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10  
11 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**  
12  
13 **STATE OF CALIFORNIA**

14 In the Matter of

FPPC No.: 18/569

15 PHAM FOR ASSEMBLY 2018, LONG  
16 PHAM, and MARY PHAM

DEFAULT DECISION AND  
ORDER

17 Respondents.

(Government Code Sections 11506  
and 11520)

18 Complainant, the Enforcement Division of the Fair Political Practices Commission, hereby  
19 submits this Default Decision and Order for consideration by the Fair Political Practices Commission at  
20 its next regularly scheduled meeting.

21 Pursuant to the California Administrative Procedure Act,<sup>1</sup> Long Pham (“Pham”), the committee  
22 Long Pham for Assembly (the “Committee”), and Mary Pham have been served with all of the documents  
23 necessary to conduct an administrative hearing regarding the above-captioned matter, including the  
24 following:

- 25 1. An Order Finding Probable Cause;
- 26 2. An Accusation;
- 27 3. A Notice of Defense (Two Copies per Respondent);

28 <sup>1</sup> The California Administrative Procedure Act, which governs administrative adjudications, is contained in  
Sections 11370 through 11529 of the Government Code.

1 4. A Statement to Respondent; and

2 5. Copies of Sections 11506, 11507.5, 11507.6 and 11507.7 of the Government Code.

3 Government Code Section 11506 provides that failure of a respondent to file a Notice of Defense  
4 within fifteen days after being served with an Accusation shall constitute a waiver of respondent's right  
5 to a hearing on the merits of the Accusation. The Statement to Respondent, served on Pham, Mary Pham  
6 and the Committee, stated that a Notice of Defense must be filed in order to request a hearing. Pham,  
7 Mary Pham, and the Committee failed to file a Notice of Defense within fifteen days of being served  
8 with an Accusation. Government Code Section 11520 provides that, if the respondent fails to file a Notice  
9 of Defense, the Commission may take action, by way of a default, based upon the respondent's express  
10 admissions or upon other evidence, and that affidavits may be used as evidence without any notice to the  
11 respondent.

12 Pham, Mary Pham and the Committee violated the Political Reform Act as described in Exhibit  
13 1, which is attached hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a  
14 true and accurate summary of the law and evidence in this matter. This Default Decision and Order is  
15 submitted to the Commission to obtain a final disposition of this matter.

16  
17 Dated: \_\_\_\_\_

\_\_\_\_\_  
James M. Lindsay, Chief of Enforcement  
Fair Political Practices Commission

18  
19  
20 **ORDER**

21 The Commission issues this Default Decision and Order and imposes a total administrative  
22 penalty of \$39,500 upon Long Pham, Mary Pham, and Long Pham for Assembly 2018, payable to the  
23 "General Fund of the State of California."

24 IT IS SO ORDERED, effective upon execution below by the Chair of the Fair Political Practices  
25 Commission at Sacramento, California.

26  
27 Dated: \_\_\_\_\_

\_\_\_\_\_  
Adam Silver, Chair  
Fair Political Practices Commission

## **EXHIBIT 1**

### **INTRODUCTION**

Respondent Long Pham (“Pham”) was an unsuccessful candidate for State Assembly District 72 in the June 5, 2018 Primary Election. Long Pham for Assembly 2018 (the “Committee”) was Pham’s candidate-controlled committee. Mary Pham served as the Committee’s treasurer and is the spouse of Pham.

The Political Reform Act (“the Act”)<sup>1</sup> requires that recipient committees timely file preelection and semi-annual campaign statements as well as 24-hour contribution reports. The Act also requires recipient committees to maintain supporting records for contributions received and expenditures made and to utilize a single campaign bank account for all contributions and expenditures.

This matter arose through a filing officer referral from the Orange County Registrar-Recorder (“the County”) and a Franchise Tax Board (“FTB”) Audit for the reporting period of January 1, 2018 through June 30, 2018.

The Committee, Pham, and Mary Pham failed to timely file preelection campaign statements, semi-annual campaign statements, 24-hour reports, and failed to maintain sufficient campaign records and use one designated campaign bank account.

### **DEFAULT PROCEEDINGS UNDER THE ADMINISTRATIVE PROCEDURE ACT**

When the Commission determines that there is probable cause for believing that the Act has been violated, it may hold a hearing to determine if a violation has occurred.<sup>2</sup> Notice of the hearing, and the hearing itself, must be conducted in accordance with the Administrative Procedure Act (the “APA”).<sup>3</sup> A hearing to determine whether the Act has been violated is initiated by the filing of an accusation, which shall be a concise written statement of the charges, specifying the statutes and rules which the respondent is alleged to have violated.<sup>4</sup>

Included among the rights afforded a respondent under the APA, is the right to file the Notice of Defense with the Commission within 15 days after service of the accusation, by which the respondent may (1) request a hearing; (2) object to the accusation on the ground it does not state acts or omissions upon which the agency may proceed; (3) object to the form of the

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<sup>1</sup> The Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission (“Commission”) are contained in Sections 18104 through 18998 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

<sup>2</sup> Section 83116.

<sup>3</sup> The California Administrative Procedure Act, which governs administrative adjudications, is contained in Sections 11370 through 11529 of the Government Code; Section 83116.

<sup>4</sup> Section 11503.

accusation on the ground that it is so indefinite or certain that the respondent cannot identify the transaction or prepare a defense; (4) admit the accusation in whole or in part; (5) present new matter by way of a defense; or (6) object to the accusation on the ground that, under the circumstances, compliance with a Commission regulation would result in a material violation of another department's regulation affecting substantive rights.<sup>5</sup>

The APA provides that a respondent's failure to file a Notice of Defense within 15 days after service of an accusation constitutes a waiver of the respondent's right to a hearing.<sup>6</sup> Moreover, when a respondent fails to file a Notice of Defense, the Commission may take action based on the respondent's express admissions or upon other evidence and affidavits that may be used as evidence without any notice to the respondent.<sup>7</sup>

## **PROCEDURAL REQUIREMENTS AND HISTORY**

### Initiation of the Administrative Action

The service of the probable cause hearing notice, as required by Section 83115.5, upon the person alleged to have violated the Act starts the administrative action.<sup>8</sup>

A finding of probable cause may not be made by the Commission unless the person alleged to have violated the Act is 1) notified of the violation by service of process or registered mail with return receipt requested; 2) provided with a summary of the evidence; and 3) informed of his or her right to be present in person and represented by counsel at any proceeding of the Commission held for the purpose of considering whether probable cause exists for believing the person violated the Act.<sup>9</sup> Additionally, the required notice to the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or if the registered mail receipt is not signed, the date returned by the post office.<sup>10</sup>

No administrative action pursuant to Chapter 3 of the Act alleging a violation of any of the provisions of the Act may be commenced more than five years after the date on which the violation occurred.<sup>11</sup>

Documents supporting the procedural history are included in the attached Certification of Records ("Certification") filed herewith at Exhibit 1, A-1 through A-6, and A-19 and A-20 and incorporated herein by reference.

In accordance with Sections 83115.5 and 91000.5, the Enforcement Division initiated the administrative action against the Committee, Pham, and Mary Pham in this matter by serving

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<sup>5</sup> Section 11506, subd. (a)(1)-(6).

<sup>6</sup> Section 11506, subd. (c).

<sup>7</sup> Section 11520, subd. (a).

<sup>8</sup> Section 91000.5, subd. (a).

<sup>9</sup> Section 83115.5.

<sup>10</sup> Section 83115.5.

<sup>11</sup> Section 91000.5.

them with a Report in Support of a Finding of Probable Cause (the “Report”) (Certification, Exhibit A-1) by certified mail.<sup>12</sup> Pham was served with the Report individually and on behalf of the Committee on February 17, 2023 (Certification, Exhibit A-2). The administrative action commenced on February 17, 2023, and the five-year statute of limitations was effectively tolled on this date.

As required by Section 83115.5, the packet served on the Committee, Pham, and Mary Pham contained a cover letter and a memorandum describing probable cause proceedings, advising that they had 21 days in which to request a probable cause conference and/or to file a written response to the Report. The Committee, Pham, and Mary Pham did not request a probable cause conference or submit a written response to the Report.

#### Ex Parte Request for a Finding of Probable Cause

Because the Committee, Pham, and Mary Pham failed to request a probable cause conference or submit a written response to the Report by the statutory deadline, the Enforcement Division submitted an Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served to the Hearing Officer of the Commission on June 20, 2023 (Certification, Exhibit A-3).

On June 22, 2023, the Hearing Officer, Legal Division, Jack Woodside, issued a Finding of Probable Cause and an Order to Prepare and Serve an Accusation on the Committee, Pham, and Mary Pham (Certification, Exhibit A-4.).

#### A. The Issuance and Service of the Accusation

Under the Act, if the Hearing Officer makes a finding of probable cause, the Enforcement Division must prepare an accusation pursuant to Section 11503 of the APA, and have it served on the persons who are the subject of the probable cause finding.<sup>13</sup>

Section 11503 states:

A hearing to determine whether a right, authority, license, or privilege should be revoked, suspended, limited, or conditioned shall be initiated by filing an accusation or District Statement of Reduction in Force. The accusation or District Statement of Reduction in Force shall be a written statement of charges that shall set forth in ordinary and concise language the acts or omissions with which the respondent is charged, to the end that the respondent will be able to prepare his or her defense. It shall specify the statutes and rules that the respondent is alleged to have violated, but shall not consist merely of charges phrased in the language of those statutes and rules. The accusation or District Statement of Reduction in Force shall be verified unless made by a public officer acting in his or her official

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<sup>12</sup> Section 83115.5.

<sup>13</sup> Regulation 18361.4, subd. (g).

capacity or by an employee of the agency before which the proceeding is to be held. The verification may be on information and belief.

Upon the filing of the accusation, the agency must 1) serve a copy thereof on the respondent as provided in Section 11505, subdivision (c); 2) include a post card or other form entitled Notice of Defense that, when signed by or on behalf of the respondent and returned to the agency, will acknowledge service of the accusation and constitute a notice of defense under Section 11506; 3) include (i) a statement that respondent may request a hearing by filing a notice of defense as provided in Section 11506 within 15 days after service upon the respondent of the accusation, and that failure to do so will constitute a waiver of the respondent's right to a hearing, and (ii) copies of Sections 11507.5, 11507.6, and 11507.7.<sup>14</sup> The APA also sets forth the language required in the accompanying statement to the respondent.<sup>15</sup>

The Accusation and accompanying information may be sent to the respondent by any means selected by the agency, but no order adversely affecting the rights of the respondent may be made by the agency in any case unless the respondent has been served personally or by registered mail as set forth in the APA.<sup>16</sup>

On June 3, 2024, the Commission's Chief of Enforcement, James Lindsay, issued an Accusation against the Committee, Pham, and Mary Pham. (Certification, Exhibit A-5.) In accordance with Section 11505, the Accusation and accompanying information, consisting of a Statement to Respondent, two copies of a Notice of Defense Form for each respondent, copies of Government Code Sections 11506, 11507.5, 11507.6, and 11507.7, were served upon the Committee and Pham, and Mary Pham by substituted service, on July 8, 2024. (Certification, Exhibit A-6.)

Along with the Accusation, the Enforcement Division served the Committee, Pham, and Mary Pham with a "Statement to Respondent," which notified them that they could request a hearing on the merits and warned that, unless a Notice of Defense was filed within 15 days of service of the Accusation, they would be deemed to have waived the right to a hearing. The Committee, Pham, and Mary Pham did not file a Notice of Defense within the statutory time period, which ended on July 23, 2024.

As a result, on September 3, 2024, the Enforcement Division sent a letter to the Committee, Pham, and Mary Pham advising that this matter would be submitted for a Default Decision and Order at the Commission's public meeting scheduled for October 17, 2024. (Certification, Exhibit A-18)

On October 1, 2024, the Enforcement Division sent another letter to the Committee, Pham, and Mary Pham advising that this matter would be submitted for a Default Decision and Order at the Commission's public meeting scheduled for October 17, 2024. (Certification,

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<sup>14</sup> Section 11505, subd. (a).

<sup>15</sup> Section 11505, subd. (b).

<sup>16</sup> Section 11505, subd. (c).

Exhibit A-19.) A copy of the Default Decision and Order, and this accompanying Exhibit 1 with attachments, was included with the letter.

## SUMMARY OF THE LAW

The Act and its regulations are amended from time to time. The violations in this case occurred in 2018. For this reason, all legal references and discussions of law pertain to the Act's provisions as they existed at that time.

An express purpose of the Act is to ensure voters are fully informed and improper practices are inhibited by requiring all candidates, as well as the committees that support or oppose them, to disclose all contributions and expenditures made throughout a campaign.<sup>17</sup> Along these lines, the Act includes a comprehensive campaign reporting system.<sup>18</sup>

### Committee

Under the Act, "committee" means any person or combination of persons who directly or indirectly receives contributions totaling \$2,000 or more in a calendar year.<sup>19</sup> This type of committee is known as a recipient committee.<sup>20</sup> A recipient committee that is controlled by a candidate or that acts jointly with a candidate in connection with the making of expenditures is a "controlled committee."<sup>21</sup>

### Duty to File Campaign Statements

At the core of the Act's campaign reporting system is the requirement that committees must file campaign statements and reports for certain periods and by certain deadlines. The Act requires candidates and their controlled committees to file campaign statements at specific times disclosing information regarding contributions received and expenditures made by the campaign committees.<sup>22</sup>

All candidates and elected officers and their controlled committees, shall file one copy of the campaign statements with the elections official of the county in which the candidate or elected official is domiciled.<sup>23</sup>

### Duty to File Preelection Campaign Statements

The Act requires a candidate on the ballot to file two preelection campaign statements before the election in which the candidate is listed on the ballot.<sup>24</sup> A candidate must file the first

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<sup>17</sup> Section 81002, subd. (a).

<sup>18</sup> Section 84200, *et seq.*

<sup>19</sup> Section 82013, subd. (a).

<sup>20</sup> Section 82013, subd. (a).

<sup>21</sup> Section 82016, subd. (a).

<sup>22</sup> Section 84200, *et seq.*

<sup>23</sup> Section 84215.

<sup>24</sup> Section 84200.5, subd. (a)(1).

preelection campaign statement for the period ending in 45 days before the election no later than 40 days before the election.<sup>25</sup> A candidate must file a second preelection statement for the reporting period ending 17 days before the election no later than 12 days before the election.<sup>26</sup> If the person has not previously filed a campaign statement, the period covered begins on January 1.<sup>27</sup>

For the June 5, 2018 Primary Election, candidates and their controlled committees were required to file the first preelection campaign statements for the period of January 1, 2018 to April 21, 2018, no later than April 26, 2018. Candidates and their controlled committees were also required to file the second preelection campaign statement for the period of April 22, 2018 to May 19, 2018, no later than May 24, 2018.

### Duty to File Semi-Annual Campaign Statements

A committee must file semi-annual campaign statements beginning in the period in which the committee qualified and continuing until the committee terminates.<sup>28</sup> A committee must file a semi-annual statement by January 31 for the period ending December 31 of the previous year, and by July 31 for the period ending June 30.<sup>29</sup> Whenever the deadline falls on a Saturday, Sunday or official state holiday, the filing deadline for a statement shall be extended to the next regular business day.<sup>30</sup>

### 24-Hour Contribution Reports

Under the Act, a “late contribution” includes a contribution that totals in the aggregate \$1,000 or more and is made to or received by a candidate, a controlled committee, or a committee formed or existing primarily to support or oppose a candidate or measure during the 90-day preceding the date of the election, or on the date of the election, at which the candidate or measure is to be voted on.<sup>31</sup> Each candidate or committee that makes or receives a late contribution shall report the late contribution within 24 hours of the time it is made or received.<sup>32</sup>

### One Designated Campaign Bank Account

To ensure full disclosure of campaign activity and to guard against improper use of campaign funds, a candidate must establish a single, designated campaign bank account upon filing a statement of intention to be a candidate.<sup>33</sup> All campaign contributions and loans must be deposited into the campaign account.<sup>34</sup> Personal funds of the candidate that will be used for the

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<sup>25</sup> Section 84200.8, subd. (a).

<sup>26</sup> Section 84200.8, subd. (b).

<sup>27</sup> Section 82046, subd. (b).

<sup>28</sup> Section 84200, subd. (a).

<sup>29</sup> Section 84200.

<sup>30</sup> Regulation 18116, subd. (a).

<sup>31</sup> Section 82036, subd. (a).

<sup>32</sup> Section 84203.

<sup>33</sup> Section 85201, subd. (a).

<sup>34</sup> Section 85201, subd. (c).



campaign must be deposited in the campaign account prior to expenditure.<sup>35</sup> All campaign expenditures must be made from the campaign account.<sup>36</sup>

### Recordkeeping

It is the duty of each candidate and treasurer to maintain detailed accounts, records, bills, and receipts necessary to prepare campaign statements and to establish that campaign statements were properly filed.<sup>37</sup> A filer shall maintain the accounts, records, bills and receipts, and original source documentation for a period of four years following the date the campaign statement to which they relate is filed.<sup>38</sup>

### Joint and Several Liability of Candidate, Committee, and Treasurer

It is the duty of a committee treasurer to ensure that the committee complies with the Act.<sup>39</sup> A treasurer may be held jointly and severally liable, along with the candidate and the committee, for violations committed by the committee.<sup>40</sup>

## **SUMMARY OF THE EVIDENCE**

Documents supporting the summary of the evidence are included in the attached Certification of Records (“Certification”) filed herewith as Certified, Exhibit 1, A-7 through A-15, and incorporated herein by reference.

The Committee, Pham, and Mary Pham filed an initial statement of organization on March 8, 2018 and indicated it qualified on March 7, 2018 (Certification, Exhibit A-7). It terminated effective September 19, 2018 (Certification, Exhibit A-8).

### Failure to Timely File Statements and Reports

On June 6, 2018, the Enforcement Division received a filing officer referral from the County regarding the Committee’s failure to timely file a copy of the first preelection campaign statement in connection with the June 5, 2018 Primary Election.

According to the Secretary of State’s Office (“SOS”), the Committee, Pham, and Mary Pham filed its first preelection campaign statement for the reporting period of January 1, 2018 through April 21, 2018 on May 14, 2018, 18 days late (Certification, Exhibit A-9), and filed a copy with the County on September 6, 2018, 133 days late (Certification, Exhibit A-10). The Committee, Pham, and Mary Pham filed its second preelection campaign statement for the reporting period of April 22, 2018 through May 19, 2018 on May 26, 2018, two days late

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<sup>35</sup> Section 85201, subd. (d).

<sup>36</sup> Section 85201, subd. (e).

<sup>37</sup> Section 84104.

<sup>38</sup> Regulation 18401, subd. (b)(2).

<sup>39</sup> Sections 81004, 84100, 84104, and 84213; Regulation 18427.

<sup>40</sup> Sections 83116.5 and 91006.

(Certification, Exhibit A-11), and filed a copy with the County on September 6, 2018, 106 days late (Certification, Exhibit A-12).

According to bank statements provided to the FTB, \$2,000 was transferred from the account of Mary Pham on June 4, 2018, just one day before the election, and no 24-hour contribution report was filed. The contribution was not disclosed on the semi-annual due July 31, 2018 until the amendment was filed on June 26, 2020<sup>41</sup> (Certification, Exhibit A-13). No amendments were filed with the County.

Failure to Use One Campaign Bank Account

On December 23, 2020, the Enforcement Division received an audit from the FTB covering the period of January 1, 2018 through June 30, 2018 (Certification, Exhibit A-14).

Bank statements from the Audit reveal that a total of \$6,249 was deposited into the campaign bank account despite the Committee reporting \$22,659 in total contributions on campaign statements. The \$6,249 consisted of four deposits: an online transfer from Mary Pham for \$2,000, a \$1,000 opening deposit, a deposit for \$2,899, and another deposit of \$350. The bank account shows the \$350 deposit was cashed out for \$349.73 the same day it was deposited. (Certification, Exhibit A-15.)

During the Audit, Pham stated that since the campaign bank account lacked sufficient funds, campaign-related expenses were paid using contributions deposited into his personal account (Certification, Exhibit A-14).

The Committee, Pham, and Mary Pham filed an amended first and second preelection campaign statement on June 26, 2020. The amended first preelection campaign statement contained additional information in the description of payment column regarding \$14,384 in expenses. The Committee noted on the campaign statement those expenditures were made with Pham’s personal funds (Certification, Exhibit A-16). Below is a summary of those expenses:

<b>PAYEE</b>	<b>AMOUNT</b>	<b>CODE DESCRIPTION</b>	<b>PAYMENT DESCRIPTION</b>
Discount Printing	\$1,000	Campaign Paraphernalia/Misc	“Paid for by candidate credit card”
Orange County Commercial Printing	\$1,400	Print Ads	“Paid for by candidate credit card”
United States Postal Service	\$1,250	Postage, Delivery and Messenger Services	“Paid for by candidate personal account”
BNSONS: Large Format Printing and Graphics	\$1,540	Campaign Paraphernalia/Misc	“Paid for by candidate personal account”
Office Depot	\$652	Print Ads	“Paid for by candidate credit card”

<sup>41</sup> SOS is unable to locate this amendment to the semi-annual campaign statement covering January 1, 2018 to June 30, 2018. However, SOS records states it was filed on June 26, 2020. The Enforcement Division obtained a copy of the unfiled document in the FTB Audit File.

