BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

STATE OF CALIFORNIA

In the Matter of ) FPPC No: 10/504
PUT CALIFORNIA BACK TO WORK, ) STIPULATION, DECISION and
SPONSORED BY THE CIVIL JUSTICE ) ORDER
ASSOCIATION OF CALIFORNIA and
J. RICHARD EICHMAN,
Respondents.

Complainant John W. Wallace, Acting Executive Director of the Fair Political Practices Commission, and Respondents Put California Back To Work, Sponsored by the Civil Justice Association and J. Richard Eichman agree that this Stipulation will be submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this matter, and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondents.

Respondents understand and hereby knowingly and voluntarily waive any and all procedural rights set forth in Sections 83115.5, 11503 and 11523 of the Government Code, and in Sections 18361.1 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not
limited to, the right to personally appear at any administrative hearing held in this matter, to be represented by an attorney at Respondents own expense, to confront and cross-examine all witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

Respondents Put California Back To Work, Sponsored by the Civil Justice Association (Respondent Committee) and J. Richard Eichman further stipulate and agree that, as described in Exhibit 1, they violated the Political Reform Act by: 1) failing to file an amended statement of organization within 10 days to disclose that Respondent Committee was a primarily formed committee, failing to add the full name and office of the candidate it supported as its primary activity, and failing to include the name of the candidate, office sought and year of the election for whom the committee supported or opposed in the name of the Respondent Committee, in violation of Government Code sections 84102, subdivisions (d) and (g) and 84103, subdivision (a) (1 count); and 2) failing to display the top two contributors of $50,000 or more on a mass mailing during the 12 month period prior to making the independent expenditure, in violation of Government Code section 84506 (1 count), as described in Exhibit 1. Exhibit 1 is attached hereto and incorporated by reference, as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

Respondents agree to the issuance of the Decision and Order, which is attached hereto. Respondents also agree to the Commission imposing upon them an administrative penalty in the amount of Six Thousand Dollars ($6,000). A cashier’s check from Respondents totaling said amount, made payable to the “General Fund of the State of California,” is submitted with this Stipulation as full payment of the administrative penalty, and shall be held by the State of California until the Commission issues its decision and order regarding this matter. The parties agree that in the event the Commission refuses to accept this Stipulation, it shall become null and void, and within fifteen (15) business days after the Commission meeting at which the Stipulation is rejected, all payments tendered by Respondents in connection with this Stipulation shall be reimbursed to Respondents. Respondents further stipulate and agree that in the event the Commission rejects the Stipulation, and a full evidentiary hearing before the Commission becomes necessary, neither any member of the
Commission, nor the Executive Director, shall be disqualified because of prior consideration of this Stipulation.

Dated: ______________________

John W. Wallace  
Acting Executive Director  
Fair Political Practices Commission

Dated: ______________________

J. Richard Eichman, individually and on behalf of Put California Back To Work, Sponsored by the Civil Justice Association of California, Respondents

DECISION AND ORDER

The foregoing Stipulation of the parties “In the Matter of Put California Back To Work, Sponsored by the Civil Justice Association of California and J. Richard Eichman, FPPC No. 10/504,” including all attached exhibits, is hereby accepted as the final Decision and Order of the Fair Political Practices Commission, effective upon execution below by the Chair.

IT IS SO ORDERED.

Dated: ______________________

Ann Ravel, Chair  
Fair Political Practices Commission