

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

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BOARD MEMBERS:
James Albert, Chair
Janet Carl, Vice Chair
Gerald Sullivan
Betsy Roe
John Walsh
Patricia Harper

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

IN THE MATTER OF:)
) **Case No. 2009 IECDB 03**
STEVEN FELDMANN,)
In the Capacity as Candidate for) **MOTION to DISMISS**
Feldmann for Sheriff,)
RESPONDENT.)

A Statement of Charges and Notice of Hearing was delivered and a telephonic hearing was scheduled for June 23, 2009. With no response from the Respondent prior to or on the date of the hearing, a default was orally ordered and a proposed default decision was submitted to the Presiding Officer.

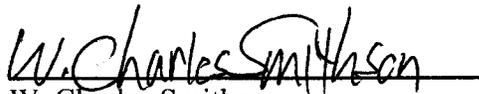
Subsequent to a decision being entered, Respondent contacted the Board's Executive Director/Legal Counsel with information that the Respondent had been serving in the military and was not in the country until after the date of the hearing.

The required report has now been filed and the \$100 civil penalty as automatically imposed under Board rule 351—4.59(2) has been paid.

Based on this, the Board's Executive Director/Board Counsel seeks the following:

1. That the default be vacated under rule 351—11.21 and no default order be entered.
2. That the \$100 civil penalty be the final resolution of the matter based on the facts.
3. That Case No. 2009 IECDB 03 otherwise be dismissed.

Wherefore, the Board's Executive Director/Legal Counsel respectfully prays that this Motion to Dismiss be granted.


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