



**CONFLICTS OF INTEREST – CONTRACTS  
ETHICS DISCLOSURE STATEMENT**  
State Form 53345 (R2 / 6-15)  
OFFICE OF THE INSPECTOR GENERAL  
IC 4-2-6-10.5

INDIANA  
STATE ETHICS COMMISSION  
JUN 26 2019

FILED

Mail to:  
OFFICE OF INSPECTOR GENERAL  
315 West Ohio Street, Room 104  
Indianapolis, IN 46202  
Telephone: (317) 232-3850  
E-mail scanned copy to: [info@iq.in.gov](mailto:info@iq.in.gov)

Check if you are making a correction to a previously filed statement.

A state officer, employee, or special state appointee may not knowingly have a financial interest in a contract made by an agency. The term financial interest is defined in IC 4-2-6-1. This prohibition, however, does not apply to an officer, employee, or special state appointee who (1) does not participate in or have contracting responsibility for the contracting agency and (2) meets the criteria in IC 4-2-6-10.5(b)(2) and (c)(1)-(5). One criterion is that the officer, employee, or special state appointee must file a written statement with the Inspector General before the officer, employee, or special state appointee executes the contract with the state agency.

The foregoing consists only of excerpts from IC 4-2-6-10.5. Care should be taken to review IC 4-2-6-10.5 in its entirety to ensure compliance with all criteria set forth in the statute. This disclosure will be posted on the Inspector General's website.

**PART 1 – GENERAL INFORMATION**

Last name Merritt	First name Fred	Middle initial J.
Address of office (number and street, city, state, and ZIP code) LFM Investments, Inc. 1650 West 106th Street, Carmel, IN 46032		
Title or position within agency Board Member (special state appointee)	Name of agency Indiana Economic Development Corporation ("IEDC")	

**PART 2 – CONTRACT**

List the name for each entity (i.e. vendor, contractor, consultant, subcontractor, or subconsultant) in which you have a financial interest that has a contract with a state agency. Also, list the name of the state agency the entity is contracting with (use a different form for each contract).

Business name of entity Indy Sports & Entertainment, LLC	Name of entity contact person (first name and last name) Fred Merritt
---	--

This contract was (check one):

- made after public notice and, if applicable, through competitive bidding; or  
 not subject to notice and bidding requirements

If the contract was not subject to notice and bidding requirements, please provide the basis for that conclusion here. The IEDC's professional services contracts are not subject to public bidding requirements. See Indiana Code 5-22-1-3(a) (8) and 5-28. This professional services contract, however, was subject to the approval of the IEDC Board of Directors due to a potential conflict of interest, in the interests of transparency and out of an abundance of caution. This professional services contract was initially presented and reviewed at the public meeting of the IEDC Board's Business Development Committee on June 19, 2019. Due to Mr. Merritt's conflict and pursuant to IEDC policy and the Ethics Commission's Advisory Opinion 17-I-2, the matter was then considered by the full IEDC Board at its public meeting on June 19, 2019. Mr. Merritt was completely screened from any discussion, decision, or vote related to the matter at both the Business Development Committee and IEDC Board meetings, and his recusal will be noted in the minutes of both.

Description(s) of Contract(s): (Describe the type of contract involved and the effective date and term of the contract if reasonably determinable.)

The IEDC's pending professional services contract with the Indy Sports & Entertainment, LLC d/b/a Indy Eleven Soccer ("Indy Eleven") will be for certain sponsorship deliverables, including special event joint programming and hospitality services at Indy Eleven soccer games, which the IEDC uses to engage business prospects and promote economic development for the state of Indiana. The pending professional services contract has an initial term of 18 months and an effective date of June 2019.

Description of the Financial Interest: *(Describe in what manner the state officer, employee, or special state appointee expects to derive a financial interest from or otherwise has a pecuniary interest in, the above contract. State the approximate dollar value of the interest if reasonably determinable. Attach extra pages if additional space is needed.)*

On June 19, 2019, the IEDC Board of Directors and its Business Development Committee considered a professional services contract with the Indy Eleven for certain sponsorship deliverables, including special event joint programming and hospitality services at Indy Eleven soccer games, which the IEDC uses to engage business prospects and promote economic development for the state of Indiana. Prior to the meetings, Mr. Merritt notified the IEDC's General Counsel and Ethics Officer that he is a co-owner of the Indy Eleven. Mr. Merritt, by virtue of his ownership interest with the Indy Eleven, has a potential financial interest (as defined in Indiana Code § 4-2-6-1(a)(11)) in Indy Eleven's pending professional services contract with the IEDC. In the interest of transparency and out of an abundance of caution, the IEDC General Counsel & Ethics Officer identified this as a potential financial interest requiring an ethical screen and disclosure.

The pending professional services contract between the IEDC and Indy Eleven will not exceed \$170,000.00. In the interests of transparency and out of an abundance of caution, Mr. Merritt has taken the appropriate steps to recuse himself and be completely screened from any discussion, decision, and vote on the pending professional services agreement between the IEDC and Indy Eleven.

**ONLY COMPLETE PART 3 IF CONTRACT IS FOR PROFESSIONAL SERVICES**

**PART 3 – AGENCY CERTIFICATION**

Approval of appointing authority

Being the Secretary of Commerce of the Indiana Economic Development Corporation  
(Title of Appointing Authority) (Name of Contracting Agency)

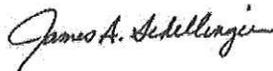
I hereby affirm that no other state officer, employee, or special state appointee of the Indiana Economic Development Corporation  
(Name of the Contracting Agency)

is available to perform those services as part of the regular duties of the state officer, employee, or special state appointee.

Signature of Appointing Authority

Date signed (month, day, year)

Name of Appointing Authority  
 James A. Schellinger

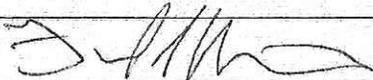


James A. Schellinger  
 cn=James A. Schellinger, o=IEDC,  
 ou=Secretary of Commerce,  
 email=JSchellinger@iedc.in.gov, c=US  
 2019.06.25 15:15:59 -04'00'

**PART 4 – AFFIRMATION**

I submit this statement to the Inspector General pursuant to 42 IAC 1-5-7 (IC 4-2-6-10.5) to disclose my financial interest in a contract with an agency. This contract can be performed without compromising the performance of my official duties and responsibilities as a state officer, employee or special state appointee. I affirm that I do not participate in or have contracting responsibility for the contracting agency. I further affirm that the contract was made after public notice or competitive bidding, if applicable. I also affirm, under penalty of perjury, the truth and completeness of the statements made above and that I am the above named state officer, employee, or special state appointee.

Signature



Date signed (month, day, year)

6/24/19