel is responsible for proving the violation.

The Board's jurisdiction and authority are provided in Iowa Code chapter 68B. The hearing will be conducted in accordance with the procedural rules in 351—Chapter 11. Pursuant to 351—11.8(3), within 10 days of service of this notice either party may request that the presiding officer be an administrative law judge assigned by the Department of Inspections and Appeals. The procedure for settlement of this matter is governed by rule 351—9.5.

Copies of all filings should be addressed to the Board's Legal Counsel:

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Iowa Ethics & Campaign Disclosure Board
510 E. 12th Street, Suite 1A
Des Moines, Iowa 50319
(515) 281-3489
(515) 281-3701 (fax)
charlie.smithson@iowa.gov (email)

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this Statement of Charges and Notice of Hearing was sent by first class mail, address service requested, on May 30, 2008, to:

Barb Nuss
620 Fremont St.
Iowa Falls, Iowa 50126

W. Charles Smithson
W. Charles Smithson, IECDB Legal Counsel