Office Depot	\$1,042	Print Ads	“Paid for by candidate credit card”
Office Depot	\$1,700	Print Ads	“Paid for by candidate credit card”
United States Postal Service	\$2,400	Postage, Delivery and Messenger Services	“Paid for by candidate personal account”
Office Depot	\$3,400	Print Ads	“200 yard signs paid for by candidate credit card”
	<b>\$14,384</b>		

The FTB Audit Report stated Pham “deposited the checks into his personal bank account to protect his contributors’ identity as the checks were written to him rather than the Committee” (Certification, Exhibit A-14). During a phone interview with Special Investigator Ann Flaherty, on December 7, 2022, Pham stated he did not report contributions from approximately fifteen contributors, which were deposited into his personal bank account for the purpose of protecting the contributor’s identities. According to Pham, the checks were made out to himself at the request of his contributors and then were deposited into his personal account. Pham claimed the amount of unreported contributions was approximately \$5,000. (Certification, Exhibit A-17). The Committee bank records reflected \$4,249 (Certification, A-15). Due to Long Pham's refusal to cooperate, the Enforcement Division has been unable to confirm the total amount of unreported contributions.

Failure to Maintain Adequate Campaign Records

Copies of contributors’ checks, duplicate deposit slips, valuation letters and/or invoices, and contributor lists were not maintained for all reported contributions totaling \$22,529 and for all reported expenditures totaling \$22,529. The entirety of records available to the Enforcement Division included bank statements and five cancelled checks from the Audit for the period, January 1, 2018 through June 30, 2018 (Certification, Exhibit A-13). The opinion of the audit was that the filers had not substantially complied with the Act’s disclosure and/or recordkeeping provisions and related rules and regulations of the Fair Political Practices Commission (Certification, Exhibit A-13).

The Committee’s bank statements show an online transfer from Mary Pham to the Committee in the amount of \$2,000 on June 4, 2018. Online transfers from the campaign bank account to Mary Pham, include: \$500 on March 5, 2018; \$100 on April 18, 2018; \$100 on April 26, 2018; \$2,000 on May 16, 2018; \$500 on June 8, 2018; and \$500 on June 13, 2018 (Certification, Exhibit A-14).

Since no supporting records are available, it is unclear from the campaign statements why these transfers totaling \$3,700 were made to Mary Pham. Overall, the Enforcement Division believes the total reported contributions and expenditures may be inaccurate based on the inconsistency in the reporting on both the original and amended filings.

The Committee also reported receiving \$6,800 in non-monetary contributions (Certification, Exhibit A-18). The non-monetary contributions could not be verified as no records supporting them were provided to FTB or the Enforcement Division.

The lack of records precluded both the FTB and the Enforcement Division from determining reporting violations and other violations of the Act, including, but not limited to, failure to timely file 24-hour contribution reports, receiving contributions over the limit, impermissible cash expenditures and personal use of campaign funds.

### Summary of Contact

The Enforcement Division contacted the Committee, Pham, and Mary Pham multiple times regarding this matter. At various points, Pham engaged in the process but The Enforcement Division, ultimately, is pursuing a default.

Overall, the Enforcement Division contacted the Committee, Pham, and Mary Pham approximately twenty-seven times throughout this case, as follows:

- July 18, 2018: email from the Enforcement Division
- August 15, 2018: email from the Enforcement Division
- August 24, 2018: call and voicemail from the Enforcement Division
- August 30, 2018: email from the Enforcement Division
- July 9, 2019: email from the Enforcement Division
- July 29, 2022: email from the Enforcement Division
- September 12, 2022: email from the Enforcement Division and reply from Pham
- September 13, 2022: email from the Enforcement Division
- September 21, 2022: email from the Enforcement Division
- November 16, 2022: email from the Enforcement Division
- November 21, 2022: email from the Enforcement Division
- December 1, 2022: call and voicemail from the Enforcement Division
- December 12, 2022: call between the Enforcement Division and Pham
- December 21, 2022: call between the Enforcement Division and Pham
- February 14, 2023: Report in Support of Probable Cause served on the Committee, Pham, and Mary Pham
- June 21, 2023: copy of Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served mailed and emailed to the Committee, Pham, and Mary Pham
- July 8, 2024: Accusation served on the Committee, Pham, and Mary Pham
- October 12, 2023: emails and replies between the Enforcement Division and Pham
- October 25, 2023: emails and replies between the Enforcement Division and Pham
- November 27, 2023: emails and replies between the Enforcement Division and Pham
- March 3, 2024: mail to the Committee, Pham and Mary Pham
- April 2, 2024: email from the Enforcement Division
- April 8, 2024: email from the Enforcement Division

- April 19, 2024: email from the Enforcement Division
- June 7, 2024: email from the Enforcement Division
- August 29, 2024: letter to the Committee, Pham, and Mary Pham informing them that a Default Decision and Order would appear on the agenda for the September 19, 2024 Commission meeting as a notice item
- October 1, 2024: Notice of Intent to Enter Default Decision and Order to The Committee, Pham, and Mary Pham informing them that the Default Decision and Order would be presented at the October 17, 2024 meeting for Commission action

## **VIOLATIONS**

The Committee, Pham, and Mary Pham committed eight violations of the Act as follows:

### COUNT 1

#### **Failure to Timely File Preelection Campaign Statements**

The Committee, Pham, and Mary Pham had a duty to timely file the preelection campaign statement for the reporting periods of January 1, 2018 to April 21, 2018 and for the period of April 22, 2018 to May 19, 2018. The Committee, Pham and Mary Pham failed to timely file the preelection campaign statement for the reporting periods of January 1, 2018 to April 21, 2018 and for the period of April 22, 2018 to May 19, 2018. By failing to timely file the preelection campaign statements, the Committee, Pham, and Mary Pham violated Government Code Sections 84200.5 subdivision (a), 84200.8 subdivision (a), and 84211.

### COUNT 2

#### **Failure to Timely File Semi-Annual Campaign Statement**

The Committee, Pham, and Mary Pham had a duty to timely file a semi-annual campaign statement for the reporting period of May 20, 2018 to June 30, 2018 by the July 31, 2018 deadline. The Committee, Pham and Mary Pham failed to timely file the semi-annual campaign statement for the reporting period of May 20, 2018 to June 30, 2018 by the July 31, 2018 deadline. By failing to timely file the semi-annual campaign statement by the July 31, 2018 deadline, the Committee, Pham, and Mary Pham violated Government Code Sections 84200, subdivision (a) and 84215.

### COUNT 3

#### **Failure to Timely File a 24-Hour Contribution Report**

The Committee, Pham, and Mary Pham had a duty to file a 24-hour contribution report for a \$2,000 contribution received on June 4, 2018 by the June 5, 2018 deadline. The Committee, Pham, and Mary Pham failed to timely file the 24-hour contribution report for the \$2,000 contribution received on June 4, 2018 by the June 5, 2018 deadline. By failing to timely file a 24-

hour contribution report by the June 5, 2018 deadline, the Committee, Pham, and Mary Pham violated Government Code Section 84203.

COUNT 4

**Failure to Use One Campaign Bank Account**

The Committee, Pham, and Mary Pham had a duty to utilize a single, designated campaign bank account for all contributions and all deposits. The Committee, Pham and Mary Pham failed to deposit approximately \$7,591 in contributions into the campaign bank account. By failing to utilize a single, designated campaign bank account for all contributions and all deposits, the Committee, Pham, and Mary Pham violated Government Code Section 85201 subdivisions (c) and (d).

COUNT 5

**Failure to Use One Campaign Bank Account**

The Committee, Pham, and Mary Pham had a duty to utilize a single, designated campaign bank account for all expenditures. The Committee, Pham, and Mary Pham failed to pay approximately \$14,384 in expenditures from the campaign bank account. By failing to utilize a single, designated campaign bank account for all expenditures, the Committee, Pham, and Mary Pham violated Government Code Section 85201 subdivisions (d) and (e).

COUNT 6

**Recordkeeping**

The Committee, Pham, and Mary Pham had a duty to maintain detailed accounts, records, bills, and receipts necessary to prepare campaign statements. The Committee, Long Pham, and Mary Pham failed to maintain detailed accounts, records, bills, and receipts necessary to prepare the campaign statement for the reporting period of January 1, 2018 to April 21, 2018. By failing to maintain detailed accounts, records, bills, and receipts necessary to prepare campaign statements for the reporting period of January 1, 2018 to April 21, 2018, the Committee, Pham, and Mary Pham violated Government Code Section 84104.

COUNT 7

**Recordkeeping**

The Committee, Pham, and Mary Pham had a duty to maintain detailed accounts, records, bills, and receipts necessary to prepare campaign statements. The Committee, Long Pham, and Mary Pham failed to maintain detailed accounts, records, bills, and receipts necessary to prepare the campaign statement for the reporting period of April 22, 2018 to May 19, 2018. By failing to

maintain detailed accounts, records, bills, and receipts necessary to prepare campaign statements for the reporting period of April 22, 2018 to May 19, 2018, the Committee, Pham, and Mary Pham violated Government Code Section 84104.

### COUNT 8

#### **Recordkeeping**

The Committee, Pham, and Mary Pham had a duty to maintain detailed accounts, records, bills, and receipts necessary to prepare campaign statements. The Committee, Long Pham, and Mary Pham failed to maintain detailed accounts, records, bills, and receipts necessary to prepare the campaign statement for the reporting period of May 20, 2018 to June 30, 2018. By failing to maintain detailed accounts, records, bills, and receipts necessary to prepare campaign statements for the reporting period of May 20, 2018, to June 30, 2018, the Committee, Pham, and Mary Pham violated Government Code Section 84104.

#### **CONCLUSION**

This matter consists of eight counts of violating the Act, which carry a maximum total administrative penalty of \$40,000.<sup>42</sup>

In determining the appropriate penalty for a particular violation of the Act, the Enforcement Division considers the typical treatment of a violation in the overall statutory scheme of the Act, with an emphasis on serving the purposes and intent of the Act. Additionally, the Enforcement Division considers the facts and circumstances of the violation in the context of the following factors set forth in Regulation 18361.5 subdivision (e)(1) through (8): (1) The extent and gravity of the public harm caused by the specific violation; (2) The level of experience of the violator with the requirements of the Political Reform Act; (3) Penalties previously imposed by the Commission in comparable cases; (4) The presence or absence of any intention to conceal, deceive or mislead; (5) Whether the violation was deliberate, negligent or inadvertent; (6) Whether the violator demonstrated good faith by consulting the Commission staff or any other governmental agency in a manner not constituting complete defense under Government Code Section 83114(b); (7) Whether the violation was isolated or part of a pattern and whether the violator has a prior record of violations of the Political Reform Act or similar laws; and (8) Whether the violator, upon learning of a reporting violation, voluntarily filed amendments to provide full disclosure.<sup>43</sup>

With respect to the first factor, a central purpose of the Act is to ensure receipts and expenditures in election campaigns are fully and truthfully disclosed. The violations here include the failure to maintain adequate campaign records, failure to use a single designated bank account, and failure to timely file statements and reports.

One of the essential purposes of the recordkeeping provision is to establish that campaign statements were properly filed, and contributions and expenditures were properly reported. This violation is considered more serious when the failure to maintain campaign records inhibits audit

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<sup>42</sup> Section 83116, subd. (c).

<sup>43</sup> Regulation 18361.5, subd. (e).

and investigative efforts. Here, the Committee failed to maintain detailed campaign records for approximately 100% of all contributions and expenditures made. Additionally, the lack of recordkeeping inhibited audit and investigation efforts. The lack of records precluded the FTB and the Enforcement Division from confirming the source of reported contributions, confirming the total amount of expenditures, and determining other violations of the Act, including campaign reporting, receiving contributions over the limit, impermissible cash expenditures, and personal use of campaign funds.

The failure to utilize a designated campaign bank account causes public harm in that it erodes the trust placed in candidates to utilize campaign funds for proper purposes. The provisions also ensure all transactions are properly reported and that campaign statements are easily substantiated with records and source documents. Here, the failure to use a designated campaign bank account for all transactions prevented the Enforcement Division from substantiating campaign activity. Additionally, in this case, Pham eroded the trust of the public in that he intentionally deposited contributions into his personal bank account for the purpose of concealing the contributor's identity.

Finally, the failure to timely file campaign statements, particularly preelection campaign statements further deprives the public of important time-sensitive information prior to the election. Here, Pham failed to timely file both preelection campaign statements and a 24-hour report, all of which were time-sensitive and were required to be filed prior to the election. Pham also failed to timely file a semi-annual campaign statement, with post-election activity.

With respect to the second factor, Pham has prior experience with the requirements of the Act. Pham ran for state office in 2010, 2012, 2014, 2022 and 2024.

Regarding the third factor, the following cases were considered as comparable cases:

#### Count 1

- *In the Matter of Eric Payne and Eric Payne for SCCCD 2016 Trustee Area 2*, FPPC No. 19917. (The Commission approved a default decision on June 13, 2019.) The respondents, among other violations, failed to timely file preelection campaign statements. Both statements were just 4 days before the election and had several errors due to the over and underreporting of contributions and expenditures. Payne was experienced with the Act. The Commission imposed a penalty of \$3,000 per count.

Here, like in *Payne*, Pham was also experienced with the Act, having run for state office multiple times. Here, unlike in *Payne*, the statements were not filed before the election but were filed with the County 3 months after the election, and amendments were not timely. Ultimately, the most notable difference here is the lack of recordkeeping and bank-account violations were deliberate and prevented full and accurate disclosure of the identity of many contributors. Therefore, a maximum penalty of \$5,000 is recommended.



## Count 2

- *In the Matter of Anna Song and Friends of Anna Song for County Board of Education for 2020*, FPPC No. 20/950. (The Commission approved a default decision on January 18, 2024). The respondent, among other violations, failed to timely file two semi-annual campaign statements to disclose \$5,712 in expenditures. The Commission imposed a penalty of \$3,500 per count for two counts.

Here, the Committee, Pham, and Mary Pham failed to timely file one semi-annual campaign statement to disclose \$4,400 in expenditures, a similar amount to *Fangary*. However, an amendment was filed two years after the election and disclosed \$12,014.61 in additional contributions distinguishing this case from *Fangary*. Further distinguishing this case from *Fangary*, here, the recordkeeping and bank-account violations were deliberate and prevented full and accurate disclosure of the identity of many contributors on the semi-annual campaign statement. Therefore, a maximum penalty of \$5,000 is recommended.

## Count 3

- *In the Matter of Californians in Support of Mike Antonovich State Senate 2016 and Shelley Levine*, FPPC Nos. 17/1397 and 18/821. (The Commission approved a default decision on March 24, 2022.) The respondents, among other violations, failed to timely file two 24-hour contribution reports for \$3,000 and \$10,000 before the election. Both reports were filed after the election, and the contributions were not timely disclosed on another campaign statement before the election. The Commission imposed a penalty of \$4,500.

Here, the respondents failed to file one 24-hour contribution report for a \$2,000 transfer made on June 4, 2018, one day before the election, from Mary Pham to the Committee bank account. Although there is only one late for a lesser amount here, like *Antonovich*, the contribution was not timely disclosed on another campaign statement or disclosed prior to the election. Therefore, a similar penalty of \$4,500 is recommended.

## Counts 4-5

- *In the Matter of H.S Fangary for City Council 2017, Hany S. Fangary and Dina Fangary*; FPPC Nos. 18/005 and 22/033. (The Commission approved a stipulated decision on November 17, 2022.) The respondents, among other violations, failed to deposit all contributions into and make all expenditures from a designated campaign bank account. Fangary accepted contributions into a PayPal account and these contributions were comingled with personal funds that were utilized to make expenditures. Fangary was cooperative in turning over records. The Commission imposed a penalty of \$3,000.

Here, as in *Fangary*, personal funds were used to make expenditures, and contributions were not deposited into a campaign bank account. However, here, the number of contributions and expenditures is higher than in *Fangary*, therefore, a higher penalty is

recommended. In *Fangary*, over three reporting periods, a total of \$6,699 in contributions were not deposited into the bank account. Regarding expenditures in *Fangary*, over two reporting periods, a total of \$4,562 in expenditures were made outside of the designated bank account. Here, approximately \$6,249 of \$21,000 in contributions were deposited into the Committee bank account. Regarding expenditures here, a total of \$14,384 in expenditures were made outside the Committee bank account and from personal funds. Additionally, a higher penalty is recommended in this case because Pham admitted to FTB that he was aware of the Act's requirements but deposited contributions into his personal bank account rather than the Committee's account to protect his contributors' identity, revealing evidence of an intent to conceal. Therefore, a maximum fine of \$5,000 is recommended for each count.

#### Counts 6-8

- *In the Matter of Wyman for Attorney General 2014 and James M. O'Hearn*; FPPC 17/378 (The Commission approved a default decision on April 16, 2020). The respondents, among other violations, failed to meet the recordkeeping requirements for \$29,863 in contributions over two reporting periods and for \$1,207.49 in expenditures during one reporting period. The Commission approved a penalty of \$3,000.

Here, the amount of contributions and expenditures Pham failed to keep is higher than the amount in *Wyman*. Pham failed to keep adequate records for 100% of contributions and expenditures. Additionally, Pham stated that he misplaced the records while re-locating after the election, yet also stated he was aware of the Act's requirements and concealed the identities of contributors. Pham intentionally violated the Act by concealing contributor information, which led to a lack of records to substantiate campaign contributors. Therefore, a maximum fine of \$5,000 is recommended for each count.

With respect to the fourth and fifth factors, as noted above, the Enforcement Division and FTB obtained evidence the violations were due to an intent to conceal, deceive, mislead the public, and deliberately avoid compliance with the Act. Therefore, some counts deserve a higher penalty than the comparable cases and are distinguishable from the comparable cases. Based on Pham's statements to both the FTB auditor and the Enforcement Division investigator, Pham intentionally concealed the identities of contributors by depositing campaign contributions into his personal bank account. No records were provided to the FTB or to the Enforcement Division to identify the contributors whom Pham concealed. To avoid reporting the contributor identities, Pham intentionally deposited certain contributions into his personal bank account and intended to make it appear as if the contributions were from himself. The lack of transparency created by the concealment deprived the public of important information required to be reported on timely campaign statements and reports.

With respect to the sixth factor, Respondents did not consult the Commission, staff or other governmental agency. With respect to the seventh factor, Long Pham has a prior history of violating the Act, and the violations are part of a pattern. Long Pham was issued a warning letter on July 20, 2010, for failing to timely electronically file two preelection campaign statements and

one semi-annual campaign statement. Long Pham was again issued a warning letter on August 17, 2011 for failing to timely file two semi-annual campaign statements. Finally, all Respondents were issued a \$400 penalty on February 19, 2015 for failing to timely file a semi-annual campaign statement. With respect to the eighth factor, full disclosure has not been achieved, as voluntary amendments have not been filed.

