July 1, 2026

Barry Brucker
Via email: [redacted]

Sue Brucker
Via email: [redacted]

Warning Letter re FPPC No. 2023-00475; Barry Brucker and Sue Brucker

Dear Barry Brucker and Sue Brucker:

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 an anonymous complaint alleging that you placed an advertisement in the Beverly Hills Weekly supporting candidates for public office and failed to include the required advertisement disclaimer.

The Enforcement Division has completed its investigation of the facts in this case. Specifically, the Enforcement Division found that you qualified as an independent expenditure committee by spending $2,000 on advertisements supporting candidates in calendar year 2022, you failed to timely file the required Form 461 campaign statements, and failed to include the "not authorized by a candidate or candidate-controlled committee" disclaimer in your advertisements.

The Act provides that a person or combination of persons becomes an independent expenditure committee when they make independent expenditures totaling one thousand dollars or more in a calendar year.[2] An independent expenditure is an expenditure made by any person in connection with a communication which expressly advocates the election or defeat of a clearly identified candidate or, taken as a whole and in context, unambiguously urges a particular result in an election by which is not made to or at the behest of the affected candidate or committee.[3] If the independent expenditure is made within the first six months of the calendar year, an independent expenditure campaign statement, Form 461, must be filed covering January 1 to June 30 by July 31 of the applicable calendar year.[4] If a subsequent independent expenditure is made during that calendar year, a Form 461 must be filed covering July 1 to December 31 by January 31 of the following year.[5] Finally, the Act also provides that an advertisement supporting or opposing a candidate that is paid for by an independent expenditure committee must include a disclaimer, "Ad

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[1] The Political Reform Act is contained in Government Code Sections 81000 through 91014.
[2] Gov. Code Sec. 82013, subd. (b).
[3] Gov. Code Sec 82031.
[4] Gov. Code Sec 84200, subd. (b).
[5] *Ibid.*

paid for by followed by the name of the committee," followed by a statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate."[6]

The Enforcement Division found that you qualified as an independent expenditure committee by paying for two newspaper advertisements in the Beverly Hills Weekly supporting candidates Lester Friedman, Andy Licht, Bob Wunderlich in May 2022, and Judy Manouchehri and Rachelle Marcus in October 2022. You failed to timely file a Form 461 covering January 1, 2022 to June 30, 2022 by the July 31, 2022 deadline to account for the $1,000 advertisement in May 2022, failed to timely file a Form 461 covering July 1, 2022 to December 31, 2022 by the January 31, 2023 deadline to account for the $1,000 advertisement in October 2022, and failed to include the required advertisement disclaimer "*Ad paid for by Barry and Sue Brucker. Not authorized by a candidate or candidate-controlled committee*" on each of those two advertisements. However, we are closing this matter with this Warning Letter because you were responsive to the Enforcement Division, you came into compliance by filing the outstanding Form 461s, you attempted to include a disclaimer on your advertisements by stating "*Paid for By Sue and Barry Brucker*," the violations created a low level of public harm, and you have no prior history of violating this section of the Act.

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 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 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.

If you need forms, 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 email me at jevans@fppc.ca.gov with any questions regarding this letter.

Sincerely,

Jaleena Evans

Jaleena Evans, Attorney
Enforcement Division

[6] Gov. Code Sec 84506.5.