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8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

9 STATE OF CALIFORNIA
10

11 In the Matter of) FPPC No: 10/504
12)
13)
14 PUT CALIFORNIA BACK TO WORK,) STIPULATION, DECISION and
15 SPONSORED BY THE CIVIL JUSTICE) ORDER
16 ASSOCIATION OF CALIFORNIA and)
17 J. RICHARD EICHMAN,)
18 Respondents.)

19 Complainant John W. Wallace, Acting Executive Director of the Fair Political Practices
20 Commission, and Respondents Put California Back To Work, Sponsored by the Civil Justice
21 Association and J. Richard Eichman agree that this Stipulation will be submitted for consideration by
22 the Fair Political Practices Commission at its next regularly scheduled meeting.

23 The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in
24 this matter, and to reach a final disposition without the necessity of holding an administrative hearing
25 to determine the liability of Respondents.

26 Respondents understand and hereby knowingly and voluntarily waive any and all procedural
27 rights set forth in Sections 83115.5, 11503 and 11523 of the Government Code, and in Sections
28 18361.1 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not

1 limited to, the right to personally appear at any administrative hearing held in this matter, to be
2 represented by an attorney at Respondents own expense, to confront and cross-examine all witnesses
3 testifying at the hearing, to subpoena witnesses to testify at the hearing, to have an impartial
4 administrative law judge preside over the hearing as a hearing officer, and to have the matter judicially
5 reviewed.

6 Respondents Put California Back To Work, Sponsored by the Civil Justice Association
7 (Respondent Committee) and J. Richard Eichman further stipulate and agree that, as described in
8 Exhibit 1, they violated the Political Reform Act by: 1) failing to file an amended statement of
9 organization within 10 days to disclose that Respondent Committee was a primarily formed committee,
10 failing to add the full name and office of the candidate it supported as its primary activity, and failing
11 to include the name of the candidate, office sought and year of the election for whom the committee
12 supported or opposed in the name of the Respondent Committee, in violation of Government Code
13 sections 84102, subdivisions (d) and (g) and 84103, subdivision (a) (1 count); and 2) failing to display
14 the top two contributors of \$50,000 or more on a mass mailing during the 12 month period prior to
15 making the independent expenditure, in violation of Government Code section 84506 (1 count), as
16 described in Exhibit 1. Exhibit 1 is attached hereto and incorporated by reference, as though fully set
17 forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

18 Respondents agree to the issuance of the Decision and Order, which is attached hereto.
19 Respondents also agree to the Commission imposing upon them an administrative penalty in the
20 amount of Six Thousand Dollars (\$6,000). A cashier's check from Respondents totaling said amount,
21 made payable to the "General Fund of the State of California," is submitted with this Stipulation as full
22 payment of the administrative penalty, and shall be held by the State of California until the
23 Commission issues its decision and order regarding this matter. The parties agree that in the event the
24 Commission refuses to accept this Stipulation, it shall become null and void, and within fifteen (15)
25 business days after the Commission meeting at which the Stipulation is rejected, all payments tendered
26 by Respondents in connection with this Stipulation shall be reimbursed to Respondents. Respondents
27 further stipulate and agree that in the event the Commission rejects the Stipulation, and a full
28 evidentiary hearing before the Commission becomes necessary, neither any member of the

1 Commission, nor the Executive Director, shall be disqualified because of prior consideration of this
2 Stipulation.

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4 Dated: _____

John W. Wallace
Acting Executive Director
Fair Political Practices Commission

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7 Dated: _____

J. Richard Eichman, individually and on behalf of Put
California Back To Work, Sponsored by the Civil Justice
Association of California, Respondents

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11 **DECISION AND ORDER**

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13 The foregoing Stipulation of the parties “In the Matter of Put California Back To Work,
14 Sponsored by the Civil Justice Association of California and J. Richard Eichman, FPPC No. 10/504,”
15 including all attached exhibits, is hereby accepted as the final Decision and Order of the Fair Political
16 Practices Commission, effective upon execution below by the Chair.

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18 IT IS SO ORDERED.

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20 Dated: _____

Ann Ravel, Chair
Fair Political Practices Commission