**PROPOSED PENALTY**

After considering the factors of Regulation 18361.5 and the penalties imposed in prior cases, the following penalties are proposed:

Counts	The Committee, Pham, and Mary Pham	Proposed Penalty per Count
1	Failure to Timely File Preelection Campaign Statements	\$5,000
2	Failure to Timely File Semi-Annual Campaign Statement	\$5,000
3	Failure to Timely File 24-Hour Contribution Report	\$4,500
4-5	Failure to Utilize One Campaign Bank Account	\$10,000
6-8	Failure to Maintain Adequate Campaign Records	\$15,000
	<b>Total:</b>	<b>\$39,500</b>



**DECLARATION OF CUSTODIAN OF RECORDS  
CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION  
Enforcement Division**

**CERTIFICATION OF RECORDS**

The undersigned declares and certifies as follows:

1. I am employed as an Associate Governmental Program Analyst by the California Fair Political Practices Commission (Commission). My business address is: California Fair Political Practices Commission, 1102 Q St, Ste 3050, Sacramento, CA 95811.
2. I am a duly authorized custodian of the records maintained by the Commission in the Enforcement Division. As such, I am authorized to certify copies of those records as being true and correct copies of the original business records which are in the custody of the Commission.
3. I have reviewed documents maintained in *FPPC Case No. 18/569; Long Pham for Assembly 2018, Long Pham, and Mary Pham* and have caused copies to be made of documents contained therein. I certify that the copies attached hereto are true and correct copies of the documents prepared in the normal course of business and which are contained in files maintained by the Commission. The attached documents are as follows:

EXHIBIT A-1: Report in Support of a Finding of Probable Cause, dated February 14, 2023

EXHIBIT A-2: Proof of Service for the Report in Support of a Finding of Probable Cause and applicable statutes and regulations, dated February 14, 2023, and accompanying certified mail receipts and USPS tracking

EXHIBIT A-3: Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served, dated June 20, 2023

EXHIBIT A-4: Finding of Probable Cause and Order to Prepare and Serve an Accusation, dated June 22, 2023

EXHIBIT A-5: Accusation, dated June 3, 2024

- EXHIBIT A-6: Proof of Service on July 8, 2024, for Accusation and accompanying documents from process server, dated July 16, 2024
- EXHIBIT A-7: Initial Statement of Organization, filed March 8, 2018
- EXHIBIT A-8: Termination Statement of Organization, filed September 24, 2018
- EXHIBIT A-9: Campaign Statement Cover Page, filed May 14, 2018
- EXHIBIT A-10: Campaign Statement Cover Page, filed September 6, 2018
- EXHIBIT A-11: Campaign Statement Cover Page, filed May 26, 2018
- EXHIBIT A-12: Campaign Statement Cover Page, filed September 6, 2018
- EXHIBIT A-13: Campaign Statement Cover Page, unfiled copy from FTB Audit File
- EXHIBIT A-14: Franchise Tax Board Audit Report, dated November 30, 2020
- EXHIBIT A-15: Bank Statements for the Committee
- EXHIBIT A-16: Campaign Statement Schedule E, period of January 1, 2018 through April 21, 2018
- EXHIBIT A-17: Investigation Summary Report 1, dated December 6, 2022
- EXHIBIT A-18: Campaign Statement Summary Page, period January 1, 2018 through April 21, 2018
- EXHIBIT A-19: Notice of Default Decision and Order, dated August 30, 2024
- EXHIBIT A-20: Notice of Intent to Enter Default Decision and Order, dated October 1, 2024

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on October 1, 2024, at Sacramento, California.



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Shaina Elkin  
Associate Governmental Program Analyst  
Enforcement Division  
Fair Political Practices Commission

**Exhibit A-1**

1 CHRISTOPHER B. BURTON  
Acting Chief of Enforcement

2 MARISSA NASH  
Commission Counsel

3 **FAIR POLITICAL PRACTICES COMMISSION**

4 1102 Q Street, Suite 3000

Sacramento, CA 95811

5 Telephone: (916) 322-3772

Email: mnash@fppc.ca.gov

6 Attorneys for Complainant

Enforcement Division of the Fair Political Practices Commission

7  
8 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**

9 **STATE OF CALIFORNIA**

10 In the Matter of

) FPPC No. 2018-00569

11 )  
12 ) **REPORT IN SUPPORT OF A FINDING OF**  
13 ) **PROBABLE CAUSE**

13 PHAM FOR ASSEMBLY 2018, LONG  
14 PHAM AND MARY PHAM

) Conference Date: TBA

) Conference Time: TBA

) Conference Location: Commission Offices

15 Respondents.

) 1102 Q Street, Suite 3000  
16 ) Sacramento, CA 95811  
17 )  
18 )

18 **INTRODUCTION**

19 Respondent Long Pham was an unsuccessful candidate for the State Assembly District 72 in the  
20 June 5, 2018 Primary Election. The name of Long Pham's candidate controlled committee was Pham  
21 for Assembly 2018 ("the Committee"). The Committee treasurer was Mary Pham, the candidate's wife.  
22 This case stems from a filing officer referral from the Secretary of State's Office. In addition, the  
23 Committee was the subject of a Franchise Tax Board ("FTB") audit covering the period of January 1,  
24 2018 to June 30, 2018. During the audit period, the Committee reported approximately \$21,000 in  
25 contributions and \$22,529 in expenditures. The Committee terminated effective September 19, 2018.  
26

1 The FTB audit report revealed the Committee, Long Pham and Mary Pham did not substantially  
2 comply with the disclosure and recordkeeping requirements of the Political Reform Act (the “Act”).<sup>1</sup>  
3 Specifically, the Committee, Long Pham and Mary Pham violated the Act by failing to timely file two  
4 pre-election campaign statements, one semiannual campaign statement and one 24-hour contribution  
5 report; failing to accurately report all expenditures; failing to use one campaign bank account and  
6 failing to maintain adequate campaign records.

### 7 **SUMMARY OF THE LAW**

8 The Act and its regulations are amended from time to time. The discussion below regarding  
9 jurisdiction, the standard for finding probable cause, and the contents of the probable cause report  
10 includes references to current law. Unless otherwise noted, all other legal references and discussions of  
11 law pertain to the Act’s provisions as they existed at the time of the violations in this case.

#### 12 Jurisdiction

13 The Fair Political Practices Commission (the “Commission”) has primary responsibility for the  
14 impartial, effective administration and implementation of the Act.<sup>2</sup> This includes enforcement through  
15 administrative prosecution.<sup>3</sup> However, before the Commission’s Enforcement Division may commence  
16 administrative prosecution by filing/serving an Accusation, a hearing officer (either the General  
17 Counsel of the Commission or another attorney in the Commission’s Legal Division) must determine  
18 whether there is probable cause that supports a reasonable belief or strong suspicion that one or more  
19 violations of the Act occurred.<sup>4</sup> Any finding of probable cause is required by law to be announced  
20 publicly, which includes the posting of a summary of the allegations on the Commission’s website.<sup>5</sup>  
21  
22

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23  
24 <sup>1</sup> 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 Practice Commission are contained in §§ 18110 through 18997 of Title 2 of  
the California Code of Regulations, and all regulatory references are to this source.

25 <sup>2</sup> Section 83111.

26 <sup>3</sup> Section 83116.

27 <sup>4</sup> Sections 83115.5 and 83116; Regulations 18361, subd. (b), and 18361.4.

28 <sup>5</sup> Regulation 18361.4, subd. (g).



1 After a finding of probable cause, the Commission may then hold a hearing to determine what  
2 violations have occurred—and levy an administrative penalty of up to \$5,000 for each violation.<sup>6</sup>

3 Standard for Finding Probable Cause

4 For the hearing officer to make a finding of probable cause, it is only necessary that he or she be  
5 presented with evidence that sufficiently supports a reasonable belief or strong suspicion that the Act  
6 has been violated.<sup>7</sup> Probable cause may only be found if the Respondents were notified of the violations  
7 at least 21 days prior to the hearing officer’s consideration of the alleged violations.<sup>8</sup>

8 Contents of the Probable Cause Report

9 The probable cause report is required to contain a summary of the law and evidence that  
10 supports a finding of probable cause that each alleged violation of the Act has occurred, as well as a  
11 description of any exculpatory evidence indicating a violation alleged in the report did not occur. The  
12 evidence recited in the probable cause report may include hearsay.<sup>9</sup>

13 Need for Liberal Construction and Vigorous Enforcement of the Political Reform Act

14 When enacting the Act, the people of California found and declared that previous laws  
15 regulating political practices suffered from inadequate enforcement by state and local authorities.<sup>10</sup> For  
16 this reason, the Act is to be construed liberally to accomplish its purposes.<sup>11</sup>

17 One purpose of the Act is to promote transparency by ensuring that receipts and expenditures in  
18 election campaigns are fully and truthfully disclosed so that voters are fully informed and improper  
19 practices are inhibited.<sup>12</sup> Along these lines, the Act includes a comprehensive campaign reporting  
20 system.<sup>13</sup> Another purpose of the Act is to provide adequate enforcement mechanisms so that the Act  
21 will be “vigorously enforced.”<sup>14</sup>

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22 <sup>6</sup> Section 83116; Regulation 18361.4, subd. (g).

23 <sup>7</sup> Regulation 18361.4, subd. (a).

24 <sup>8</sup> Section 83115.5.

25 <sup>9</sup> Regulation 18361.4, subd. (b).

26 <sup>10</sup> Section 81001, subd. (h).

27 <sup>11</sup> Section 81003.

28 <sup>12</sup> Section 81002, subd. (a).

<sup>13</sup> Sections 84200, *et seq.*

<sup>14</sup> Section 81002, subd. (f).

1 Duty to File Campaign Statements

2 A “committee” includes any person or combination of persons who receives contributions  
3 totaling \$2,000 or more in a calendar year.<sup>15</sup> This is commonly known as a “recipient committee.” A  
4 recipient committee which is controlled by a candidate, or which acts jointly with a candidate in  
5 connection with the making of expenditures, is a “controlled committee.”<sup>16</sup>

6 At the core of the Act's campaign reporting system is the requirement that committees must file  
7 campaign statements and reports for certain periods and by certain deadlines. The Act requires  
8 candidates and their controlled committees to file campaign statements at specific times disclosing  
9 information regarding contributions received and expenditures made by the campaign committees.<sup>17</sup>

10 Duty to File Pre-Election Campaign Statements

11 The Act requires a candidate on the ballot to file two pre-election campaign statements before the  
12 election in which the candidate is listed on the ballot.<sup>18</sup> A candidate must file the first pre-election  
13 campaign statement for the period ending in 45 days before the election no later than 40 days before the  
14 election.<sup>19</sup> A candidate must file a second pre-election statement for the reporting period ending 17 days  
15 before the election no later than 12 days before the election.<sup>20</sup> If the person has not previously filed a  
16 campaign statement, the period covered begins on January 1.<sup>21</sup>

17 For the June 5, 2018 Primary Election, candidates and their controlled committees were required  
18 to file the first pre-election campaign statements for the period of January 1, 2018 to April 21, 2018, no  
19 later than April 26, 2018. Candidates and their controlled committees were also required to file the second  
20 pre-election campaign statement for the period of April 22, 2018 to May 19, 2018, no later than May 24,  
21 2018.

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22  
23 <sup>15</sup> Section 82013, subd. (a).

24 <sup>16</sup> Section 82016, subd. (a).

25 <sup>17</sup> Section 84200, *et seq.*

26 <sup>18</sup> Section 84200.5, subd. (a)(1).

27 <sup>19</sup> Section 84200.8, subd. (a).

28 <sup>20</sup> Section 84200.8, subd. (b).

<sup>21</sup> Section 82046, subd. (b).

1 Duty to File Semi-Annual Campaign Statements

2 A committee must file semi-annual campaign statements beginning in the period in which the  
3 committee qualified and continuing until the committee terminates.<sup>22</sup> A committee must file a semi-  
4 annual statement by January 31 for the period ending December 31 of the previous year, and by July 31  
5 for the period ending June 30.<sup>23</sup> Whenever the deadline falls on a Saturday, Sunday or official state  
6 holiday, the filing deadline for a statement shall be extended to the next regular business day.<sup>24</sup>

7 24-Hour Contribution Report

8 Under the Act, a “late contribution” includes a contribution that totals in the aggregate \$1,000 or  
9 more and is made to or received by a candidate, a controlled committee, or a committee formed or  
10 existing primary to support or oppose a candidate or measure during the 90-day preceding the date of  
11 the election, or on the date of the election, at which the candidate or measure is to be voted on.<sup>25</sup> Each  
12 candidate or committee that makes or receives a late contribution shall report the late contribution  
13 within 24 hours of the time it is made or received.<sup>26</sup>

14 One Designated Campaign Bank Account

15 To ensure full disclosure of campaign activity and to guard against improper use of campaign  
16 funds, a candidate must establish a single, designated campaign bank account upon filing a statement of  
17 intention to be a candidate.<sup>27</sup> All campaign contributions and loans must be deposited into the campaign  
18 account.<sup>28</sup> Personal funds of the candidate that will be used for the campaign must be deposited in the  
19 campaign account prior to expenditure.<sup>29</sup> All campaign expenditures must be made from the campaign  
20 account.<sup>30</sup>

21 \_\_\_\_\_  
22 <sup>22</sup> Section 84200, subd. (a).

23 <sup>23</sup> Section 84200.

24 <sup>24</sup> Regulation 18116, subd. (a).

25 <sup>25</sup> Section 82036, subd. (a).

26 <sup>26</sup> Section 84203.

27 <sup>27</sup> Section 85201, subd. (a).

28 <sup>28</sup> Section 85201, subd. (c).

<sup>29</sup> Section 85201, subd. (d).

<sup>30</sup> Section 85201, subd. (e).

1 Recordkeeping

2 It is the duty of each candidate and treasurer to maintain detailed accounts, records, bills, and  
3 receipts necessary to prepare campaign statements and to establish that campaign statements were  
4 properly filed.<sup>31</sup> A filer shall maintain the accounts, records, bills and receipts, and original source  
5 documentation for a period of four years following the date the campaign statement to which they relate  
6 is filed.<sup>32</sup>

7 Joint and Several Liability of Candidate, Committee, and Treasurer

8 It is the duty of a committee treasurer to ensure that the committee complies with the Act.<sup>33</sup> A  
9 treasurer may be held jointly and severally liable, along with the candidate and the committee, for  
10 violations committed by the committee.<sup>34</sup>

11 **SUMMARY OF THE EVIDENCE**

12 On June 6, 2018 the Enforcement Division received a filing officer referral from the Secretary  
13 of State’s Office regarding the Committee’s failure to timely file the first pre-election campaign  
14 statement in connection with the June 5, 2018 Primary Election. On December 23, 2020, the  
15 Enforcement Division received the FTB Audit report. According to the FTB audit report and campaign  
16 statements, the Committee qualified as a committee on March 7, 2018. During its lifetime, the  
17 Committee reported receiving \$22,569 in contributions and making \$22,529 in expenditures. The  
18 Committee terminated effective September 19, 2018.

19 **Failure to Timely File Statements and Reports**

20 According to the Secretary of State’s Office, the Committee filed the first pre-election  
21 statement, covering the period January 1, 2018 to April 21, 2018, on May 14, 2018, eighteen days late.  
22 The Committee filed an amended first pre-election statement on June 26, 2020. The Committee filed  
23 the second pre-election statement, covering the period April 22, 2018 to May 19, 2018, five days late

24 \_\_\_\_\_  
25 <sup>31</sup> Section 84104.

26 <sup>32</sup> Regulation 18401, subd. (b)(2).

27 <sup>33</sup> Sections 81004, 84100, 84104, and 84213; Regulation 18427.

28 <sup>34</sup> Sections 83116.5 and 91006.

1 on May 24, 2018. The Committee filed an amended second pre-election statement on June 26, 2020.  
 2 The Committee filed the semiannual campaign statement covering the period of May 20, 2018 to June  
 3 30, 2018 on September 20, 2018, 51 days late. The Committee amended the semi-annual statement on  
 4 June 26, 2020. Below is a chart summarizing the late filed statements:

STATEMENT	REPORTING PERIOD	DUE DATE	DATE FILED
First Pre-Election	1/1/2018 to 4/21/2018	4/26/2018	5/14/2018 (18 days late)  Amended: 6/26/2020
Second Pre-Election	4/22/2018 to 5/19/2018	5/24/2018	5/29/2018 (5 days late)  Amended: 6/26/2020
Semi-Annual	5/20/2018 to 6/30/2018	7/31/2018	9/20/18 (51 days late)  Amended: 6/26/2020

16  
 17 In addition, the Committee failed to timely file a 24-hour contribution report. According to bank  
 18 statements provided by Long Pham, the committee bank account shows a transfer from the account of  
 19 Mary Pham to the Committee on June 4, 2018 for \$2,000. For this contribution, no 24-hour  
 20 contribution report was timely filed. Below is a chart summarizing the missing filing:

STATEMENT	AMOUNT	CONTRIBUTOR	DUE DATE	DATE FILED
24-Hour Contribution Report	\$2,000	Mary Pham	6/5/2018	Not Filed

25  
 26 //

1 **Failure to Use One Campaign Bank Account**

2 Over its lifetime, the Committee reported receiving \$22,529 in contributions and making  
3 \$22,529 in expenditures. However, a review of the committee bank account revealed only \$6,249 was  
4 deposited into the committee bank account. The \$6,249 consisted of four deposits into the committee  
5 bank account: an online transfer from Mary Pham for \$2,000; a \$1,000 opening deposit; a deposit for  
6 \$2,899; and another deposit of \$350. The bank account shows the \$350 deposit was cashed out for  
7 \$349.73 the same day it was deposited. The Committee also reported receiving \$6,800 in non-monetary  
8 contributions. However, those could not be verified as being received as no records supporting those  
9 non-monetary contributions were provided to FTB or the Enforcement Division. Therefore,  
10 approximately \$7,951<sup>35</sup> in contributions were reported as received by Committee, but not deposited  
11 into the Committee bank account.

12 During the FTB audit, Long Pham stated since the Committee bank account lacked sufficient  
13 funds, campaign related expenses were paid using contributions deposited into his personal account.  
14 The Committee amended the pre-election campaign statement covering the period January 1, 2018 to  
15 April 21, 2018, to include additional information regarding \$14,384 in expenses. The Committee noted  
16 on the campaign statement those expenditures were made with Long Pham’s personal funds. Below is a  
17 summary of those expenses:

18

19 <b>Payee</b>	<b>Amount</b>	<b>Description</b>
20 Discount Printing	\$1,000	Campaign Paraphernalia/Misc
21 Orange County Commercial 22 Printing	\$1,400	Print Ads
23 United States Postal Service	\$1,250	Postage, Delivery and Messenger Services
24 BNSONS: Large Format 25 Printing and Graphics	\$1,540	Campaign Paraphernalia/Misc

26 <sup>35</sup> \$22,529 in total contributions - \$6,800 in nonmonetary contributions reported - \$6,249 through the bank account =  
27 \$7,951

Office Depot	\$652	Print Ads
Office Depot	\$1,042	Print Ads
Office Depot	\$1,700	Print Ads
United States Postal Service	\$2,400	Postage, Delivery and Messenger Services
Office Depot	\$3,400	Print Ads
	<b>\$14,384</b>	

In addition to the funds listed above, Long Pham stated, during both the FTB audit and the Enforcement Division investigation, that campaign contributions were deposited into his personal bank account to protect the contributors' identities. The FTB audit report states Long Pham "deposited the checks into his personal bank account to protect his contributors' identity as the checks were written to him rather than the Committee."

During a phone interview with Special Investigator Ann Flaherty, on December 7, 2022, Long Pham stated he did not report contributions from approximately fifteen contributors, which were deposited into his personal bank account for the purpose of protecting the contributor's identities. According to Long Pham, the checks were made out to himself at the request of his contributors, and then were deposited into Pham's personal account. Long Pham claims the amount of unreported contributions was approximately \$5,000. The Committee bank records do not reflect \$5,000 in deposits, as the total number of deposits was \$4,249. Ultimately, the total amount of unreported contributors cannot be confirmed because Long Pham refuses to provide the names of the contributors or amend the filings to include the required information regarding the contributors.

**Failure to Maintain Adequate Campaign Records**

Copies of contributors' checks, duplicate deposit slips, valuation letters and/or invoices, and contributor lists were not maintained for all reported contributions received totaling \$22,529 and for all reported expenditures totaling \$22,529. The entirety of records available included bank statements for the period covering the audit and five cancelled checks.

1 Regarding contributions, the lack of records precluded the Enforcement Division from  
2 confirming the source of reported contributions totaling approximately \$7,591, which were not  
3 deposited into the Committee bank account, and reported as contributions. Long Pham and the  
4 Committee also failed to provide records to disclose the identity of additional contributors, for the  
5 purpose of intentionally concealing their identity. Regarding expenditures, the lack of records  
6 precluded the Enforcement Division from confirming the total amount of expenditures because a total  
7 of \$6,285 in expenditures were made through the Committee bank account, however the Committee  
8 reported \$22,529 in total expenditures.

9 Furthermore, a review of the committee bank account shows an online transfer from Mary Pham  
10 to the Committee in the amount of \$2,000 on June 4, 2018. The committee bank account also shows  
11 online transfers from the committee bank account to Mary Pham totaling \$3,700; \$500 on March 5,  
12 2018; \$100 on April 18, 2018; \$100 on April 26, 2018; \$2,000 on May 16, 2018; \$500 on June 8, 2018;  
13 and \$500 on June 13, 2018. However, since no supporting records are available, it is unclear from the  
14 campaign statements why \$3,700 was transferred to Mary Pham.

15 Overall, based on the inconsistency in the reporting on both the original and amended filings.  
16 The Enforcement Division believes the total reported contributions and expenditures may be inaccurate.  
17 However, the lack of records has precluded the Enforcement Division from making a determination  
18 regarding reporting violations. The lack of records also precluded both the FTB and the Enforcement  
19 Division from determining other violations of the Act including, but not limited to, failure to timely file  
20 24-hour contribution reports, receiving contributions over the limit, impermissible cash expenditures  
21 and personal use of campaign funds.

