

In the Matter of Former Speaker of the)
House Robert W. Harrell, Jr.)
_____)

WAIVER OF RIGHT TO APPEAL

WHEREAS, Robert W. Harrell, Jr. (“Mr. Harrell”) was formerly the Speaker of the South Carolina House of Representatives; and

WHEREAS, Mr. Harrell is currently represented by legal counsel, Mark A. Peper, Esq.; and

WHEREAS, the South Carolina House Ethics Committee (“the Committee”) is conducting a review of statements made by Mr. Harrell to the Committee and certain campaign disclosure reports filed by him for July 10, 2014 and the October 10, 2014 pre-election report.

WHEREAS, after discussion and negotiation between the parties, after a full explanation of rights has been given to Mr. Harrell, and after such disclosure of information between the parties as each deems sufficient, it is agreed in this case that Mr. Harrell knowingly and voluntarily agrees to waive his right to appeal or contest whatever decision the Committee makes in this matter pursuant to SC House of Representatives Rule 4.16 and SC Code Section 8-13-540(4); and

WHEREAS, this waiver is intended to be a comprehensive and complete waiver of all appellate rights in this case pursuant to SC House of Representatives Rule 4.16 and SC Code Section 8-13-540(4). Mr. Harrell agrees not to seek an appeal and not to give notice of appeal; and


WHEREAS, in the event the Committee issues a finding based on the above that requires Mr. Harrell to tender a sum certain monetary amount, it is agreed that Mr. Harrell shall have 180 days to do so.

NOW THEREFORE, FOR AND IN CONSIDERATION of the mutual promises of the parties to this Waiver Agreement (the "Agreement"), the receipt and sufficiency of which are hereby acknowledged, Mr. Harrell and the Committee agree as follows:


1. **Agreement Not to Appeal:** Mr. Harrell is aware that he has the right to contest and/or appeal an Order of the Committee to the full Legislative Body pursuant to SC House of Representatives Rule 4.16 and SC Code Section 8-13-540(4). Acknowledging this right, Mr. Harrell, in exchange for the Committee's agreement to not seek further discovery in this matter and efficiently conclude this matter following the public hearing, waives the right to contest or appeal the Committee's decision in this matter to the full Legislative Body pursuant to SC House of Representatives Rule 4.16 and SC Code Section 8-13-540(4), whatever that may be.
2. **No Admission.** This Agreement is entered solely to avoid the expense of any future dispute and efficiently conclude this matter, and nothing contained herein is to be construed as an admission by Mr. Harrell or the Committee.
3. **Understands Agreement.** All parties hereto are represented by counsel, and have had the opportunity to have the terms and effect of this Agreement explained to them by counsel. Mr. Harrell and the Committee hereby affirm that each of them understands the terms and effect of this Agreement.
4. **Entire Agreement.** Except as expressly set forth herein, this Agreement contains the entire agreement of the parties relating to the subject matter hereof, and the parties have made no agreements, representations, or warranties relating to the subject matter of this Agreement which are not set forth herein. No amendment or modification of this Agreement shall be valid unless made in writing and signed by the parties hereto. No term or condition of this Agreement shall be deemed to have been waived except by written instrument signed by the waiving party.


Robert W. Harrell, Jr.

2/3/16
Date

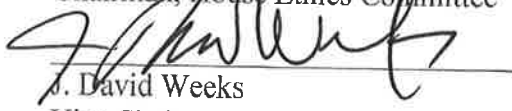

Mark A. Peper
Attorney for Robert W. Harrell, Jr.

2/8/16
Date

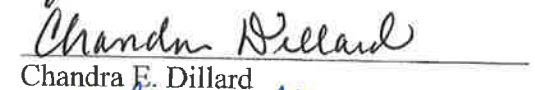

Deborah B. Barbier
Attorney for the SC House Ethics Committee

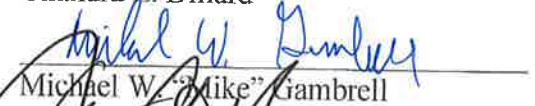
2/19/16
Date



Kenneth A. Bingham
Chairman, House Ethics Committee

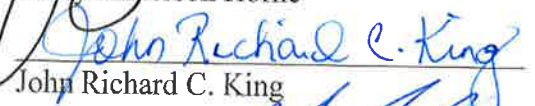

J. David Weeks
Vice Chair

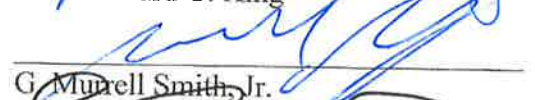

Beth E. Bernstein

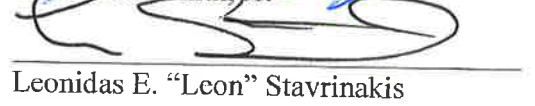

Chandra E. Dillard


Michael W. "Mike" Gambrell


Jenny Anderson Horne


John Richard C. King


G. Murrell Smith, Jr.


Leonidas E. "Leon" Stavrakis


Michael A. Pitts
Secretary