

1 Marty Lambert  
2 Special Broadwater Deputy County Attorney  
3 Special Assistant Attorney General  
4 Gallatin County Attorney's Office  
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6 Bozeman, MT 59715  
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10 Counsel for State of Montana

**FILED**  
MAY 21 2020  
VALERIE J. HORNSVELD  
CLERK  
DEPUTY *Valerie J. Hornsveld*

7 **MONTANA FIRST JUDICIAL DISTRICT COURT, BROADWATER COUNTY**

8 THE STATE OF MONTANA, )

9 Plaintiff, )

10 v. )

11 LAURA MARIE OBERT, )

12 Defendant. )

Cause No. A DC-2020- 24

**MOTION FOR LEAVE TO FILE  
AN INFORMATION**

14 The undersigned Special Assistant Attorney General, and Special Deputy Broadwater  
15 County Attorney, hereby moves this Court for its order granting leave to file an Information in  
16 the above captioned matter and files the following Affidavit in support of the motion:

17 STATE OF MONTANA )  
18 : ss.  
19 County of Gallatin )

20 Having first been duly sworn, and based on information and belief, the undersigned  
21 deposes and says that the Defendant committed the following offenses:

22 **Count I:** Theft, a Felony, in violation of Mont. Code Ann. §45-6-301, (2015), when on  
23 or about May 23, 2015, through November 8, 2015, the Defendant Laura Marie  
24 Obert, as part of a common scheme, purposely or knowingly obtained  
25 unauthorized control over money belonging to Broadwater County with the  
26 purposed to deprive Broadwater County of the money. The value of the money  
27 obtained exceeded \$1,500.00.  
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PENALTY

A person convicted of the offense of theft of property exceeding \$1,500 in value shall be fined an amount not to exceed \$50,000 or be imprisoned in a state prison for a term not to exceed 10 years, or both.

**Count II: Official Misconduct, a Misdemeanor, in violation of Mont. Code Ann. §45-7-401(1)(c) when on or about September 30, 2019, October 1, 2019, October 11, 2019, or April 6, 2020, the Defendant Laura Marie Obert, while serving in her official capacity as a Commissioner for Broadwater County, and with the purpose to obtain a personal advantage, or an advantage for another, advocated for and voted to create and financially support a Targeted Economic Development District directed by Montana Business Assistance Connection, a Montana corporation, acts in excess of her lawful authority as a Broadwater County Commissioner.**

PENALTY

The offense of Official Misconduct shall be fined not to exceed \$500 or be imprisoned in the county jail for a term not to exceed six months, or both. A public servant who has been charged as provided in subsection (3) may be suspended from office without pay pending final judgment. Upon final judgment of conviction, the public servant shall permanently forfeit the public servant's office. Upon acquittal, the public servant must be reinstated in office and must receive all backpay.

The Court is informed that the following information to establish probable cause resulted from the investigation conducted by Agent Anthony Poppler, Division of Criminal Investigation, Montana Department of Justice:

1. The undersigned is the Gallatin County Attorney. The undersigned has been granted authority to serve as a special prosecutor to review and advise investigators, and if appropriate, file criminal charges against Laura Marie Obert, who currently serves as a Broadwater County Commissioner.

2. Attached as Exhibit "A" is a copy of the appointment letter of Chief Deputy Attorney General Jon Bennion, which "appoints [the undersigned] as a special assistant attorney general to prosecute complaints related to the alleged official misconduct of Broadwater County Commissioner Laura Obert".

1           3.     Attached as Exhibit "B" is a copy of Broadwater County Commission Resolution  
2 2019-13, which appoints the Gallatin County Attorney as Special Deputy Broadwater  
3 County Attorney "to review and make an independent prosecution decision as to any possible  
4 criminal case arising from the citizen complaints against a public official of Broadwater County".