## 22 VIOLATIONS

### 23 Count 1: Failure to Timely File Pre-Election Campaign Statement

24 The Committee, Long Pham and Mary Pham failed to timely file the Committee's pre-election  
25 campaign statement for the reporting period of January 1, 2018 to April 21, 2018, in violation of Section  
26 84200.5, subdivision (a); and 84200.8, subdivision (a).



1 Count 2: Failure to Timely File Pre-Election Campaign Statement

2 The Committee, Long Pham and Mary Pham failed to timely file the Committee's pre-election  
3 campaign statement for the reporting period of April 22, 2018 to May 19, 2018, in violation of Section  
4 84200.5, subdivision (a); and 84200.8, subdivision (b).

5 Count 3: Failure to Timely File Semi-Annual Campaign Statement

6 The Committee, Long Pham and Mary Pham failed to timely file the Committee's semi-annual  
7 campaign statement for the reporting period of May 20, 2018 to June 30, 2018, in violation of Section  
8 84200, subdivision (a).

9 Count 4: Failure to Timely File a 24-Hour Contribution Report

10 The Committee, Long Pham and Mary Pham failed to timely file a 24-hour contribution report  
11 for a contribution in the amount of \$2,000 received on June 4, 2018, in violation of Section 84203.

12 Count 5: Failure to Use One Campaign Bank Account

13 The Committee, Long Pham, and Mary Pham failed to deposit approximately \$7,591 in  
14 contributions into the campaign bank account, in violation of Section 85201, subdivision (c) and (d).

15 Count 6: Failure to Use One Campaign Bank Account

16 The Committee, Long Pham and Mary Pham failed to pay approximately \$14,384 in  
17 expenditures from the designated campaign bank account, in violation of Section 85201, subdivisions  
18 (d) and (e).

19 Count 7: Recordkeeping

20 For the reporting period of January 1, 2018 to April 21, 2018, the Committee, Long Pham and  
21 Mary Pham failed to maintain supporting records for contributions received and expenditures made, in  
22 violation of Section 84104.

23 Count 8: Recordkeeping

24 For the reporting period of April 22, 2018 to May 19, 2018. the Committee, Long Pham and  
25 Mary Pham failed to maintain supporting records for contributions received and expenditures made, in  
26 violation of Section 84104.

1 Count 9: Recordkeeping

2 For the reporting period of May 20, 2018 to June 30, 2018. the Committee, Long Pham and  
3 Mary Pham failed to maintain supporting records for contributions received and expenditures made, in  
4 violation of Government Code Section 84104.

5 **EXCULPATORY INFORMATION**

6 Long Pham was cooperative with the FTB in their investigation into the potential violations in  
7 this case. According to the FTB Audit Report, Long Pham stated he misplaced the records while re-  
8 locating after the election.

9 **OTHER RELEVANT EVIDENCE**

10 Long Pham has run for office eleven times between 1995 and 2023. In each election, Mary  
11 Pham served as the treasurer. Long Pham claims he could not afford to hire a professional treasurer.  
12 Therefore, respondents should have been aware of the requirements of the Act.

13 **CONCLUSION**

14 Probable cause exists to believe the Committee, Long Pham and Mary Pham violated the Act as  
15 detailed above. The Enforcement Division respectfully requests an order finding probable cause  
16 pursuant to Section 83115.5 and Regulation 18361.4.

17 Dated: February 14, 2023

18 Respectfully Submitted,

19 **FAIR POLITICAL PRACTICES COMMISSION**

20 Christopher B. Burton  
21 Acting Enforcement Chief

22 

23 By: Marissa Nash  
24 Commission Counsel  
25 Enforcement Division

**Exhibit A-2**

## 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, Suite 3000, Sacramento, California 95811. On February 14, 2023, I served the following document(s):

1. Letter dated February 14, 2023 from Marissa Nash;
2. FPPC Case No. 2018-00569 Report in Support of a Finding of Probable Cause;
3. Probable Cause Fact Sheet;
4. Selected Sections of the California Government Code regarding Probable Cause Proceedings for the Fair Political Practices Commission; and
5. Selected Regulations of the Fair Political Practices Commission regarding Probable Cause Proceedings

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 personal service. At \_\_\_\_\_ a.m./p.m.: \_\_\_\_\_

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

By providing the document(s) listed above with instructions for registered process server to personally deliver the envelope(s) to the person(s) at the address(es) set forth on the service list below. **The signed proof of service by the registered process server will be attached as soon as it is available.**

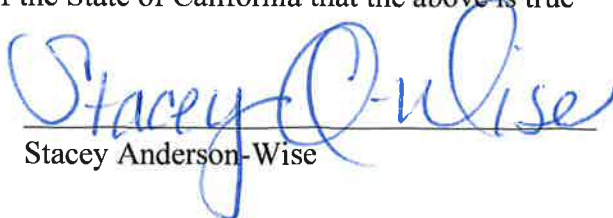
By United States Postal Service. I enclosed the documents in a sealed envelope or package addressed to the person at the address listed below and placed the envelope or package for collection and mailing by certified mail, return receipt requested, following my company's ordinary business practices. I am readily familiar with this business' practice for collection and processing correspondence for mailing with the United States Postal Service. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, with postage fully prepaid.

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

**Pham for Assembly 2018  
Long Pham, Candidate  
Mary Pham, Treasurer  
9460 Daisy Ave  
Fountain Valley, CA 92708**

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on February 14, 2023

  
\_\_\_\_\_  
Stacey Anderson-Wise

7020 0640 0002 2661 7030

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Long Pham, individually O/B/O Pham for  
Assembly 2018

9460 Daisy Ave

Fountain Vallev. CA 92708


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February 17, 2023, 3:30 pm

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**FAQs**

**Exhibit A-3**



1 CHRISTOPHER B. BURTON  
Acting Chief of Enforcement  
2 MARISSA CORONA  
Commission Counsel  
3 **FAIR POLITICAL PRACTICES COMMISSION**  
1102 Q Street, Suite 3050  
Sacramento, CA 95811  
4 Telephone: (916) 322-5772  
5 Email: [MCorona@fppc.ca.gov](mailto:MCorona@fppc.ca.gov)

6 Attorneys for Complainant

7 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

8 STATE OF CALIFORNIA

9  
10 In the Matter of ) FPPC No. 2018-00569  
 )  
11 PHAM FOR ASSEMBLY 2018, LONG ) EX PARTE REQUEST FOR A FINDING OF  
PHAM AND MARY PHAM ) PROBABLE CAUSE AND AN ORDER THAT  
12 ) AN ACCUSATION BE PREPARED AND  
 ) SERVED  
13 Respondents. ) Gov. Code § 83115.5  
 )  
14 )

15 **TO THE HEARING OFFICER OF THE FAIR POLITICAL PRACTICES COMMISSION:**

16 Pursuant to Section 83115.5 of the Political Reform Act (the “Act”)<sup>1</sup> and Regulation 18361.4,  
17 Respondents Long Pham (“Pham”) and Mary Pham were served with a copy of a report in support of a  
18 finding of probable cause (“PC Report”) in the above-entitled matter.<sup>2</sup> The PC Report, attached as “Exhibit  
19 A,” was part of a packet of materials, including a cover letter and a memorandum describing probable  
20 cause proceedings, which was sent to Pham and Mary Pham on February 14, 2023 by certified mail, with  
21 return receipt requested, and was delivered on February 17, 2023. A copy of the return receipt is attached  
22 as “Exhibit B.”

23 ///

24 \_\_\_\_\_  
25 <sup>1</sup> 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.

26 <sup>2</sup> Gov. Code § 83115.5; Cal. Code Reg., tit. 2, § 18361.4.

1 In the cover letter dated February 14, 2023, and the attached materials, Pham and Mary Pham were  
2 advised that they could respond in writing to the PC Report and orally present the case to the Hearing  
3 Officer at a probable cause conference to be held in Sacramento. Pham and Mary Pham were further  
4 advised that in order to have a probable cause conference they needed to make a written request for one  
5 within 21 days of receiving the PC Report, or the date requested records were sent by the Enforcement  
6 Division. Additionally, Pham and Mary Pham were advised that if they did not request a probable cause  
7 conference, such a conference would not be held and probable cause would be determined based solely  
8 on the PC Report and any written response that he submitted within 21 days of the date he was served  
9 with the PC Report, or the date requested records were sent by the Enforcement Division. To date, Pham  
10 and Mary Pham have not submitted a written response or requested a probable cause conference.

11 WHEREFORE, based on the attached PC Report, the Enforcement Division requests a finding by  
12 the Hearing Officer that probable cause exists to believe that the Respondents committed nine violations  
13 of the Act, stated as follows:

14 Count 1: Failure to Timely File Pre-Election Campaign Statement

15 The Committee, Long Pham and Mary Pham failed to timely file the Committee's pre-election  
16 campaign statement for the reporting period of January 1, 2018 to April 21, 2018, in violation of Section  
17 84200.5, subdivision (a); and 84200.8, subdivision (a).

18 Count 2: Failure to Timely File Pre-Election Campaign Statement

19 The Committee, Long Pham and Mary Pham failed to timely file the Committee's pre-election  
20 campaign statement for the reporting period of April 22, 2018 to May 19, 2018, in violation of Section  
21 84200.5, subdivision (a); and 84200.8, subdivision (b).

22 Count 3: Failure to Timely File Semi-Annual Campaign Statement

23 The Committee, Long Pham and Mary Pham failed to timely file the Committee's semi-annual  
24 campaign statement for the reporting period of May 20, 2018 to June 30, 2018, in violation of Section  
25 84200, subdivision (a).

26 //

1 Count 4: Failure to Timely File a 24-Hour Contribution Report

2 The Committee, Long Pham and Mary Pham failed to timely file a 24-hour contribution report  
3 for a contribution in the amount of \$2,000 received on June 4, 2018, in violation of Section 84203.

4 Count 5: Failure to Use One Campaign Bank Account

5 The Committee, Long Pham, and Mary Pham failed to deposit approximately \$7,591 in  
6 contributions into the campaign bank account, in violation of Section 85201, subdivision (c) and (d).

7 Count 6: Failure to Use One Campaign Bank Account

8 The Committee, Long Pham and Mary Pham failed to pay approximately \$14,384 in  
9 expenditures from the designated campaign bank account, in violation of Section 85201, subdivisions  
10 (d) and (e).

11 Count 7: Recordkeeping

12 For the reporting period of January 1, 2018 to April 21, 2018, the Committee, Long Pham and  
13 Mary Pham failed to maintain supporting records for contributions received and expenditures made, in  
14 violation of Section 84104.

15 Count 8: Recordkeeping

16 For the reporting period of April 22, 2018 to May 19, 2018. the Committee, Long Pham and  
17 Mary Pham failed to maintain supporting records for contributions received and expenditures made, in  
18 violation of Section 84104.

19 Count 9: Recordkeeping

20 For the reporting period of May 20, 2018 to June 30, 2018. the Committee, Long Pham and  
21 Mary Pham failed to maintain supporting records for contributions received and expenditures made, in  
22 violation of Government Code Section 84104.

23 Additionally, after finding probable cause exists, the Enforcement Division requests an order by  
24 the Hearing Officer that an accusation be prepared against Pham and Mary Pham and served upon them.<sup>3</sup>

25 \_\_\_\_\_  
26 <sup>3</sup> Gov. Code § 11503.

1 A copy of this Request was mailed via U.S. Mail to the Respondents on June 20, 2023, at the last known  
2 address, as follows:

3  
4 Pham for Assembly 2018  
5 Long Pham, Candidate  
6 Mary Pham, Treasurer  
7 9460 Daisy Ave  
8 Fountain Valley, CA 92708

9  
10 Dated: June 20, 2023

11 Respectfully Submitted,

12  
13 **FAIR POLITICAL PRACTICES COMMISSION**

14 Christopher B. Burton  
15 Acting Chief of Enforcement

16  
17 

18  
19 \_\_\_\_\_  
20 By: Marissa Corona  
21 Commission Counsel  
22 Enforcement Division  
23  
24  
25  
26

**Exhibit A-4**

1 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

2 STATE OF CALIFORNIA

3  
4 In the Matter of ) FPPC No. 2018-00569  
5 PHAM FOR ASSEMBLY 2018, LONG )  
6 PHAM, MARY PHAM, ) FINDING OF PROBABLE CAUSE AND  
7 Respondents. ) ORDER TO PREPARE AND SERVE AN  
8 ) ACCUSATION  
9 ) Gov. Code § 83115.5  
10 )  
11 )

12 By means of an Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation  
13 Be Prepared and Served, dated June 20, 2023 the Enforcement Division submitted the above-entitled  
14 matter to the Hearing Officer for a determination of Probable Cause. As set forth in the Ex Parte Request  
15 for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served (“Ex Parte  
16 Request”), the Enforcement Division served a Report in Support of a Finding of Probable Cause (“PC  
17 Report”) on Respondents Long Pham (“Pham”) and Mary Pham on February 17, 2023 by certified mail,  
18 return receipt requested. Accompanying the PC Report was a packet of materials that informed the  
19 Respondents of their right to file a written response to the PC Report and to request a probable cause  
20 conference within 21 days following service of the PC Report, or transmittal of any requested records by  
21 the Enforcement Division. During the 21 days that followed service of the PC Report, Respondents did  
22 not file a response to the PC Report, request records, or request a probable cause conference. Pursuant to  
23 California Code of Regulations title 2, section 18361.4,<sup>1</sup> determination of probable cause may be made  
24 solely on papers submitted when the respondent does not request a probable cause conference.

25 In making a probable cause determination, it is the duty of the Hearing Officer of the Fair Political  
26 Practices Commission to determine whether probable cause exists to believe that a respondent violated  
27 the Political Reform Act as alleged by the Enforcement Division in the PC Report served on the  
28 respondent.

<sup>1</sup> The Political Reform Act is contained in Government Code sections 81000 through 91014. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations.

1 Probable cause to believe a violation has occurred can be found to exist when “the evidence  
2 sufficiently supports a reasonable belief or strong suspicion that the Act has been violated.”<sup>2</sup>

3 The PC Report served on Respondents Pham and Mary Pham and the subsequent Ex Parte Request  
4 in this matter alleges nine violations of the Political Reform Act were committed, as follows:

5 Count 1: Failure to Timely File Pre-Election Campaign Statement

6 The Committee, Long Pham and Mary Pham failed to timely file the Committee’s pre-election  
7 campaign statement for the reporting period of January 1, 2018 to April 21, 2018, in violation of Section  
8 84200.5, subdivision (a); and 84200.8, subdivision (a).

9 Count 2: Failure to Timely File Pre-Election Campaign Statement

10 The Committee, Long Pham and Mary Pham failed to timely file the Committee’s pre-election  
11 campaign statement for the reporting period of April 22, 2018 to May 19, 2018, in violation of Section  
12 84200.5, subdivision (a); and 84200.8, subdivision (b).

13 Count 3: Failure to Timely File Semi-Annual Campaign Statement

14 The Committee, Long Pham and Mary Pham failed to timely file the Committee’s semi-annual  
15 campaign statement for the reporting period of May 20, 2018 to June 30, 2018, in violation of Section  
16 84200, subdivision (a).

17 Count 4: Failure to Timely File a 24-Hour Contribution Report

18 The Committee, Long Pham and Mary Pham failed to timely file a 24-hour contribution report  
19 for a contribution in the amount of \$2,000 received on June 4, 2018, in violation of Section 84203.

20 Count 5: Failure to Use One Campaign Bank Account

21 The Committee, Long Pham, and Mary Pham failed to deposit approximately \$7,591 in  
22 contributions into the campaign bank account, in violation of Section 85201, subdivision (c) and (d).

23 Count 6: Failure to Use One Campaign Bank Account

24 The Committee, Long Pham and Mary Pham failed to pay approximately \$14,384 in  
25 expenditures from the designated campaign bank account, in violation of Section 85201, subdivisions  
26 (d) and (e).

26 //

27 <sup>2</sup> Cal. Code Reg., tit. 2, § 18361.4, subd. (a).

1 Count 7: Recordkeeping

2 For the reporting period of January 1, 2018 to April 21, 2018, the Committee, Long Pham and  
3 Mary Pham failed to maintain supporting records for contributions received and expenditures made, in  
4 violation of Section 84104.

5 Count 8: Recordkeeping

6 For the reporting period of April 22, 2018 to May 19, 2018. the Committee, Long Pham and  
7 Mary Pham failed to maintain supporting records for contributions received and expenditures made, in  
8 violation of Section 84104.

9 Count 9: Recordkeeping

10 For the reporting period of May 20, 2018 to June 30, 2018. the Committee, Long Pham and  
11 Mary Pham failed to maintain supporting records for contributions received and expenditures made, in  
12 violation of Government Code Section 84104.

13 Based on the Ex Parte Request given to me, I find that notice has been given to Pham and Mary  
14 Pham.<sup>3</sup> I further find, based on the PC Report and the Ex Parte Request, that there is probable cause to  
15 believe that the Respondents Pham and Mary Pham violated the Political Reform Act as alleged in Counts  
16 1-9 as identified above.

17 I therefore direct that the Enforcement Division issue an accusation against the Respondents in  
18 accordance with this finding.

19 IT IS SO ORDERED.

20  
21 Dated: 06-22-2023

Jack Woodside

22  
23 Hearing Officer  
24 Fair Political Practices Commission

25  
26  
27 \_\_\_\_\_  
28 <sup>3</sup> Government Code § 83115.5; Cal. Code Reg., tit. 2, §18361.4, subd. (c).



**Exhibit A-5**

1 JAMES M. LINDSAY  
Chief of Enforcement  
2 MARISSA CORONA  
Commission Counsel  
3 **FAIR POLITICAL PRACTICES COMMISSION**  
1102 Q St, Suite 3050  
4 Sacramento, CA 95811  
Telephone: (279) 237-5932  
5 Email: mcorona@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: ) FPPC No. 18/569  
12 )  
13 PHAM FOR ASSEMBLY 2018, LONG ) **ACCUSATION**  
14 PHAM and MARY PHAM, )  
15 Respondents. ) (Gov. Code §11503)  
16 )  
17 )

18 Complainant, the Enforcement Division of the Fair Political Practices Commission, after a finding  
19 of probable cause pursuant to Government Code Section 83115.5, alleges the following:

20 **JURISDICTION**

21 1. Complainant is the Enforcement Division of the Fair Political Practices Commission (the  
22 “Commission”) and makes this Accusation in its official capacity and in the public interest.

23 2. The authority to bring this action is derived from Title 2, California Code of Regulations,  
24 Sections 18361 and 18361.4, subdivision (g), and the statutory law of the State of California, specifically  
25 including, but not limited to, Government Code Sections 83111, 83116, and 91000.5, which assign to the  
26 Enforcement Division the duty to administer, implement, and enforce the provisions of the Political  
27 Reform Act, found at Government Code Sections 81000 through 91014.

28 ///



1 **B. Duty to File Campaign Statements**

2 12. At the core of the Act's campaign reporting system is the requirement that committees must  
3 file campaign statements and reports for certain periods and by certain deadlines. The Act requires  
4 candidates and their controlled committees to file campaign statements at specific times disclosing  
5 information regarding contributions received and expenditures made by the campaign committees.<sup>6</sup>

6 **C. Duty to File Pre-Election Campaign Statements**

7 13. The Act requires a candidate on the ballot to file two pre-election campaign statements  
8 before the election in which the candidate is listed on the ballot.<sup>7</sup> A candidate must file the first pre-  
9 election campaign statement for the period ending in 45 days before the election no later than 40 days  
10 before the election.<sup>8</sup> A candidate must file a second pre-election statement for the reporting period ending  
11 17 days before the election no later than 12 days before the election.<sup>9</sup> If the person has not previously filed  
12 a campaign statement, the period covered begins on January 1.<sup>10</sup>

13 14. For the June 5, 2018 Primary Election, candidates and their controlled committees were  
14 required to file the first pre-election campaign statements for the period of January 1, 2018 to April 21,  
15 2018, no later than April 26, 2018. Candidates and their controlled committees were also required to file  
16 the second pre-election campaign statement for the period of April 22, 2018 to May 19, 2018, no later  
17 than May 24, 2018.

18 **D. Duty to file Semi-Annual Campaign Statements**

19 15. A committee must file semi-annual campaign statements beginning in the period in which  
20 the committee qualified and continuing until the committee terminates.<sup>11</sup> A committee must file a  
21 semiannual statement by January 31 for the period ending December 31 of the previous year, and by July  
22 31 for the period ending June 30.<sup>12</sup> Whenever the deadline falls on a Saturday, Sunday or official state  
23 holiday, the filing deadline for a statement shall be extended to the next regular business day.<sup>13</sup>

---

24  
25 <sup>6</sup> Section 84200, et seq.  
26 <sup>7</sup> Section 84200.5, subd. (a)(1).  
27 <sup>8</sup> Section 84200.8, subd. (a).  
28 <sup>9</sup> Section 84200.8, subd. (b).  
<sup>10</sup> Section 82046, subd. (b).  
<sup>11</sup> Section 84200, subd. (a).  
<sup>12</sup> Section 84200.  
<sup>13</sup> Regulation 18116, subd. (a).

