

DOCKET NUMBER 2007-53	)	OFFICE OF STATE ETHICS
	)	
IN THE MATTER OF A	)	18-20 TRINITY STREET
	)	
COMPLAINT AGAINST	)	HARTFORD, CT 06106
	)	
GEORGE V. LAWLER, JR.	)	JANUARY 6, 2009

**STIPULATION AND CONSENT ORDER**

Pursuant to the Code of Ethics, Conn. Gen. Stat. §§ 1-79, *et seq.*, Thomas K. Jones, Ethics Enforcement Officer for the Office of State Ethics (“OSE”), issued a complaint (“Complaint”) against the respondent George V. Lawler, Jr. (“Lawler” or “Respondent”) for a violation of the Code of Ethics, Connecticut General Statutes §1-86e(a)(1). Based on the findings of an investigation by the Enforcement Division of the OSE, and further based on the admission of Respondent as set forth herein, the Ethics Enforcement Officer was prepared to prove at a hearing of the Citizens’ Ethics Advisory Board that the Respondent, while acting under the authority of a state contract, referred real estate business to his spouse in violation of General Statutes § 1-86e(a)(1).

The Parties have entered into this Stipulation and Consent Order following issue of the Complaint, but without adjudication of any issue of fact or law herein. This Stipulation and Consent Order relates solely to the specific allegations of the Complaint.

**I. STIPULATION**

The Ethics Enforcement Officer and Respondent hereby stipulate to the following facts:

1. At all times relevant hereto, the Respondent was an attorney acting as the committee of sale in the matter of *Indymac Bank v. Henry C. Lenz, Sr. Et Al.* (Docket No. CV 06-4004952)(hereinafter “the foreclosure”).

2. As the committee of sale in the foreclosure, at all times relevant hereto, the Respondent was an “independent contractor,” hired by the State of Connecticut.

3. At all times relevant hereto, Melissa Lawler was the spouse of the Respondent and a member of the “immediate family” of the Respondent as defined in General Statutes § 1-79(f).

4. On or about April of 2007, the Respondent referred one of the defendants in the foreclosure, Henry C. Lenz, Sr. to his spouse, Melissa Lawler, regarding the object of the foreclosure, 5 Mohawk Court, Cromwell, CT.

5. On or about April 26, 2007, Melissa Lawler, buyer, and Henry Lenz and Peggy Lenz, sellers, entered into a contract for the sale of 5 Mohawk Court, Cromwell, CT in the amount of \$180,000.

6. By referring real estate business to his spouse while operating under the authority of the committee of sale, the Respondent used the authority provided to him under his state contract to obtain financial gain for himself or a member of his immediate family, in violation of General Statutes § 1-86e(a)(1).

7. Respondent admits all facts set forth in this Stipulation and Consent Order and the Complaint in this matter and admits that, by engaging in the conduct set forth herein, he violated General Statutes § 1-86e(a)(1).

## **II. RESPONDENT’S POSITION**

1. Respondent states that the contract between Melissa Lawler and the Lenzes was subject to court approval prior to being final.

2. Respondent states that he himself brought the issue of his wife's proposed purchase to the attention of the court and sought its approval with full disclosure, and that he never attempted to hide the purchase or deceive the court.

3. Respondent states that he understood the conflict of interest inherent in his actions, but believed that his disclosure of the conflict to the court would "cure" the conflict.

4. Respondent continues to believe that the proposed sale of the property to his wife was in the best interest of the parties being foreclosed upon.

5. Respondent states that he was penalized by the court in the amount of \$1000, which was paid out of Respondent's fees for acting as the committee.

6. Respondent was removed from the list of persons eligible to accept committee work for the court and, although he is now eligible, Respondent states that he has voluntarily remained inactive from committee work pending resolution of this matter. Respondent believes that this voluntary action has resulted in a loss to him of over \$10,000.

**NOW THEREFORE**, the Ethics Enforcement Officer of the Connecticut Office of State Ethics and the Respondent hereby enter into this Stipulation and Consent Order and hereby agree as follows:

### **III. JURISDICTION**

1. The Ethics Enforcement Officer is authorized to investigate the Respondent's employment practices, to issue a Complaint against the Respondent, and to enter into this Stipulation and Consent Order.

2. The provisions of this Stipulation and Consent Order apply to and are binding upon the undersigned Parties.

3. The Respondent hereby waives all objections and defenses to the jurisdiction of the Ethics Enforcement Officer over matters addressed in this Stipulation and Consent Order.

4. The Respondent waives any rights he may have under Conn. Gen. Stat. §§ 1-82, 1-82a, 1-87 and 1-80, including the right to a hearing or appeal in this case, and agrees with the Ethics Enforcement Officer to an informal disposition of this matter as authorized by General Statutes § 4-177(c).

5. The Respondent consents to jurisdiction and venue in the Connecticut Superior Court, Judicial District of Hartford, in the event that the State of Connecticut seeks to enforce this Stipulation and Consent Order. The Respondent recognizes that the Connecticut Superior Court has the authority to specifically enforce the provisions of this Stipulation and Consent Order, including the authority to award equitable relief.

6. The Respondent understands that he has the right to counsel and has expressly waived such right.

#### **IV. ORDER**

**NOW THEREFORE**, pursuant to General Statutes § 4-177(c), the Office of State Ethics hereby **ORDERS** as follows:

1. Pursuant to General Statutes § 1-88(a)(1), the Office of State Ethics orders and the Respondent agrees to cease and desist from any future violation of General Statutes § 1-86e(a)(1).

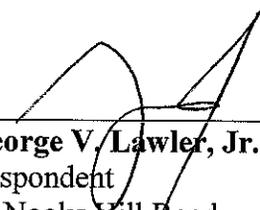
2. Pursuant to General Statutes § 1-88(a)(1), the Office of State Ethics orders and the Respondent agrees to cease and desist from using the authority provided to him pursuant to a state contract to obtain financial gain for himself or a member of his immediate family.

3. Pursuant to General Statutes § 1-88(a)(1), the Office of State Ethics orders and the Respondent agrees not to accept any contract with any state agency or department until on or after October 1, 2009.

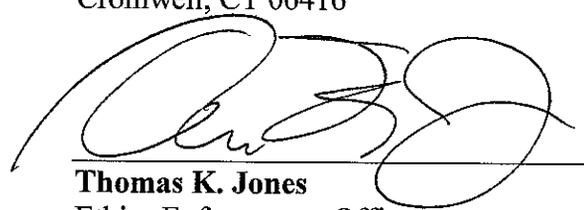
4. Pursuant to General Statutes § 1-88(a)(3), the Office of State Ethics orders and the Respondent agrees that the Respondent pay civil penalties to the State in the amount of two thousand and five hundred dollars (\$2,500.00) for violation of General Statutes § 1-86e(a)(1).

**WHEREFORE**, the Ethics Enforcement Officer and the Respondent hereby execute this Stipulation and Consent Order dated January 6, 2008.

Dated: 1/6/09

  
George V. Lawler, Jr.  
Respondent  
34 Nooks Hill Road  
Cromwell, CT 06416

Dated: 1/6/09

  
Thomas K. Jones  
Ethics Enforcement Officer,  
Enforcement Division,  
State of Connecticut Office of State Ethics  
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Hartford, CT 06106  
(860) 263-2390