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

July 16, 2009

Alexander Witherill
REDACTED

RE: **Warning Letter**
FPPC Case No. 09/481

Dear Mr. Witherill:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act") found in Government Code Section 81000, and following. The Act requires that committees file campaign statements at periodic intervals. This letter is to inform you that you failed to comply with the campaign reporting requirements when you contributed $17,300 in 2006 to Westly for Governor.

Section 82013, subdivision (c), defines one type of committee, commonly referred to as a major donor committee, as any person who makes contributions totaling $10,000. The Act requires that a major donor committee file a Campaign Disclosure Statement (Form 461) for each six month period that it made contributions. The campaign statement must be filed on January 31 and July 31 of each year. (Section 84200(a).)

The Act also requires that a committee file a Late Contribution Report (LCR), Form 497, disclosing any contributions of $1,000 or more made to support or oppose a candidate or ballot measure during the "late reporting period," the 16 days prior to the election in which the candidate or measure is on the ballot. The LCR must be filed by the committee within 24 hours of making the contribution and filed at every location that the committee is required to file its regular campaign statements. (Section 84203.)

Since you contributed a total of $17,300 on May 23, 2006, you were required to file a Campaign Disclosure Statement (Form 461) by July 31, 2006. Additionally, since your $17,300 contribution to Westly for Governor occurred during the "late reporting period," you were required to file an LCR within 24 hours of making the contribution. Accordingly, your failure to file the campaign disclosure statement and the LCR was a violation of the Act. To fulfill this filing requirement, you must immediately file your delinquent campaign statement and the LCR

with the Secretary of State, the Registrar-Recorder of Los Angeles County, and the Department of Elections of the City and County of San Francisco.

Although you violated the Act, we are closing this matter with a written warning to you. However, the information in this matter will be retained and may be considered should an enforcement action become necessary based on future conduct or newly discovered information.

The Commission publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, you may call the Commission's Technical Assistance Division at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

If you have questions regarding this matter, please contact Jeanette Turvill at (916) 322-8194.

Sincerely,

Gary S. Winuk
Chief, Enforcement Division

GSW:jt