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

July 20, 2009

Andrew Rappaport
August Capital Management
2480 Sand Hill Road, Suite 101
Menlo Park, CA 94025

RE: **Warning Letter**
FPPC Case No. 090497

Dear Mr. Rappaport:

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 $25,000 in 2006 to the Stop the Reiner Initiative-No on 82 Committee.

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 committee file a Late Contribution Report (LCR), Form 497, disclosing any contributions of $1,000 or more made to support or oppose a candidate, ballot measure, or state political party 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 your $25,000 contribution to the Stop the Reiner Initiative-No on 82 Committee occurred during the "late reporting period," you were required to file an LCR within 24 hours of making the contribution. While you filed an LCR with the Registrar-Recorder of Los Angeles County, you were also required to file with the Secretary of State, and the Department of Elections of the City and County of San Francisco. Accordingly, your failure to file the LCR was a violation of the Act. To fulfill this filing requirement, you must immediately file an LCR with the Secretary of State, 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 Teri Rindahl at (916) 327-2018.

Sincerely,

Gary S. Winuk
Chief, Enforcement Division

GSW:tr