

# State of California



## Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 ••• 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance •• Administration •• Executive/Legal •• Enforcement •• Statements of Economic Interest  
• (916) 322-5662                      322-5660                      322-5901                      322-6441                      322-6444

March 28, 1984

David E. Cussins  
6 Commodore Drive #239  
Emeryville, CA 94608

Re: Your Request for Advice  
Our File No. A-84-047

Dear Mr. Cussins:

This letter is sent in response to your request for advice concerning the filing of Form 400, Declaration of Final Campaign Statement, by you and your committee (Committee to Elect David Cussins). You are having a dispute with a local newspaper about an advertisement. The newspaper contends that you or your committee placed the ad and must therefore pay for it; you contend that you did not authorize or place the ad and that you will not pay for it. You wish to file a termination statement, and you asked whether you may in light of this dispute, and, if so, what procedures you should follow in doing so.

You and your committee may file a Form 400 now if you do not plan on receiving any more contributions or making any more expenditures. Accordingly, so long as you do not intend to pay the newspaper for the ad, you may file the Form 400 and terminate your reporting obligations.<sup>1/</sup> If you do terminate the committee, and then you receive more contributions and make more expenditures, you must file a new statement of organization and the appropriate disclosure reports.

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<sup>1/</sup> The termination of reporting obligations will not affect your potential liability for payment of the ad.

David E. Cussins  
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If I can be of further assistance, please feel free to  
contact me at (916) 322-5901.

Sincerely,



Diane Mauza Fishburn  
Staff Counsel  
Legal Division

DMF:plh

F F F C December 19, 1983

MAR 7 8 04 AM '84

Fair Political Practices  
Commission  
State of California  
1100 K Street  
Sacramento, Ca. 95804

Dear Sirs:

On December 15, 1983 I had a conversation with your office by telephone. The conversation was about an unauthorized newspaper add placed in a local newspaper and our committee is being billed for the add. We did not place the adds and have so informed the paper, but they still are sending us bills for the two adds. We would like to file our Committee's termination statement, however we question how to handle this problem matter. We do not want to pay for an add we didn't place or authorize.

In our discussion on the phone your office informed me, we could close even still showing a debt. I would appreciate a letter confirming our discussion and explaining a procedure we must follow in this matter, for our Committee's file.

We would like to thank you for help on this matter as well as throughout the campaign.

Sincerely



David E. Cussins  
Candidate for City Council of  
Emeryville  
Committee to Elect David Cussins  
6 Commodore Dr. #239  
Emeryville, Ca 94608  
ID. # 831226

*Note on envelope  
says that Mr. Cussins  
misplaced ltr  
after writing.*