



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

March 28, 2023

Patrick Brennan
o/b/o Rooster Public Strategies
[REDACTED]

Warning Letter Re: FPPC No. 2021-00313; Rooster Public Strategies, Patrick Brennan

Dear Patrick Brennan:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the "Act"). This letter is in response to an audit conducted by the Audit Division of the Fair Political Practices Commission for the period of January 1, 2019 through March 31, 2020 on lobbyist Patrick Brennan and lobbying firm Rooster Public Strategies.

The Act requires each individual lobbyist to submit a lobbyist certification for filing with the Secretary of State as part of the registration of the lobbying firm in which the lobbyist is a partner, owner, officer, or employee, or as part of the registration of the lobbyist employer that employs the lobbyist.¹ In the case of a lobbyist who filed a completed lobbyist certification in connection with the last regular session of the Legislature, a statement that the lobbyist has completed, within the previous 12 months or will complete no later than June 30 of the following year, an ethics course.²

Furthermore, if any change occurs in any of the information contained in a registration statement, an appropriate amendment shall be filed both by online or electronic means and physically, submitting the original and one copy of the amendment, in paper format, with the Secretary of State within 20 days after the change.³

The Enforcement Division found that you failed to timely file a lobbyist registration statement and ethics amendment (Form 604). Furthermore, you failed to timely file an amendment to registration statement (Form 605) for the termination of Patrick Brennan as a lobbyist. Finally, you failed to timely file a lobbying firm registration statement (Form 601), lobbying firm activity

¹ Section 86100, subd. (b).

² Section 86103, subd. (d)(1).

³ Section 86107.

authorization (Form 602), and lobbying firm amendment to registration (Form 605) upon adding clients Heluna Health, Edison Electric Institute, and SB Bank Group US.

But, for the following reasons, the Enforcement Division has decided to close this case with this warning letter rather than a fine: there was less than \$5,000 of lobbying activity, you had a low level of experience and sophistication regarding lobbying, the lobbying firm and lobbyist have terminated, the activity was reported timely on the quarterly lobbyist firm reports and by another participant in the transaction prior to the election, and you have no prior history with Enforcement. Please note that while the Enforcement Division is closing this matter without a fine, your filing officer may assess late filing penalties.

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 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.

Please feel free to contact Alex Rose at arose@fppc.ca.gov or 916- 327-6358 with any questions you may have regarding this letter.

Sincerely,

A handwritten signature in black ink that reads "Alex J. Rose". The signature is written in a cursive, flowing style.

Alex J. Rose, Commission Counsel
Enforcement Division