

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

IN THE MATTER OF:)
) **Case No. 2008 IECDB 03**
SCOTT FORTUNE,)
In His Capacity as the Chair for Grow for) **STATEMEMENT of CHARGES and**
It Committee,) **NOTICE of HEARING to APPEAL**
RESPONDENT.) **CIVIL PENALTY WAIVER DENIAL**

HEREIN, pursuant to Iowa Code section 68B.32C a contested case hearing will be held before Presiding Officer Gerald Sullivan. The hearing is scheduled for 11:00 a.m. on January 25, 2008, and shall be held telephonically. By January 18, 2008, the Respondent shall provide the Board's Legal Counsel with a telephone number where he will be present for the hearing.

ALLEGATION

Pursuant to Iowa Code section 68A.402 and Iowa Code section 68B.32A(7), as "chair" for a "political committee," Respondent was required to file an October 5, 2006 campaign report and a January 19, 2007 campaign report. Both reports were filed after the statutory deadline.

Civil penalties were assessed and the Respondent filed a waiver. The waiver was denied and the Respondent now seeks this hearing to appeal the assessments.

DESCRIPTION OF PROCEDURE

Both parties may present evidence, call witnesses, and enter motions. The Board's Legal Counsel is responsible for proving the underlying 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)
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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 December 31, 2007, to:

Scott Fortune
12746 Ford Trail S
Indianola, Iowa 50125

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