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

October 29, 2010

Mr. Miller Oh
Friends of Miller Oh for Council 2010
Redacted

Ms. Janet Suh
Friends of Miller Oh for Council 2010
Redacted

Warning Letter Re: FPPC No. 10/909, Miller Oh; Friends of Miller Oh for Council 2010; and Janet Suh, Treasurer

Dear Mr. Oh and Ms. Suh:

The Fair Political Practices Commission (the "Commission") enforces the provisions of the Political Reform Act (the "Act"), found in Government Code section 81000, and following. This letter is in response to a complaint filed alleging a violation of the Act's mass mailing requirements. We are closing this matter with a warning letter.

The Commission has completed its investigation of the facts in this case. Specifically, the Commission found that you and your campaign violated section 84305 when you sent a mass mailing without the committee's name identified on the outside of each piece of mail as the sender of the mailing. Specifically section 84305(b) of the Act provides that when the sender of a mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.

Your actions violated the Act because the mass mailing endorsement letter signed by Mayor Art Brown sent by your campaign had Mayor Brown's name on the return envelope and not your committee's name.

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.

We are closing this matter with a warning letter because you did include a disclaimer at the bottom of the letter indicating the mailing was paid for by your committee, you took actions to correct the omission of the committee's name, and you do not have any prior enforcement actions.

A warning letter is a Commission 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 Commission 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 Commission's website ten (10) days from the date of this letter.

Please feel free to contact Teri Rindahl at 916-327-2018 with any questions you may have regarding this letter.

Sincerely,

Redacted

Gary S. Winuk
Chief, Enforcement Division

GSW/tr

cc: Mr. Jack Mauller