



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

November 9, 2011

✓ Phyllis Caskey
Hollywood Entertainment Museum

REDACTED

Warning Letter Re: FPPC No. 11/428; Hollywood Entertainment Museum

Dear Ms. Caskey:

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 referral from the Secretary of State that alleged you failed to file your quarterly Report of a Lobbyist Employer (Form 635) for the periods of July 1, 2010 through September 30, 2010 and October 1, 2010 through December 31, 2010. Sections 86117 and 84605(d) of the Act require that lobbyist employers file campaign disclosure statements.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you failed to file Form 635 by the November 1, 2010 and January 31, 2011 deadlines. The timing of the Act's filing obligations for lobbyist employers is based on California's biennial legislative cycle. See section 86106. Lobbyist employers are obligated to fulfill their quarterly reporting requirements until 1) the end of the legislative session in which the lobbyist or lobbying firm is active or 2) the lobbyist employer files the appropriate termination paperwork. See section 86107.

Your action violated the Act since you failed to file Form 635 in a timely manner. However, since you have not authorized Sacramento Advocacy to lobby on your behalf this legislative session and paid nothing to Sacramento Advocacy in 2010, 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.

Please feel free to contact Alisha Heilman at (916) 322-7486 with any questions you may have regarding this letter.

Sincerely,

 **REDACTED** 

Gary S. Winuk, Chief
Enforcement Division

GSW/ah