5           4.     By letter dated September 23, 2015, Broadwater County Attorney Cory Swanson  
6 asked John Strandell, Bureau Chief of the Division of Criminal Investigation, Montana Attorney  
7 General's Office, for investigative assistance. Swanson sought an investigation of Broadwater  
8 County Commissioner Laura Marie Obert.  
9

10           5.     Swanson's letter set forth two complaints regarding Obert's conduct: first, that  
11 Obert had a personal connection to a non-profit Montana corporation, the Montana Business  
12 Assistance Connection ("MBAC"), and that Obert had conducted official County business  
13 without either a public declaration of her conflict or a recusal from any vote that might affect  
14 MBAC. Second, that Obert directed the County Finance Officer, Debbie Kelley, to process  
15 Obert's time cards to pay Obert up to 40 hours per week of work as a County Commissioner,  
16 and at the same time Obert's fellow County Commissioners were being paid for only 26 or up  
17 to 32 hours per week. Strandell agreed to open an investigation. DCI Agent Anthony Poppler  
18 was assigned to investigate Swanson's complaint.  
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21           6.     On June 18, 2015, Poppler interviewed Obert at the FBI Office in Helena. Obert  
22 admitted that her husband, Brian Obert, was MBAC's Executive Director. Obert said that Brian  
23 Obert's salary was \$75,000 per year. Obert claimed that "the fact that Brian gets a salary there,  
24 our dues paid from the county in no way paid his salary or benefitted her financially". Obert  
25 admitted that Broadwater County paid MBAC \$15,000.00 each year. Obert said there was no  
26 conflict for votes she had taken regarding payment of monies to MBAC, because "she votes for  
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1 the County” when she votes on matters pertaining to MBAC. Further, Obert claimed that there  
2 was no conflict as Brian didn’t own the company (MBAC). Obert claimed that she had been  
3 told by former Broadwater County Attorneys John Flynn and Karla Bosse that there was no  
4 conflict over her votes pertaining to MBAC.

5 7. When asked about the additional pay she was receiving as a Broadwater County  
6 Commissioner, Obert stated the following. Obert admitted that her salary was based on 26 hours  
7 per week as a Commissioner. Obert claimed she had become a full-time employee in December,  
8 2014. Obert claimed that “they had an issue with their health insurance so they had to make  
9 some changes, one of those changes was that they are paid hourly over the 26 hour base”.

10 8. On December 2, 2015, Poppler interviewed Broadwater County Payroll and  
11 Claims Clerk Tammy Rauser. Ms. Rauser stated that Debbie Kelley was responsible for the  
12 Commissioner’s payroll, but that Obert was the only Commissioner who received additional  
13 pay.

14 9. On or about December 8, 2015, Poppler interviewed Debbie Kelley. Kelley was  
15 the accounting manager for Broadwater County. Kelley told Poppler that she approved payroll  
16 for Obert at an hourly rate because Obert told her that it had been approved. Kelley said she  
17 knew Obert was being paid on an hourly basis, but that Kelley had been instructed by Obert to  
18 pay Obert in that manner.

19 10. On December 29, 2015, Poppler spoke with Swanson. Obert had told Swanson  
20 that Obert knew she was under investigation. Obert asked Swanson if she could just pay back  
21 the money at issue in Poppler’s investigation. Swanson told Obert that the investigation would  
22 continue until it was completed.  
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1           11. On or about December 29, 2015, Poppler spoke with Harold Blattie, who was  
2 then the Executive director of the Montana Association of Counties. Blattie said he had  
3 corresponded with Obert regarding commissioner's pay. Blattie said he told Obert that all the  
4 commissioners must receive the same pay, and that Obert could not receive hourly pay in  
5 addition to her salary.

6           12. On January 21, 2016, Poppler interviewed Obert. Present were Brian Obert, and  
7 Laura Obert's attorney, Joe Seifert. Obert was advised of her *Miranda* rights. Obert waived  
8 those rights and agreed to an interview. Obert blamed Swanson for her predicament. Obert  
9 claimed that Swanson had agreed that Obert could receive hourly pay in addition to her regular  
10 Commission salary. Obert admitted that Swanson's purported advice regarding her salary was  
11 only verbal, and was not in writing.

