



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

September 3, 2014

Ms. Susan B. Levine



Warning Letter Re: FPPC No. 13/1155, Susan B. Levine

Dear Ms. Levine:

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 in response to a non-filer referral from the California Secretary of State which alleged the Susan B. Levine lobbying firm violated the Act's lobbying reporting provisions.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that the Susan B. Levine firm failed to timely file Form 625s for the following quarters:

- January 1, 2013 through March 31, 2013
- April 1, 2013 through June 30, 2013
- July 1, 2013 through September 30, 2013
- October 1, 2013 through December 31, 2013

Section 86113 of the Act provides that lobbying firms must file periodic reports. Section 82038.5 of the Act defines a lobbying firm as a business entity that receives or becomes entitled to receive any compensation, other than reasonable travel expense reimbursements either "for the purpose of influencing legislative or administrative action on behalf of any other person, and any partner, owner, officer, or employee of the business entity is a lobbyist" or "to communicate directly with any elective state official, agency official, or legislative official for the purpose of influencing legislative or administrative action on behalf of any other person, if a substantial or regular portion of the activities for which the business entity receives compensation is for the purpose of influencing legislative or administrative action." Section 86117(a) provides that these reports "shall be filed during the month following each calendar quarter." The above-mentioned reports are filed by submitting a completed Form 625 to the California.

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.

Your actions violated the Act because you failed to file the aforementioned report(s) by the specified deadlines. However, since you do not have a history of violating the Act and because the amount of lobbying activity was relatively minimal, we are closing your case with this warning letter. Although the Enforcement Division is closing this case without seeking a penalty, you are still required to file all outstanding statements. Please contact your filing officer, Gloria Gilmore, at (916) 673-0279 for further information regarding your filings. 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.

The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need any of these publications, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at (866) 275-3772 or visit our website at www.fppc.ca.gov.

If you have further questions regarding this matter, please contact Robert Ashley at (916) 322-7050.

Sincerely,



Gary S. Winuk
Chief, Enforcement Division

cc: Gloria Gilmore
California Secretary of State
Political Reform Division

GSW/ra