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

March 4, 2011

Mr. Justin Fanslau
Justin Fanslau, LLC
REDACTED

Warning Letter Re: FPPC No. 10/861, Justin Fanslau, LLC; Justin Fanslau, Respondent(s)

Dear Mr. Fanslau:

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 that you failed to your lobbyist reports for 2007 in paper format and failed to file any lobbyist reports for the first two quarters of 2008.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that with regard to Justin Fanslau, LLC, lobbying firm quarterly reports (Form 625), you failed to file quarterly reports for 2007 in paper format and failed to file a quarterly report at all for the period January 1, 2008 through March 31, 2008 or April 1, 2008 through June 30, 2008. With respect to the lobbyist quarterly reports (Form 615), you failed to file quarterly reports in 2007 in paper format; failed to file a report a statement at all for the July 1, 2007 through September 30, 2007 quarter; and failed to file a quarterly report at all for the period January 2, 2008 through March 31, 2008 or April 1, 2008 through June 30, 2008.

The Act requires lobbyists and lobbying firms to file quarterly statements during the month following each calendar quarter. (Section 86117.) Additionally, those quarterly reports are filed with the Office of the Secretary of State in both electronic and paper format. (Sections 84605(a)(4) and 86118.)

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[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 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.

Your actions violated the Act because you failed to file your quarterly statements in 2007 in paper format and failed to file your statements at all for the first two quarters of 2008. However, since those quarterly statements in 2007 are available in electronic format and it does not appear that you had any lobbying activity in 2008 as you filed both a notice of termination and a notice of withdrawal early in June of 2008, we are closing this matter.

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.

You are still required to submit paper copies of your previously filed electronic reports for 2007 with the Office of the Secretary of State and file both the paper and electronic version of quarterly reports for the first two quarters of 2008.

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

Gary S. Winuk, Chief
Enforcement Division

GSW/jt