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January 7, 2011

VIA OVERNIGHT MAIL

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Chairman Dan Schnur and Commissioners Hodson,
Garrett, Montgomery and Rotunda
C/O Roman G. Porter, Executive Director
Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, California 95814

RE: Los Angeles County Democratic Party – State Issues & Advocacy
Committee; and Kinde Durkee, Treasurer
FPPC Case No. 2010-0797

Dear Chairman Schnur and Commissioners Hodson, Garrett, Montgomery & Rotunda:

This law firm is counsel to the Los Angeles County Democratic Party – State Issues & Advocacy Committee (Committee), and Kinde Durkee (Durkee), the Committee's treasurer. The purpose of this letter is to urge the approval of the Stipulation, Decision and Order (SDO) in the referenced matter.

The following statement is made as part of the public proceedings in connection with the SDO. The Committee and Durkee hereby request that this statement be made part of the agenda packet for the meeting of the Fair Political Practices Commission (Commission) at which the SDO is considered and be considered by the Commission at that time. This statement is to be considered part of the SDO process and is not intended—and should not be considered—to be evidence in the event the Stipulation is rejected.

In determining whether to adopt the SDO, the Commission should consider the following mitigating factors which, the Committee and Durkee submit, would have been included in a Stipulation had this matter proceeded through the traditional, rather than the streamlined, administrative process.

- As evidenced by the ample documentation of contributions and expenditures provided to the Committee's professional treasurer by the Committee's management, the management of the Committee took reasonable steps to ensure that all transactions at issue were reported and any failures in this regard were attributable to inadvertent errors and/or negligence by the professional treasurer.

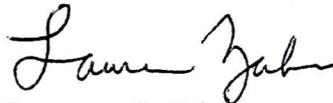
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- Three of the contributions not reported on a Form 497 were, nevertheless, reported, before the election, on a Form 496 (filed on 11/2/06). These were the 10/31/06 contribution from Hollywood Park Land Company, the 10/31/06 contribution from State Building and Construction Trades Council, and the 11/2/06 contribution from SEIU Homecare Workers Union. Thus, the public was not deprived of the information about these three contributions before the election.
- The seven expenditures at issue in the counts dealing with Forms 465 were fully reported in the applicable Form 460. Thus, the public was not deprived of information about these contributions at the relevant time, albeit the information was not also reported on the Form 465. In addition, amendments were filed when the treasurer discovered her failure to file the Forms 465.

The Committee and Durkee trust that this information is helpful to the Commission in its consideration of the SDO.

On behalf of my clients, I thank you for your consideration.

Very truly yours,

 (ws)

Laurence S. Zakson
of REICH, ADELL & CVITAN

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cc: Kinde Durkee, Treasurer