12           13. Poppler asked Obert if she knew of or possessed any documentation supporting  
13 additional pay for Commissioners over and above their salary. Obert admitted that there was  
14 nothing that specifically permitted such additional compensation. Obert told Poppler she had  
15 stopped receiving the additional hourly pay in September or October, 2015. Poppler told Obert  
16 that she had continued to receive the additional hourly pay through November 23, 2015. Obert  
17 said she "was waiting for Cory to make a decision based on what he said in September, they  
18 were waiting for a definitive answer from Cory on what should be done."  
19

20           14. On November 24, 2015, Swanson sent Poppler timesheets and payroll records for  
21 Broadwater County's Commissioners. The timesheets were dated July 8, 2014, and through  
22 November 23, 2015. The payroll records began on September 23, 2014. As part of his  
23 investigation Poppler prepared a compilation of the monies unlawfully paid to Obert. A copy of  
24 the compilation is attached as Exhibit "C". According to his report, Poppler found that "Obert  
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1 received additional compensation above her salary totaling \$8,897.17 between the pay period  
2 starting on February 25, 2015 through November 8, 2015. If the additional 4 hours per monthly  
3 for insurance purposes was determined to be additional hourly pay, then Obert received  
4 additional compensation totaling \$8,076.31 between the pay period starting on February 25,  
5 2015 through November 8, 2015”.

6  
7 15. Based on Exhibit C, starting with the May 23, 2015, pay period, Defendant Laura  
8 Obert obtained \$6,521.02 unlawfully. If the calculations assumed that the Defendant was  
9 entitled to the 4 hours pay per month for insurance purposes, Defendant Laura Obert obtained  
10 \$6,158.14 unlawfully.

11  
12 16. On or about February 22, 2016, Poppler submitted the results of his investigation  
13 to the Montana Attorney General’s Office, Prosecution Services Bureau. Poppler sought  
14 prosecution of Obert for theft, in that she received compensation from Broadwater County to  
15 which she was not entitled, and for Official Misconduct, in that she acted illegally regarding  
16 Broadwater County’s business with MBAC. The case was handled by Brant Light, Chief of the  
17 Prosecution Services Bureau.

18  
19 17. In July, 2016, Light entered into a deferred prosecution agreement (“Agreement”)  
20 with Obert. A copy of the Agreement, dated July 25, 2016, is attached as Exhibit “D”.

21 18. Based on the Agreement Obert would repay to Broadwater County a sum  
22 calculated by Broadwater County and approved by the Attorney General’s Office. The payment  
23 would be made without any acknowledgment of wrongdoing on Obert’s part. County Attorney  
24 Swanson recently acknowledged to the undersigned that Obert did, in 2016, make the payment  
25 required by the agreement.  
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1           19. The Agreement also dealt with Obert's MBAC dealings. In the Agreement Obert  
2 was required to "follow statutory Standards of Conduct, Mont. Code Ann. §§2-2-101 through -  
3 144, as they related to possible conflicts of interest. Ms. Obert agrees that while acting as a  
4 Broadwater County Commissioner she will publically disclose any and all possible conflicts of  
5 interests [sic] prior to participating in any official action as a Broadwater County  
6 Commissioner". Ex. D, pg. 1.

8           20. There is no term set forth in the Agreement. Further, the Agreement makes no  
9 reference to §7-5-2106, MCA, which provides:

10           **7-5-2106. Control of conflict of interest.** No member of the board must be directly or  
11 indirectly interested:

- 12           (1) in any property purchased by the county;  
13           (2) in any purchase or sale of property belonging to the county; or  
14           (3) in any contract made by the board or other person on behalf of the county for the  
15 erection of public buildings, the opening or improvement of roads, the building  
16 of bridges, or the purchasing of supplies or for any other purpose.

