Fair Political Practices Commission
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Tel: 322-5660 • Fax: (916) 322-6860

March 19, 2013

John "Juan" Noguez
Elect Noguez Committee

REDACTED

Martha Castaneda, Treasurer
Elect Noguez Committee

REDACTED

Warning Letter Re: **FPPC No. 12/939: Elect Noguez Committee; John "Juan" Noguez; and Martha Castaneda, Treasurer**

Dear Mr. Noguez and Ms. Castaneda:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),[1] found in Government Code section 81000, et seq. This letter is the result of a pro-active investigation begun against you by the FPPC that alleged you may have failed to disclose the true source of a contribution. We are closing this matter with a warning letter.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that the occupation and employer information for a contribution received from Andrew Stephens was not properly disclosed.

Specifically, Section 84211(f)(4) requires that whenever the cumulative amount of contributions of $100 or more is received from a person, the occupation and employer information is required to be disclosed.

[1] 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.

When your campaign received a check from Mr. Stephens without any accompanying documentation, an attempt to obtain the occupation and employer information was made via the internet. However, the incorrect occupation and employer information was disclosed on the campaign statement. This error caused Mr. Stephen's employers' legal counsel to formally request a correction. Because you attempted to obtain the occupation and employer information, an amendment was filed to correct this information once your campaign realized the error, and you do not have an enforcement history, we are closing this matter with a warning letter. Please note that you and your campaign must make a diligent attempt at making sure the information disclosed on the campaign statement is true and correct.

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 Teri Rindahl at 916.327.2018 with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Wiunk
Chief, Enforcement Division

GSW/tr