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7 Phoenix, Arizona 85007
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11 **OFFICE OF THE ATTORNEY GENERAL**
12 **CAMPAIGN FINANCE PROCEEDINGS**
13

14 In the Matter of:

NO. SGO04-0158

15 MAINSTREAM ARIZONA,

**CONSENT AGREEMENT AND
ORDER**

16 Failure to File Statement of Organization and
17 Campaign Finance Reports, and Failure to
18 Provide Notice pursuant to A.R.S. §§ 16-902,
19 16-902.01, 16-912, 16-913, 16-917 and 16-
20 918.

21
22 **I. INTRODUCTION**

23 1. In the interest of a prompt and speedy resolution of the above-captioned matter,
24 consistent with the public interest, statutory requirements and the responsibilities of the Arizona
25 Attorney General's Office and the Arizona Secretary of State, the Arizona Attorney General's
26 Office and Mainstream Arizona, ("Mainstream") enter into this Consent Agreement to fully and
finally resolve all outstanding election-related issues involving Mainstream.

II. CONSENT AGREEMENT

2. In lieu of further proceedings, Mainstream enters into this Consent Agreement for
the purposes of settlement. Mainstream understands that:

- a. Any record prepared in this matter is a public record and may be retained and
disclosed as provided by law by the Arizona Attorney General's Office;

1 5. The Arizona Attorney General’s Office will not take a campaign enforcement
2 action against any individual who, in good faith, exceeded the annual contribution limit set out in
3 A.R.S. § 16-905(E) by making a contribution to Mainstream; and

4 6. Mainstream shall pay a civil penalty of five thousand dollars (\$5,000.00) to the
5 Arizona Secretary of State’s Office within thirty (30) days from the effective date of this Order.
6 The Committee shall pay the civil penalty by certified check or money order.

7 The effective date of this Order is the date Mainstream and the Arizona Attorney
8 General’s Office sign the Order. If the dates are different, the later of the two dates will
9 constitute the effective date of this Order.
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11 If Mainstream fails to comply with any material requirement or restriction set forth in this
12 Order, Mainstream shall be liable for the civil penalties consistent with A.R.S. §§ 16-912(E) and
13 16-918. If the Arizona Attorney General’s Office determines that Mainstream has failed to
14 comply with any material requirement or restriction of this Order, the Arizona Attorney
15 General’s Office shall notify Mainstream in writing of its determination. Mainstream shall be
16 entitled to a hearing and shall notify the Arizona Attorney General’s Office of its request for a
17 hearing within thirty (30) days from receipt of notice of its failure to comply with the Order. A
18 hearing shall be held within a reasonable amount of time from the date Mainstream notifies the
19 Arizona Attorney General’s Office of its desire to have a hearing. The sole issue to be
20 determined at the hearing is whether Mainstream violated any material requirement or restriction
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1 ORIGINAL Order filed this _____ day of
2 March 2005 with:

3 Office of the Arizona Attorney General
4 Campaign Finance Compliance Assistant
5 1275 West Washington
6 Phoenix, AZ 85007

7 COPY of this Order sent via U.S. Mail
8 this _____ day of March 2005 to:

9 Lee Stein
10 Fennemore Craig
11 3003 North Central Avenue, Suite 2600
12 Phoenix, Arizona 85012-2913
13 Counsel for Mainstream

14 Joe Kanefield
15 State Election Director
16 Arizona Secretary of State's Office
17 State Capitol – 7th Floor
18 1700 West Washington Street
19 Phoenix, AZ 85007

20 By: _____

21 438890 v2

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