1 **E. 24-Hour Contribution Reports**

2 16. Under the Act, a “late contribution” includes a contribution that totals in the aggregate  
3 \$1,000 or more and is made to or received by a candidate, a controlled committee, or a committee formed  
4 or existing primary to support or oppose a candidate or measure during the 90-day preceding the date of  
5 the election, or on the date of the election, at which the candidate or measure is to be voted on.<sup>14</sup> Each  
6 candidate or committee that makes or receives a late contribution shall report the late contribution within  
7 24 hours of the time it is made or received.<sup>15</sup>

8 **F. One Designated Campaign Bank Account**

9 17. To ensure full disclosure of campaign activity and to guard against improper use of  
10 campaign funds, a candidate must establish a single, designated campaign bank account upon filing a  
11 statement of intention to be a candidate.<sup>16</sup> All campaign contributions and loans must be deposited into  
12 the campaign account.<sup>17</sup> Personal funds of the candidate that will be used for the campaign must be  
13 deposited in the campaign account prior to expenditure.<sup>18</sup> All campaign expenditures must be made from  
14 the campaign account.<sup>19</sup>

15 **G. Recordkeeping**

16 18. It is the duty of each candidate and treasurer to maintain detailed accounts, records, bills,  
17 and receipts necessary to prepare campaign statements and to establish that campaign statements were  
18 properly filed.<sup>20</sup> A filer shall maintain the accounts, records, bills and receipts, and original source  
19 documentation for a period of four years following the date the campaign statement to which they relate  
20 is filed.<sup>21</sup>

21 ///

22 ///

23 ///

24 \_\_\_\_\_  
25 <sup>14</sup> Section 82036, subd. (a).

26 <sup>15</sup> Section 84203.

27 <sup>16</sup> Section 85201, subd. (a).

28 <sup>17</sup> Section 85201, subd. (c).

<sup>18</sup> Section 85201, subd. (d).

<sup>19</sup> Section 85201, subd. (e).

<sup>20</sup> Section 84104.

<sup>21</sup> Regulation 18401, subd. (b)(2).

1 **H. Joint and Several Liability of Candidate, Committee, and Treasurer**

2 19. It is the duty of a committee treasurer to ensure that the committee complies with the Act.<sup>22</sup>  
3 A treasurer may be held jointly and severally liable, along with the candidate and the committee, for  
4 violations committed by the committee.<sup>23</sup>

5 **I. Factors to be Considered by the Fair Political Practices Commission**

6 20. In framing a proposed order following a finding of a violation pursuant to Government  
7 Code Section 83116, the Commission and the administrative law judge shall consider all the  
8 surrounding circumstances including but not limited to the following factors set forth in Regulation  
9 18361.5 subdivision (e)(1) through (8): (1) The extent and gravity of the public harm caused by the  
10 specific violation; (2) The level of experience of the violator with the requirements of the Political  
11 Reform Act; (3) Penalties previously imposed by the Commission in comparable cases; (4) The presence  
12 or absence of any intention to conceal, deceive or mislead; (5) Whether the violation was deliberate,  
13 negligent or inadvertent; (6) Whether the violator demonstrated good faith by consulting the  
14 Commission staff or any other governmental agency in a manner not constituting complete defense  
15 under Government Code Section 83114(b); (7) Whether the violation was isolated or part of a pattern  
16 and whether the violator has a prior record of violations of the Political Reform Act or similar laws; and  
17 (8) Whether the violator, upon learning of a reporting violation, voluntarily filed amendments to provide  
18 full disclosure.<sup>24</sup>

19 **GENERAL FACTS**

20 21. According to campaign statements, the Committee qualified as a committee on March 7,  
21 2018.

22 22. During its lifetime, the Committee reported \$22,529 in contributions and \$22,529 in  
23 expenditures.

24 23. The Committee terminated effective September 19, 2018.

25 24. On December 23, 2020, the Enforcement Division received an audit from the Franchise  
26 Tax Board (“FTB”) covering the period of January 1, 2018 through June 30, 2018.

27 <sup>22</sup> Sections 81004, 84100, 84104, and 84213; Regulation 18427.

28 <sup>23</sup> Sections 83116.5 and 91006.

<sup>24</sup> Regulation 18361.5, subd. (e).

1 *Failure to Timely File Statements and Reports*

2 25. On June 6, 2018 the Enforcement Division received a filing officer referral from the  
3 Secretary of State’s Office (“SOS”) regarding the Committee’s failure to timely file the first pre-election  
4 campaign statement in connection with the June 5, 2018 Primary Election.

5 26. According to SOS, the Committee filed the first pre-election campaign statement for the  
6 reporting period of January 1, 2018 through April 21, 2018 on May 14, 2018, 18 days late.

7 27. The Committee filed an amended first pre-election campaign statement on June 26, 2020  
8 to include additional information regarding \$14,384 in expenses.

9 28. The Committee filed the second pre-election statement for the reporting period of April  
10 22, 2018 through May 19, 2018 on May 24, 2018, five days late.

11 29. The Committee filed an amended second pre-election campaign statement on June 26,  
12 2020.

13 30. The Committee filed a semiannual campaign statement for the reporting period of May  
14 20, 2018 through June 30, 2018 on September 20, 2018, 51 days late.

15 31. The Committee amended the semiannual statement on June 26, 2020. Below is a chart  
16 summarizing the late filed statements:

17 <b>STATEMENT</b>	18 <b>REPORTING PERIOD</b>	19 <b>DUE DATE</b>	20 <b>DATE FILED</b>
21 First 22 Pre-Election	23 1/1/2018 to 24 4/21/2018	25 4/26/2018	26 5/14/2018 (18 days late) 27 Amended: 28 6/26/2020
Second Pre-Election	4/22/2018 to 5/19/2018	5/24/2018	5/29/2018 (5 days late) Amended: 6/26/2020
Semi-Annual	5/20/2018 to 6/30/2018	7/31/2018	9/20/18 (51 days late) Amended: 6/26/2020

32. According to bank statements provided by Long Pham, the campaign bank account  
showed a transfer from the account of Mary Pham on June 4, 2018 for \$2,000. For this contribution, no  
24-hour contribution report was filed.

STATEMENT	AMOUNT	CONTRIBUTOR	DUE DATE	DATE FILED
24-Hour Contribution Report	\$2,000	Mary Pham	6/5/2018	Not Filed

*Failure to Use One Campaign Bank Account*

33. Bank statements revealed that a total of \$6,249 was deposited into the campaign bank account despite the Committee reporting \$22,569 in total contributions on campaign statements.

34. The \$6,249 consisted of four deposits: an online transfer from Mary Pham for \$2,000, a \$1,000 opening deposit, a deposit for \$2,899, and another deposit of \$350. The bank account shows the \$350 deposit was cashed out for \$349.73 the same day it was deposited.

35. The Committee also reported receiving \$6,800 in non-monetary contributions.

36. The non-monetary contributions could not be verified as no records supporting those non-monetary contributions were provided to FTB or the Enforcement Division.

37. During the FTB Audit, Pham stated that since the campaign bank account lacked sufficient funds, campaign-related expenses were paid using contributions deposited into his personal account.

38. The amended first pre-election campaign statement for the reporting period of January 1, 2018 through April 21, 2018, included additional information regarding \$14,384 in expenses. The Committee noted on the campaign statement those expenditures were made with Pham's personal funds. Below is a summary of those expenses:

PAYEE	AMOUNT	DESCRIPTION
Discount Printing	\$1,000	Campaign Paraphernalia/Misc
Orange County Commercial Printing	\$1,400	Print Ads
United States Postal Service	\$1,250	Postage, Delivery and Messenger Services
BNSONS: Large Format Printing and Graphics	\$1,540	Campaign Paraphernalia/Misc
Office Depot	\$652	Print Ads
Office Depot	\$1,042	Print Ads
Office Depot	\$1,700	Print Ads



United States Postal Service	\$2,400	Postage, Delivery and Messenger Services
Office Depot	\$3,400	Print Ads
	<b>\$14,384</b>	

39. The FTB audit report stated Pham “deposited the checks into his personal bank account to protect his contributors’ identity as the checks were written to him rather than the Committee.”

40. During a phone interview with Special Investigator Ann Flaherty, on December 7, 2022, Pham stated he did not report contributions from approximately fifteen contributors, which were deposited into his personal bank account for the purpose of protecting the contributor’s identities.

41. According to Pham, the checks were made out to himself at the request of his contributors and then were deposited into Pham’s personal account. Pham claims the amount of unreported contributions was approximately \$5,000.

42. The Committee bank records do not reflect \$5,000 in deposits. The total number of deposits was \$4,249.

43. Ultimately, the total amount of contributions from unreported contributors cannot be confirmed because Pham declined to provide the names of contributors or has failed to amend the filings to include the required information.

*Failure to Maintain Adequate Campaign Records*

44. Copies of contributors’ checks, duplicate deposit slips, valuation letters and/or invoices, and contributor lists were not maintained for all reported contributions totaling \$22,529 and for all reported expenditures totaling \$22,529.

45. The entirety of records available to the Enforcement Division included bank statements and five cancelled checks for the audit period, January 1, 2018 through June 30, 2018.

46. The lack of records precluded the Enforcement Division from confirming the source of reported contributions and the total amount of expenditures.

47. A review of the Committee’s bank statements shows an online transfer from Mary Pham to the Committee in the amount of \$2,000 on June 4, 2018. Online transfers in the amount of \$500 on

1 March 5, 2018; \$100 on April 18, 2018; \$100 on April 26, 2018; \$2,000 on May 16, 2018; \$500 on June  
2 8, 2018; and \$500 on June 13, 2018 were made to Mary Pham out of the campaign bank account.

3 48. Since no supporting records are available, it is unclear from the campaign statements why  
4 these transfers totaling \$3,700 were made to Mary Pham.

5 49. Overall, the Enforcement Division believes the total reported contributions and  
6 expenditures may be inaccurate based on the inconsistency in the reporting on both the original and  
7 amended filings.

8 50. The lack of records precluded both the FTB and the Enforcement Division from  
9 determining reporting violations and other violations of the Act, including, but not limited to, failure to  
10 timely file 24-hour contribution reports, receiving contributions over the limit, impermissible cash  
11 expenditures and personal use of campaign funds.

### 12 **PROCEDURAL HISTORY**

13 51. The Enforcement Division initiated an administrative action against the Committee, Long  
14 Pham, and Mary Pham in this matter by serving a packet containing a cover letter, a Report in Support of  
15 a Finding of Probable Cause (“PC Report”), a fact sheet regarding probable cause proceedings, selected  
16 sections of the Government Code regarding probable cause proceedings for the Commission, and selected  
17 regulations of the Commission regarding probable cause proceedings.

18 52. Long Pham and Mary Pham were served with the PC Report, individually and on behalf  
19 of the Committee, via certified mail on or about February 14, 2023. The information contained in the PC  
20 Report packet advised them that they had 21 days in which to request a probable cause conference, file a  
21 written response to the PC Report, or both. During the 21 days that followed service of the PC Report, the  
22 Committee, Long Pham, and Mary Pham did not file a response to the PC Report or request a probable  
23 cause conference.

24 53. On June 20, 2023, the Enforcement Division submitted the matter to the Hearing Officer  
25 for a finding of probable cause by means of an Ex Parte Request for a Finding of Probable Cause and an  
26 Order that an Accusation Be Prepared and Served (“Ex Parte Request”).  
27  
28

54. On or about June 22, 2023, the Hearing Officer issued an order finding, based on the Ex Parte Request and the PC Report, that there was probable cause to believe the Committee, Long Pham, and Mary Pham violated the Act and directed the Enforcement Division to issue an Accusation against the Committee, Long Pham, and Mary Pham in accordance with the finding.

**VIOLATIONS**

55. The Committee, Long Pham, and Mary Pham committed nine violations of the Act as follows:

**Count 1**

**Failure to Timely File Pre-Election Campaign Statement**

56. Complainant incorporates paragraphs 1 – 55 of this Accusation, as though completely set forth here.

57. The Committee, Long Pham, and Mary Pham had a duty to timely file a pre-election campaign statement for the reporting period of January 1, 2018 to April 21, 2018 by the April 26, 2018 deadline.

58. The Committee, Long Pham, and Mary Pham failed to timely file the pre-election campaign statement for the reporting period of January 1, 2018 to April 21, 2018 by the April 26, 2018 deadline.

59. By failing to timely file the pre-election campaign statement by the April 26, 2018 deadline, the Committee, Long Pham, and Mary Pham violated Government Code Sections 84200.5 subdivision (a) and 84200.8 subdivision (a).

**Count 2**

**Failure to Timely File Pre-Election Campaign Statement**

60. Complainant incorporates paragraphs 1 – 59 of this Accusation, as though completely set forth here.

61. The Committee, Long Pham, and Mary Pham had a duty to timely file a pre-election campaign statement for the reporting period of April 22, 2018 to May 19, 2018 by the May 24, 2018 deadline.



1 71. By failing to timely file a 24-hour contribution report by the June 5, 2018 deadline, the  
2 Committee, Long Pham, and Mary Pham violated Government Code Section 84203.

3 **Count 5**

4 **Failure to Use One Campaign Bank Account**

5 72. Complainant incorporates paragraphs 1 – 71 of this Accusation, as though completely set  
6 forth here.

7 73. The Committee, Long Pham, and Mary Pham had a duty utilize a single, designated  
8 campaign bank account for all contributions and all deposits.

9 74. The Committee, Long Pham, and Mary Pham failed to deposit approximately \$7,591 in  
10 contributions into the campaign bank account.

11 75. By failing to utilize a single, designated campaign bank account for all contributions and  
12 all deposits, the Committee, Long Pham, and Mary Pham violated Government Code Section 85201  
13 subdivisions (c) and (d).

14 **Count 6**

15 **Failure to Use One Campaign Bank Account**

16 76. Complainant incorporates paragraphs 1 – 75 of this Accusation, as though completely set  
17 forth here.

18 77. The Committee, Long Pham, and Mary Pham had a duty utilize a single, designated  
19 campaign bank account for all expenditures.

20 78. The Committee, Long Pham, and Mary Pham failed to pay approximately \$14,384 in  
21 expenditures from the campaign bank account.

22 79. By failing to utilize a single, designated campaign bank account for all expenditures, the  
23 Committee, Long Pham, and Mary Pham violated Government Code Section 85201 subdivisions (d) and  
24 (e).

25 **Count 7**

26 **Recordkeeping**

27 80. Complainant incorporates paragraphs 1 – 79 of this Accusation, as though completely set  
28 forth here.

1 81. The Committee, Long Pham, and Mary Pham had a duty to maintain detailed accounts,  
2 records, bills, and receipts necessary to prepare campaign statements.

3 82. The Committee, Long Pham, and Mary Pham failed to maintain detailed accounts,  
4 records, bills, and receipts necessary to prepare the campaign statement for the reporting period of  
5 January 1, 2018 to April 21, 2018.

6 83. By failing to maintain detailed accounts, records, bills, and receipts necessary to prepare  
7 campaign statements, the Committee, Long Pham, and Mary Pham violated Government Code Section  
8 84104.

9 **Count 8**

10 **Recordkeeping**

11 84. Complainant incorporates paragraphs 1 – 83 of this Accusation, as though completely set  
12 forth here.

13 85. The Committee, Long Pham, and Mary Pham had a duty to maintain detailed accounts,  
14 records, bills, and receipts necessary to prepare campaign statements.

15 86. The Committee, Long Pham, and Mary Pham failed to maintain detailed accounts,  
16 records, bills, and receipts necessary to prepare the campaign statement for the reporting period of April  
17 22, 2018 to May 19, 2018.

18 87. By failing to maintain detailed accounts, records, bills, and receipts necessary to prepare  
19 campaign statements, the Committee, Long Pham, and Mary Pham violated Government Code Section  
20 84104.

21 **Count 9**

22 **Recordkeeping**

23 88. Complainant incorporates paragraphs 1 – 87 of this Accusation, as though completely set  
24 forth here.

25 89. The Committee, Long Pham, and Mary Pham had a duty to maintain detailed accounts,  
26 records, bills, and receipts necessary to prepare campaign statements.

1           90.     The Committee, Long Pham, and Mary Pham failed to maintain detailed accounts,  
2 records, bills, and receipts necessary to prepare the campaign statement for the reporting period of May  
3 20, 2018 to June 30, 2018.

4           91.     By failing to maintain detailed accounts, records, bills, and receipts necessary to prepare  
5 campaign statements, the Committee, Long Pham, and Mary Pham violated Government Code Section  
6 84104.

7                                   **MITIGATING OR EXCULPATORY FACTORS**

8           92.     Pham was cooperative with the FTB in their investigation into the potential violations in  
9 this case. According to the FTB Audit Report, Pham stated he misplaced the records while relocating after  
10 the election.

11                                   **AGGRAVATING FACTORS AND OTHER RELEVANT MATERIALS**

12           93.     Pham ran for office eleven times between 1995 and 2023. In each election, Mary Pham  
13 served as the treasurer. Pham claims he could not afford to hire a professional treasurer. Therefore,  
14 respondents should have been aware of the Act's requirements.

15           94.     The lack of records precluded both the FTB and the Enforcement Division from  
16 determining reporting violations and other violations of the Act.

17           95.     Long Pham stated to the FTB and the Enforcement Division that he did not report  
18 contributions from approximately fifteen contributors to protect the contributor's identities.

19           96.     Ultimately, the total amount of unreported contributors cannot be confirmed because  
20 Long Pham refuses to provide the names of the contributors or amend the filings to include the required  
21 information regarding the contributors.

22                                   **PRAYER**

23 WHEREFORE, Complainant prays as follows:

- 24           1.     That the Fair Political Practices Commission hold a hearing pursuant to Section 83116 and  
25                 Regulation 18361.5, and at such hearing find that the Committee, Long Pham, and Mary  
26                 Pham violated the Act as alleged herein;

- 1           2.     That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
2           order the Committee, Long Pham, and Mary Pham to pay a monetary penalty of up to \$5,000  
3           for the violation of the Political Reform Act alleged in **Count 1**;
- 4           3.     That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
5           order the Committee, Long Pham, and Mary Pham to pay a monetary penalty of up to \$5,000  
6           for the violation of the Political Reform Act alleged in **Count 2**;
- 7           4.     That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
8           order the Committee, Long Pham, and Mary Pham to pay a monetary penalty of up to \$5,000  
9           for the violation of the Political Reform Act alleged in **Count 3**;
- 10          5.     That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
11          order the Committee, Long Pham, and Mary Pham to pay a monetary penalty of up to \$5,000  
12          for the violation of the Political Reform Act alleged in **Count 4**;
- 13          6.     That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
14          order the Committee, Long Pham, and Mary Pham to pay a monetary penalty of up to \$5,000  
15          for the violation of the Political Reform Act alleged in **Count 5**;
- 16          7.     That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
17          order the Committee, Long Pham, and Mary Pham to pay a monetary penalty of up to \$5,000  
18          for the violation of the Political Reform Act alleged in **Count 6**;
- 19          8.     That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
20          order the Committee, Long Pham, and Mary Pham to pay a monetary penalty of up to \$5,000  
21          for the violation of the Political Reform Act alleged in **Count 7**;
- 22          9.     That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
23          order the Committee, Long Pham, and Mary Pham to pay a monetary penalty of up to \$5,000  
24          for the violation of the Political Reform Act alleged in **Count 8**;
- 25          10.    That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
26          order the Committee, Long Pham, and Mary Pham to pay a monetary penalty of up to \$5,000  
27          for the violation of the Political Reform Act alleged in **Count 9**;
- 28



1 11. That the Fair Political Practices Commission, pursuant to Regulation 18361.5, subdivision  
2 (e), consider the following factors in framing a proposed order following a finding of a  
3 violation pursuant to Section 83116: (1) The extent and gravity of the public harm caused  
4 by the specific violation; (2) The level of experience of the violator with the requirements  
5 of the Political Reform Act; (3) Penalties previously imposed by the Commission in  
6 comparable cases; (4) The presence or absence of any intention to conceal, deceive or  
7 mislead; (5) Whether the violation was deliberate, negligent or inadvertent; (6) Whether the  
8 violator demonstrated good faith by consulting the Commission staff or any other  
9 governmental agency in a manner not constituting complete defense under Government  
10 Code Section 83114(b); (7) Whether the violation was isolated or part of a pattern and  
11 whether the violator has a prior record of violations of the Political Reform Act or similar  
12 laws; and (8) Whether the violator, upon learning of a reporting violation, voluntarily filed  
13 amendments to provide full disclosure.

