

STATE OF CONNECTICUT

STATE ETHICS COMMISSION

CONFIDENTIAL

DOCKET NO. 2005-7 : STATE ETHICS COMMISSION
IN THE MATTER OF A : 20 TRINITY STREET
COMPLAINT AGAINST : HARTFORD, CT 06106
ALBEMARLE EQUITIES, LLC : MAY 10, 2005

COMPLAINT

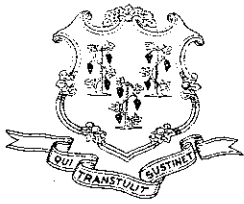
1. In or about February, 2004, the Respondent, Albemarle Equities, LLC, was a lobbyist registrant in Connecticut, pursuant to Conn. Gen. Stat. §1-91 *et seq.*
2. In or about February, 2004, Lisa Musumeci was the Vice-Chairperson of the State Properties Review Board, and a public official as defined in Conn. Gen. Stat. §1-79(k) and §1-91(p).
3. In or about February, 2004, the Respondent, through its principal member, was renting a three-bedroom condominium at Bear Creek near Stratton Mountain, Vermont that the principal member had rented for the season from a longtime friend in a less-than-arm's length transaction.
4. On or about February 26th-27th, 2004, the Respondent permitted Ms. Musumeci and her husband to stay at the Vermont condominium without charge while the Respondent's principal member, his wife, and another couple were also staying at the condominium.
5. The fair market value of renting a similar condominium at that time was approximately \$500.00 per night, making the fair market value of the benefit donated by the Respondent, through its principal member, approximately \$166.66 per night.
6. Pursuant to Conn. Gen. Stat. §1-97(a), no registrant or anyone acting on behalf of a registrant shall knowingly give a gift, as defined in subsection (g) of section 1-91, to any public official or a member of any such person's immediate family.
7. Regulations of Conn. State Agencies §1-92-54(c) requires that in order to avoid attribution of an item as directly and personally received, the recipient must either return the item or reimburse the donor within thirty days.

8. Conn. Gen. Stat. §1-91(g)(16) exempts from the definition of gift anything having a value of not more than ten dollars, provided the aggregate value of all things provided by a donor to a recipient under this subdivision in any calendar year shall not exceed fifty dollars.
9. Each donation by a registrant or someone acting on behalf of a registrant of anything of value in excess of ten dollars without timely reimbursement constitutes a gift within the meaning of Conn. Gen. Stat. §1-97(a).
10. By virtue of the above, the Respondent violated Conn. Gen. Stat. §1-97(a).

Dated at Hartford, Connecticut this 10th day of May, 2005.



Alice M. Sexton
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STIPULATION AND ORDER

Pursuant to Conn. Gen. Stat. §4-177(c), the State Ethics Commission ("Commission") and the Respondent, Albemarle Equities, LLC (hereinafter "the Respondent"), agree to settle this matter in the manner described below:

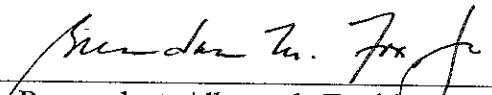
1. WHEREAS, on May 10, 2005, the Commission filed a Complaint against the Respondent alleging that it violated the Code of Ethics for Lobbyists, Conn. Gen. Stat. §1-91 *et seq.*
2. WHEREAS, the Commission finds that the Respondent violated the Code of Ethics for Lobbyists, Conn. Gen. Stat. §1-91 *et seq.* as alleged in the Complaint.
3. WHEREAS, the Respondent states that its principal member, Philip Schonberger, was a longtime friend of the gift recipient, and the gift recipient was a longtime friend of the condominium owner, Richard Suisman. The Respondent further states that its principal member was aware that the gift recipient had stayed at said condominium as a guest of the condominium's owner, by virtue of their mutual friendship, on other occasions over the course of many years, well before the Respondent paid to rent the condominium for the 2003-2004 season. Based on the foregoing, the Respondent enters into this Stipulation and Order, without admitting that it has violated any law, or otherwise committed any improper act, and Respondent submits that this is a compromise of a disputed claim and that any payment made is not to be construed as an admission of liability on the part of the Respondent or its principal member. The Respondent is entering into this Stipulation for the sole purposes of avoiding the time and expense of litigation and of resolving the controversy over this subject.
4. WHEREAS, the Respondent waives any rights it may have under Conn. Gen. Stat. §§ 1-93, 1-93a, 1-98 and 1-80, including the right to a hearing or any appeal in this case, and agrees with the Commission to an informal disposition of this matter.

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5. WHEREAS, this Stipulation and Order concludes the Commission's investigation into the conduct of the Respondent.

NOW THEREFORE, and in consideration of the above, pursuant to Conn. Gen. Stat. §4-177(c), the State Ethics Commission enters, and the Respondent agrees to, the following orders in lieu of any other action regarding this matter:

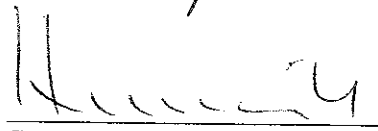
1. The Respondent shall pay a civil penalty of \$1,000.00 to the State Ethics Commission within thirty (30) days of the signing of this Stipulation and Order by all parties; and
2. The Respondent shall henceforth comply with the Codes of Ethics for Public Officials.



The Respondent, Albemarle Equities, LLC
By: *Brendan M. Fox, Jr.*
Its: *Attorney*

May 10, 2005

Date



State Ethics Commission
By: Hugh C. Macgill
Its Chairperson

10 May 2005

Date