17           21. On August 15, 2016, less than one month after she signed the Agreement, Obert  
18 signed a "Statement of Disclosure", in which Obert acknowledged the conflict issues created by  
19 her service as a Broadwater County Commissioner, MBAC and Brian Obert. Defendant Obert  
20 stated the following:

21           My husband is Executive Director of Montana Business Assistance Connection  
22 (MBAC). MBAC is Broadwater County's Certified Regional Development Corporation  
23 (CRDS) and our Federal Economic Development Agency (EDA), and has been since  
24 2004. Broadwater County is required to participate to receive Services by both EDA and  
25 CRDC.

26           MBAC derives its funding from many sources including EDA, CRDC, interest bearing  
27 [sic] revolving loan funds, grants, state contracts and membership from local businesses  
28 and governments – city and county. EDA requires active participation by local  
governments. Broadwater County pays annual dues of 1 mill, \$14,849 (a reduction from  
past years' of \$15,000 which dates back over a decade). Those funds are used for  
community economic development services and are not used to pay Brian's salary.  
Broadwater County's 1 mill equates to less than 3% of MBAC's operating budget.

1 Obert stmt., Aug. 15, 2016.

2 22. The investigation revealed that on October 26, 2016, Obert breached the  
3 Agreement, Ex. D. On that date, Brian Obert, representing MBAC, sought money from  
4 Broadwater County for the Silos Working Group. The Broadwater County Commissioners,  
5 including Laura Obert, voted to approve \$5,000 for that purpose. Obert did not make any of the  
6 disclosures required by the Agreement and as otherwise required by Montana law.  
7

8 23. The investigation revealed that on May 14, 2018, Obert again breached the  
9 Agreement, Ex. D. On that date, Brian Obert, representing MBAC, sought money from  
10 Broadwater County for a Targeted Economic Development District ("TEDD") for Broadwater  
11 County. Laura Obert moved to authorize the Planning Board to create a proposal for  
12 expenditure of up to \$40,000 of Broadwater County money for the project, to be funded from  
13 the Wheatland turn lanes reimbursement. The Broadwater County Commissioners approved  
14 the motion by a 2-1 vote, with Commissioner Obert voting in favor of the motion. Obert did  
15 not make any of the disclosures required by the Agreement and as otherwise required by  
16 Montana law.  
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19 24. In January, 2019, MBAC, acting on behalf of Broadwater County, prepared a  
20 "Statement of Infrastructure Deficiency in the Industrial and Commercial Area of the  
21 Wheatland Census Designated Place (CDP) Broadwater County". As set forth in the Statement,  
22 MBAC had contracted on behalf of Broadwater County with Community Development Services  
23 of Montana to create a Targeted Economic Development District ("TEDD") for the Wheatland  
24 industrial area of Broadwater County.  
25

26 25. On February 4, 2019, Obert again breached the Agreement, Ex. D. On that date  
27 Obert, acting as a Broadwater County Commissioner, voted to approve a Broadwater County  
28



1 Commission resolution that authorized the Wheatland Area Targeted Economic Development  
2 District. Obert did not make any of the disclosures required by the Agreement and as otherwise  
3 required by Montana law.

4 26. On September 30, 2019, Obert again breached the Agreement, Ex. D, by voting to  
5 approve the Targeted Economic Development District. Obert did not make any of the  
6 disclosures required by the Agreement and as otherwise required by Montana law.  
7

8 27. On October 1, 2019, during a Broadwater County Commission meeting, Brian  
9 Obert and Eric Seidensticker appeared on behalf of MBAC to propose a TEDD for the  
10 Wheatland area. According to the Commission minutes of the meeting, "MBAC proposed to  
11 front the costs of creation of a TEDD, hiring a consultant, with an agreement and MOU that  
12 MBAC would be reimbursed over time. After discussion, Commissioners Obert and Delger  
13 voiced support of MBAC asking for authorization of the project". According to the minutes of  
14 the meeting, Obert did not make any of the disclosures required by the Agreement and as  
15 otherwise required by Montana law.  
16

17 28. On October 11, 2019, Obert again breached the Agreement, Ex. D. Obert and her  
18 fellow Commissioners voted to approve a resolution and approved, on first reading, Ordinance  
19 2019-B. The Ordinance is entitled as follows:  
20