14 12. That the Fair Political Practices Commission grant such other and further relief as it deems  
15 just and proper.

16  
17 Dated: June 3, 2024

*James M. Lindsay*

James M. Lindsay, Chief of Enforcement  
Fair Political Practices Commission

**Exhibit A-6**

<b>ATTORNEY OR PARTY WITHOUT ATTORNEY:</b> Fair Political Practices Commission 1102 Q Street, Suite 3000 Sacramento, CA 95811  TELEPHONE NO.: (916) 322-8246 EMAIL ADDRESS: sgevorkyan@fppc.ca.gov ATTORNEY FOR:	<b>FOR COURT USE ONLY</b>
<b>FAIR POLITICAL PRACTICES COMMISSION COURT OF CALIFORNIA, COUNTY OF SACRAMENTO</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: Fair Political Practices Commission DEFENDANT: Pham for Assembly 2018, Long Pham and Mary Pham	<b>CASE NUMBER:</b> 18/569
<b>PROOF OF SERVICE</b>	<b>Ref. No. or File No.:</b> 18/569

1. I am over 18 years of age and not a party to this action.
2. Received by GSI to be served on **Long Pham, 9460 Daisy Ave., Fountain Valley, CA 92708.**
3. At the time of service I was at least 18 years of age and not a party to this action. I served copies of the Accusation
  - a. Party Served: Long Pham
  - b. Person Served: Long Pham, .
  - c. Address: 9460 Daisy Ave., Fountain Valley, CA 92708  
(Abode)
4. Date and Time of service: 7/8/2024 at 4:13 pm
5. I am an independent contractor of a registered California process server.
6. My name, address, telephone number, and, if applicable, county of registration and number are:
 

Name: Bryce Keizer  
 Firm: GSI  
 Address: 360 E. 1st St., Suite 773, Tustin, CA 92780  
 Telephone number: (714) 788-4860  
 Registration Number: PSC6332  
 County: Orange  
 The fee for the service was: \$75.00
7. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 7-16-24

Bryce Keizer

(TYPE OR PRINT NAME OF PERSON WHO SERVED THE PAPERS)



(SIGNATURE OF PERSON WHO SERVED THE PAPERS)

<b>ATTORNEY OR PARTY WITHOUT ATTORNEY:</b> Fair Political Practices Commission 1102 Q Street, Suite 3000 Sacramento, CA 95811  TELEPHONE NO.: (916) 322-8246 EMAIL ADDRESS: sgevorkyan@fppc.ca.gov ATTORNEY FOR:	<b>FOR COURT USE ONLY</b>
<b>FAIR POLITICAL PRACTICES COMMISSION COURT OF CALIFORNIA, COUNTY OF SACRAMENTO</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: Fair Political Practices Commission DEFENDANT: Pham for Assembly 2018, Long Pham and Mary Pham	<b>CASE NUMBER:</b> 18/569
<b>PROOF OF SERVICE</b>	<b>Ref. No. or File No.:</b> 18/569

1. I am over 18 years of age and not a party to this action.
2. Received by GSI to be served on **Mary Pham, 9460 Daisy Ave., Fountain Valley, CA 92708.**
3. At the time of service I was at least 18 years of age and not a party to this action. I served copies of the Accusation
  - a. Party Served: Mary Pham
  - b. Person Served: Long Pham, Co-Occupant
  - c. Address: 9460 Daisy Ave., Fountain Valley, CA 92708 (Abode)
4. Date and Time of service: 7/8/2024 at 4:13 pm
5. I am an independent contractor of a registered California process server.
6. My name, address, telephone number, and, if applicable, county of registration and number are:
 

Name: Bryce Keizer  
 Firm: GSI  
 Address: 360 E. 1st St., Suite 773, Tustin, CA 92780  
 Telephone number: (714) 788-4860  
 Registration Number: PSC6332  
 County: Orange  
 The fee for the service was: \$37.50
7. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 7-16-24

Bryce Keizer

(TYPE OR PRINT NAME OF PERSON WHO SERVED THE PAPERS)



(SIGNATURE OF PERSON WHO SERVED THE PAPERS)

<b>ATTORNEY OR PARTY WITHOUT ATTORNEY:</b> Fair Political Practices Commission 1102 Q Street, Suite 3000 Sacramento, CA 95811  TELEPHONE NO.: (916) 322-8246 EMAIL ADDRESS: sgevorkyan@fppc.ca.gov ATTORNEY FOR:	<b>FOR COURT USE ONLY</b>
<b>FAIR POLITICAL PRACTICES COMMISSION COURT OF CALIFORNIA, COUNTY OF SACRAMENTO</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: Fair Political Practices Commission DEFENDANT: Pham for Assembly 2018, Long Pham and Mary Pham	<b>CASE NUMBER:</b> 18/569
<b>DECLARATION OF DUE DILIGENCE</b>	<b>Ref. No. or File No.:</b> 18/569

1. I Bryce Keizer, am at least 18 years of age and not a party to this action.

2. Documents to be served:

Accusation

3. Party to be served:

Mary Pham, 9460 Daisy Ave., Fountain Valley, CA 92708

4. Details of diligence:

07/05/2024 9:25 AM No Answer  
 07/07/2024 6:36 PM No Answer  
 07/08/2024 4:13 PM Not in. Subservd.

5. Person attesting to diligence:

Name: Bryce Keizer  
 Firm: GSI  
 Address: 360 E. 1st St., Suite 773, Tustin, CA 92780  
 Telephone Number: (714) 788-4860  
 I am a registered California process server: independent contractor  
 Registration No.: PSC6332  
 County: Orange

The fee for service was: \$37.50

6. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 7-16-24

Bryce Keizer

(PRINTED NAME)



(SIGNATURE)

**Exhibit A-7**

**Statement of Organization Recipient Committee**

*P 30*

*1403605*

Statement Type  Initial  Amendment  Termination – See Part 5  
 Not yet qualified or  Date qualified as committee  
 03 / 07 / 2018      Date qualified as committee      Date of termination

Date Stamp <b>RECEIVED AND FILED</b> in the office of the Secretary of State of the State of California  <b>MAR 08 2018</b>	<b>CALIFORNIA FORM 410</b>  For Official Use Only  <i>R/S</i>
--	---

<b>1. Committee Information</b>	<b>2. Treasurer and Other Principal Officers</b>
---------------------------------	--

**I.D. Number** (if applicable)

NAME OF COMMITTEE  
PHAM FOR ASSEMBLY 2018

STREET ADDRESS (NO P.O. BOX)  
9460 DAISY AVE

CITY STATE ZIP CODE AREA CODE/PHONE  
FOUNTAIN VALLEY CA 92708 949-500-9887

MAILING ADDRESS (IF DIFFERENT)  
SAME AS THE ABOVE

E-MAIL ADDRESS (REQUIRED) / FAX (OPTIONAL)  
LONG1PHAM@AOL.COM

COUNTY OF DOMICILE JURISDICTION WHERE COMMITTEE IS ACTIVE  
ORANGE

NAME OF TREASURER  
MARY PHAM

STREET ADDRESS (NO P.O. BOX)  
1529 W. BALBOA BLVD.

CITY STATE ZIP CODE AREA CODE/PHONE  
NEWPORT BEACH CA 92663 714-727-5805

NAME OF ASSISTANT TREASURER, IF ANY

STREET ADDRESS (NO P.O. BOX)

CITY STATE ZIP CODE AREA CODE/PHONE

NAME OF PRINCIPAL OFFICER(S)

STREET ADDRESS (NO P.O. BOX)

CITY STATE ZIP CODE AREA CODE/PHONE

Attach additional information on appropriately labeled continuation sheets.

**3. Verification**

I have used all reasonable diligence in preparing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 3-07-18 By *Man Pham*  
DATE SIGNATURE OF TREASURER OR ASSISTANT TREASURER

Executed on 3/07/18 By *Long Pham*  
DATE SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

Executed on \_\_\_\_\_ By \_\_\_\_\_  
DATE SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

Executed on \_\_\_\_\_ By \_\_\_\_\_  
DATE SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

**Exhibit A-8**



P 30  
C

1403605

**Statement of Organization  
Recipient Committee**

**Statement Type**

<input type="checkbox"/> Initial	<input type="checkbox"/> Amendment	<input checked="" type="checkbox"/> Termination - See Part 5
<input type="radio"/> Not yet qualified or <input type="radio"/> Date qualification threshold met	<input type="checkbox"/> Date qualification threshold met	Date of termination 9 / 19 / 2018

Date Stamp <b>RECEIVED AND FILED</b> Office of the Secretary of State of the State of California <b>SEP 24 2018</b>	<b>CALIFORNIA FORM 410</b> For Official Use Only 1260613 FINE R/PA
---	--

<b>1. Committee Information</b>	<b>I.D. Number</b> (if applicable) 1403605	<b>2. Treasurer and Other Principal Officers</b>
---------------------------------	---	--

NAME OF COMMITTEE  
PHAM FOR ASSEMBLY 2018

STREET ADDRESS (NO P.O. BOX)  
9460 DAISY AVE

CITY STATE ZIP CODE AREA CODE/PHONE  
FOUNTAIN VALLEY CA 92708 949-500-9887

FULL MAILING ADDRESS (IF DIFFERENT)  
SAME AS THE ABOVE

E-MAIL ADDRESS (REQUIRED) / FAX (OPTIONAL)  
LONG1PHAM@AOL.COM

COUNTY OF DOMICILE JURISDICTION WHERE COMMITTEE IS ACTIVE  
ORANGE

NAME OF TREASURER  
MARY PHAM

STREET ADDRESS (NO P.O. BOX)  
1529 W. BALBOA BLVD.

CITY STATE ZIP CODE AREA CODE/PHONE  
NEWPORT BEACH CA 92663 714-727-5805

NAME OF ASSISTANT TREASURER, IF ANY

STREET ADDRESS (NO P.O. BOX)

CITY STATE ZIP CODE AREA CODE/PHONE

NAME OF PRINCIPAL OFFICER(S)

STREET ADDRESS (NO P.O. BOX)

CITY STATE ZIP CODE AREA CODE/PHONE

Attach additional information on appropriately labeled continuation sheets.

**3. Verification**

I have used all reasonable diligence in preparing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 9/19/2018 By Mary Pham  
DATE SIGNATURE OF TREASURER OR ASSISTANT TREASURER

Executed on 9/19/2018 By Long Pham  
DATE SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

Executed on \_\_\_\_\_ By \_\_\_\_\_  
DATE SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

Executed on \_\_\_\_\_ By \_\_\_\_\_  
DATE SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

**Exhibit A-9**

**Recipient Committee  
Campaign Statement  
Cover Page**

Due 04-26-18 \$180

**ORIGINAL**

COVER PAGE

Date Stamp	<b>CALIFORNIA FORM 460</b>
RECEIVED AND FILED in the office of the Secretary of State of the State of California	Page <u>1</u> of <u>14</u>
<b>MAY 16 2018</b> PM 5:14/18	For Official Use Only <u>LR/UB</u>

Statement covers period  
from 1/01/2018  
through 4/21/2018

Date of election if applicable:  
(Month, Day, Year)  
6/05/2018

SEE INSTRUCTIONS ON REVERSE

**1. Type of Recipient Committee: All Committees - Complete Parts 1, 2, 3, and 4.**

- Officeholder, Candidate Controlled Committee
- State Candidate Election Committee
- Recall  
(Also Complete Part 5)
- General Purpose Committee
- Sponsored
- Small Contributor Committee
- Political Party/Central Committee
- Primarily Formed Ballot Measure Committee
- Controlled
- Sponsored  
(Also Complete Part 6)
- Primarily Formed Candidate/Officeholder Committee  
(Also Complete Part 7)

**2. Type of Statement:**

- Preelection Statement
- Semi-annual Statement
- Termination Statement  
(Also file a Form 410 Termination)
- Amendment (Explain below)
- Quarterly Statement
- Special Odd-Year Report

**3. Committee Information**

I.D. NUMBER  
1403605

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)  
PHAM FOR ASSEMBLY 2018

STREET ADDRESS (NO P.O. BOX)  
9460 DAISY AVE

CITY	STATE	ZIP CODE	AREA CODE/PHONE
<u>FOUNTAIN VALLEY</u>	<u>CA</u>	<u>92708</u>	<u>949-500-9887</u>

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX  
SAME AS THE ABOVE

CITY	STATE	ZIP CODE	AREA CODE/PHONE
------	-------	----------	-----------------

OPTIONAL: FAX / E-MAIL ADDRESS  
LONG1PHAM@AOL.COM

**Treasurer(s)**

NAME OF TREASURER  
MARY PHAM

MAILING ADDRESS  
1529 W. BALBOA BLVD

CITY	STATE	ZIP CODE	AREA CODE/PHONE
<u>NEWPORT BEACH</u>	<u>CA</u>	<u>92663</u>	<u>714-727-5805</u>

NAME OF ASSISTANT TREASURER, IF ANY

MAILING ADDRESS

CITY	STATE	ZIP CODE	AREA CODE/PHONE
------	-------	----------	-----------------

OPTIONAL: FAX / E-MAIL ADDRESS

**4. Verification**

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 4-25-2018  
Date

Executed on 4-25-2018  
Date

Executed on \_\_\_\_\_  
Date

Executed on \_\_\_\_\_  
Date

By Mary Pham Mary Pham  
Signature of Treasurer or Assistant Treasurer

By Loy Pham Loy Pham  
Signature of Controlling Officeholder, Candidate, State Measure Proponent or Responsible Officer of Sponsor

By \_\_\_\_\_  
Signature of Controlling Officeholder, Candidate, State Measure Proponent

By \_\_\_\_\_  
Signature of Controlling Officeholder, Candidate, State Measure Proponent

**Exhibit A-10**

only 10  
pages  
submitted

**Recipient Committee  
Campaign Statement  
Cover Page**

COVER PAGE

**FILED**  
Date Stamp

CALIFORNIA  
FORM 460

Page 1 of 14

For Official Use Only

SEP 06 2018

REGISTRAR OF VOTERS

Deputy

ORIGINAL

Statement covers period  
from 1/01/2018  
through 4/21/2018

Date of election if applicable:  
(Month, Day, Year)  
6/05/2018

SEE INSTRUCTIONS ON REVERSE

**1. Type of Recipient Committee: All Committees - Complete Parts 1, 2, 3, and 4.**

- Officeholder, Candidate Controlled Committee
  - State Candidate Election Committee
  - Recall  
(Also Complete Part 6)
- General Purpose Committee
  - Sponsored
  - Small Contributor Committee
  - Political Party/Central Committee
- Primarily Formed Ballot Measure Committee
  - Controlled
  - Sponsored  
(Also Complete Part 6)
- Primarily Formed Candidate/Officeholder Committee  
(Also Complete Part 7)

**2. Type of Statement:**

- Prelection Statement
- Semi-annual Statement
- Termination Statement  
(Also file a Form 410 Termination)
- Amendment (Explain below)
- Quarterly Statement
- Special Odd-Year Report

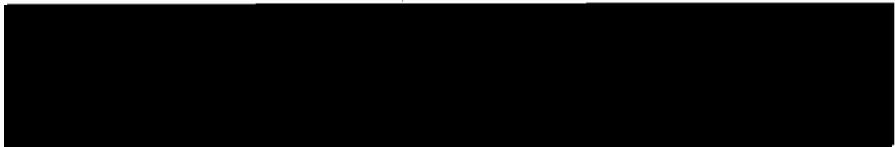
**3. Committee Information**

I.D. NUMBER  
1403605

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)  
PHAM FOR ASSEMBLY 2018

**Treasurer(s)**

NAME OF TREASURER  
MARY PHAM  
MAILING ADDRESS



SAME AS THE ABOVE

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_ AREA CODE/PHONE \_\_\_\_\_

MAILING ADDRESS

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_ AREA CODE/PHONE \_\_\_\_\_

OPTIONAL: FAX / E-MAIL ADDRESS

**4. Verification**

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the for

Executed on 4-25-2018  
Date

By

Executed on 4-25-2018  
Date

By

Executed on \_\_\_\_\_  
Date

By

Executed on \_\_\_\_\_  
Date

By



Signature of Controlling Officeholder, Candidate, State Measure Proponent

Signature of Controlling Officeholder, Candidate, State Measure Proponent

**Exhibit A-11**

**Recipient Committee  
Campaign Statement  
Cover Page**

Due 05-24-18 \$20\*\*

ORIGINAL

COVER PAGE

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in the office of the Secretary of State  
of the State of California

CALIFORNIA FORM **460**

Page 1 of 3

For Official Use Only

UHS RIHS

Statement covers period  
from 4/22/2018  
through 5/19/2018

Date of election if applicable:  
(Month, Day, Year)  
6/05/2018

**MAY 29 2018**  
PM 5-26-18

SEE INSTRUCTIONS ON REVERSE

**1. Type of Recipient Committee: All Committees – Complete Parts 1, 2, 3, and 4.**

- Officeholder, Candidate Controlled Committee
- State Candidate Election Committee
- Recall  
(Also Complete Part 5)
- General Purpose Committee
  - Sponsored
  - Small Contributor Committee
  - Political Party/Central Committee
- Primarily Formed Ballot Measure Committee
  - Controlled
  - Sponsored  
(Also Complete Part 6)
- Primarily Formed Candidate/Officeholder Committee  
(Also Complete Part 7)

**2. Type of Statement:**

- Preelection Statement
- Semi-annual Statement
- Termination Statement  
(Also file a Form 410 Termination)
- Amendment (Explain below)
- Quarterly Statement
- Special Odd-Year Report

**3. Committee Information**

I.D. NUMBER  
1403605

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)

PHAM FOR ASSEMBLY 2018

STREET ADDRESS (NO P.O. BOX)

9460 DAISY AVE

CITY STATE ZIP CODE AREA CODE/PHONE  
FOUNTAIN VALLEY CA 92708 949-500-9887

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX

SAME AS THE ABOVE

CITY STATE ZIP CODE AREA CODE/PHONE

OPTIONAL: FAX / E-MAIL ADDRESS

LONG1PHAM@AOL.COM

**Treasurer(s)**

NAME OF TREASURER

MARY PHAM

MAILING ADDRESS

1529 W. BALBOA BLVD

CITY STATE ZIP CODE AREA CODE/PHONE  
NEWPORT BEACH CA 92663 714-727-5805

NAME OF ASSISTANT TREASURER, IF ANY

MAILING ADDRESS

CITY STATE ZIP CODE AREA CODE/PHONE

OPTIONAL: FAX / E-MAIL ADDRESS

**4. Verification**

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 5/24/2018  
Date

By Mary Pham  
Signature of Treasurer or Assistant Treasurer

Executed on 5/24/2018  
Date

By Loy Pham  
Signature of Controlling Officeholder, Candidate, State Measure Proponent or Responsible Officer of Sponsor

Executed on \_\_\_\_\_  
Date

By \_\_\_\_\_  
Signature of Controlling Officeholder, Candidate, State Measure Proponent

Executed on \_\_\_\_\_  
Date

By \_\_\_\_\_  
Signature of Controlling Officeholder, Candidate, State Measure Proponent

**Exhibit A-12**



Recipient Committee Campaign Statement Cover Page

**FILE** Date Stamp  
**CALIFORNIA FCPM 460**  
 Page 1 of 3  
 For Official Use Only  
 SEP 06 2018  
 REGISTRATION OFFICE  
 ORIGINAL  
 Deputy

Statement covers period  
 from 4/22/2018  
 through 5/19/2018

Date of election if applicable  
 (Month, Day, Year)  
6/05/2018

SEE INSTRUCTIONS ON REVERSE

1. Type of Recipient Committee: All Committees - Complete Parts 1, 2, 3, and 4.

- Officeholder, Candidate Controlled Committee
- State Candidate Election Committee
- Recall (Also Complete Part 5)
- General Purpose Committee
- Sponsored
- Small Contributor Committee
- Political Party/Central Committee
- Primarily Formed Ballot Measure Committee
- Controlled
- Sponsored (Also Complete Part 6)
- Primarily Formed Candidate/Officeholder Committee (Also Complete Part 7)

2. Type of Statement:

- Preelection Statement
- Semi-annual Statement
- Termination Statement (Also file a Form 410 Termination)
- Amendment (Explain below)
- Quarterly Statement
- Special Odd-Year Report

3. Committee Information

I.D. NUMBER  
1403605

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE):  
PHAM FOR ASSEMBLY 2018

Treasurer(s)

NAME OF TREASURER  
MARY PHAM

STREET ADDRESS (NO P.O. BOX)

NAME OF ASSISTANT TREASURER, IF ANY

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX

MAILING ADDRESS

SAME AS THE ABOVE

CITY STATE ZIP CODE AREA CODE/PHONE

CITY STATE ZIP CODE AREA CODE/PHONE

OPTIONAL: FAX / E-MAIL ADDRESS

4. Verification

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 5/24/2018  
Date

By

Executed on 5/24/2018  
Date

By

Executed on \_\_\_\_\_  
Date

By

Signature of Controlling Officeholder, Candidate, State Measure Proponent

Executed on \_\_\_\_\_  
Date

By

Signature of Controlling Officeholder, Candidate, State Measure Proponent

**Exhibit A-13**

**Recipient Committee  
Campaign Statement  
Cover Page**

*Period 1A*

*Not filed yet with SOS.* 8/29/20 RUC  
COVER PAGE

Date Stamp

CALIFORNIA FORM **460**

Page 1 of 15

For Official Use Only

Statement covers period  
from 1/01/2018  
through 4/21/2018

Date of election if applicable:  
(Month, Day, Year)  
6/05/2018

SEE INSTRUCTIONS ON REVERSE

**1. Type of Recipient Committee: All Committees – Complete Parts 1, 2, 3, and 4.**

- Officeholder, Candidate Controlled Committee
- State Candidate Election Committee
- Recall  
*(Also Complete Part 5)*
- General Purpose Committee
- Sponsored
- Small Contributor Committee
- Political Party/Central Committee
- Primarily Formed Ballot Measure Committee
- Controlled
- Sponsored  
*(Also Complete Part 6)*
- Primarily Formed Candidate/Officeholder Committee  
*(Also Complete Part 7)*

**2. Type of Statement:**

- Preelection Statement
  - Semi-annual Statement
  - Termination Statement  
*(Also file a Form 410 Termination)*
  - Amendment (Explain below)
  - Quarterly Statement
  - Special Odd-Year Report
- Revised sch. B1 on page 11, sch. C on page 12, and added detail payment to each item in sch. E, added page 15, and updated the summary on page 3.

