

From: Angela Leidinger <angiel@clemson.edu>
To: Pisarik, HollyHollyPisarik@gov.sc.gov
CC: Chip Hoodchip@clemson.edu
Date: 12/30/2015 3:43:58 PM
Subject: Fwd: Suite

Here is the edited version. Thanks, Angie

Sent from my iPhone

Begin forwarded message:

From: Chip Hood <chip@clemson.edu>
Date: December 30, 2015 at 3:22:11 PM EST
To: Angela Leidinger <angiel@clemson.edu>
Subject: FW: Suite

W.C. Hood
General Counsel
Clemson University
(864) 656-3414

-----Original Message-----

From: Ed Poliakoff [ed.poliakoff@nelsonmullins.com]
Received: Wednesday, 30 Dec 2015, 1:02PM
To: Chip Hood [chip@clemson.edu]
Subject: FW: Suite

Chip:
Hope this format will suffice, as I'm operating today without AA.

Assuming the Governor will sign a prior approval pursuant to Code Section 2-17-90(A)(6)(b), the following is my conceptual suggestion as to how the University would disclose.

The subject gift would be disclosed on the University's Lobbyist's Principal Disclosure, in the category titled "Expenditures made on behalf of Public Official". (Definition of "expenditure" includes gifts.)

The electronic filing format may limit the amount of text, and thus may require a written supplement.

The disclosure format requires entering the name of the public official (in this case Governor), date the expenditure was paid, the amount of and description of.

I suggest description be as or similar to this:

Date: 12/31/15
Amount: \$400 (if necessary due to e-disclosure space constraints, make reference to written supplement)
Description: Pursuant to Code Section 2-17-90(A)(6)(b), tickets to suite provided by Orange Bowl to Clemson University for Playoff Semifinal Game. (if necessary due to e-disclosure space constraints, make reference to written supplement)

If necessary due to e-disclosure space constraints, written supplement like or similar to following:)

Clemson Orange Bowl Suite Tickets

- Pursuant to Code Section 2-17-90(A)(6)(b) Clemson University provided to the Governor's Office four (4) tickets to the 2015 Orange Bowl College Football Playoff Semifinal game in Miami, Florida.
- The tickets were in a suite provided by the Orange Bowl to Clemson University at no charge as part of the Clemson University Football Team's invitation to play in the game. Thus there was no expense to Clemson University for these tickets.
- The tickets had no face value. Individual suite tickets for this section of the stadium were selling the week of the game at a fair market value of approximately \$100 to \$140 on secondary markets like StubHub. Twenty (20) seat suites if purchased from the Orange Bowl cost \$20,000.

Ed Poliakoff

Nelson Mullins Riley & Scarborough, LLP

(803) 255-9412

(803) 255-9070 (F)

From: Chip Hood [<mailto:chip@clemsom.edu>]
Sent: Wednesday, December 30, 2015 12:10 PM
To: Ed Poliakoff
Cc: Angela Leidinger
Subject: RE: Suite

Ed,

That looks good to me. Can you send a clean version with your changes accepted that we can forward to Holy?

Thanks, Chip

-----Original Message-----

From: Ed Poliakoff [ed.poliakoff@nelsonmullins.com]
Received: Wednesday, 30 Dec 2015, 10:52AM
To: Chip Hood [chip@clemsom.edu]
CC: Angela Leidinger [angiel@clemsom.edu]
Subject: RE: Suite

Chip:

Assuming the Governor will sign a prior approval pursuant to Code Section 2-17-90(A)(6)(b), the following is my conceptual suggestion as to how the University would disclose.

The subject gift would be disclosed on the University's Lobbyist's Principal Disclosure, in the category titled "Expenditures made on behalf of Public Official". (Definition of "expenditure" includes gifts.)

The electronic filing format may limit the amount of text, and thus may require a written supplement.

The disclosure format requires entering the name of the public official (in this case Governor), date the expenditure was paid, the amount of and description of.

