FAIR POLITICAL PRACTICES COMMISSION LATE CONTRIBUTION/INDEPENDENT EXPENDITURE VIOLATIONS STIPULATION, DECISION AND ORDER

Complainant, Executive Director of the Fair Political Practices Commission, Roman G. Porter, and Respondent(s) hereby agree that this stipulation will be presented to the Commission at its next regularly scheduled meeting, or as soon thereafter as the matter can be heard, as a final disposition of the Late Contribution reporting violation(s) described herein.

FPPC NO. 2010-0797 Los Angeles County Democratic Party-State Issues & Advocacy Committee; **RESPONDENT:** Kinde Durkee, Treasurer Burbank, CA **GOVERNMENT CODE SECTION VIOLATED: 84203 & 84203.5** DESCRIPTION OF VIOLATION: LATE CONTRIBUTION(S) RECEIVED AND NOT TIMELY REPORTED and INDEPENDENT EXPENDITURES MADE AND NOT TIMELY REPORTED (DETAILS CONTAINED ON EXHIBIT I ATTACHED) **NUMBER OF COUNTS:** 10 \$18,710.30 **MONETARY PENALTY:** All late contribution reports and supplemental independent expenditure reports have now been filed in conjunction with reaching this stipulation. STATEMENT BY RESPONDENT(S): I acknowledge that the violation(s) of the Political Reform Act described above and on Exhibit I attached have occurred and voluntarily request that the Fair Political Practices Commission resolve this matter by imposition of the monetary penalty specified above. I acknowledge receipt of the Statement of Respondent's Rights on the reverse side of this form and voluntarily waive any and all procedural rights to contest this matter in an administrative hearing. I have submitted a cashier's check or money order made payable to the General Fund of the State of California in the amount of the penalty described above. Dated: . RESPONDENT (If Signed by Responsible Officer, Print Name and Title) STATEMENT BY EXECUTIVE DIRECTOR: I have reviewed the above stipulation and recommend its approval. Dated: ROMAN PORTER, EXECUTIVE DIRECTOR ORDER OF THE COMMISSION: The foregoing stipulation has been adopted by a majority vote of the Fair Political Practices Commission as its final decision and order and is effective upon execution below by the Chairman. IT IS SO ORDERED.

DAN SCHNUR, CHAIRMAN

FAIR POLITICAL PRACTICES COMMISSION

STATEMENT OF RESPONDENT'S RIGHTS

The Complainant, Executive Director of the Commission, and Respondent, both identified by name on the front of this document, hereby agree that this Stipulation, Decision and Order will be submitted for consideration by the Commission at its next regularly scheduled meeting.

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

Respondent understands and hereby knowingly and voluntarily waives any and all procedural rights under California Government Code sections 83115.5, 11500, and following, and 2 California Code of Regulations sections 18361.1 through 18361.9, including but not limited to the issuance and receipt of an accusation, and the right to appear personally and be represented by counsel at his or her own expense in any administrative hearing held in this matter, to confront and cross examine all witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, and to have an impartial administrative law judge present at the hearing to act as a hearing officer.

It is further stipulated and agreed that Respondent has violated the Political Reform Act as described herein.

Respondent agrees to the issuance of the Decision and Order and imposition by the Commission of a penalty in the amount specified on the face of this document, and a cashier's check or money order in said amount, payable to the "General Fund of the State of California," has been submitted by Respondent to be held by the State of California until the Commission issues its Decision and Order.

The parties agree that in the event the Commission refuses to accept this Stipulation, it shall become null and void, and within fifteen (15) business days after the Commission meeting at which this Stipulation is rejected, payments tendered shall be reimbursed to Respondent. Respondent further stipulates and agrees that in the event the Commission rejects the Stipulation and a full evidentiary hearing before the Commission becomes necessary, neither a member of the Commission, nor the Executive Director, shall be disqualified because of prior consideration of this Stipulation.

Exhibit 1(a) Itemized List of Late Contributions Received

Date Contribution Received	Date of Election	Donor	Amount
		COUNTS 1 through 7	
		Contributions Received But Not Timely Reported	
10/24/05	11/08/05	Calderon Group, Inc.	\$ 1,152
10/25/05	11/08/05	Heat & Frost Insulators & Asbestos Workers, Local	
		5 PAC	\$ 5,000
11/07/05	11/08/05	Friends of Dario Frommer	\$ 1,250
11/07/05	11/08/05	Laborers' Local 300 Small Contributor Committee	\$ 2,000
11/07/05	11/08/05	Local Union No. 11 International Brotherhood of	\$ 7,000
		Electrical Workers	
06/05/06	06/06/06	Yes on 82, Standing Up for Our Kids	\$ 20,000
10/23/06	11/07/06	Laborers' Local 300 Small Contributor Committee	\$ 10,000
10/31/06	11/07/06	Hollywood Park Land Company, LLC	\$ 27,900
10/31/06	11/07/06	State Building & Construction Trades Council of	\$ 30,000
		California PAC	
11/02/06	11/07/06	SEIU-Los Angeles Homecare Workers Union	\$ 25,000
		Total Unreported Late Contributions Received:	\$129,302

Penalty Calculator (Late Contribution Violations):

☑ 15% of unreported contributions (Up to maximum penalty of \$5,000 per count): **\$15,710.30**

(Continued on Reverse)

Exhibit 1(b) Itemized List of Independent Expenditures Made

Reporting Period	Stmt Due	Candidate/Measure	Amount Made
		Counts 8 through 10 Independent Expenditures Made but Not Reported	
10/23/05 - 12/31/05 10/23/05 - 12/31/05 10/23/05 - 12/31/05 10/23/05 - 12/31/05 10/23/05 - 12/31/05	1/31/06	No on Proposition 73 No on Proposition 74 No on Proposition 75 No on Proposition 76 No on Proposition 77	\$ 5,987 \$ 4,406 \$ 5,987 \$ 5,987 \$ 5,987
05/21/06 - 6/30/06 10/22/06 - 12/31/06	7/31/06 1/31/07	Yes on 82, Preschool for All Grace Hu, Assembly District 56 Total Unreported Independent Expenditures Made:	\$ 4,634 \$20,482 \$53,470

Penalty Calculator (Independent Expenditure Violations):

<u>TOTAL FINE</u> <u>\$18,710.30</u>