


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

The Navajo Nation Ethics and Rules Office)	
Ex.rel., Albert Bailey)	No. C-2008-06
)	
Complainant,)	Order
)	Accepting
Vs.)	Stipulation
)	
Lena Clitso,)	
)	
)	
Respondent.)	
_____)	

The Parties in the above-entitled cause of action on November 19, 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 be immediately removed as a Chapter Secretary/Treasurer of the Kayenta Chapter pursuant to 2 N.N.C. §3780. Administrative Sanctions (A) (1); and
2. The Respondent shall be ineligible for any Navajo Nation Elective Office for a period of five (5) years;
3. The Respondent shall submit to the Kayenta Chapter Administration all seven Regular Chapter Meeting minutes, all twenty-one (21) Planning Meeting minutes and one (1) Special Meeting Minutes within fifteen (15) calendar days from the date of the signed Stipulation Agreement;

4. The Respondent shall receive her Chapter Official stipends for each Regular Chapter Meeting, Planning Meeting and Special Meeting Minutes that is submitted to the Kayenta Chapter Administration pursuant to clause No. 9 of the Stipulation Agreement.

SO ORDERED this 19th day of November, 2008.

A handwritten signature in black ink, appearing to read "Roscoe Smith", written in a cursive style.

Roscoe Smith, Vice- Chairman
Ethics and Rules Committee

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 knowingly agrees to be immediately removed as a Chapter Secretary/Treasurer upon signing this settlement agreement pursuant to 2 N.N.C. §3780. Administrative Sanctions (A) (1).
8. The Respondent knowingly agrees that she will be ineligible for Navajo Nation elective public office for a period of five (5) years.
9. The Respondent shall submit to the Kayenta Chapter Administration all seven Regular Chapter Meeting minutes, all twenty-one (21) Planning Meeting minutes and one (1) Special Meeting Minutes within fifteen (15) calendar days from the date of this Agreement;
10. The Respondent shall receive her Chapter Official stipends for each Regular Chapter Meeting, Planning Meeting and Special Meeting Minutes that is submitted to the Kayenta Chapter Administration pursuant to clause No.9 of this Agreement.
11. 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 her 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 her right to legal counsel in this administrative hearing and proceedings;

j) The right to appeal any decision or sanctions imposed by Committee;

12. 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;

13. 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;

14. The Respondent, Lena Clitso, fully understands the contents of the Stipulation herein;

15. This **Stipulation** is respectfully submitted by the parties:

11-19-08
Date

Lena Clitso
Lena Clitso, Respondent

11/19/08
Date

Lynn White
Lynn White, Ethics Presenting Officer
Ethics and Rules Office

11/19/08
Date

Albert Bailey
Albert Bailey, Complainant
Chapter President
Kayenta Chapter

11/19/08
Date

David Jordan
David Jordan, Attorney
Attorney for Respondent