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

July 27, 2010

✓ Democratic Club of Central Orange County
Mr. Benny Diaz
REDACTED

Warning Letter Re: FPPC No. 10/168: Democratic Club of Central Orange County, Benny Diaz

Dear Respondent:

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 the State that alleged that you have failed to file your semi-annual statements.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you have failed to file a semi-annual statement for the January 1, 2007, through June 30, 2007, period, due July 31, 2007, in violation of Section 84200 of the Act.

The Act provides that failure to file a semi-annual statement by the deadline is prohibited. Specifically the Act provides that committees must file semi-annual statements no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.

Your actions violated the Act because you failed to file a semi-annual statement for the January 1, 2007, through June 30, 2007, period, due July 31, 2007.

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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 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.

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 Kelsey Harris at 916-322-8222 with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary Winuk
Division Chief
Enforcement Division

GSW/kh