

JUN 12 2023

INDIANA STATE
ETHICS COMMISSION



ETHICS DISCLOSURE STATEMENT
CONFLICTS OF INTEREST – DECISIONS AND VOTING
State Form 55860 (R / 10-15)
OFFICE OF THE INSPECTOR GENERAL
IC 4-2-6-9

In accordance with IC 4-2-6-9, you must file your disclosure with the State Ethics Commission no later than seven (7) days after the conduct that gives rise to the conflict. You must also include a copy of the notification provided to your agency appointing authority and ethics officer when filing this disclosure. This disclosure will be posted on the Inspector General's website.

Name (last) Kirkman	Name (first) Clark	Name (middle) Patrick
Name of office or agency Indiana Alcohol and Tobacco Commission		Job title Deputy Director
Address of office (number and street) 302 W Washington St E114		City Indianapolis
Office telephone number (317) 232-2462		ZIP code 46204
Office e-mail address (required) ckirkman1@atc.in.gov		

Describe the conflict of interest:

I am exploring an opportunity to join the law firm of Clark Quinn Moses Scott & Grahn as an attorney and entered into employment negotiations on June 8, 2023. The firm represents clients before the Commission. In my role with the Commission, although I will advise commissioners on matters, I do not vote or hear cases on permitting decisions. My potential practice with the law firm would include, but would not be limited to, alcohol permitting matters that would come before the Commission.

In January of 2023, I issued a letter on behalf of the Commission to Blue Cloud of Indiana, informing them of the Commission's intent to deny its applications for wine wholesaler permits. Blue Cloud has asked the Commission to reconsider its decision. That matter is still under review. Bart Herriman, an attorney with Clark Quinn, filed a petition to intervene on Blue Cloud's applications on behalf of the Indiana Beverage Alliance.

Describe the screen established by your ethics officer: *(Attach additional pages as needed.)*

Area with horizontal dashed lines for describing the screen established by the ethics officer.

AFFIRMATION

Your signature below affirms that your disclosures on this form are true, complete, and correct to the best of your knowledge and belief. In addition to this form, you have attached a copy of your written disclosure to your agency appointing authority and ethics officer.

Signature of state officer, employee or special state appointee <i>Clark Kirkman</i>	Date signed (month, day, year) <i>6/9/2023</i>
Printed full name of state officer, employee or special state appointee <i>Clark Kirkman</i>	

FOR ETHICS OFFICER USE ONLY

Your signature below affirms that you have reviewed this disclosure form and that it is true, complete, and correct to the best of your knowledge and belief. You also attest that your agency has implemented the screen described above.

Signature of ethics officer <i>Ashley Merritt</i>	Date signed (month, day, year) <i>6/9/2023</i>
Printed full name of ethics officer <i>Ashley Merritt</i>	

CONFLICT OF INTEREST SCREEN FOR CLARK KIRKMAN

June 9, 2023

I. RECITALS

WHEREAS, Clark Kirkman ("Kirkman") is the Deputy Director and Executive Secretary for the Indiana Alcohol and Tobacco Commission ("ATC" or "Commission"); and

WHEREAS, Kirkman has entered into employment negotiations with Clark, Quinn, Moses, Scott & Grahn LLP; and

WHEREAS, Clark, Quinn, Moses, Scott & Grahn LLP has a business relationship with the ATC in that it represents multiple clients that have and/or are seeking to obtain permits or licenses issued by the ATC; and

WHEREAS, as Deputy Director and Executive Secretary for the ATC, it is possible that Kirkman could participate in matters in which Clark, Quinn, Moses, Scott & Grahn LLP or its clients has a financial interest as part of his regular duties; and

WHEREAS, Kirkman's employment negotiations with Clark, Quinn, Moses, Scott & Grahn LLP created a potential decision and voting conflict of interest under IC 4-2-6-9 requiring disclosure and a formal screen; and

WHEREAS, Kirkman is subject to the particular matter restriction under IC 4-2-6-11(a) and cannot assist future employers, including Clark, Quinn, Moses, Scott & Grahn LLP, with any matter he personally and substantially participated in for the ATC; and

WHEREAS, Kirkman may have obtained confidential information in the course of his employment with the ATC and has an affirmative duty under IC 5-14-3-10 to protect and safeguard such information from disclosure and to refrain from relying on such information for the benefit of himself or future employers under and IC 5-14-3-4.

NOW THEREFORE, Clark Kirkman, ATC Deputy Director and Executive Secretary, agrees to follow, adhere to, and satisfy the terms of the following Conflict of Interest Screen in all ways for his remaining tenure with the ATC, or until he discontinues employment negotiations with Clark, Quinn, Moses, Scott & Grahn, LLP, and acknowledges that he must adhere to terms three (3) and four (4) regarding the particular matter restriction and confidential information in perpetuity.

II. CONFLICT OF INTEREST SCREEN

1. Clark Kirkman shall not participate in any decision or vote, or any matter related to such decision or vote, in which Clark, Quinn, Moses, Scott & Grahn LLP or its clients has a financial interest.

2. Clark Kirman is hereby screened from participating in any present or future permit or licensing matter involving Clark, Quinn, Moses, Scott & Grahn LLP.

3. Clark Kirkman shall not assist any future employers, including Clark, Quinn, Moses, Scott & Grahn, LLP, with any matter he personally and substantially participated in while employed by the ATC. This restriction applies in perpetuity for the life of the particular matter.

4. Pursuant to his duty under IC 5-14-3-10, Clark Kirkman shall not disclose or otherwise rely upon information classified as confidential under IC 5-14-3-4. This restriction applies in perpetuity, so long as the subject information is deemed confidential.

III. EMPLOYEE AFFIRMATION

I have read and understood the terms of the foregoing Conflict of Interest Screen, and will in all ways follow, adhere to, and satisfy the above stated restrictions on my participation in any decision or vote in which Clark, Quinn, Moses, Scott & Grahm LLP, or its clients, has a financial interest. I understand that the first two (2) terms of this screen terminate upon my leaving the Commission or the discontinuation of negotiations with Clark, Quinn, Moses, Scott & Grahm LLP, whichever occurs first. I further understand that terms three (3) and four (4) regarding particular matters and confidential information apply in perpetuity for the life of each matter and so long as the subject information is deemed confidential. I have shared and discussed this Conflict of Interest Screen and its requirements with my supervisor prior to filing the same with the Indiana Office of the Inspector General.

Executed and agreed to this 9th day of June, 2023, by:



Clark Kirkman, Deputy Director & Executive Secretary
Indiana Alcohol and Tobacco Commission

Kirkman, Clark (ATC)

From: Kirkman, Clark (ATC)
Sent: Monday, June 12, 2023 11:41 AM
To: Allen, Jessica
Subject: Ethics Screen
Attachments: Ethics Disclosure.pdf

Hi Jessica,

Please find the attached ethics disclosure and screen we discussed.

Thanks,

Clark

Clark Kirkman
Deputy Director & Executive Secretary
Alcohol & Tobacco Commission
CKirkman1@atc.in.gov
317.232.2462

