

**PROOF OF SERVICE**

At the time of service, I was over 18 years of age and not a party to this action. My business address is Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814. On March 14, 2017, I served the following document(s)/attachment(s):

1. In the Matter of Rabbi Nachum Shifren and Committee To Elect Rabbi Shifren – OAH No. 2016061262; FPPC No. 14/1109: COMPLAINANT’S OPENING BRIEF IN SUPPORT OF PROPOSED DECISION

By Personal Delivery. I personally delivered the document(s) listed above to the person(s) at the address(es) as shown on the service list below.

By overnight delivery. I enclosed the document(s) in an envelope or package provided by an overnight delivery carrier and addressed to the person(s) at the address(es) listed below. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

By email or electronic transmission. I caused the document(s) to be sent to the person(s) at the e-mail address(es) listed below. I did not receive, within a reasonable time after transmission, any electronic message or other indication that the transmission was unsuccessful.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail in Sacramento County, California.

**SERVICE LIST**

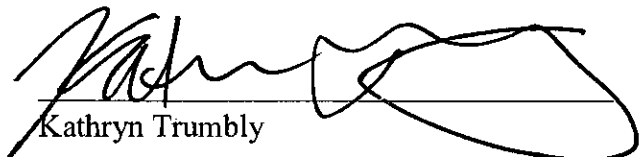
Personal and Email Delivery

Erin Peth, Executive Director  
c/o Sheva Tabatabaiejad  
Commission Assistant  
Fair Political Practices Commission  
428 J Street, Suite 620  
Sacramento, CA 95814  
[stabatabaiejad@fppc.ca.gov](mailto:stabatabaiejad@fppc.ca.gov)

Overnight and Email Delivery

Rabbi Nachum Shifren, individually and on behalf of Committee to Elect Rabbi Shifren, (Committee ID. No. 1315389)  
9824 63 Ave. NW  
Edmonton, AB T6E 0G6  
Canada  
[rabbi.shifren@gmail.com](mailto:rabbi.shifren@gmail.com)

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on March 14, 2017.

  
Kathryn Trumbly

1 GALENA WEST (SBN 215783)  
Chief of Enforcement  
2 ANGELA J. BRERETON (SBN 209972)  
Senior Commission Counsel  
3 MICHAEL W. HAMILTON (SBN 284839)  
Commission Counsel

4 **FAIR POLITICAL PRACTICES COMMISSION**  
428 J Street, Suite 620  
5 Sacramento, CA 95814  
Telephone: (916) 322-5771  
6 Email: [abreron@fppc.ca.gov](mailto:abreron@fppc.ca.gov)

7 Attorneys for Complainant  
Enforcement Division of the Fair Political Practices Commission  
8

9 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**

10 **STATE OF CALIFORNIA**

11  
12 In the Matter of

) OAH No. 2016061262  
) FPPC No. 14/1109

13  
14 **RABBI NACHUM SHIFREN and**  
**COMMITTEE TO ELECT RABBI**  
15 **SHIFREN,**

) **COMPLAINANT'S OPENING BRIEF IN**  
) **SUPPORT OF PROPOSED DECISION**

16  
17 Respondents.

) Hearing Judge: Hon. Timothy J. Aspinwall  
) Hearing Date: January 17, 2017  
) Hearing Time: 9:00 a.m.  
) Hearing Place: 2349 Gateway Oaks Drive, Ste 200  
18 Sacramento, CA 95833

19 Complainant, Enforcement Division of the Fair Political Practices Commission, submits this brief  
20 pursuant to Government Code section 83116 and title 2, California Code of Regulations sections 18361.5  
21 and 18561.9.<sup>1</sup> The proposed decision of Administrative Law Judge Timothy J. Aspinwall, dated  
22 February 21, 2017, states findings of fact that are supported by and consistent with the evidence presented  
23 at the hearing in this matter on January 17, 2017, in Sacramento, California. The proposed decision also  
24 contains an accurate statement and application of the law pertinent to this matter.

25 ///

26 <sup>1</sup> The Political Reform Act is contained in Government Code §§ 81000 through 91014, and all statutory references are  
27 to this code. The regulations of the Fair Political Practices Commission are contained in §§ 18110 through 18997 of Title 2 of  
the California Code of Regulations, and all regulatory references are to this source. See §§ 83111 and 83116.

1 There is no additional material evidence, which could, with reasonable diligence, have been  
2 discovered and presented at the administrative hearing.

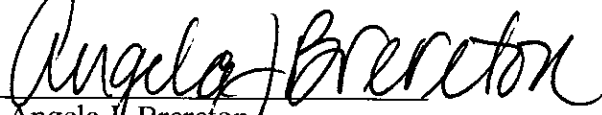
3 Pursuant to Government Code section 11517, subdivision (c)(2)(A), the Enforcement Division  
4 respectfully requests that the Commission adopt the proposed decision in its entirety because the decision  
5 contains factual findings that are supported by evidence presented at the hearing, and the law is properly  
6 stated and applied. Additionally, the proposed total administrative penalty of \$35,000 for the seven  
7 proven violations of the Political Reform Act is appropriate in this matter because it takes into  
8 consideration all of the factors to be considered in framing a proposed decision.<sup>2</sup>

9 Thus, the Enforcement Division respectfully requests that the Commission adopt the proposed  
10 decision in this matter in its entirety.

11 Dated: March 14, 2017

**FAIR POLITICAL PRACTICES COMMISSION**

12 By: Galena West  
13 Chief of Enforcement

14   
15 Angela Brereton  
16 Senior Commission Counsel

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27 <sup>2</sup> Reg. 18361.5(d).