



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

November 18, 2022

Sent via Email: russ.miller@millerpoliticallaw.com

Russell Miller

Miller & Olson, LLP

O/B/O James Mercurio

RE: Closure Letter
FPPC Case No. 2019/00647; In the Matter of James Mercurio

Dear Russell Miller:

The Enforcement Division of the California Fair Political Practices Commission (“Commission”) enforces the provisions of the Political Reform Act (the “Act”)¹ and has limited jurisdiction under Government Code Section 1090 *et seq.* (“Section 1090”).² This letter is in response to our investigation concerning a sworn complaint in connection with the above referenced case, alleging your client James Mercurio violated Section 1090 by entering into contracts on behalf of the Santa Clara Stadium Authority as a consultant at a time Mercurio had a financial interest in or later obtained a financial interest in the contracts.

After a full investigation, the Enforcement Division determined that Mercurio, in the capacity as a consultant for the Santa Clara Stadium Authority, did not have a financial interest at the time the contracts were entered into. As such, the Enforcement Division has determined the allegations made in the complaint have been disproven and we are closing this matter without further action.

A streamline stipulation was approved for two counts of failing to report stock on the Assuming Office Statement of Economic Interest (“SEI”) and 2018 Annual SEI. The remaining allegations are resolved with this No Action Closure Letter.

Regarding this determination, for purposes of Section 1090, we are required to advise you that this “decision applies only to proceedings brought by the Commission.”³

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 18109 through 18997 of Title 2 of the California Code of Regulations.

² All further statutory references are to the Government Code unless otherwise indicated.

³ Section 1097.1, subdivision (d).

Should you have any questions regarding this letter, please feel free to contact me at (916) 324-8787 or bcastillo@fppc.ca.gov.

Sincerely,

Bridgette Castillo

Bridgette Castillo
Senior Commission Counsel
Enforcement Division