


**BEFORE THE ETHIC AND RULES COMMITTEE
OF THE NAVAJO NATION COUNCIL**

The Navajo Nation Ethic and Rules Office)
Ex. rel., Dr. James Davis, Jr.)
Complainant)

No.: C-2008-01

vs.)

**ORDER ACCEPTING
STIPULATION**

Marlon B. Stevens,)
)
Respondent.)

The parties in the above-entitled cause of action appeared before the Ethics and Rules Committee of the Navajo Nation on April 10, 2008. A Stipulated agreement dated on April 07, 2008 was presented to the Ethics and Rules Committee for approval. (See Exhibit A".)

Upon consideration of the agreement, the Committee hereby accepts the settlement and stipulation as proposed.

IT IS HEREBY ORDERED the Stipulated Agreement is accepted and shall be incorporated herein.

IT IS FURTHER ORDERED that Respondent shall start monthly restitution payment beginning May 2008 in the amount of \$100.00 per month and restitution payments shall be made through the Ethics and Rules Office.

IT IS FURTHER ORDERED that should the Respondent fail to make restitution payments to the Navajo Nation, an Order to Show Cause hearing will be scheduled to allow the Respondent to show cause as to why payments are not made. If Respondent continues by not making restitution payments the matter will be referred to the Window Rock District Court for further sanctions.

SO ORDERED this 21st day of April, 2008.



Francis Redhouse, Chairman
Ethics and Rules Committee

BEFORE THE ETHICS AND RULES COMMITTEE
OF THE NAVAJO NATION COUNCIL

The Navajo Nation Ethics and Rules Office
Ex.rel., Dr. James Davis, Jr.

Complainant

vs.

Marlon B. Stevens



Respondent

No. C-2008-01

STIPULATION

) Violation of the Navajo Nation
) Ethics in Government Law
) 2 N.N.C. §3752 (C)
) *Unauthorized Compensation*
) *or Benefit for Official Acts*
) 2 N.N.C. §3753
) *Unauthorized Personal Use*
) *Of Property or Funds of the*
) *Navajo Nation*


The undersigned parties in the above-entitled cause of action Stipulate and agree on the following:

1. The Respondent, Marlon B. Stevens is the former Executive Director for the Navajo Government Development Office of the Navajo Nation and is subject to the provisions of the *Navajo Nation Ethics in Government Law*;
2. Based upon investigation by the Ethics and Rules Office, an ethics complaint has been filed with the Ethics and Rules Committee, alleging violations of the *Navajo Nation Ethics in Government Law* by Respondent, Marlon B. Stevens. The Respondent is charged with 2 N.N.C. § 3752 (C), *Unauthorized Compensation or Benefit for Official Acts* and § 3753, *Unauthorized Personal Use of Property or Funds of the Navajo Nation*.
3. The Respondent has read the proposed Ethics complaint concerning the facts alleged in the Complaint to be filed with the Ethics and Rules Committee of the Navajo Nation Council, and for the purposes of these proceedings hereby knowingly and voluntarily admits each and every facts contained in the Complaint;
4. For the purpose of resolving this Complaint, Respondent further agrees not to contest the facts established in the course of the Ethics and Rules investigation and as alleged in the Ethics Complaint and admitted to by Respondent.
5. Having read the allegations and complaint, and being fully advised as to the legal consequences, Respondent knowingly and voluntarily waives his right to a hearing before the Ethics and Rules Committee, or any other forum or court to contest the allegations contained in the Ethics Complaint;

6. For the purpose of resolving this Ethics Complaint, Respondent hereby waives his right to contest or to appeal a finding by the Committee that he violated the *Ethics in Government Law* as alleged in the Complaint;
7. The Respondent admits and stipulates that the Committee has jurisdiction and is legally authorized to proceed with sanctions against Respondent for violations of the *Ethics in Government Law*;
8. For the purpose of resolving this Ethics complaint, Respondent agrees that he will pay restitution in the total amount of \$3,133.71. Respondent, also agrees to begin in May 2008, at the rate of \$100.00 per month, and thereafter each month as stipulated until the set amount is paid in full to the Navajo Nation;
9. Specifically, the Respondent waives the following rights and procedures:
 - a) The right to respond in writing or otherwise to the complaint;
 - b) The right to receive any additional formal notice of the complaint;
 - c) The right for the Ethics and Rules Office to conduct any additional investigation before proceeding to hearing and sanctions;
 - d) The right to appear before the Committee for a formal presentation of the allegations and any other rights Respondent may have in relation to questioning the authority or jurisdiction of the Committee to proceed formally on the basis of the Complaint and this Stipulation;
 - e) The right to have a hearing scheduled and to be given at least 20 calendar days to prepare for a hearing on the merits of the Complaint;
 - f) The right to any oral or written advice as to the hearing process; to call witnesses, or to present evidence or use exhibits in presenting any defense to the allegations of the Complaint
 - g) The right to have a full adversarial hearing and to take advantage of any and all safeguards which may be afforded to him by the hearing process;
 - h) The right to present any additional preliminary matters prior to the exercise of discretion by the Committee in accepting this Stipulation and rendering its final sanctions pursuant to the terms of this Stipulation or Stipulated Order;
 - i) The Respondent knowingly and voluntarily waives his right to legal counsel in this administrative hearing and proceedings;

- j) The right to appeal any decision or sanctions imposed by Committee;
- 10. The foregoing Stipulation and admissions by the Respondent are all conditioned on their acceptance by the Ethics and Rules Committee of the Navajo Nation Council, and their incorporation in a Final Order or Resolution of the Committee as a final resolution of the Complaint;
- 11. In the event the Committee does not accept all of the terms and conditions of this Stipulation and Agreement by the parties, it shall be withdrawn without prejudice to either party to this Stipulation and Agreement, and the Committee may then proceed to schedule a hearing on the merits of the Complaint, or any Amended Complaint which may be filed by the Ethics and Rules Office;
- 12. The Respondent, Marlon B. Stevens, fully understands the contents of the Stipulation herein;
- 13. This **Stipulation** is respectfully submitted by the parties:

7-APR-08
Date



Marlon B. Stevens, Respondent

4/07/08
Date



Lawrence John, Executive Director
Ethics and Rules Office

3/27/08
Date



James Davis, Jr., Complainant
Chief of Staff, Office of the Speaker