



## **2008 Random Audit Report for Lobbyist Brad Lampley**

Pursuant to T.C.A. § 3-6-308(a)(7), on June 24, 2008, the name of registered lobbyist Mr. Brad Lampley was randomly drawn for audit. The audit of Mr. Lampley was conducted in the offices of the Tennessee Ethics Commission, 201 4<sup>th</sup> Avenue North, 18<sup>th</sup> Floor, Nashville, Tennessee 37219. The audit was conducted by Assistant General Counsel, Willow E. Fort. Administrative Assistant Ms. Brooke Ponder and Attorney Mr. Guilford Thornton accompanied Mr. Lampley to his interview and assisted in the audit.

### **SUMMARY OF FINDINGS:**

All requested documentation was provided by Mr. Lampley and no violations of Ethics Reform Act of 2006 were found.

### **CLIENTS:**

Mr. Lampley is employed by Adams and Reese ("Firm"), a local Nashville law firm. Mr. Lampley is registered as a lobbyist for seven (7) employers of lobbyists ("Employers") who are clients of the Firm.

### **REGISTRATIONS:**

Mr. Lampley has timely registered as a lobbyist for all his clients. Liberty Mutual is the only client with which there is a registration discrepancy. Mr. Lampley registered as a lobbyist for Liberty Mutual on January 4, 2008. Liberty Mutual did not register as an Employer until February 21, 2008. Ms. Ponder, who accompanied Mr. Lampley to the audit, stated the Firm does send e-mails to Employers reminding them of their registration and disclosure obligations, but does not complete their registrations or disclosures for them. Ms. Ponder provided a copy of an e-mail sent from the Firm to Liberty Mutual in early January reminding them of the registration deadline. Mr. Lampley had no knowledge of why Liberty Mutual had late registered.

### **CONTRACT:**

As Mr. Lampley works as a lobbyist for the Firm, all lobbying contracts are between the Employer and the Firm, and not between himself and the Employer.

Unless indicated below, all of Mr. Lampley's lobbying contracts are oral contracts. For each oral contract, Mr. Lampley provided the Commission with the names and contact information of the parties who entered into the contract on behalf of the Employer.

Mr. Lampley stated there was no written material which would indicate the date of the agreement between the Firm and AAA Auto Club South, AAA of East Tennessee, National Association of Insurance and Financial Advisors, and the Tennessee Defense Lawyers Association as these were oral contracts. Mr. Lampley stated the contracts could be verified by contacting each Employer.

The contract between the Firm and Accredo Health is written and signed by all parties on December 11, 2007. Despite the date of signing, the contract did not become effective until April 29, 2008.

The contract between the Firm and Energy Solutions is written and became effective September 11, 2006.

The contract between the Firm and Liberty Mutual is written and became effective January 1, 2008.

None of Mr. Lampley's contracts appear to be contingent upon success.

#### **FAMILY OR BUSINESS ARRANGEMENTS WITH PUBLIC OFFICIALS:**

Mr. Lampley reports he has no business or familial relationships with persons who are officials in the legislative branch or officials in the executive branch.

#### **TRAINING:**

Mr. Lampley was not a lobbyist last year and was not required to attend a lobbyist training. Mr. Lampley stated he would attend the November 2008 training.

#### **AMOUNTS REPORTED BY LOBBYIST AND EMPLOYER:**

In all accounts except those indicated below, the total amount of lobbying and lobbying related expenses disclosed by each Employer correlated with the amount received by Adams and Reese. Unless indicated below, Mr. Lampley provided the Commission with the means to verify the income received by Adams and Reese for lobbying and lobbying related expenses.

Accredo Health first registered as an Employer on April 29, 2008. Because this was their first registration, Accredo Health was not required to submit a Lobbying Expenditure Report ("Report") for the period between October 2007 and March 2008. Because they were not required to submit a Report, the Commission cannot compare the amounts received by Adams and Reese with the amounts disclosed by Accredo Health.

Mr. Lampley stated that Adams and Reese treat AAA South and AAA East Tennessee as one (1) entity. Mr. Lampley stated that all bills were sent to AAA South, and all payment was received from them. Because Adams and Reese treats AAA South and AAA East Tennessee as one (1) entity, the financial records for these two (2) Employers are

combined and cannot be separated for the purpose of comparing the financial records of the Firm to the financial records of the Employers. Mr. Lampley had no knowledge of how AAA South and AAA East Tennessee separate their lobbying expenses when completing their Reports.