I suggest description be as or similar to this:

Date: 12/31/15

Amount: \$400 (if necessary due to e-disclosure space constraints, make reference to written supplement)

Description: Pursuant to Code Section 2-17-90(A)(6)(b), tickets to suite provided by Orange Bowl to Clemson University for Playoff Semifinal Game. (if necessary due to e-disclosure space constraints, make reference to written supplement)

If necessary due to e-disclosure space constraints, written supplement like or similar to following:)

Clemson Orange Bowl Suite Tickets

- Pursuant to Code Section 2-17-90(A)(6)(b) Clemson University provided to the Governor's Office four (4) tickets to the 2015 Orange Bowl College Football Playoff Semifinal game in Miami, Florida.
- The tickets were in a suite provided by the Orange Bowl to Clemson University at no charge as part of the Clemson University Football Team's invitation to play in the game. Thus there was no expense to Clemson University for these tickets.
- The tickets had no face value. Individual suite tickets for this section of the stadium were selling the week of the game at a fair market value of approximately \$100 to \$140 on secondary markets like StubHub. Twenty (20) seat suites if purchased from the Orange Bowl cost \$20,000.

Ed Poliakoff

Nelson Mullins Riley & Scarborough, LLP

(803) 255-9412

(803) 255-9070 (F)

From: Ed Poliakoff
Sent: Tuesday, December 29, 2015 9:26 PM
To: Chip Hood (chip@clemson.edu)
Cc: Angela Leidinger (angiel@clemson.edu)
Subject: FW: Suite

Good work Chip! This approach calls for the Governor to sign a "prior written approval" as provided by SC Code Section 2-17-90 (A)(6), stating (to the effect) that the Governor's attendance in the Clemson University suite will involve activities reasonably and directly related to state economic development efforts, due to other attendees' significant involvements in economic development activities. I will get something to you tomorrow morning regarding how we would disclose. For ready reference I have excerpted below the pertinent statutory language.

Ed

SECTION 2-17-90. Acts prohibited of lobbyists' principals; acts prohibited of public officials and employees; exceptions; disclosure requirements.

(A) Except as otherwise provided under Section 2-17-100, no lobbyist's principal may offer, solicit, facilitate, or provide to a public official or public employee, and no public official or public employee may accept lodging, transportation, entertainment, food, meals, beverages, or an invitation to a function paid for by a lobbyist's principal, except for:

* * *

(6) as to public officials or public employees, activities reasonably and directly related to state or local economic development efforts. However, the public official or public employee first must obtain prior written approval from:

* * *

(b) any statewide constitutional officer, in the case of himself or any of his employees;

* * *

(C) Except as otherwise provided by subsection (E), any public official or any public employee who is required to file a statement of economic interests under Section 8-13-1110 and who accepts lodging, transportation, entertainment, food, meals, or beverages under subsection (A) or (G) must report on his statement of economic interests pursuant to Section 8-13-1120 the value of anything received.

(D) Except as otherwise provided by subsection (E), a lobbyist's principal extending an invitation under subsection (A) must report all expenses as required by Section 2-17-35.

Ed Poliakoff

Nelson Mullins Riley & Scarborough, LLP

(803) 255-9412

(803) 255-9070 (F)

From: Chip Hood [<mailto:chip@clemsun.edu>]

Sent: Tuesday, December 29, 2015 7:00 PM

To: Ed Poliakoff

Cc: Angela Leidingner

Subject: Suite

Ed,

Holly is comfortable with the approach we discussed this evening. She plans on getting the Governor to sign in advance certifying the economic development purposes. She asked if we could share a draft with her of how we'd report this out on our lobbyist filing -- no expense to Clemson but with details.

I've attached a draft. Can you edit/revise as needed. I'm also checking on whether food and beverage is provided by the Bowl or if we are paying for that...if so I assume we'll need to report something out on that value.

Angie and I are free in the morning if we need to discuss.

Thank!!!

Chip

Sent from my Android phone using Symantec TouchDown (www.symantec.com)

Confidentiality Notice

This message is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged, confidential or otherwise legally exempt from disclosure.

If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately either by phone (800-237-2000) or reply to this e-mail and delete all copies of this message.