

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, 1102 Q Street, Sacramento, California 95811. On August 2, 2018, I served the following document(s)/attachment(s):

1. In the Matter of Juan Sandoval Elect for County Superintendent of Schools 2014 and Juan Sandoval – OAH No. 2018030226; FPPC No. 14/434: COMPLAINANT’S OPENING BRIEF IN SUPPORT OF PROPOSED DECISION

- a. To executive director – the original brief, 6 copies of the brief, and the proof of service.
- b. To the respondent – a copy of the brief and the proof of service.

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

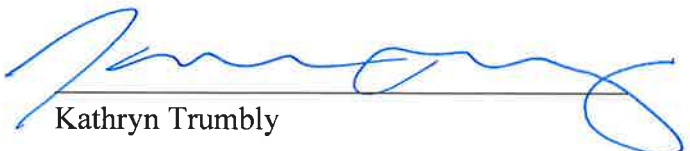
Personal and Email Delivery

Erin Peth
Executive Director
Fair Political Practices Commission
1102 Q Street, Suite 3000
Sacramento, CA 95811
epeth@fppc.ca.gov

Overnight and Email Delivery

Juan Sandoval
20231 Clayton Ave.
Reedley, CA 93654
JSandoval@raisincity.k12.ca.us

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on August 2, 2018.


Kathryn Trumbly

1 GALENA WEST (SBN 215783)
Chief of Enforcement
2 MICHAEL W. HAMILTON (SBN 284839)
Commission Counsel
3 **FAIR POLITICAL PRACTICES COMMISSION**
1102 Q Street, Suite 3000
4 Sacramento, CA 95811
Telephone: (916) 322-5772
5 Email: mhamilton@fppc.ca.gov

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

8
9 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
10 STATE OF CALIFORNIA

11 In the Matter of

12
13 JUAN SANDOVAL ELECT FOR
COUNTY SUPERINTENDENT OF
14 SCHOOLS 2014 AND JUAN
SANDOVAL,
15

16 Respondents.
17

) OAH No. 2018030226
) FPPC No. 14/434
)
) **COMPLAINANT'S OPENING BRIEF IN**
) **SUPPORT OF PROPOSED DECISION**
)
) Hearing Judge: Hon. Erin R. Koch-Goodman
) Hearing Date: May 29, 2018
) Hearing Time: 9:00 a.m.
) Hearing Place: 2349 Gateway Oaks Drive, Ste 200
Sacramento, CA 95833

18 Complainant, Enforcement Division of the Fair Political Practices Commission, submits this brief
19 pursuant to Government Code section 83116 and title 2, California Code of Regulations sections 18361.5
20 and 18561.9.¹ The proposed decision of Administrative Law Judge Erin R. Koch-Goodman, dated
21 July 9, 2018, states findings of fact that are supported by and consistent with the evidence presented at
22 the hearing in this matter on May 29, 2018, in Sacramento, California. The proposed decision also
23 contains an accurate statement and application of the law pertinent to this matter.

24 ///

25
26 _____
27 ¹ The Political Reform Act is contained in Government Code §§ 81000 through 91014, and all statutory references are
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 \$6,000 for the four proven
7 violations of the Political Reform Act is appropriate in this matter because it takes into consideration all
8 of the factors to be considered in framing a proposed decision.²

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

11 Dated: August 2, 2018

FAIR POLITICAL PRACTICES COMMISSION

12 Galena West
13 Chief of Enforcement

14 
15 By: Michael W. Hamilton
16 Commission Counsel
17 Enforcement Division

18
19
20
21
22
23
24
25
26
27

² Reg. 18361.5(d).