21 An Ordinance Designating the Broadwater County Wheatland Targeted Economic  
22 Development Area, Creating the Broadwater County Wheatland Targeted Economic  
23 Development district and Adopting the Broadwater County Wheatland Targeted  
24 Economic Development District Comprehensive Plan with a Tax Increment Financing  
25 Provision Pursuant to Title 7, Chapter 15, Part 42 and 42 of the Montana Code  
Annotated

26 Ord., pg. 1. Obert did not make any of the disclosures required by the Agreement and as  
27 otherwise required by Montana law.  
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1           29. On October 30, 2019, DCI Bureau Chief John Strandell told Poppler that the  
2 undersigned had been appointed by the Attorney General's Office to review and possibly  
3 prosecute Obert for violating the Agreement. Strandell assigned Poppler to assist the  
4 undersigned by investigating Obert's recent conduct as a County Commissioner.

5           30. On or about November 18, 2019, during a Commission meeting Ordinance 2019-  
6 B passed second reading and was adopted. Brian Obert was interviewed by a reporter for the  
7 Belgrade news about the meeting. The following was included in a story about the meeting:  
8

9           The Montana business Assistance Connection (MBAC), an economic development  
10 agency for Broadwater, Lewis and Clark, and Meagher counties, has spent the past two  
11 years working with Broadwater County to enact the TEDD, according to Brian Obert,  
12 MBAC executive director and husband of Broadwater County Commissioner Laura  
13 Obert. He said the idea of developing infrastructure through tax increment financing in  
the Wheatland area has been considered as long as the county's current Growth Policy  
has been in place.

14 Belgrade News, Nov. 21, 2019.

15           31. On April 6, 2020, Obert again breached the Agreement, Ex. D. Obert and her fellow  
16 Commissioners approved Resolution 2020-6, which was entitled as follows:

17           A RESOLUTION OF THE BROADWATER COUNTY COMMISSIONERS  
18 AUTHORIZING THE WHEATLAND WATER AND SEWER DISTRICT'S SEWER  
19 SYSTEM CONSTRUCTION PROJECT AS A TAX INCREMENT FINANCING  
20 DISTRICT AND AUTHORIZING THE PROCUREMENT OF FINAL TERMS FOR A  
21 TIF-SECURED BOND TO BE ISSUED FOR THE PURPOSE OF FINANCING THE  
DESIGN AND CONSTRUCTION OF A DISTRICT-OWNED AND OPERATED  
SEWER SYSTEM AND THE COSTS OF ISSUING SAID BOND.

22 Res., pg. 1. Obert did not make any of the disclosures required by the Agreement and as  
23 otherwise required by Montana law.  
24

25           32. In addition to the grant of authority from the Attorney General, Exhibit A, Dan  
26 Guzynski, the current chief of the Attorney General's Prosecution Services Bureau, authorized  
27 the undersigned to determine whether Defendant Obert violated the Agreement she made with  
28

1 the Attorney General. A copy of Mr. Guzynski's email to the undersigned is attached to this  
2 Affidavit as Exhibit E. Based on the foregoing, on October 26, 2016, May 14, 2018, September  
3 30, 2019, October 1, 2019, October 11, 2019, and April 6, 2020, Defendant Obert breached  
4 Exhibit "D", the Agreement she made with the Attorney General. Because of Defendant's  
5 repeated breach of the Agreement the State of Montana is not bound by the Agreement.  
6

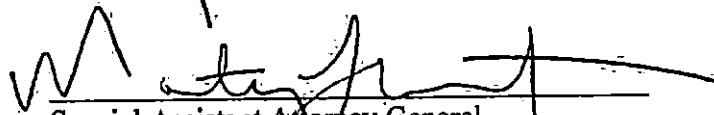
7 33. Both Defendant Obert and her husband had direct or indirect interest in MBAC and  
8 the TEDD. Defendant Obert's support for the creation and financing of the TEDD, and MBAC's  
9 management of the TEDD, therefore violated §7-5-2106(3), MCA.

