

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

The Navajo Nation Ethics and Rules Office)	
Ex.rel., Michelle Maloney)	No. C-2008-05
)	
Complainant,)	Order
)	Accepting
Vs.)	Stipulation
)	
Keith Barlow, [REDACTED])	
[REDACTED])	
)	
Respondent.)	
)	

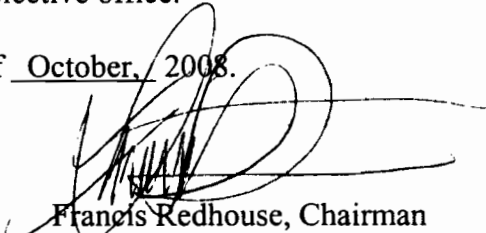
The Parties in the above-entitled cause of action on October 16, 2008 submitted to the Ethics and Rules Committee of the Navajo Nation Council a Written Stipulation, attached here to as Exhibit "A" and incorporated by this reference. Upon review of the Written Stipulation signed by all parties, the Ethics and Rules Committee hereby accepts and approves all aspects of the agreement.

IT IS HEREBY ORDERED that:

1. The Respondent shall pay restitution as agreed and will pay **\$35,000.00** in total Restitution to the Greyhills Academy High School. *Respondent will pay a \$5,000.00 lump sum within ten (10) working days of the signing of this Settlement Agreement.* Respondent, also agrees to begin restitution payments in November 2008, at the rate of **\$1,765.00 for seventeen (17) months**, and thereafter each month as stipulated until the remaining amount of **\$30,000.00** is paid in full to the Greyhills Academy High School. All payments shall be made payable to the Greyhills Academy High School through the Ethics and Rules Office;

2. The Respondent shall be removed as a School Board Member of the Greyhills Academy High School pursuant to 2 N.N.C. §3780. Administrative Sanctions (A) (1); and
3. The Respondent shall be ineligible for Navajo Nation Elective Office for a period of five (5) years.
4. The Respondent shall pay in full the restitution amount of \$35,000.00 to be eligible to run for public elective office.

SO ORDERED this 16th day of October, 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., Michelle Maloney

Complainant

vs.

Keith Barlow,


Respondent

No. C-2008-05

STIPULATION

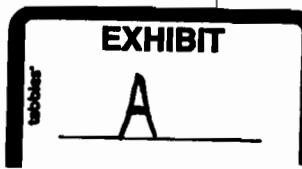
) Violation of the Navajo Nation
) Ethics in Government Law
) 2 N.N.C. §3745 (A) (B) (1),
) *General Prohibition Conflict*
) *of Interest, §3747 (A) (2)*
) *Restrictions against*
) *incompatible interest or*
) *employment, §3752 (C)*
) *Unauthorized compensation or*
) *benefit for official acts, §3753*
) *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, Keith Barlow is a Greyhills Academy High School Board Member of the Navajo Nation and is subject to the provisions of the *Navajo Nation Ethics in Government Law*;

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, Keith Barlow. The Respondent is charged with 2 N.N.C. §3745 (A) (B) (1), General Prohibition; Conflict of Interest, §3747 (A) (2) Restrictions against incompatible interest or employment, §3752 (C) Unauthorized compensation or benefit for official acts, §3753 Unauthorized Personal use of property or funds of the Navajo Nation.

- 2. 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;
- 3. 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 the Respondent.



4. 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;
5. 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;
6. 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*;
7. The Respondent agrees that he will pay **\$35,000.00** in total Restitution to the Greyhills Academy High School. *Respondent will pay a \$5,000.00 lump sum within ten (10) working days of the signing of this Settlement Agreement.* Respondent, also agrees to begin restitution payments in November 2008, at the rate of **\$1,765.00** for **seventeen (17) months**, and thereafter each month as stipulated until the remaining amount of **\$30,000.00** is paid in full to the Greyhills Academy High School. All payments shall be made payable to the Greyhills Academy High School through the Ethics and Rules Office;
8. The Respondent knowingly agrees to be removed as a School Board member for the Greyhills Academy High School upon signing this settlement agreement pursuant to 2 N.N.C. §3780. Administrative Sanctions (A) (1).
9. The Respondent knowingly agrees that he will be ineligible for Navajo Nation elective public office for a period of five (5) years.
10. 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;

11. 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;

12. 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 a hearing on the merits of the Complaint, or any Amended Complaint which may be filed by the Ethics and Rules Office;

13. The Respondent, Keith Barlow, fully understands the contents of the Stipulation herein;

14. This Stipulation is respectfully submitted by the parties.

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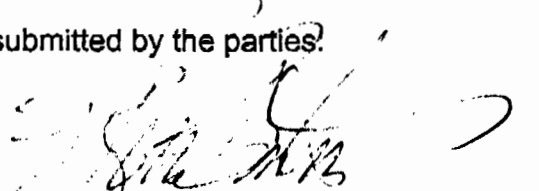
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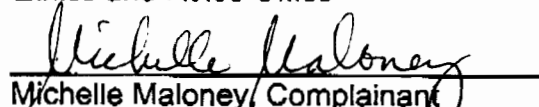
Date



Keith Barlow, Respondent



Lynn White, Ethics Presenting Officer
Ethics and Rules Office



Michelle Maloney, Complainant
Greyhills Academy High School Board
Member

10/15/08

