



# SETTLEMENT AGREEMENT

WHEREAS, this Settlement Agreement ("Agreement") is entered into by and between the New York State Commission on Public Integrity ("Commission") and Boymelgreen Developers; and

WHEREAS, the Commission is the State agency responsible for enforcing Article I-A of the New York State Legislative Law, as amended ("Lobbying Act"); and

WHEREAS, as a registered client in 2008, Boymelgreen Developers is therefore required to comply with the reporting requirements set forth in the Lobbying Act; and

WHEREAS, it is clearly established that Boymelgreen Developers failed to file timely report(s) for the year 2008, specifically a July/December Client Semi-Annual Report, as required by § 1-j of the Lobbying Act; and

WHEREAS, in lieu of appearing for an adjudicatory hearing that could result in the assessment of a civil penalty, the parties to this Agreement have agreed to resolve their dispute in a manner that avoids further adjudicatory proceedings;

NOW THEREFORE, in consideration of the mutual covenants made herein, as the final settlement of the violation set forth herein, the parties agree that:

- I. Boymelgreen Developers admits that it violated § 1-j of the Lobbying Act as set forth herein and agrees to pay to the Commission the amount of \$500 in settlement of said violation. If full payment is not received with and at the same time as this Agreement, this Agreement shall become null and void in its entirety.
- II. Boymelgreen Developers further agrees to submit the accurately completed July/December Client Semi-Annual Report with and at the same time as Agreement. If the outstanding report is not received, this Agreement shall become null and void in its entirety.
- III. Notwithstanding the provisions of this Agreement, Boymelgreen Developers understands and acknowledges that the Commission may investigate other knowing and willful violations, if any, by Boymelgreen Developers, of the Lobbying Act.
- IV. Boymelgreen Developers hereby waives (its, their, his, her) right to cure, as provided in § 1-o(c)(iii) of the Lobbying Act and may not assert such right at any future time.
- V. Any amendment or modification to this Agreement shall be in writing and signed by both parties.

Dated: Feb 22, 2010

Brian Rushe  
New York State  
Commission on Public Integrity

ACCEPTED AND AGREED TO  
THIS 22 DAY OF December, 2008

Boymelgreen Developers  
By: Eugene Flapolsky  
Name: \_\_\_\_\_  
Title: Director of Development