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

March 4, 2010

Mr. Paul Lavery
Committee to Elect Paul Lavery for State Assembly

REDACTED

Warning Letter Re: FPPC Nos. 09/519 and 09/611, Committee to Elect Paul Lavery for State Assembly; Paul Lavery, Treasurer

Dear Mr. Lavery:

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 County of Marin that alleged that you and your committee, Committee to Elect Paul Lavery for State Assembly, failed to file your Semiannual Campaign Disclosure Statements.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you failed to file the required Semiannual Campaign Disclosure Statements, for the periods ending December 31, 2008 (due January 31, 2009), June 30, 2009, nor have you filed any statements with the Secretary of State since October 6, 2008.

The Act requires that candidates and committees must periodically file campaign statements. Specifically, Section 84200, subsection (a), provides that elected officers, candidates, and committees must file semiannual campaign disclosure statements. You are obligated to continue filing campaign statements until you officially terminate your committee. If your committee is no longer active, you may want to terminate your committee at this time as well.

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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 the required semiannual campaign statements by the specified date. You must immediately file these campaign statements with the Marin County Registrar of Voters and the office of the Secretary of State.

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 Jeanette Turvill at (916) 322-8194 with any questions you may have regarding this letter.

Sincerely

REDACTED

Gary S. Winuk
Chief, Enforcement Division