



## FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329  
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January 13, 2012

✓ Mr. Rafael J. Aguilera  
Verde Consulting Group

**REDACTED**

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**Warning Letter Re: FPPC Nos. 11/638 and 11/773, Verde Consulting Group; Rafael J. Aguilera, Respondent(s)**

Dear Mr. Aguilera:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),<sup>1</sup> found in Government Code section 81000, et seq. This letter is in response to a referral from the Secretary of State that alleged that you failed to file your lobbyist and lobbying firm quarterly reports for the last quarter of 2010.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that as a lobbyist and as a lobbying firm, you failed to file quarterly reports for the period October 1, 2010 through December 31, 2010.

The Act requires lobbyists and lobbying firms to file quarterly statements during the month following each calendar quarter. (Section 86117.) In response to the referral from the Office of the Secretary of State, you terminated your firm and hand-delivered an endorsed copy of the termination to this office in August of 2011.

Your actions violated the Act because you failed to file your quarterly statements for the last quarter of 2010. However, since it does not appear that you have engaged in any lobbying activity and you terminated your firm ensuring this agency received an endorsed copy of the termination, we are closing our file on this matter.

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<sup>1</sup> The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

REDACTED 

 Gary S. Winuk, Chief  
Enforcement Division

GSW/jt