Tennessee Defense Lawyers employs only lobbyists from Adams and Reese. This Employer initially filed a Report disclosing they paid between three hundred fifty thousand dollars (\$350,000.00) and four hundred thousand dollars (\$400,000.00) in lobbyist compensation. The Tennessee Defense Lawyers later amended their Report to indicate they paid less than ten thousand dollars (\$10,000.00) in lobbyist compensation. The records provided by Mr. Lampley indicate the firm received an amount which is consistent with the Tennessee Defense Lawyer's amended Report.

**IN-STATE EVENTS:**

The Tennessee Defense Lawyers' initial report indicated they held an in-state event which cost six thousand dollars (\$6,000.00). This Employer later amended their Report to indicate they held no in-state events. Mr. Lampley stated he was unaware that the Tennessee Defense Lawyers had held any in-state events. Mr. Lampley's records are thus consistent with the amended report.

Report Completed by:

Willow Eden Fort /smn  
Willow Eden Fort  
Assistant General Counsel  
Tennessee Ethics Commission



## **2008 Random Audit Report for Lobbyist James Hamilton**

Pursuant to T.C.A. § 3-6-308(a)(7), on June 24, 2008, the name of registered lobbyist Mr. James Hamilton was randomly drawn for audit. The audit of Mr. Hamilton was conducted by telephone as Mr. Hamilton lives and works in Phoenix, Arizona. The audit was conducted by Assistant General Counsel, Willow E. Fort.

### **SUMMARY OF FINDINGS:**

All requested documentation was provided by Mr. Hamilton and no violations of the Ethics Reform Act of 2006 were found.

### **EMPLOYER**

Mr. Hamilton is employed by LifeLock. Mr. Hamilton is employed by agreement.

### **REGISTRATION:**

LifeLock is Mr. Hamilton's sole employer within the State of Tennessee.

Mr. Hamilton reports that he works as a lobbyist for LifeLock in any state or federal arena in which they might need lobbying services. Mr. Hamilton reports he is registered to lobby for LifeLock in most states requiring lobbyist registration and is also federally registered. Despite his registration in Tennessee, Mr. Hamilton reports he has done no lobbying within Tennessee since his registration and LifeLock has not paid him for lobbying within Tennessee since his registration. Mr. Hamilton explained his Tennessee registration was simply an effort to ensure he would be compliant should he be called upon to lobby within Tennessee.

By statute, Employers and lobbyists must register within seven (7) days after entering into an agreement to become an Employer or a lobbyist, respectively. While Mr. Hamilton has not yet engaged in lobbying within Tennessee, he has entered into an agreement to lobby and thus both he and his Employer must register. Both he and his employer, LifeLock, registered with the Commission on May 22, 2008. Both are timely registered.

### **CONTRACT:**

Mr. Hamilton has an oral employment contract with LifeLock. To verify the oral contract, Mr. Hamilton provided the name and contact information of the Chief Operations Officer of LifeLock. LifeLock submitted a letter to the Commission stating that they do have a lobbying agreement with James Hamilton.

Mr. Hamilton reported that his reimbursement and/ or pay would be in no way contingent upon success.

**FAMILY OR BUSINESS ARRANGEMENTS WITH PUBLIC OFFICIALS:**

Mr. Hamilton reports he has no business or familial relationships with persons who are officials in the legislative branch or officials in the executive branch.

**TRAINING:**

Mr. Hamilton did not attend training last year as he was not registered as a lobbyist in Tennessee. He stated that he does plan to attend the required training this year, and hopes to do so by video streaming as he lives out of state.

**AMOUNTS REPORTED BY LOBBYIST AND EMPLOYER:**

Mr. Hamilton reports he has received absolutely no payment from LifeLock for lobbying services within Tennessee. Mr. Hamilton and LifeLock did not enter into a lobbying agreement until May 22, 2008. Because they did not enter into a lobbying agreement until this time, no lobbying expenditure report is yet due.

**IN-STATE EVENTS:**

Mr. Hamilton reported neither he nor his employer had expenditures for events within Tennessee.

Report Completed by:

*Willow Eden Fort/smn*

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Assistant General Counsel  
Tennessee Ethics Commission