10 34. Based on DCI's investigation, from on or about November 29, 2016, through  
11 December 17, 2019, Broadwater County made five separate payments to MBAC, totaling  
12 \$62,579.00.  
13

14 Therefore, based on the foregoing Affidavit, the State respectfully petitions the Court for  
15 its Order Granting Leave to File an Information in the above captioned matter.

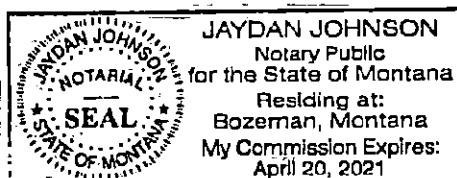
16 The State further requests the Court issue a Summons, and require the Defendant to  
17 appear before the Court to answer to the allegations as filed.  
18

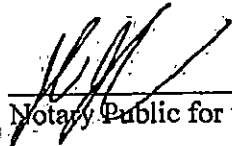
19 DATED, this 21 day of May, 2020.

20  
21   
22 Special Assistant Attorney General  
23 Special Deputy Broadwater County Attorney

24 Subscribed and sworn to before me this 21 day of MAY, 2020.

25 (NOTARIAL SEAL)



29   
30 Notary Public for the State of Montana

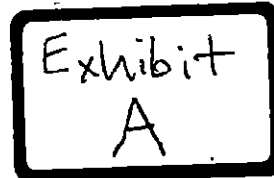
**ATTORNEY GENERAL**  
**STATE OF MONTANA**

**Tim Fox**  
**Attorney General**

**Jon Bennion**  
**Chief Deputy Attorney General**



**Department of Justice**  
**Joseph P. Mazurek Building**  
**215 North Sanders**  
**P.O. Box 201401**  
**Helena, MT 59620-1401**



July 22, 2019

Marty Lambert  
County Attorney's Office  
Judge Guenther Memorial Center  
1709 West College - Suite 200  
Bozeman, MT 59715

County Attorney Lambert:

Pursuant to Mont. Code Ann. § 2-15-501 and § 2-15-504, the Attorney General appoints you as a special assistant attorney general to prosecute complaints related to the alleged official misconduct of Broadwater County Commissioner Laura Obert. We thank you for being willing to assist the office on this matter.

Respectfully,

  
**Jon Bennion**  
*Chief Deputy Attorney General*

cc: Cory Swanson, Broadwater County Attorney  
Dan Guzynski, Prosecution Services Bureau Chief

TELEPHONE: (406) 444-2026    FAX: (406)444-3549    E-MAIL: [contactdoj@mt.gov](mailto:contactdoj@mt.gov)    WEB: [mtdoj.gov](http://mtdoj.gov)

**MONTANA DEPARTMENT OF JUSTICE**

Legal Services Division \* Division of Criminal Investigation \* Highway Patrol Division \* Forensic Science Division  
Gambling Control Division \* Motor Vehicle Division \* Information Technology Services Division \* Central Services Division

Exhibit  
B

**BROADWATER COUNTY, MONTANA**

**AUTHORIZATION FOR SPECIAL COUNSEL**

WHEREAS, the Broadwater County Attorney is aware of allegations of illegal activity on the part of certain Broadwater County official(s);

WHEREAS, the Broadwater County Attorney has determined that he is conflicted from making an independent prosecutorial decision as to any possible criminal case resulting therefrom or related thereto;

WHEREAS, Montana Code Annotated § 7-4-2705 authorizes the board of county commissioners to employ special counsel to assist in the prosecution of any such criminal case pending in the county, on request of the county attorney;

WHEREAS, the Broadwater County Attorney and the Broadwater County Commissioners have requested that a special deputy county attorney be appointed to review and make an independent prosecution decision as to any possible criminal case arising from the citizen complaints against a public official of Broadwater County;

WHEREAS, the office of Gallatin County Attorney has agreed to act as a Special Deputy Broadwater County Attorney to review allegations against all officials referred under this authorization, make an independent prosecution decision, and prosecute cases for which he believes probable cause exists; and

WHEREAS, the Gallatin County Attorney's Office will charge no fee for legal services, and will submit reimbursement for expenses at the standard County / State rate for mileage, lodging and per diem.

