

# State of Nebraska Accountability and Disclosure Commission

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Lincoln, Nebraska 68509  
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11th Floor, State Capitol  
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## Synopsis Case #17-13 Action Taken on December 1, 2017

**Respondent:** Vinny Palermo

The Respondent was a candidate for city council in the 2017 Omaha City Elections. His candidate committee was Friends for Vinny Palermo. A complaint was filed by Jeffrey Hall on April 24, 2017. The complaint alleged that Palermo and his committee failed to disclose one or more campaign expenditures of more than \$250 in violation of §49-1455 of the Nebraska Political Accountability and Disclosure Act (NPADA). The unreported expenditures on three separate campaign statements totaled \$12,078. The parties entered into a settlement agreement by the terms of which the Commission could find two violations of section 49-1455 and assess a civil penalty of no more than \$3,000. By the terms of the agreement, an allegation of failing to disclose expenditures on a third statement would be dismissed. The Commission approved the Settlement Agreement and assessed a civil penalty of \$2,000.00 with five Commissioners concurring, no Commissioners dissenting, and no Commissioners abstaining.

**Violation:** Pursuant to the Settlement Agreement, the Commission found that the Respondent failed to disclose expenditures of more than \$250.00 on two campaign statements in violation section 49-1455 of the NPADA and dismissed an allegation as to a third campaign statement.

**Civil Penalty:** \$2,000.00

**Other:** Amended campaign statements are now on file disclosing the transactions at issue.

**Synopsis Prepared by:** Frank Daley  
Executive Director  
Nebraska Accountability & Disclosure Commission  
P.O. Box 95086  
Lincoln, NE 68509  
402-471-2522

**BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION**

**In the Matter of Vinny Palermo**

**Case #17-13**

**Respondent**

**ORDER**

Now on this 1<sup>st</sup> day of December, 2017, this matter comes before the Nebraska Accountability and Disclosure Commission. Commissioners Enenbach, Gale, Loudon, Hegarty and Peetz are present with Commissioner Loudon presiding. Commissioner Conway is recused. The Respondent is not present. The Commission notes the submission of a proposed Settlement Agreement.

Whereupon, the Commission with five Commissioners concurring, no Commissioners dissenting, and no Commissioners abstaining, finds that the attached Settlement Agreement should be and hereby is approved and incorporated into this Order. Pursuant to that Agreement, the Commission finds that the Respondent has committed two violations of Nebraska Revised Statutes, Section 49-1455, as more fully set forth in the attached Settlement Agreement. The third allegation of a violation of §49-1455 is dismissed. Pursuant to the agreement, the Commission imposes civil penalty \$2,000.00.

Issued this 1<sup>st</sup> day of December, 2017

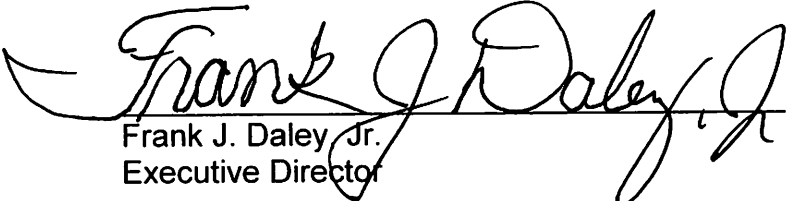
Nebraska Accountability and Disclosure Commission



Frank J. Daley, Jr.  
Executive Director

**Certificate of Service**

I hereby certify that a copy of this Order was sent by certified U.S. Mail, postage prepaid, return receipt requested on this 1<sup>st</sup> day of December, 2017, to the following at the following address or addresses: Vinny Palermo, 4520 South 41<sup>st</sup> Street, Omaha, NE 68107



