



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

September 8, 2022

David Gallo

Via email: David.Gallo@dfpi.ca.gov

Warning Letter: FPPC No. 2021-01177; David Gallo

Dear Mr. Gallo:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a referral from the Department of Financial Protection and Innovation (“DFPI”). The Enforcement Division found that as a result of your position as an Information Technology Specialist II with DFPI, the Act requires you to periodically file a Statement of Economic Interests (“SEI”) and that you failed to timely file your 2019 Annual SEI.

Section 87300 of the Act requires every state and local agency to develop a Conflict of Interest Code. This Code requires individuals who participate in making decisions which may foreseeably have a material financial effect on any financial interest belonging to that person to disclose all reportable interests on SEIs.² Individuals required to file SEIs must file within 30 days of assuming office, annually thereafter at the time specified by the Code, and within 30 days of leaving office.³

You violated the Act by failing to file your 2019 Annual SEI by the June 1, 2020 deadline. However, the Enforcement Division has decided to close this case with a warning letter rather than issue a fine for the following reasons: you provided evidence of an email transmitting a copy of your 2019 Annual SEI to the DFPI filing officer on April 2, 2020; you have since submitted a 2019 Annual SEI with a “wet” signature to your filing officer; and you have no prior history of violating the Act.

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.

A warning letter is an Enforcement Division case resolution without administrative prosecution or fine. The Commission has adopted Regulation 18360.1 to authorize the Enforcement Division to issue warning letters to conclude cases in specified circumstances. 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 Commission. If you wish to avail yourself of these proceedings

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 87302, subd. (b).

³ *Ibid.*

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 Enforcement Division 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.

If you have any questions regarding this letter, please contact Amber Rodriguez at arodriguez@fppc.ca.gov or (916) 322-1198.

Sincerely,

Angela J. Brereton

Angela J. Brereton, Chief
Enforcement Division

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