**THEREFORE, IT IS HEREBY RESOLVED:**

That the Office of the Gallatin County Attorney shall be appointed as Special Deputy County Attorney for Broadwater County for the purpose of reviewing various allegations as outlined above, and as referred by Broadwater County Attorney Cory Swanson or the Broadwater County Commissioners. The office of Gallatin County Attorney shall have full authority to make an independent prosecution decision, and shall be authorized to charge and prosecute any case for which it is believed probable cause exists, and to appear in court on behalf of the State in such proceeding. Such Special Deputy County Attorneys shall be entitled to rely upon the assistance and cooperation of the Broadwater County Sheriff's Office or other-law enforcement agency with jurisdiction, as requested.

**IT IS FURTHER RESOLVED:**

That under the terms of this authorization, such Special Deputy County Attorneys and support staff, if needed, shall be entitled to reimbursement for mileage, lodging and per diem at

**183406 Fee: \$ 0.00**

BROADWATER COUNTY Filed 8/13/2019 at 3:34 PM  
Douglas D. Ellis, Clk & Rcdr By Dan Rauer Deputy

the currently established County / State rate. Witness fees and expense, jury costs and other normal costs associated with the trial will be the County's responsibility as with all other prosecutions.

Passed this 12 day of August, 20 19 as moved by  
Commissioner Darrel Folkvord, seconded by Commissioner Mike Delger and  
passed on a majority vote of the board. Effective on passage and approval.

BROADWATER COMMISSIONERS  
Broadwater County, Montana

Michael D. Delger  
Chairman

Darrel Folkvord  
Member

ATTEST: Melissa Durbin  
Deputy, Clerk and Recorder

\_\_\_\_\_  
Member

**MC 15-09-07 Obert Theft Total  
7/1/2014 through 11/30/2015**

Exhibit  
C

Month and Payperiods	4 Hours/Month for Insurance	Excess Actual Pay
3/8/2015	\$90.72	\$431.34
3/23/2015		\$470.61
4/8/2015	\$90.72	\$657.72
4/23/2015		\$578.34
5/8/2015	\$90.72	\$238.14
5/23/2015		\$510.30
6/8/2015	\$90.72	\$725.76
6/23/2015		\$725.76
7/8/2015	\$90.72	\$464.94
7/23/2015		\$725.76
8/8/2015	\$90.72	\$725.76
8/23/2015		\$544.32
9/8/2015	\$92.18	\$640.71
9/23/2015		\$737.50
10/8/2015	\$92.18	\$0.00
10/23/2015		\$167.09
11/8/2015	\$92.18	\$553.12
11/23/2015		\$0.00
<b>TOTAL</b>	<b>\$820.86</b>	<b>\$8,897.17</b>

**Minimum Amount of Theft by Laura Obert is \$0.631**

- \*Effective 3/8/15 Hourly Rate of Pay \$22.12000
- \*Effective 3/23/15 Hourly Rate of Pay \$22.68000
- \*Effective 9/23/15 Hourly Rate of Pay \$23.04680

Exhibit  
D

**ATTORNEY GENERAL  
STATE OF MONTANA**

Tim Fox  
Attorney General



Department of Justice  
Joseph R. Mazurek Justice Bldg.  
215 North Sanders  
P.O. Box 201401  
Helena, MT 59620-1401

July 13, 2016

**AGREEMENT**

The State of Montana, by and through Brant S. Light, Assistant Attorney General and Laura Obert, represented by Joe Seifert, enter into the following agreement:

The parties agree to defer any action in reference to an investigation conducted by the Montana Division of Criminal Investigations (File No: MC 15-09-07) on the following conditions:

