



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

December 14, 2022

Shayna M. Van Hoften
On behalf of Marian Catherine Carlton
[REDACTED]

Re: Warning Letter FPPC No. 2018-00257; Marian Catherine Carlton

Dear Shayna M. Van Hoften:

The Enforcement Division of the Fair Political Practices Commission (“FPPC”) enforces the provisions of the Political Reform Act (the “Act”).¹ As you are aware, the Fair Political Practices Commission received a self-reported complaint against your client, former City Council Member of Menlo Park, Marian Catherine Carlton. The self-reported complaint detailed a failure to disclose an investment.

The Act requires that members of city councils must timely disclose economic interests.² The disclosure, also referred to as a Form 700 or Statement of Economic Interest, must include the person’s investment, including the statement of the nature of the interest, the name of the business entity, the fair market value, and the date of acquisition or disposal.³ Carlton self-reported to the FPPC that she had failed to timely report her investment interest in Facebook in 2017. She filed an amended Statement of Economic Interest on April 30, 2018. Nevertheless, as she quickly amended the disclosure, she has been out of office since 2020, and she does not have prior enforcement history, the Enforcement Division has determined that further enforcement action is not warranted and will close this matter with this letter.

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

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 87200 and 87203.

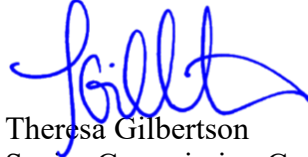
³ Section 87203 and 87206.

avail yourself of these proceedings 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 need forms or a manual, or guidance regarding your obligations, please call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact me at 916-323-6421 or tgilbertson@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Theresa Gilbertson', with a stylized flourish at the end.

Theresa Gilbertson
Senior Commission Counsel
Enforcement Division