

COMMONWEALTH OF MASSACHUSETTS
STATE ETHICS COMMISSION

SUFFOLK, ss.

COMMISSION ADJUDICATORY
DOCKET NO. 12-0005

IN THE MATTER

OF

JAMES McCORMICK

FINAL ORDER

On January 30, 2014, the parties submitted a Joint Motion to Suspend Proceedings, Accept Proposed Disposition Agreement and Dismiss the Proceedings in the above-captioned matter.

The Order to Show Cause ("OTSC") in this case alleges that from 1993 through June, 2006, Respondent James McCormick ("McCormick") served on the Board of Directors of the Merrimack Special Education Collaborative ("Collaborative"), a municipal agency, and consequently was a municipal employee within the meaning of the conflict of interest law, G.L. c. 268A.

The OTSC further alleges that the Merrimack Education Center ("Center"), a private non-profit corporation, provides administrative and transportation services to the Collaborative and a license to use real estate. McCormick allegedly served as a member of the Center's Board of Directors from 1993 through June, 2006.

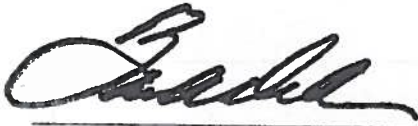
On June 5, 2006, as a director of the Collaborative, McCormick allegedly voted to approve a Settlement Agreement between the Collaborative and the Center requiring the Collaborative to pay \$5.5 million to the Center. Petitioner alleges that McCormick violated G.L. c. 268A, § 19 and § 23(b)(3) because, as an employee of the Collaborative, he did not disclose to his appointing authority that he also was a director of the Center, or that, at the time, he was negotiating or had an arrangement regarding prospective employment with the Center. McCormick became an employee of the Center beginning July 1, 2006.

In the proposed Disposition Agreement, Respondent McCormick agrees that he violated G.L. c. 268A, § 19 and further agrees to pay a civil penalty of \$2,000 to the State Ethics Commission.

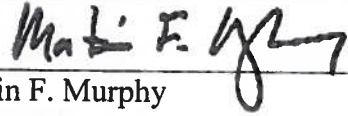
On February 20, 2014, the Commission voted to allow the Joint Motion and to approve the Disposition Agreement.

Accordingly, the Disposition Agreement regarding James McCormick is **APPROVED** and the Joint Motion to Suspend Proceedings, Accept Proposed Disposition Agreement and

Dismiss the Proceedings is **ALLOWED**. Commission Adjudicatory Docket No. 12-0005, *In the Matter of James McCormick*, is hereby dismissed.¹



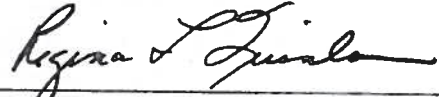
Barbara A. Dortch-Okara, Chair



Martin F. Murphy



William J. Trach



Regina L. Quinlan

DATED: March 4, 2014

cc: Karen Gray, Esq.
Michael J. Connolly, Esq.
Laura B. Angelini, Esq.

¹ Commissioner Paula Finley Mangum was not present and is not a signatory to this Order.