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

October 12, 2010

Lance Olson
Olson, Hagel & Fishburn, LLP
Redacted

Case Closure Letter Re: FPPC No. 09/306, Michael F. Padilla

Dear Mr. Olson:

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 complaint filed against your client Michael F. Padilla, which alleged he violated Section 87407, the Act's prohibition on influencing prospective employment. Specifically, the complainant alleged that Michael Padilla, while employed as the Chief of Aviation at the California Department of Forestry and Fire Protection ("CAL-FIRE"), was negotiating with DynCorp for prospective employment while working on a $137 million contract between CAL-FIRE and DynCorp.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that there is no evidence that Mr. Padilla worked on the contract in question while he was in negotiations for employment with DynCorp. Though, Mr. Padilla's name was listed as the contact person with regard to the contract at one point in time while he was employed at CAL-FIRE, there is no evidence showing that Mr. Padilla actually worked on the contract while he

[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.

was employed at CAL-FIRE and in employment negotiations with DynCorp. The evidence shows that other employees at CAL-FIRE handled the contract in question.

The Act provides that a public official is prohibited from making, participating in making, or using his or her official position to influence any governmental decision directly relating to any person with whom he or she is negotiating, or has any arrangement concerning, prospective employment. (Section 87407.) Because we have found no evidence that your client Michael Padilla violated this section of the Act, we are closing this matter with this letter.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

Redacted

Sukhi K. Brar
Commission Counsel
Enforcement Division