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

June 20, 2010

Committee Treasurer
Ovation LLC

REDACTED

Warning Letter Re: FPPC No. 11/307; Ovation LLC

Dear Respondent:

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 a referral from the Los Angeles County Registrar-Recorder/County Clerk that alleged you failed to file a major donor campaign statement.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that on October 1, 2010 you made a contribution to the Brown for Governor 2010 committee and on October 18, 2010 you made a contribution to the Meg Whitman for Governor 2010 committee. However, you failed to file a major donor statement in connection with these contributions by the January 31, 2011 deadline.

Specifically, the Act defines a committee to include any person that makes contributions totaling $10,000 or more in a calendar year to or at the behest of candidates or committees. (Section 82013.) Persons who qualify as a major donor file campaign statements on a semi-annual basis disclosing the contributions made during a six-month period. (Section 84200.)

Your actions violated the Act because you made a $5,000 contribution to the Brown for Governor 2010 committee and a $5,000 contribution to the Meg Whitman for Governor 2010 committee, but you failed to file a semi-annual campaign statement for the period covering July 1, 2010 to December 31, 2010 by the required date of January 31, 2011. However, we are

[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.

closing this matter with a warning letter because you are inexperienced with filing campaign disclosure statements, you have no history of violating the Act, and the amount of contributions made was the minimum amount to trigger the filing requirement.

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 further questions regarding this matter, please contact Dayna Bryant at (916) 322-8222.

Sincerely,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

GSW/db