

November 15, 2012

Mr. Jerry Seedborg  
Voter Guide Slate Cards

**REDACTED**

**Warning Letter Re: FPPC No. 10/979; Jerry Seedborg, treasurer and Voter Guide Slate Cards**

Dear Mr. Seedborg:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),<sup>1</sup> found in Government Code section 81000, et seq. This letter is a result of a pro-active investigation begun against you by the FPPC which noted that in a slate mailer sent by you in connection with the 2010 General Election, an asterisk was placed next to the name of Gavin Newsom, a candidate that did not pay to appear in the slate mailer.

By placing an asterisk next to the name of a candidate who did not pay to appear in the slate mailer, you violated section 84305.5. Section 84305.5 reads in part "*Each candidate and each ballot measure that has paid to appear in the slate mailer is designated by an \*. Any candidate or ballot measure that has not paid to appear in the slate mailer is not designated by an \*.*"

We have decided not to take any further action regarding this violation because we noted only one occurrence where an asterisk was placed next to a candidate or ballot measure that did not pay to appear in the slate mailer and you disclosed on a slate mailer organization campaign statement that Gavin Newsom did not pay to appear in the slate mailer.

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<sup>1</sup> 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 18109 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.

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.

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 me with any questions you may have regarding this letter.

Sincerely,

**REDACTED**

Grant Beauchamp  
Program Specialist  
(916) 327-6359