



STATE OF MICHIGAN
TERRI LYNN LAND, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

In the matter of:

**Meijer, Inc.
2929 Walker, N.W.
Grand Rapids, Michigan 49544**

CONCILIATION AGREEMENT

Pursuant to Section 15(10) of the Michigan Campaign Finance Act (the Act), 1976 P.A. 388, as amended; MCL 169.201 et seq., the Secretary of State and Meijer, Inc. (Respondent) hereby enter into a Conciliation Agreement with respect to certain acts, omissions, methods, or practices prohibited by the Act.

The Secretary of State alleges there may be reason to believe the Respondent violated Section 24 of the Act by failing to file a statement of organization as a ballot question committee with the Grand Traverse County Clerk within 10 days after making expenditures totaling \$500.00 or more in opposition to an Acme Township Moratorium Ordinance that was the subject of an August 2, 2005 referendum election (the Moratorium Election).

The Secretary of State further alleges there may be reason to believe the Respondent violated Section 34(1)(a) of the Act by failing to file a pre-election campaign statement disclosing expenditures it made in opposition to the Moratorium Election during the reporting period ending on July 17, 2005.

The Secretary of State further alleges there may be reason to believe the Respondent violated Section 34(1)(b) of the Act by failing to file a post-election campaign statement

disclosing expenditures it made in opposition to the Moratorium Election during the reporting period ending on August 22, 2005.

The Secretary of State finally alleges there may be reason to believe the Respondent violated Section 35(1) of the Act by failing to file an annual campaign statement disclosing expenditures it made in opposition to the Moratorium Election during the reporting period ending on December 31, 2005.

Respondent agrees to take full responsibility for the alleged violations of the Act and, accordingly, hereby voluntarily enters into this Conciliation Agreement and assures the Secretary of State that it will comply with the Act and the Rules promulgated to implement the Act.

In addition, the Respondent agrees to correct the violations by:

1. Filing a statement of organization as a ballot question committee with the Grand Traverse County Clerk.
2. Filing a pre-election campaign statement that completely and accurately discloses all contributions it received, if any, and all expenditures it made in opposition to the Moratorium Election during the reporting period that ended on July 17, 2005.
3. Filing a post-election campaign statement that completely and accurately discloses all contributions it received, if any, and all expenditures it made in opposition to the Moratorium Election during the reporting period that ended on August 22, 2005.
4. Filing an annual campaign statement that completely and accurately discloses all contributions it received, if any, and all expenditures it made in opposition to the Moratorium Election during the reporting period that ended on December 31, 2005.
5. Paying the Grand Traverse County Clerk late filing fees totaling \$4,800.00.

6. Making all of the filings and late fees indicated in paragraphs 1-5 above within 30 days of execution of this Agreement.
7. Providing the Secretary of State with copies of the statement of organization and campaign statements, with receipts or other written confirmation from the Grand Traverse County Clerk, indicating the date of filing and confirmation that the late filing fees have been paid in full.
8. Making additional payments in the amount of \$1,120.00 to Dickinson Wright; \$4,000.00 to Smith & Johnson Attorneys, P.C.; and \$2,480.00 to Smith & Johnson Attorneys, P.C.; and disclosing these payments in a campaign statement covering the applicable reporting period.
9. Paying the State of Michigan, at the time of signing this Agreement, a civil fine totaling \$50,463.69, which is equivalent to the amount of the Respondent's undisclosed, and thus improper, expenditures (\$46,463.69); plus \$1,000.00 for failing to file a statement of organization; \$1,000.00 for failing to file a pre-election campaign statement; \$1,000.00 for failing to file a post-election campaign statement; and \$1,000.00 for failing to file an annual report.

The Secretary of State and the Respondent further agree that this Agreement, unless violated, shall constitute a complete bar to any further action against Meijer, Inc., and the ballot question committee that is to be formed pursuant to this Agreement, including its Treasurer, while acting in his or her official capacity as Treasurer of the committee, with respect to alleged violations relating to the August 2, 2005 Moratorium Election at issue in this Agreement. A technical and/or nonmaterial violation of the Act, such as a late filing of any report, statement or other document required by the Act, or filing a report, statement or other document that requires ministerial amendments, does not constitute a violation of this Agreement.

The Secretary of State and the Respondent further agree that the investigation that resulted in this Agreement between the Secretary of State and the Respondent is completed and will not be the basis for further proceedings against Meijer, Inc. or the ballot question committee that it will form pursuant to this Agreement, including its Treasurer, while acting in his or her official capacity as Treasurer of the committee, unless this Agreement is materially violated.

The Secretary of State and the Respondent further agree that this Agreement will not prevent the Secretary of State from taking action for violations of this Agreement during the four years immediately following the date of execution of this Agreement.

The Secretary of State and the Respondent further agree that the Respondent's performance under this Agreement shall be given due consideration in any subsequent proceedings brought by the Secretary of State.

The Secretary of State and the Respondent further agree that this Agreement, when signed, shall become a part of the permanent public records of the Department of State.

The Secretary of State and the Respondent finally agree that the signatories below are authorized to enter into and bind the parties to this Agreement, and have done so by signing this Agreement on the date below.

TERRI LYNN LAND
SECRETARY OF STATE

RESPONDENT

Anne Corgan, Director
Legal and Regulatory Services Administration

Meijer, Inc.

Date: _____

Date: _____