

BEFORE THE ETHICS COMMISSION
FOR THE STATE OF TENNESSEE
AT NASHVILLE

BRIAN JEFFREY YARBER,

Respondent.

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No. 2008-54

ORDER GRANTING RECONSIDERATION AND DECLINING TO ASSESS A CLASS 2
CIVIL PENALTY

This matter came on to be heard by the Tennessee Ethics Commission (Commission) on March 10, 2009, at its regularly scheduled meeting, upon the Commission's December 19, 2008 Notice of Intent to Assess Class 2 Civil Penalties for Respondent's failure to timely file a Statement of Disclosure of Interest pursuant to Tenn. Code Ann. §§ 8-50-501 through 8-50-502, and upon Respondent's December 29, 2008 Request for Reconsideration of the Commission's October 28, 2008 Order, assessing civil penalties, and upon the record.

The Commission concludes, after due deliberation, that the record supports the Respondent's Request for Reconsideration. The Request for Reconsideration is accordingly granted, and the prior Order rescinded.

The Commission further concludes, after due deliberation, that the record does not support the assessment of a Class 2 civil penalty.

It is ORDERED that the Executive Director shall issue this Order for the Commission and file it in the Commission's offices.


It is further ORDERED that this order shall not become final until thirty (30) days after issuance.

SO ORDERED.

Issued this 13th day of March, 2009

TENNESSEE ETHICS COMMISSION

By: _____


Bruce A. Androphy,
Executive Director