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SETTLEMENT AGREEMENT

WHEREAS, this Settlement Agreement ("Agreement") is entered into by and between the New York State Commission on Public Integrity ("Commission") and Excelsior Advocates, LLC ("Respondent"); and

WHEREAS, the Commission is the State agency responsible for enforcing Article 1-A of the New York State Legislative Law, as amended ("Lobbying Act"); and

WHEREAS, as a registered lobbyist in 2007 and 2008, Respondent was therefore required to comply with the reporting requirements set forth in the Lobbying Act; and

WHEREAS, the Commission determined there is reasonable cause to believe that Respondent violated Legislative Law §1-e in 2007; §1-h in 2007; §1-e(d) in 2008; and §1-h in 2008 and issued a notice of reasonable cause ("NORC"); and

WHEREAS, in lieu of appearing for an adjudicatory hearing that could result in the assessment of a civil penalty, the parties to this Agreement have agreed to resolve their dispute in a manner that avoids further adjudicatory proceedings;

NOW THEREFORE, in consideration of the mutual covenants made herein, as the final settlement of the violation set forth herein, the parties agree that:

- I. Respondent, by and through its President and CEO, admits that it violated §§1-e and 1-h of the Lobbying Act as set forth in the NORC and agrees to pay to the Commission the amount of \$5,000.00 in settlement of said violations under the following terms:
- II. Notwithstanding the provisions of this Agreement. Respondent, by and through its President and CEO, understands and acknowledges that the Commission may investigate other knowing and willful violations, if any, by Respondent, of the Lobbying Act.
- III. Respondent, by and through its President and CEO, hereby waives its right to cure, as provided in §1o(c)(iii) of the Lobbying Act and may not assert such right at any future time.
- IV. Respondent, by and through its President and CEO, agrees that it will, in all respects, abide by the terms of the Lobbying Act.
- V. Respondent, by and through its President and CEO, agrees that neither it nor any of its agents or employees will issue any public statement, directly or indirectly denying the factual allegations, in the NORC or creating the impression that the NORC is without factual basis.
- VI. It is understood and agreed that this Agreement is not confidential, and that the Commission reserves the right to make public the Agreement and its terms.
- VII. If Respondent violates any of the terms of this Agreement, the Commission may declare this Agreement null and void and proceed to a hearing as if the Agreement had

not been executed.

VIII. Any amendment or modification to this Agreement shall be in writing and signed by both parties.

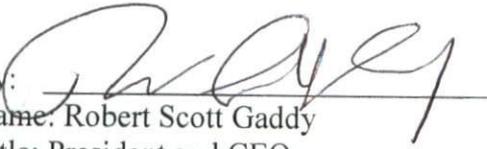
Dated: December 9, 2010



Barry Ginsberg, Executive Director
New York State
Commission on Public Integrity

ACCEPTED AND AGREED TO
THIS 15 DAY OF November, 2010

Excelsior Advocates, LLC.

By: 

Name: Robert Scott Gaddy
Title: President and CEO