Frank J. Daley, Jr.  
Executive Director

BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION

IN THE MATTER OF  
VINNY PALERMO


CASE # 17-13  
SETTLEMENT AGREEMENT

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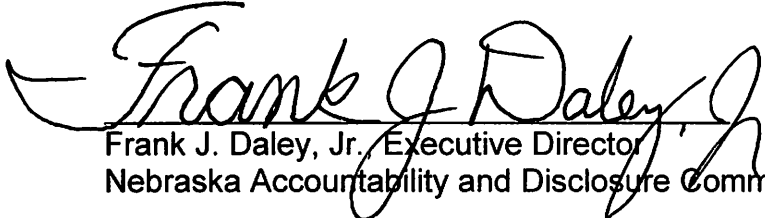
- 1) Parties: The parties to this Settlement Agreement (hereinafter "Agreement") are the Nebraska Accountability and Disclosure Commission, hereafter referred to as the "Commission", and Vinny Palermo, hereinafter referred to as the "Respondent".
- 2) Jurisdiction: The Respondent acknowledges the jurisdiction of the Commission pursuant to the Nebraska Political Accountability and Disclosure Act ("NPADA").
- 3) Intention: The parties hereby agree and intend that this Agreement shall constitute a waiver of further proceedings including a formal hearing on the alleged violations as described in Paragraph 4 of this Agreement, thereby resolving the matter without further delay and expense to the parties.
- 4) The Alleged Violations: In its Amended Notice of Preliminary Investigation in this case, the Commission alleged the Respondent committed three violations of the NPADA, Section 49-1455(1)(g) numbered as follows: (1) on March 21, 2017, (2) on May 5, 2017, and (3) on June 21, 2017, the Respondent filed campaign statements which failed to disclose one or more expenditures in excess of \$250.
- 5) The Alleged Violations, Stipulations and Agreements. The Respondent and the Commission stipulate and agree that at the time of the alleged violation, the Respondent was a candidate for the Omaha City Council. The parties further agree, that pursuant to the terms of this Agreement, the 3<sup>rd</sup> violation, as noted in Paragraph 4, above, concerning the campaign statement filed on June 21, 2017, will be dismissed.
- 6) The Alleged Violations: Findings. With respect to the remaining two alleged Violations, concerning the campaign statements filed on March 21, 2017 and on May 5, 2017, as more fully described in the Amended Notice of Preliminary Investigation as violations 1 and 2, and as referenced above in Paragraph 4 of this Agreement, the Respondent states that it was not his intention to violate Nebraska law as alleged. Nonetheless, the Respondent agrees and stipulates that if this matter proceeded to a hearing, there is sufficient evidence from which the Commission could make a finding, with respect to each of said alleged violations, that there has been a violation as alleged. The Commission may enter an order in accordance with said finding, and he would not contest such a finding.



- 7) Limitation of Civil Penalty: The parties have agreed that, upon acceptance of this Agreement by the Commission, the Commission may, but is not required to, impose a civil penalty upon the Respondent. The parties further agree that In the event the Commission elects to impose a civil penalty, such penalty will not exceed the amount of \$3,000.00.
- 8) The NADC must approve this Agreement in order for it to be effective: The parties agree that in order for this Agreement to become effective, the Commission must approve it and shall, if it approves the Settlement, enter an Order in accordance with the terms of this Agreement.
- 9) Effective Date of Agreement: This Agreement shall not be binding upon the parties until the date it is approved by the Commission and the Commission issues an order in accordance with the terms of this Agreement. The date upon which the Commission enters its Order approving this Agreement shall be deemed its effective date. If this Agreement is not approved in whole by the Commission, this Settlement Agreement shall be void and may not be used in this or any other proceeding. The parties acknowledge that this Settlement Agreement and any subsequent Order shall be announced at an open public meeting of the Commission. The parties further acknowledge that, upon adoption, this Settlement Agreement, the Order, and the Commission's file pertaining to this matter shall become open and public.
- 10) Right to Address the Commission: The Respondent has a right to address the Commission on the matter of the amount of civil penalty and approval of this Settlement Agreement.

  
\_\_\_\_\_  
Vinny Palermo, Respondent

10.26.17  
Date

  
\_\_\_\_\_  
Frank J. Daley, Jr., Executive Director  
Nebraska Accountability and Disclosure Commission

12/1/17  
Date