



**FAIR POLITICAL PRACTICES COMMISSION  
ENFORCEMENT DIVISION**

**May 4, 2011**

**MEMORANDUM**

**TO: ANN RAVEL, FPPC CHAIR  
FPPC COMMISSIONERS GARRETT, ESKOVITZ, ROTUNDA AND  
MONTGOMERY**

**FROM: GARY WINUK, ENFORCEMENT DIVISION CHIEF**

**SUBJECT: FRANK MOLINA, FPPC NO. 09/807**

This item was originally heard at the February 20, 2011 FPPC hearing. A stipulated agreement was presented to the Commission that proposed to resolve the case for 12 counts of failing to file lobbying disclosure reports at \$2,500 per count, for a total proposed penalty of \$30,000. The Commission decided to reject the proposed stipulation and directed the Enforcement Division to seek a total penalty of \$50,000.

Mr. Molina was represented by Lance Olson of Olson, Hagel & Fishburn. Due to jury duty service, Mr. Olson was unable to be present for the February 20, 2011 hearing. On April 22, 2011, Mr. Olson sent a letter to Chair Ann Ravel requesting that the item be placed on a future Commission agenda so he could have the opportunity to provide additional information with regard to the case directly to the Commission. Chair Ravel then calendared the item for the June, 2011 hearing. The Commission then chose to put over the item until the September, 2011 hearing. No discussion was had on the substance of the item.

This item is thus back on calendar in response to Mr. Olson's request to provide additional information regarding the case.

Law Offices of

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LLP

April 22, 2011

Ms. Ann Ravel, Chair  
Fair Political Practices Commission  
428 J Street, 6th Floor  
Sacramento, CA 95814

**RE: Matter of Frank Molina and Strategic Solutions Advisors No. 09/807**

Dear Chair Ravel:

I represent Mr. Frank Molina and his company, Strategic Solutions Advisors who were the subject of an enforcement investigation that resulted in a proposed stipulation. Mr. Molina's matter came before the Commission at its February meeting for adoption of the proposed stipulation on the consent calendar.

I had every intention of attending the Commission meeting and, if needed, to comment regarding the appropriateness of the proposed fine. However, I was unable to attend because I was required to report for jury duty the same day. When I received my notice for jury duty in December of last year, I did not expect a conflict with the stipulation in February. When I realized that my jury duty was the same week as the Commission meeting at which Mr. Molina's matter would be heard, I fully expected to be done by Thursday when the Commission meeting was scheduled. Unfortunately, my jury service was delayed each day until I was required to report on the day of the Commission meeting. I learned this the night before the Commission meeting. As expected, I was dismissed the same day from jury duty, but unfortunately I had to miss the Commission meeting.

I did not expect this would present a problem since in my experience it is rare that enforcement matters are pulled from the consent calendar and even rarer that the proposed stipulation is not approved. In fact, I can't recall an instance where a stipulation was rejected during the tenure of the current Chief of Enforcement, Gary Winuk. Unfortunately, the Commission pulled the matter from the consent calendar and apparently debated the appropriateness of the fine. Since I was not there I could not participate in that discussion. I understand the Commission determined to seek a higher fine amount.

I respectfully request that this matter be placed back on the next available calendar so I may address the Commission. I believe there are

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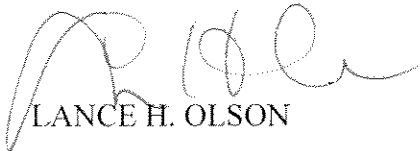
Joshua R. Daniels

Ms. Ann Ravel, Chair  
April 22, 2011  
Page 2

compelling reasons why the original stipulation negotiated between myself and Gary Winuk was an appropriate resolution of Mr. Molina's case. I have discussed this matter with Mr. Winuk and I understand he has no objections to my request.

Very truly yours,

**OLSON HAGEL & FISHBURN LLP**



LANCE H. OLSON

LHO/sjg

cc: Mr. Gary Winuk  
Mr. Frank Molina