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

June 22, 2011

Ric Clough
Clough for Brea Council 2010

REDACTED

Amit Chandel, Treasurer
Clough for Brea Council 2010

REDACTED

Warning Letter Re: FPPC No. 11/243, Ric Clough, Clough for Brea Council 2010, and Amit Chandel, Treasurer

Dear Mr. Clough and Mr. Chandel:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act"),[1] found in Government Code section 81000, et seq. This letter is in response to an investigation begun to ascertain whether or not you failed to file a Late Contribution Report prior to the November 2, 1010, election.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that your committee failed to file a Late Contribution Report by the October 19, 2010, deadline.

The Act requires that candidates and their committees file a Late Contribution Report when $1,000 is received by the committee during the late contribution period prior to the election. Specifically the Act provides that candidates and their committees shall file a Late

[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.

Contribution Report within 24 hours of receiving a contribution of $1,000 or more during the 16 days prior to the election in which the candidate is on the ballot. (GC §§ 82036 and 84203.)

Your action violated the Act because you failed to file Late Contribution Report by the 24-hour deadline. 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.

Although the FPPC is not seeking a penalty in the current matter, you are still responsible for any late filing fees assessed by your filing officer. (Section 91013.) The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov.

Please feel free to contact Adrianne Korchmaros at (916) 322-8241 with any questions you may have regarding this letter.

Sincerely,

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Gary S. Winuk
Chief, Enforcement Division

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