1. Ms. Obert agrees that the investigation was in reference to her accepting additional hourly pay above her statutory salary and her failure to publically disclose possible conflicts of interests.
2. Ms. Obert agrees to repay Broadwater County for hourly wages that she worked that were in excess of her statutory salary as a Broadwater County Commissioner. Ms. Obert agrees to this compromise with no admission of guilt or wrongdoing. The sum will be calculated by the Broadwater County Accounting Manager and presented to the Attorney General's Office for review and approval. Upon approval, Ms. Obert will have 30 days to pay the amount in full to Broadwater County. Documentation and a receipt of payment will be provided to the Attorney General's Office.
4. Ms. Obert agrees to follow the statutory Standards of Conduct, Mont. Code Ann. §§ 2-2-101 through -144, as they relate to possible conflicts of interests. Ms. Obert agrees that while acting as a Broadwater County Commissioner she will publically disclose any and all possible conflicts of interests prior to participating in any official action as a Broadwater County Commissioner. Ms. Obert further agrees that she will abstain from voting on any measures or actions where she has a conflict of interest. Ms. Obert agrees that she will continue to publically disclose as a conflict of interest and abstain from voting

TELEPHONE: (406) 444-2026 FAX: (406) 444-3549 E-MAIL: contactdoj@mt.gov WEB: mtdoj.gov

**MONTANA DEPARTMENT OF JUSTICE**

Legal Services Division \* Division of Criminal Investigation \* Highway Patrol Division \* Forensic Science Division  
Gambling Control Division \* Motor Vehicle Division \* Information Technology Services Division \* Central Services Division



AGREEMENT

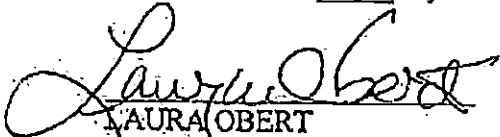
July 13, 2016

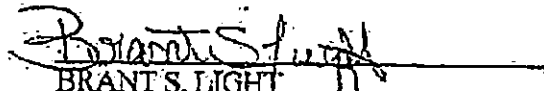
Page 2 of 2

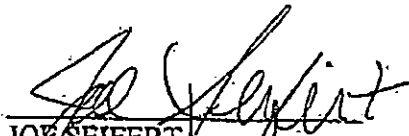
on any measure relating to a board where her husband, Brian Obert, serves as a board member or executive director. However, if the Board of County Commissioners is considering annual membership dues and/or funding for economic development within the annual budget as allowed by Federal Economic Development Agency and State Certified Regional Development requirements and/or for a board where Ms. Obert is a voting member, Ms. Obert is not prohibited from voting on that specific measure after she has publically disclosed the conflict of interest.

5. Ms. Obert acknowledges that she has reviewed the terms of this document and is entering this agreement voluntarily and freely, and that she fully understands the terms and conditions of the agreement.

Dated this 25 day of July, 2016.

  
LAURA OBERT

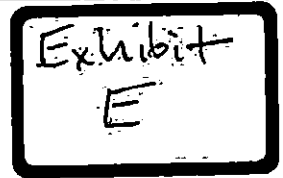
  
BRANT S. LIGHT  
Assistant Attorney General  
Montana Attorney General's Office

  
JOE SEIFERT  
Attorney for Ms. Obert

**Lambert, Marty**

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**From:** Guzynski, Daniel <DGuzynski@mt.gov>  
**Sent:** Wednesday, July 3, 2019 10:19 AM  
**To:** Lambert, Marty  
**Subject:** Re: Broadwater County Commissioner Laura Obert



Dear Mr. Lambert:

I understand that Broadwater County Attorney Cory Swanson will seek appointment of the Gallatin County Attorney's Office to act as a Special Broadwater County Attorney for any matters pertaining to investigation or prosecution of Broadwater County Commissioner Laura Obert.

Given your handling of matters pertaining to Ms. Obert, you are hereby authorized to determine whether Ms. Obert may have violated her July, 2016, deferred prosecution agreement with the Attorney General's Office.

Dan G.