



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
1102 Q Street • Suite 3050 • Sacramento, CA 95811

August 8, 2024

Marathon Communications  
Richard Lichtenstein  
c/o Gary Winuk  
Via email: [gwinuk@kaufmanlegalgroup.com](mailto:gwinuk@kaufmanlegalgroup.com)

**Warning Letter Re: FPPC No. 2023-00642, Richard Lichtenstein, Marathon Communications**

Dear Marathon Communications and Richard Lichtenstein:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the "Act").<sup>1</sup> This letter is in response to your self-reported complaint wherein you acknowledged that Marathon Communications failed to timely file several lobbyist quarterly reports. The Enforcement Division has completed its review of the facts of the case. Specifically, we found that Marathon Communications failed to timely file two Lobbying Firm Reports (Form 625) and Richard Lichtenstein failed to timely file three Lobbyist Reports (Form 615).

The Act requires all registered lobbyists to complete the applicable lobbyist quarterly reports (Form 615) for each calendar quarter, regardless of the level of activity.<sup>2</sup> Lobbyists file their Form 615 as an attachment to either the report of lobbyist employer (Form 635) or lobbyist firm (Form 625).<sup>3</sup>

Your actions violated the Act because Richard Lichtenstein failed to timely file three Form 615s by July 31, 2020, October 31, 2020 and January 31, 2021, and Marathon Communications failed to timely file two Form 625s by July 31, 2020 and January 31, 2021. However, you self-reported the violations, you filed the outstanding reports, there was no activity disclosed on the reports, and you have no prior history of violating the Act. Based on the foregoing, and in accordance with the Enforcement Division Policy Directives formally adopted by the Commission on January 26, 2023, which requires the Enforcement Division is closing this case with this warning letter.<sup>4</sup> Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.<sup>5</sup> This resolution may not be used as a comparable case for other

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<sup>1</sup> 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 18104 through 18998 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

<sup>2</sup> Section 86113.

<sup>3</sup> Sections 86114(a)(4) and 86116(e).

<sup>4</sup> <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/AgendaDocuments/General%20Items/2023/january/15.0-Enforcement-directives.pdf>

<sup>5</sup> Regulation 18360.1 and 18360.3.

enforcement matter.<sup>6</sup> Please note that while the Enforcement Division is closing this matter without a fine, your filing officer, the Secretary of State, 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 Regulations 18360.1 and 18360.2 to authorize the Enforcement Division to issue warning letters to conclude cases in specified circumstances. However, the warning letter resolution does not provide your client with the opportunity for a probable cause hearing or a hearing before an Administrative Law Judge or the Commission. If your client wishes to avail themselves of these proceedings by requesting that the case proceed with prosecution rather than a warning, please notify us within 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 10 days from the date of this letter.

Please feel free to contact me at 279-237-3766 or [cfelkins@fppc.ca.gov](mailto:cfelkins@fppc.ca.gov) with any questions you may have regarding this letter.

Sincerely,

*Michael C. Felkins*

Michael C. Felkins,  
Commission Counsel  
Enforcement Division

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<sup>6</sup> See Regulation 18361.5, subdivision (e)(3).