

**BEFORE THE STATE ETHICS COMMISSION
STATE OF GEORGIA**

IN THE MATTER OF

*
*
*
*

CASE NO.

ROBERT L. SILVERMAN

2002-0059

CONSENT ORDER

This matter comes before the State Ethics Commission pursuant to a letter dated June 14, 2002, in which counsel for Robert L. Silverman ("Respondent") self-reported a potential violation of the Georgia Ethics in Government Act. During a preliminary hearing held on November 13, 2003, the Commission found reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was scheduled for an Administrative Procedure Act ("APA") hearing for final determination.

Prior to the scheduled APA hearing, the Commission and the Respondent agree and consent to the following terms to resolve the pending case by this Consent Order.

FINDINGS AND CONCLUSIONS

Respondent was a co-finance chairman of the Robb Pitts' campaign for mayor of Atlanta in 2001. On approximately November 9, 2001, Respondent wrote a check in the amount of \$9,500 to Steve Weinstein, a member of the Pitts campaign, to help defray campaign payroll and other expenses. Respondent considered the payment to be a loan rather than a campaign contribution. However, Respondent acknowledges that the payment was made in violation of O.C.G.A. § 21-5-41(b)(3). See also O.C.G.A. §§ 21-5-3(6) and 21-5-30.1(a)(2)(defining a loan as a contribution). In addition, by writing the check to a member of the Pitts Campaign, rather than making the payment directly to Pitts or to the Pitts Campaign, Respondent violated O.C.G.A. § 21-5-30(a).

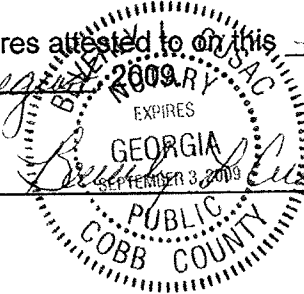
Respondent agrees to cease and desist from any future actions which violate the Ethics in Government Act.

Respondent represents that the foregoing findings of fact are true, agrees to the conclusions of law, and further agrees to abide by all terms thereof. By signing this Order Respondent waives any procedural requirements of the APA including the opportunity for notice and a hearing, as well as any right to an appeal pursuant to the procedures outlined in O.C.G.A. § 50-13 *et seq.* Respondent's failure to comply with the terms herein shall constitute a breach of this agreement and thereby authorize the Commission to seek an enforcement action against Respondent. The parties agree that all costs and attorney fees incurred by the Commission in an enforcement action shall be assessed against the Respondent.

The Commission adopts the foregoing statements and conclusions as the Commission's findings of fact and conclusions of law, and orders the implementation of the terms of this Consent Order.

Signatures attested to on this 5th day
of August, 2009.

By: [Signature]



[Signature]

ROBERT L. SILVERMAN
Respondent

[Signature]

JAMES A. WASHBURN
Counsel for Respondent

SO ORDERED this 15th day of October, 2009.

STATE ETHICS COMMISSION

By: [Signature]

WILLIAM H. JORDAN
Chairman