

RECEIVED

PRE-COMPLAINT DISPOSITION AGREEMENT

This Agreement, made this 20th day of September, 2017, by and between Marcus Tadros, former Transportation Design Engineer V for the State Highway Administration, and William J. Colquhoun, Esq., Staff Counsel to the State Ethics Commission (hereinafter "Staff Counsel").

The State Ethics Commission ("the Commission") is the executive agency of the State of Maryland established by Chapter 513, Acts 1979 for the purpose of enforcing the Maryland Public Ethics Law (General Provisions Article, Title 5, Annotated Code of Maryland, (hereinafter "the Ethics Law")) including the provisions of Subtitle 5, Conflicts of Interest.

AGREED STATEMENT OF FACTS

1. Marcus Tadros was, at all times relevant to this matter, employed by the State Highway Administration ("SHA") an executive agency of the State of Maryland, and an employee subject to the conflict of interest provisions of the Ethics Law. He has since left State service under circumstances unrelated to the facts giving rise to this Agreement.

2. Mr. Tadros was employed as a Transportation Design Engineer V for the Innovative Contracting Division. The Innovative Contracting Division implements new policies as they pertain to modern contracting procedures to support the Office of Highway Development. Mr. Tadros' duties included managing projects to help relieve traffic congestion, managing consultants, and supervising two engineers.

3. During 2017, Mr. Tadros communicated with individuals through his State email account about matters that were personal in nature and unrelated to his State duties. Additionally, Mr. Tadros referenced his State position and State email address in written correspondence to individuals in the federal government regarding matters that were similar to the topic in the emails and unrelated to his State duties.

4. Section 5-506 of the Ethics Law provides that an official or employee may not intentionally use the prestige of office or public position for that official's or employee's private gain or that of another. The Commission has interpreted this provision to mean that a State employee or official should not use State time, title or resources for business unrelated to their State duties.

5. Mr. Tadros has fully cooperated in Staff Counsel's review of this matter.

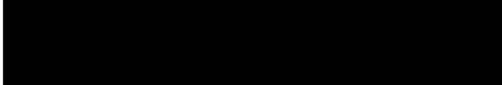
6. Mr. Tadros is voluntarily entering into this agreement to admit certain violations of the Ethics Law, to accept certain sanctions, and to resolve the matter now pending against him without the issuance of a complaint and a hearing before the Commission.

7. Mr. Tadros has been represented throughout these proceedings by counsel, Thomas C. Valkenet, Esq., as indicated by his signature on this Agreement.


NOW THEREFORE, in consideration of the agreed facts contained herein, and effective on the date of the Commission's acceptance of the terms of this Agreement, Marcus Tadros and William J. Colquhoun, Staff Counsel, agree as follows:

- A. That Mr. Tadros admits that the emails and written correspondence sent by him referenced in this Agreement constitutes a violation of the prohibition in § 5-506 against using the prestige of one's office for the private gain of themselves or others.
- B. That the Commission will issue an official reprimand to Mr. Tadros effective the date of the Commission's acceptance of the Agreement.
- C. That the Commission will transmit a copy of the Agreement to the Governor and the SHA Administrator.
- D. That Mr. Tadros waives any formal proceedings and hearing in this matter if the Commission accepts the Agreement, and agrees that acceptance of this Agreement by the Commission constitutes a final action and finding of violation by the Commission.
- E. That Mr. Tadros further agrees that the Agreement and materials related to this matter are not subject to the confidentiality provisions of the Ethics Law and will be public information unless otherwise protected.
- F. That upon execution of this Agreement by Mr. Tadros, Staff Counsel will recommend that the Commission suspends any further proceedings against Mr Tadros.
- G. That in the event that the Commission declines to accept the Agreement, both Mr. Tadros and Staff Counsel are relieved of their respective obligations hereunder, and neither this Agreement, nor any admission it may contain, shall be admissible in any subsequent proceeding by the Commission.
- H. That Mr. Tadros and Staff Counsel are entering into this Agreement for the sole purpose of resolving the matters involved in the Commission's Preliminary Inquiry into this matter and for no other purpose.

IN WITNESS WHEREOF, Marcus Tadros and William J. Colquhoun, Staff Counsel, State Ethics Commission, have hereunto set their hands.


William J. Colquhoun, Staff Counsel
State Ethics Commission
45 Calvert Street, 3rd Floor
Annapolis, Maryland 21401
(410) 260-7770


Marcus Tadros


Thomas C. Valkenet, Esq.
Young & Valkenet
600 Wyndhurst Avenue, Suite 230
Baltimore, Maryland 21210
tcv@youngandvalkenet.com
(410) 323-0900

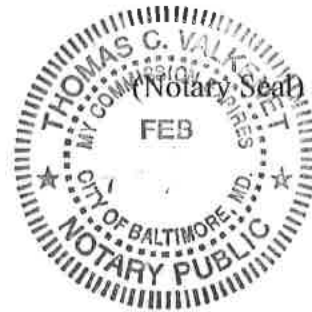
State of Maryland

County of: Baltimore City, to wit:

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared Marcus Tadros, who made oath in due form of law on this 20th day of September, 2017 that the matters and facts hereinabove set forth in the Pre-Complaint Disposition Agreement are true to the best of his knowledge, information and belief, it is his voluntary act and that he executed this document for the purpose set forth herein.

[Redacted Signature]
Notary Public

My Commission Expires: 2-10-19



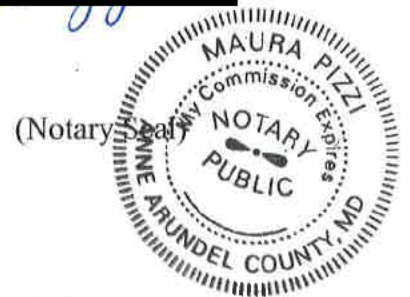
State of Maryland,

County of: Anne Arundel, to wit:

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared William J. Colquhoun, Staff Counsel to the State Ethics Commission, who made oath on this 4th day of October, 2017 in due form of law that he executed this agreement for the purposes therein contained.

[Redacted Signature]
Notary Public

My Commission Expires: June 20, 2021



Accepted by the Commission

[Redacted Signature]
Kim L. Coble, Acting Chair
for the Commission

Date: Nov. 2, 2017