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

January 24, 2011

Diana Conti
Diana Conti for College of Marin Board 2009
REDACTED

✓ Barbara Matas, Treasurer
Diana Conti for College of Marin Board 2009
REDACTED

Warning Letter Re: FPPC Case No. 10/1060; Candidate Diana Conti, Diana Conti for College of Marin Board 2009, and Barbara Matas, Treasurer

Dear Ms. Conti and Ms. Matas:

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 complaint filed against you that alleged your committee, Diana Conti for College of Marin Board 2009, did not file required campaign statements.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you and your committee, Diana Conti for College of Marin Board 2009, did not file late contribution reports with the County of Marin on the deadlines.

The Act provides that a committee's failing to file late contribution reports when required is a violation. Specifically, the Act requires candidates and their controlled committees to file a late contribution report within 24 hours of receiving a contribution, including one from the candidate herself, that totals in the aggregate $1,000 or more before the date of the election at which the candidate is to be voted on but after the closing date of the last campaign statement

[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.

required to be filed before the election. (GC § 82036.) Section 84203, in pertinent part, requires that the committee report the late contribution to each office with which the candidate or committee is required to file its next campaign statement pursuant to Section 84215. (Sections 84203, subd. (a).) Your actions violated the Act because you failed to file this late contribution report when you twice contributed over $1,000 to your committee in the period between the end of the period covered by the last campaign statement filed and the day before the election. Because, however, you did not appear to be avoiding disclosure and because you have since filed the reports, we have decided to close this case.

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.

If you have questions regarding this matter, please contact Adrianne Korchmaros at (916) 322-8241.

Sincerely,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

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cc: Dan Miller, County of Marin, via email