FAIR POLITICAL PRACTICES COMMISSION
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September 30, 2011

Betty Ann Downing
California Political Law, Inc.
o/b/o Tony Mendoza
Mendoza for Assembly 2010

REDACTED

RE: Advisory Letter
FPPC No. 11/003; Tony Mendoza, Mendoza for Assembly 2010

Dear Ms. Downing:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act"),[1] found in Government Code Section 81000, and following. As you may be aware, the Commission was investigating whether Tony Mendoza and Mendoza for Assembly 2010 made a contribution to another committee for the purpose of making independent expenditures to support or oppose another candidate, in violation of Section 85501 of the Act.

Our investigation revealed that Mendoza for Assembly 2010, a candidate controlled committee, made a $500 contribution to San Diegans for Healthy Neighborhoods and a Strong Economy to Support Felipe Hueso for City Council - 2010 Sponsored by San Diego-Imperial Counties Labor Council AFL-CIO ("San Diegans"), a primarily formed committee in support of Felipe Hueso for San Diego City Council. Our investigation also revealed that San Diegans returned the entire contribution to Mendoza for Assembly 2010 before the November 2, 2010, election. After investigation, we have determined that there is insufficient evidence to find Tony Mendoza or Mendoza for Assembly 2010 violated the Act. As a result, we are closing this case with this Advisory Letter.

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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 clients should be aware that the Act prohibits a controlled committee of a candidate from contributing funds to other committees for the purpose of making independent expenditures to support or oppose other candidates. (See Section 85501.)

If you have any questions regarding this matter, please feel free to contact me at 916-327-6357.

Sincerely,

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Milad Dalju
Commission Counsel
Enforcement Division