FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

June 18, 2015

David Fennell
David Fennell for Lt. Governor 2014
[redacted]

Warning Letter Re: FPPC No. 15/103, David Fennell for Lt. Governor 2014, David Fennell

Dear Mr. Fennell:

The Enforcement Division of the Fair Political Practices Commission (the "Commission") enforces the provisions of the Political Reform Act (the "Act").[1] This letter is in response to a referral from the Office of the Secretary of State alleging that you failed to file two semi-annual campaign statements for the campaign committee David Fennell for Lt. Governor 2014 (the "Committee"). The Enforcement Division has completed its investigation and found that the Committee did not file a semi-annual campaign statement for the May 18, 2014 through June 30, 2014 reporting period.

The Act requires committees to file semi-annual campaign statements each year no later than July 31st for period ending June 30, and no later than January 31 for the period ending December 31.[2] The obligation to file semi-annual statements continues until the candidate or treasurer terminates the committee. Controlling candidates and committee treasurers are jointly and severally liable for violations by the committee.[3]

You violated the Act because you and the Committee failed to file a semi-annual campaign statement for the period ending June 30, 2014 despite remaining an open committee. But the Enforcement Division has decided to close this case with this warning letter rather than a

[1] The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.
[2] Section 84200
[3] Sections 83116.5 and 91006; Regulation 18316.6

fine because the Committee has conducted little activity and you do not have a prior history of violating the Act.

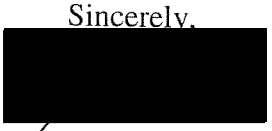
This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary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

While the Enforcement Division does not intend to pursue further action in this case, you must file a Termination Statement (Form 410), or the Committee will incur additional filing obligations that could result in future enforcement actions.

A warning letter is an Enforcement Division 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 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 Enforcement Division 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 Commission's website ten (10) days from the date of this letter.

Please feel free to contact Albert DiRocco at (916) 322-8190 with any questions you may have regarding this letter.

Sincerely,



Galena West
Enforcement Division Chief