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

September 2, 2014

Susan Brauner, Treasurer
Blue Diamond Growers Political Action Committee
[redacted]

Warning Letter Re: FPPC Case No. 14/849; In the Matter of Blue Diamond Growers Political Action Committee and Susan Brauner, Treasurer

Dear Ms. Brauner and Committee Members:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act"),[1] found in Government Code section 81000, et seq. This letter is in response to an audit on your committee conducted by the Franchise Tax Board and forwarded to our offices. Specifically, from the audit results, the FPPC found that you violated the Act's Late Contribution reporting requirements.

The Act provides that committees must quickly disclose making what are called "late contributions," contributions that total $1,000 or more made in the "late" reporting period prior to an election. (GC § 82036; GC § 82015(b).) Specifically, Section 84203 (a) requires a committee to file a Late Contribution Report disclosing any contributions of $1,000 or more made to support or oppose a candidate or ballot measure during the period beginning 90 days prior to that election. The Late Contribution Report must be filed by the contributing committee within 24 hours of making the contribution. (GC § 84203(b).) Your actions violated the Act because you failed to file four Late Contribution Reports disclosing late contributions made to state candidates in 2012 in the "late" period prior to their elections. However, because, in addition to your having no prior Enforcement cases, you disclosed the contributions on your committees' campaign statements (the Form 460) and, according to the audit report, substantially complied with the Act's disclosure and recordkeeping requirements, we are closing your case with this warning letter. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or

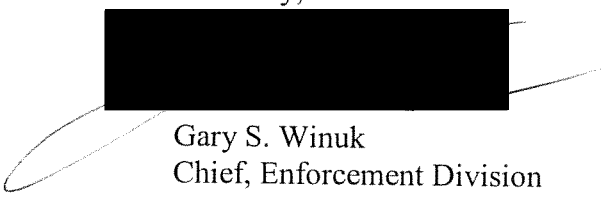
[1] The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California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

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 forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact Adrianne Korchmaros at (916) 322-8241 with any questions you may have regarding this letter.

Sincerely,



Gary S. Winuk
Chief, Enforcement Division

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