



FAIR POLITICAL PRACTICES COMMISSION

128 J Street • Suite 620 • Sacramento, CA 95811-2329
(916) 322-5660 • Fax (916) 322-0886

October 3, 2013

Mr. Thomas Holden

REDACTED

RE: In the Matter of Thomas Holden; FPPC No. 12/0874

Dear Mr. Holden:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act") found in Government Code Section 81000, and following. As you are aware, the Commission initiated an investigation into whether you violated provisions of the Act related to conflicts of interest. The sworn complaint filed against you alleged that you voted three times to allow a zone change and alcohol special use permit that would allow for the operation of a 7-Eleven Mini Market within your jurisdiction, while receiving income from 7-Eleven, Inc.

According to your 2012 Form 700 Statement of Economic Interests, you hold a 10% or greater interest in Holden LLC. Holden LLC received over \$10,000 in income from 7-Eleven, Inc. in 2012. Under the Act, a public official who owns 10% or more of a business entity is deemed to receive "pass-through" income from the business's clients in proportion to his or her ownership stake. (Section 87103.) Therefore, as a result of your interest in Holden LLC, you have an economic interest in 7-Eleven, Inc.

However, our investigation revealed that there is insufficient evidence to demonstrate that your actions had a financial effect on 7-Eleven, Inc. sufficient to meet the materiality threshold specified in Regulation 18705.1. As a result, we will be closing your case without further action.

The Commission publishes forms and manuals to facilitate compliance with the provisions of the Act, so if you need forms or manuals, or guidance regarding your obligations, please call the Commission's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov.

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.

Sincerely,

REDACTED

Adam Silver
Commission Counsel
Enforcement Division