



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811
(916) 322-5660 • Fax (916) 322-0886

May 16, 2022

William Baber,
Individually and on behalf of Mo Muir for Assembly 2018
Via email: [REDACTED]

Maureen "Mo" Muir,
Individually and on behalf of Mo Muir for Assembly 2018
Via email: [REDACTED]

Robert P. Otilie
On behalf of Mark Muir
Via email: michele@ottilielaw.com

Re: No Action Closure Letter
FPPC No. 18-336, In the Matter of Mo Muir for Assembly 2018, Maureen "Mo" Muir,
Mark Muir, and William Baber

Dear William Baber, Maureen "Mo" Muir, and Mark Muir:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the "Act").¹ As you are aware, the Enforcement Division received a sworn complaint regarding an anonymous robocall that was disseminated during the June 5, 2018 Primary Election. The robocall featured a false allegation against Phil Graham, a candidate for State Assembly District 76. The complaint asked the Enforcement Division to investigate the source of the robocall and whether any violations of the Act had occurred.

Our investigation found insufficient evidence of a violation of the Act. Under the Act, an advertisement means any general or public communication, including a robocall, that is authorized and paid for by a committee for the purpose of supporting or opposing a candidate or candidates for elective office or a ballot measure or ballot measures.² Advertisements are required to include a disclosure statement to identify the committee that paid for the advertisement.³ The investigation found insufficient evidence that a committee paid for the advertisement and therefore, there is insufficient evidence that a disclosure was required under the Act.

Based on the foregoing, we have closed our investigation in this matter.

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

² Section 84501.

³ Section 84502.

If you have any questions regarding this matter, please feel free to contact me at 916-323-6421.

Sincerely,

Theresa Gilbertson
Senior Commission Counsel
Enforcement Division

CC: Thomas W. Hiltachk, Sworn Complainant