**3. Committee Information**

I.D. NUMBER  
1403605

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)  
PHAM FOR ASSEMBLY 2018

STREET ADDRESS (NO P.O. BOX)  
9460 DAISY AVE  
CITY STATE ZIP CODE AREA CODE/PHONE  
FOUNTAIN VALLEY CA 92708 949-500-9887

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX  
9460 DAISY AVE  
CITY STATE ZIP CODE AREA CODE/PHONE

OPTIONAL: FAX / E-MAIL ADDRESS  
LONG1PHAM@AOL.COM

**Treasurer(s)**

NAME OF TREASURER  
MARY PHAM

MAILING ADDRESS  
9460 DAISY AVE  
CITY STATE ZIP CODE AREA CODE/PHONE  
FOUNTAIN VALLEY CA 92708 714-727-5805

NAME OF ASSISTANT TREASURER, IF ANY

MAILING ADDRESS  
CITY STATE ZIP CODE AREA CODE/PHONE

OPTIONAL: FAX / E-MAIL ADDRESS

**4. Verification**

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 6/22/2020 Date  
Executed on 6/22/2020 Date  
Executed on \_\_\_\_\_ Date  
Executed on \_\_\_\_\_ Date

By Mary Pham Signature of Treasurer or Assistant Treasurer  
By Mary Pham Signature of Controlling Officeholder, Candidate, State Measure Proponent or Responsible Officer of Sponsor  
By \_\_\_\_\_ Signature of Controlling Officeholder, Candidate, State Measure Proponent  
By \_\_\_\_\_ Signature of Controlling Officeholder, Candidate, State Measure Proponent

**Exhibit A-14**



STATE OF CALIFORNIA  
**Franchise Tax Board**

POLITICAL REFORM AUDIT PROGRAM MS F387  
PO BOX 651  
SACRAMENTO CA 95812-0651

## **AUDIT REPORT OF THE POLITICAL REFORM AUDIT PROGRAM FOR:**

Long K. Pham  
Pham for Assembly 2018 (1403605)  
9460 Daisy Avenue  
Fountain Valley, CA 92708-2205

January 1, 2018 through June 30, 2018

### **AUDIT AUTHORITY AND SCOPE**

This audit is authorized under Section 90001 of the California Government Code. Assembly districts were randomly selected by the Fair Political Practices Commission. Candidates in selected districts who raised or spent \$15,000 or more were subject to audit.

The audit was performed by the Political Reform Audit Program of the Franchise Tax Board using generally accepted auditing standards and the auditing standards set by the Fair Political Practices Commission. This included tests of disclosure, accounting records, and other auditing procedures considered necessary.

This Audit Report was submitted to the Fair Political Practices Commission, the Secretary of State, and the Attorney General on November 30, 2020.

### **ABOUT THE COMMITTEE**

#### **BACKGROUND INFORMATION**

The Committee was controlled by Long K. Pham, a candidate for Assembly, District 72, in the 2018 Statewide Direct Primary Election. The Committee terminated effective September 19, 2018.

**TREASURER:** Mary Van Pham  
9460 Daisy Avenue  
Fountain Valley, CA 92708-2205

#### **FINANCIAL ACTIVITY**

Total Contributions Received: \$ 21,000

Total Expenditures: \$ 22,529

The totals for contributions received and expenditures were taken from the unaudited statements as filed in paper and/or electronic format with the Secretary of State for the period indicated above.

## FINDINGS AND RESPONSES

### OPINION

The filers, in our opinion, have not substantially complied with the disclosure and/or recordkeeping provisions of the Political Reform Act (Government Code Section 81000 et seq.) and related rules and regulations of the Fair Political Practices Commission.

### RECORDKEEPING

Copies of contributors' checks, duplicate deposit slips, valuation letters and/or invoices, and contributor lists were not maintained for reported contributions received totaling \$21,000. Of this amount, \$10,500 was reported as received from Mary Van Pham. The lack of records precluded the determination of whether contributions totaling \$6,100 reported as received from Mary Pham on April 4, 2018, exceeded the limit by \$1,700 and whether Form 497 Contribution Reports were required to be filed for 6 contributions received totaling \$15,600 reported on the Form 460 Campaign Preelection Statement filed on May 14, 2018, for the period ending April 21, 2018. In addition, source documents were not provided to verify reported contributions received totaling \$7,951 that were not deposited into the Committee's designated campaign bank account. But deposited some checks into his personal bank account, rather than the Committee's bank account.

#### Reference Exhibit A

Mr. Pham stated that he misplaced the records while re-locating after the election. He added that he didn't have the resources to hire a professional treasurer and forgot to file the Form 497 Contribution Reports. He added that all contributions received were disclosed on the Form 460 Campaign Preelection Statement filed prior to the election. He further stated that the \$1,700 nonmonetary contribution reported as received from Mary Pham on April 4, 2018, should have been disclosed as an expense instead of a contribution. Mr. Pham also stated that he was aware of the Political Reform Act requirements but deposited the checks into his personal bank account to protect his contributors' identity as the checks were written to him rather than the Committee.

Records, such as copies of invoices and/or receipts were not provided for 16 reported expenditures totaling \$17,379, including expenditures totaling \$7,117 that were not processed through the Committee's designated campaign bank account. Copies of canceled checks and bank statements were provided for expenditures totaling \$2,549 processed through the campaign bank account.

Mr. Pham stated that he misplaced the records while re-locating after the election. He added that since the Committee bank account lacked sufficient funds, campaign related expenses were paid using contributions deposited into his personal account.

## REPORTS AND STATEMENTS

Two Form 460 Campaign Disclosure Statements were not timely filed with the Secretary of State.

<u>Statement Period</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Date Filed</u>	<u>Days Late</u>
01/01/18 – 04/21/18	\$ 21,000	\$ 18,129	05/14/18	18
05/20/18 – 06/30/18	0	4,400	09/20/18	51

Mr. Pham stated that the statements were signed and mailed one day prior to their respective due dates.

## EXPENDITURES

Three expenditures totaling \$560 were not disclosed on the Form 460 Campaign Disclosure Statements filed for the period ending June 30, 2018.

	<u>Date Made</u>	<u>Payee</u>	<u>Amount</u>
1.	06/04/18	L.S. TV	\$ 300
2.	06/04/18	Trong Doan	100
3.	06/06/18	Asian World Media	<u>160</u>
		Total	\$ 560

Mr. Pham did not provide a comment.

Cash totaling \$1,090 was withdrawn from the Committees designated campaign bank account. Of this amount, \$500 was two ATM withdrawals and \$590 was the remaining bank balance withdrawn by the candidate to close the Committee bank account.

Mr. Pham stated that the \$590 was used to repay the loan from Mary Pham.

**EXHIBIT A - CONTRIBUTIONS REPORTED RECEIVED  
ON FORM 460 FOR WHICH FORM 497 CONTRIBUTION  
REPORTS WERE NOT FILED**

	<u>Date Reported Received</u>	<u>Contributor Reported</u>	<u>Amount Reported</u>
1.	03/08/18	Mary Pham	\$ 4,400
2.	04/04/18	Mary Pham	4,400
3.	04/04/18	Mary Pham	1,700
4.	04/10/18	Long Pham	2,400
5.	04/10/18	Long Pham	1,000
6.	04/10/18	Tuc Nguyen	<u>1,700</u>
		Total	\$ 15,600



**Exhibit A-15**

# Wells Fargo Business Choice Checking

Account number: [REDACTED] ■ June 1, 2018 - June 30, 2018 ■ Page 1 of 3



Schedule III  
Page 3 of 3  
RK 06.10.20

PHAM FOR ASSEMBLY 2018  
[REDACTED]

## Questions?

Available by phone 24 hours a day, 7 days a week:

Telecommunications Relay Services calls accepted

**1-800-CALL-WELLS** (1-800-225-6935)

TTY: 1-800-877-4833

En español: 1-877-337-7454

Online: [wellsfargo.com/biz](http://wellsfargo.com/biz)

Write: Wells Fargo Bank, N.A. (114)

P.O. Box 6995

Portland, OR 97228-6995

## Your Business and Wells Fargo

Access complimentary resources and tools to help you create or revise your business plan - whether you're an experienced business owner or just starting out. Find out more at [wellsfargoworks.com/plan](http://wellsfargoworks.com/plan).

## Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to [wellsfargo.com/biz](http://wellsfargo.com/biz) or call the number above if you have questions or if you would like to add new services.

Business Online Banking   
Online Statements   
Business Bill Pay   
Business Spending Report   
Overdraft Protection

## Activity summary

Beginning balance on 6/1	\$349.73
Deposits/Credits	2,000.00
Withdrawals/Debits	- 2,349.73
<b>Closing balance on 6/19</b>	<b>\$0.00</b> (X)
Average ledger balance this period	\$1,287.50

Account number: [REDACTED]

PHAM FOR ASSEMBLY 2018

California account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 121042662

For Wire Transfers use

Routing Number (RTN): 121000248

## Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

Site	VIEWPOINTE	Paid Date	04262018	Serial No	102
Routing	12104288	Account	[REDACTED]	PC	000060
Amount	107.75	Sequence	8210455082	Capture Source	00007114

Front Black & White Image

**WELLS FARGO BANK**

BROOKHURST-EDINGER 16025 BROOKHURST ST FOUNTAIN VALLEY, CA 92703

0102  
11/288/1210

DATE 4-24-18

PAY TO THE ORDER OF BNSONS \$ 107.75

ONE HUNDRED SEVEN AND 75/100 DOLLARS

PHAN FOR ASSEMBLY 2018

*Raymond Pham*

⑆ 2104 288 2⑆ [REDACTED] 0102

Back Black & White Image

US BANK ATM  
042618 KC  
ST PAUL MN  
>091000022<

For Deposit Only  
[REDACTED]  
DEPOSIT

*AT*

X 1380209\*\*\*\*\*4692 SUS4T573 10775  
X 20180425 7635 157513293066

Site	VIEWPOINTE	Paid Date	04172018	Serial No	1071210331
Routing	12104288	Account	[REDACTED]	PC	000049
Amount	2899.00	Sequence	2049576482	Capture Source	00010064

Front Black & White Image

Wells Fargo Bank eDeposit Credit Copy

Transaction Date and Time: 04/17/2018 12:10 PM PDT  
Customer Name(s): FRAM FOR ASSEMBLY 2018

Account Address

Cash In: \$ 0.00  
Less Cash: \$ 0.00  
Total Checks Amount: \$ 2,899.00  
Credit Serial Number: 1071210331

Deposit Total

42,899.00

Credited account number: [REDACTED]  
Customer or Teller Initiated: Y  
Customer confirmed on Pin Pad: Y  
CB, AU, Sequence Num: 07 0000648 0053

Wells Fargo Bank, N.A.  
Electronically Generated Image

Back Black & White Image

2049576482

Electronically generated image

Site	VIEWPOINTE	Paid Date	03192018	Serial No	101
Routing	12104288	Account	[REDACTED]	PC	000060
Amount	317.86	Sequence	8812378705	Capture Source	00007114

Front Black & White Image

**WELLS FARGO BANK** 0101

BROOKHURST-EDINGER 16025 BROOKHURST ST FOUNTAIN VALLEY, CA 92708

DATE 3-16-18 11-4286/1210

---

PAY TO THE ORDER OF BNS DNS \$ 317.86

THREE HUNDRED SEVENTEEN AND 86/100 DOLLARS

PHAM FOR ASSEMBLY 2018

Loy Phan

⑆ 2104 288 2⑆ [REDACTED] ⑆0101

Back Black & White Image

X 480209\*\*\*\*\*4692 SUS4T573 31786  
 X 20180316 1953 157513293066

US BANK ATM  
 031918 KC  
 ST PAUL MN  
 >091000022<

*[Handwritten Signature]*

# Wells Fargo Business Choice Checking

Account number: [REDACTED] ■ April 1, 2018 - April 30, 2018 ■ Page 1 of 4



PHAM FOR ASSEMBLY 2018  
[REDACTED]

## Questions?

Available by phone 24 hours a day, 7 days a week:  
Telecommunications Relay Services calls accepted

**1-800-CALL-WELLS** (1-800-225-5935)

TTY: 1-800-877-4833

En español: 1-877-337-7454

Online: [wellsfargo.com/biz](http://wellsfargo.com/biz)

Write: Wells Fargo Bank, N.A. (114)

P.O. Box 6995

Portland, OR 97228-6995

## Your Business and Wells Fargo

Access complimentary resources and tools to help you create or revise your business plan - whether you're an experienced business owner or just starting out. Find out more at [wellsfargoworks.com/plan](http://wellsfargoworks.com/plan).

## Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to [wellsfargo.com/biz](http://wellsfargo.com/biz) or call the number above if you have questions or if you would like to add new services.

- |                          |                                     |
|--------------------------|-------------------------------------|
| Business Online Banking  | <input checked="" type="checkbox"/> |
| Online Statements        | <input type="checkbox"/>            |
| Business Bill Pay        | <input checked="" type="checkbox"/> |
| Business Spending Report | <input checked="" type="checkbox"/> |
| Overdraft Protection     | <input type="checkbox"/>            |

## Activity summary

Beginning balance on 4/1	\$82.44
Deposits/Credits	2,899.00
Withdrawals/Debits	- 661.01
<b>Ending balance on 4/30</b>	<b>\$2,320.43</b>
Average ledger balance this period	\$1,262.81

Account number: [REDACTED]

**PHAM FOR ASSEMBLY 2018**

California account terms and conditions apply

For Direct Deposit use

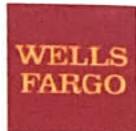
Routing Number (RTN): 121042882

For Wire Transfers use

Routing Number (RTN): 121000248

## Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.



**Transaction history**

Date	Check Number	Description	Deposits/ Credits	Withdrawals/ Debits	Ending daily balance
4/17		Edeposit IN Branch/Store 04/17/18 12:10:38 Pm 16025 Brookhurst St Fountain Valley CA [REDACTED]	2,899.00		2,981.44
4/18		Online Transfer to Van Pham M Checking [REDACTED] Ref #1b04Hfkrb on 04/18/18		100.00	2,881.44
4/19		Purchase authorized on 04/19 Costco Gas #0411 Fountain Vall CA P00588109832306968 Card [REDACTED]		46.64	2,834.80
4/23		Purchase authorized on 04/18 Twc*Time Warner CA 888-Twcable CA S308108621806352 Card [REDACTED]		84.46	
4/23		Purchase authorized on 04/20 Office Depot 00 11100 Gar Garden Grove CA P00308111073495060 Card [REDACTED]		133.83	2,616.51
4/25		Purchase authorized on 04/24 Samsclub #6615 Fountain Vall CA P0000000439871868 Card [REDACTED]		42.81	
4/25		Purchase authorized on 04/25 Loves Travel Stops 9538 Lodi CA P00308115487832720 Card [REDACTED]		45.52	2,528.18
4/26		Online Transfer to Van Pham M Checking xxx [REDACTED] Ref #1b04J9Kf88 on 04/26/18		100.00	
4/26	102	Check			
<b>Ending balance on 4/30</b>					<b>2,320.43</b>
<b>Totals</b>			<b>\$2,899.00</b>	<b>\$661.01</b>	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

**Summary of checks written** (checks listed are also displayed in the preceding Transaction history)

Number	Date	Amount
102	4/26	107.75

**Monthly service fee summary**

For a complete list of fees and detailed account information, see the Wells Fargo Account Fee and Information Schedule and Account Agreement applicable to your account (EasyPay Card Terms and Conditions for prepaid cards) or talk to a banker. Go to wells Fargo.com/feefaq for a link to these documents, and answers to common monthly service fee questions.

Fee period 04/01/2018 - 04/30/2018 Standard monthly service fee \$14.00 You paid \$0.00

We waived the fee this fee period to allow you to meet the requirements to avoid the monthly service fee. This is the final period with the fee waived. For the next fee period, you need to meet the requirement(s) to avoid the monthly service fee.

**How to avoid the monthly service fee**

Have any **ONE** of the following account requirements

	Minimum required	This fee period
• Average ledger balance	\$7,500.00	\$1,263.00 <input type="checkbox"/>
• A qualifying transaction from a linked Wells Fargo Business Payroll Services account	1	0 <input type="checkbox"/>
• A qualifying transaction from a linked Wells Fargo Merchant Services account	1	0 <input type="checkbox"/>
• Total number of posted Wells Fargo Debit Card purchases and/or payments	10	5 <input type="checkbox"/>
• Enrollment in a linked Direct Pay service through Wells Fargo Business Online	1	0 <input type="checkbox"/>
• Combined balances in linked accounts, which may include	\$10,000.00	<input type="checkbox"/>
- Average ledger balances in business checking, savings, and time accounts		
- Most recent statement balance in eligible Wells Fargo business credit cards and lines of credit, and combined average daily balances from the previous month in eligible Wells Fargo business and commercial loans and lines of credit		
- For complete details on how you can avoid the monthly service fee based on your combined balances please refer to page 7 of the Business Account Fee and Information Schedule at <a href="http://www.wellsfargo.com/biz/fee-information">www.wellsfargo.com/biz/fee-information</a>		



**Monthly service fee summary (continued)**  
wx/wx

**Account transaction fees summary**

<i>Service charge description</i>	<i>Units used</i>	<i>Units included</i>	<i>Excess units</i>	<i>Service charge per excess units (\$)</i>	<i>Total service charge (\$)</i>
Cash Deposited (\$)	0	7,500	0	0.0030	0.00
Transactions	22	200	0	0.50	0.00
<b>Total service charges</b>					<b>\$0.00</b>



**IMPORTANT ACCOUNT INFORMATION**

The following addendum to the "Rights and responsibilities" section of the Business Account Agreement is effective April 30, 2018:

What happens upon the death or incompetence of a business owner?

**Sole Proprietors Only:**

We may accept and comply with court orders and legal documents, and take direction from affiants or court appointed personal representatives, guardians, or conservators from your state of residence, even if different than where your account was opened except as otherwise required by applicable law or court order. We may require additional documentation be provided to us before complying with the directions given by affiants or court appointed personal representatives, guardians, or conservators. We reserve the right to require U.S. court documents for customers who reside outside of the U.S. at time of incompetence or death.

**For Non-Sole Proprietors:**

Upon notification to the bank of the death or incompetence of a business owner, the business entity will provide documentation evidencing any change in the ownership or control of the entity following applicable legal formalities.

As of June 15, 2018, linked credit accounts that are now closed will no longer count toward your eligible combined balances to avoid the monthly service fee for this account.



# Wells Fargo Business Choice Checking

Account number: [REDACTED] ■ May 1, 2018 - May 31, 2018 ■ Page 1 of 4



PHAM FOR ASSEMBLY 2018  
[REDACTED]

## Questions?

Available by phone 24 hours a day, 7 days a week:  
Telecommunications Relay Services calls accepted

**1-800-CALL-WELLS** (1-800-225-5935)

TTY: 1-800-877-4833

En español: 1-877-337-7454

Online: [wellsfargo.com/biz](http://wellsfargo.com/biz)

Write: Wells Fargo Bank, N.A. (114)

P.O. Box 6995

Portland, OR 97228-6995

## Your Business and Wells Fargo

Access complimentary resources and tools to help you create or revise your business plan - whether you're an experienced business owner or just starting out. Find out more at [wellsfargoworks.com/plan](http://wellsfargoworks.com/plan).

## Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to [wellsfargo.com/biz](http://wellsfargo.com/biz) or call the number above if you have questions or if you would like to add new services.

- Business Online Banking
- Online Statements
- Business Bill Pay
- Business Spending Report
- Overdraft Protection

## Activity summary

Beginning balance on 5/1	\$2,320.43
Deposits/Credits	350.00
Withdrawals/Debits	- 2,320.70
<b>Ending balance on 5/31</b>	<b>\$349.73</b>

Average ledger balance this period \$1,287.50

Account number: [REDACTED]

**PHAM FOR ASSEMBLY 2018**

California account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 121042882

For Wire Transfers use

Routing Number (RTN): 121000248

## Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.



**Transaction history**

Date	Check Number	Description	Deposits/ Credits	Withdrawals/ Debits	Ending daily balance
5/14		Purchase authorized on 05/14 USPS PO 05693601 3101 W S Santa Ana CA P00468134808114066 Card [REDACTED]		6.70	2,313.73
5/16		Online Transfer to Van Pham M Prime Checking [REDACTED] Ref #1b04Lxn4Y on 05/16/18		2,000.00	313.73
5/30		ATM Check Deposit on 05/30 16025 Brookhurst Fountain Vly CA 0001407 ATM ID 0668A Card [REDACTED]	350.00		
5/30		ATM Withdrawal authorized on 05/30 16025 Brookhurst Fountain Vly CA 0001408 ATM ID 0668A Card [REDACTED]		300.00	363.73
5/31		Monthly Service Fee		14.00	349.73
<b>Ending balance on 5/31</b>					<b>349.73</b>
<b>Totals</b>			<b>\$350.00</b>	<b>\$2,320.70</b>	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

**Monthly service fee summary**

For a complete list of fees and detailed account information, see the Wells Fargo Account Fee and Information Schedule and Account Agreement applicable to your account (EasyPay Card Terms and Conditions for prepaid cards) or talk to a banker. Go to [wellsfargo.com/feefaq](http://wellsfargo.com/feefaq) for a link to these documents, and answers to common monthly service fee questions.

Fee period 05/01/2018 - 05/31/2018

How to avoid the monthly service fee	Standard monthly service fee \$14.00	You paid \$14.00
Have any ONE of the following account requirements	Minimum required	This fee period
- Average ledger balance		
- A qualifying transaction from a linked Wells Fargo Business Payroll Services account	\$7,500.00	\$1,288.00 <input type="checkbox"/>
- A qualifying transaction from a linked Wells Fargo Merchant Services account	1	0 <input type="checkbox"/>
- Total number of posted Wells Fargo Debit Card purchases and/or payments	1	0 <input type="checkbox"/>
- Enrollment in a linked Direct Pay service through Wells Fargo Business Online	10	1 <input type="checkbox"/>
- Combined balances in linked accounts, which may include	1	0 <input type="checkbox"/>
- Average ledger balances in business checking, savings, and time accounts	\$10,000.00	<input type="checkbox"/>
- Most recent statement balance in eligible Wells Fargo business credit cards and lines of credit, and combined average daily balances from the previous month in eligible Wells Fargo business and commercial loans and lines of credit		
- For complete details on how you can avoid the monthly service fee based on your combined balances please refer to page 7 of the Business Account Fee and Information Schedule at <a href="http://www.wellsfargo.com/biz/fee-information">www.wellsfargo.com/biz/fee-information</a>		

wxxw

**Account transaction fees summary**

Service charge description	Units used	Units included	Excess units	Service charge per excess units (\$)	Total service charge (\$)
Cash Deposited (\$)	0	7,500	0		
Transactions	2	200	0	0.0030	0.00
<b>Total service charges</b>				<b>0.50</b>	<b>0.00</b>
					<b>\$0.00</b>



## IMPORTANT ACCOUNT INFORMATION

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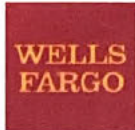
### **Important information about legal process fees.**

The fee for legal order processing, which includes handling levies, writs, garnishments, and any other legal documents that require funds to be attached, remains \$125. The Bank will assess no more than a total of \$250 in legal process fees per account, per calendar month. Please note that the calendar month may not coincide with your statement cycle.



# Wells Fargo Business Choice Checking

Account number: [REDACTED] ■ June 1, 2018 - June 30, 2018 ■ Page 1 of 3



PHAM FOR ASSEMBLY 2018  
[REDACTED]

## Questions?

Available by phone 24 hours a day, 7 days a week:  
Telecommunications Relay Services calls accepted

**1-800-CALL-WELLS** (1-800-225-5935)

TTY: 1-800-877-4833

En español: 1-877-337-7454

Online: [wellsfargo.com/biz](http://wellsfargo.com/biz)

Write: Wells Fargo Bank, N.A. (114)

P.O. Box 8995

Portland, OR 97228-6995

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## Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to [wellsfargo.com/biz](http://wellsfargo.com/biz) or call the number above if you have questions or if you would like to add new services.

- Business Online Banking
- Online Statements
- Business Bill Pay
- Business Spending Report
- Overdraft Protection

## Activity summary

Beginning balance on 6/1	\$349.73
Deposits/Credits	2,000.00
Withdrawals/Debits	- 2,349.73
<b>Closing balance on 6/19</b>	<b>\$0.00</b>

Average ledger balance this period \$1,287.50

Account number: [REDACTED]

**PHAM FOR ASSEMBLY 2018**

California account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 121042882

For Wire Transfers use

Routing Number (RTN): 121000248

## Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.



**Transaction history**

Date	Check Number	Description	Deposits/ Credits	Withdrawals/ Debits	Ending daily balance
6/4		Online Transfer From Van Pham M Ref #1b04Nzbjzv Prime Checking Repay My Temporary Loan	2,000.00		
6/4	104	Cashed Check		100.00	1,949.73
6/4	103	Deposited OR Cashed Check		300.00	1,449.73
6/8		Online Transfer to Van Pham M Prime Checking #1b04Pmstpgj on 06/08/18 [REDACTED] Ref		500.00	
6/12		ATM Withdrawal authorized on 06/12 1232 Broadway Ave Chula Vista CA 0006055 ATM ID 9894R Card [REDACTED]		200.00	1,249.73
6/13		Online Transfer to Van Pham M Prime Checking #1b04Q6Ljd2 on 06/13/18 [REDACTED] Ref		500.00	749.73
6/14	105	Check			
6/19		Withdrawal Made In A Branch/Store		160.00	589.73
<b>Ending balance on 6/30</b>				589.73	0.00
<b>Totals</b>			<b>\$2,000.00</b>	<b>\$2,349.73</b>	<b>0.00</b>

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

**Summary of checks written** (checks listed are also displayed in the preceding Transaction history)

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
103	6/4	300.00	104	6/4	100.00	105	6/14	160.00

 **IMPORTANT ACCOUNT INFORMATION**

**Revised Agreement for Online Access**  
 We're updating our Online Access Agreement effective September 17, 2018.  
 To see what is changing, please visit [wellsfargo.com/onlineupdates](http://wellsfargo.com/onlineupdates).

Your Business Choice Checking account comes with a check benefit of \$10 off on your first order of Business Checks/Accessories through Wells Fargo. This discount will expire on August 31, 2018, so please take advantage of it now. Go to [wellsfargo.com/checks](http://wellsfargo.com/checks) to place your order.





# Operation Image Browser 2.0

Site	VIEWPOINTE	Paid Date	06192018	Serial No	9765
Routing	12104288	Account	[REDACTED]	PC	000069
Amount	589.73	Sequence	2049577376	Capture	00010064
				Source	

### Front Black & White Image

#### Withdrawal/Retiro:

(Check One/ (Marque una)  Checking/Cuenta de Cheques  Savings/Ahorros  Money Market Access  Command

9765



Account Number /  
Número de cuenta

\* [REDACTED]

Date/Fecha 6/19/18

Please print Name - / Letra de imprenta: Nombre  
 Loy Kon Phom  
 Please print Street Address, City, State, Zip Code / Letra de imprenta: Domicilio, Ciudad, Estado, Código Postal

I authorize this withdrawal from the account listed above. / Autorizo este retiro de la cuenta mencionada arriba. Please sign in teller's presence for cash back. / Firmo en la presencia del (de la) cajero(a) para el retiro de dinero en efectivo.  
 Two forms of ID may be required. / Se podrían requerir dos tipos de identificación.

[Signature]

Wells Fargo Internal Use Only. Blank. Well Fargo Conditions When Completed.

Five hundred eighty nine <sup>73</sup>/<sub>100</sub> Dollars \$ 589.73

Bank Use Only (When BYT is Not Available) T/P6020 (04/18) vers 11 70007658  
 Customer ID: Exp. date: Token Validated (Y/N)  Approval:

⑈9765⑈ ⑆500000694⑆

### Back Black & White Image

2049577376



Site	VIEWPOINTE	Paid Date	06142018	Serial No	105
Routing	12104288	Account	[REDACTED]	PC	000060
Amount	160.00	Sequence	8516052330	Capture Source	00007306

Front Black & White Image

**WELLS FARGO BANK** 0105  
BROOKHURST-EDINGER 18025 BROOKHURST ST FOUNTAIN VALLEY, CA 92708  
DATE 6-6-18 11-4288/1210

PAY TO THE ORDER OF ASIAN WORLD MEDIA \$ 160.00  
ONE HUNDRED SIXTY and 00/100 DOLLARS  
PHAM FOR ASSEMBLY 2018  
[REDACTED]  
Loy Pham  
⑆ 121042882⑆ [REDACTED] 0105

Back Black & White Image

CREDITED TO ACCOUNT OF  
WITHIN NAMED PAYEE  
FOR DEPOSIT ONLY  
JPMorgan Chase Bank, N.A.

Site	VIEWPOINTE	Paid Date	06042018	Serial No	104
Routing	12104288	Account	[REDACTED]	PC	000062
Amount	100.00	Sequence	2048841038	Capture Source	00010064

Front Black & White Image

**WELLS FARGO BANK** 0104  
 BROOKHURST-EDINGER 16025 BROOKHURST ST FOUNTAIN VALLEY, CA 92703  
 DATE 6-4-18 11-4288/1210

PAY TO THE ORDER OF TRONG HOAN \$ 100.00  
ONE HUNDRED AND 00/100 DOLLARS

PHAM FOR ASSEMBLY 2018  
 [REDACTED]

*Loy Pham*

⑆ 2 104 288 2 ⑆ [REDACTED] ⑆ 0 1 0 ⑆

Back Black & White Image

Security Features exceed industry standards and include:

- MobileMark™ Mobile Deposit check marks indicate check has been deposited via mobile device
- The Security Markings on the back designed to deter check fraud
- Microprint on the back
- The words "ORIGINAL DOCUMENT" across the back
- Padlock icon

Do not cash if:

- Any of the features listed above are missing or appear altered
- Faded ink on back fails to pick up the microprint
- Brown stains or colored spots appear on back front and back

⑆ 2 104 288 2 ⑆ [REDACTED] ⑆ 0 1 0 ⑆

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE  
 RESERVED FOR FINANCIAL INSTITUTION USE

CHECK HERE IF MOBILE DEPOSIT

*Loy Pham*

ORIGINAL DOCUMENT

Site	VIEWPOINTE	Paid Date	06042018	Serial No	103
Routing	12104288	Account	[REDACTED]	PC	000060
Amount	300.00	Sequence	2241556988	Capture Source	00010064

Front Black & White Image

**WELLS FARGO BANK**

BROOKHURST-EDINGER 16025 BROOKHURST ST FOUNTAIN VALLEY, CA 92708

0103  
11-4288/1210

DATE 6-4-18

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PAY TO THE ORDER OF L.S. TV \$ 300.00

THREE HUNDRED AND 00/100 DOLLARS

PHAM FOR ASSEMBLY 2018

[REDACTED]

Loy Pham

⑆ 12104288 ⑆ [REDACTED] ⑆ 0103

Back Black & White Image

2241556988

PAY TO THE ORDER OF  
 WELLS FARGO BANK N.A.  
 ⑆ 12104288 ⑆  
 FOR DEPOSIT ONLY  
 LITTLE SACON TV NETWORK  
 ⑆ 3532544

# Wells Fargo Business Choice Checking

Account number: [REDACTED] ■ March 1, 2018 - March 31, 2018 ■ Page 1 of 4



PHAM FOR ASSEMBLY 2018  
[REDACTED]

## Questions?

Available by phone 24 hours a day, 7 days a week:  
Telecommunications Relay Services calls accepted

**1-800-CALL-WELLS** (1-800-225-5935)

TTY: 1-800-877-4833

En español: 1-877-337-7454

Online: [wellsfargo.com/biz](http://wellsfargo.com/biz)

Write: Wells Fargo Bank, N.A. (114)  
P.O. Box 6995  
Portland, OR 97228-6995

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## Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to [wellsfargo.com/biz](http://wellsfargo.com/biz) or call the number above if you have questions or if you would like to add new services.

Business Online Banking	<input checked="" type="checkbox"/>
Online Statements	<input type="checkbox"/>
Business Bill Pay	<input checked="" type="checkbox"/>
Business Spending Report	<input checked="" type="checkbox"/>
Overdraft Protection	<input type="checkbox"/>

## Activity summary

Beginning balance on 3/1	\$0.00
Deposits/Credits	1,000.00
Withdrawals/Debits	- 917.56
<b>Ending balance on 3/31</b>	<b>\$82.44</b>

Average ledger balance this period \$371.13

Account number: [REDACTED]

**PHAM FOR ASSEMBLY 2018**

California account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 121042882

For Wire Transfers use

Routing Number (RTN): 121000248

## Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.



**Transaction history**

Date	Check Number	Description	Deposits/ Credits	Withdrawals/ Debits	Ending daily balance
3/1		ATM Check Deposit on 03/01 16025 Brookhurst Fountain Vly CA 0005742 ATM ID 0668U Card [REDACTED]	1,000.00		1,000.00
3/5		Online Transfer to Van Pham M Checking [REDACTED] Ref #1b04Bw32NI on 03/05/18		500.00	500.00
3/7		Purchase authorized on 03/07 USPS PO 05693601 3101 W S Santa Ana CA P00468066704766625 Card [REDACTED]		29.70	470.30
3/14		Purchase authorized on 03/13 CA Sos Political R 916-6539354 CA S388072625867226 Card [REDACTED]		50.00	420.30
3/19	101	Check			
3/21		ATM Withdrawal authorized on 03/20 16025 Brookhurst Fountain Vly CA 0006970 ATM ID 0668A Card [REDACTED]		317.86	102.44
				20.00	82.44
<b>Ending balance on 3/31</b>					<b>82.44</b>
<b>Totals</b>			<b>\$1,000.00</b>	<b>\$917.56</b>	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

**Summary of checks written** (checks listed are also displayed in the preceding Transaction history)

Number	Date	Amount
101	3/19	317.86

**Monthly service fee summary**

For a complete list of fees and detailed account information, see the Wells Fargo Account Fee and Information Schedule and Account Agreement applicable to your account (EasyPay Card Terms and Conditions for prepaid cards) or talk to a banker. Go to [wellsfargo.com/feefaq](http://wellsfargo.com/feefaq) for a link to these documents, and answers to common monthly service fee questions.

Fee period 03/01/2018 - 03/31/2018

Standard monthly service fee \$14.00

You paid \$0.00

We waived the fee this fee period to allow you to meet the requirements to avoid the monthly service fee. Your fee waiver is about to expire. You will need to meet the requirement(s) to avoid the monthly service fee.

**How to avoid the monthly service fee**

Have any **ONE** of the following account requirements

	Minimum required	This fee period
- Average ledger balance	\$7,500.00	\$371.00 <input type="checkbox"/>
- A qualifying transaction from a linked Wells Fargo Business Payroll Services account	1	0 <input type="checkbox"/>
- A qualifying transaction from a linked Wells Fargo Merchant Services account	1	0 <input type="checkbox"/>
- Total number of posted Wells Fargo Debit Card purchases and/or payments	10	2 <input type="checkbox"/>
- Enrollment in a linked Direct Pay service through Wells Fargo Business Online	1	0 <input type="checkbox"/>
- Combined balances in linked accounts, which may include	\$10,000.00	0 <input type="checkbox"/>
- Average ledger balances in business checking, savings, and time accounts		<input type="checkbox"/>
- Most recent statement balance in eligible Wells Fargo business credit cards and lines of credit, and combined average daily balances from the previous month in eligible Wells Fargo business and commercial loans and lines of credit		
- For complete details on how you can avoid the monthly service fee based on your combined balances please refer to page 7 of the Business Account Fee and Information Schedule at <a href="http://www.wellsfargo.com/biz/fee-information">www.wellsfargo.com/biz/fee-information</a>		

The Monthly service fee summary fee period ending date shown above includes a Saturday, Sunday, or holiday which are non-business days.

Transactions occurring after the last business day of the month will be included in your next fee period.

www



**Account transaction fees summary**

<i>Service charge description</i>	<i>Units used</i>	<i>Units included</i>	<i>Excess units</i>	<i>Service charge per excess units (\$)</i>	<i>Total service charge (\$)</i>
Cash Deposited (\$)	0	7,500	0	0.0030	0.00
Transactions	2	200	0	0.50	0.00
<b>Total service charges</b>					<b>\$0.00</b>



**IMPORTANT ACCOUNT INFORMATION**

**Important information about legal process fees.**

The fee for legal order processing, which includes handling levies, writs, garnishments, and any other legal documents that require funds to be attached, remains \$125. However, effective 2/16/18, the bank will assess no more than two legal process fees per account, per calendar month. Please note, the calendar month may not coincide with your statement cycle.

**Using Combined Balances to Avoid Monthly Service Fees**

We want to share some important information with you about avoiding monthly service fees using combined balances. A checking account with a combined balance option to avoid a monthly service fee cannot be linked to another checking account with a combined balance option. Any other accounts linked to a checking account with a combined balance option to avoid a monthly service fee cannot simultaneously be linked to another checking account with a combined balance option.

For questions or clarification, please call the phone bank number at the top of your statement. We appreciate your business.



**Exhibit A-16**



**Schedule E  
Payments Made**

Amounts may be rounded  
to whole dollars.

Statement covers period from <u>1/01/2018</u> through <u>4/21/2018</u>	<b>CALIFORNIA FORM 460</b>
	Page <u>13</u> of <u>15</u>
	I.D. NUMBER <b>1403605</b>

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

**PHAM FOR ASSEMBLY 2018**

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP campaign paraphernalia/misc.	MBR member communications	RAD radio airtime and production costs
CNS campaign consultants	MTG meetings and appearances	RFD returned contributions
CTB contribution (explain nonmonetary)*	OFC office expenses	SAL campaign workers' salaries
CVC civic donations	PET petition circulating	TEL t.v. or cable airtime and production costs
FIL candidate filing/ballot fees	PHO phone banks	TRC candidate travel, lodging, and meals
FND fundraising events	POL polling and survey research	TRS staff/spouse travel, lodging, and meals
IND independent expenditure supporting/opposing others (explain)*	POS postage, delivery and messenger services	TSF transfer between committees of the same candidate/sponsor
LEG legal defense	PRO professional services (legal, accounting)	VOT voter registration
LIT campaign literature and mailings	PRT print ads	WEB information technology costs (internet, e-mail)

NAME AND ADDRESS OF PAYEE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
ORANGE COUNTY REGISTRAR OF VOTERS SANTA ANA, CA	FIL	PAID FOR BY CONDIDATE CREDIT CARD ON 3/09/2018	993.00
ORANGE COUNTY REGISTRAR OF VOTERS SANTA ANA, CA	LIT	PAID FOR BY MARY PHAM CREDIT CARD AS A LOAN ON 3/09/2018	3020.00
DISCOUNT PRINTING WESTMINSTER, CA	CMP	PAID FOR BY CANDIDATE CREDIT CARD	1000.00

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$ 5013.00**

**Schedule E Summary**

1. Itemized payments made this period. (Include all Schedule E subtotals.).....	\$	19382.61
2. Unitemized payments made this period of under \$100.....	\$	432.00
3. Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).).....	\$	0
4. Total payments made this period. (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.).....	<b>TOTAL \$</b>	<b>19814.61</b>

**Schedule E  
(Continuation Sheet)  
Payments Made**

Amounts may be rounded  
to whole dollars.

SCHEDULE E (CONT.)

Statement covers period from <u>1/01/2018</u> through <u>4/21/2018</u>	<b>CALIFORNIA FORM 460</b>
	Page <u>14</u> of <u>15</u>
	I.D. NUMBER <b>1403605</b>

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

PHAM FOR ASSEMBLY 2018

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (Internet, e-mail)           |

NAME AND ADDRESS OF PAYEE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
ORANGE COUNTY COMMERCIAL PRINTING WESTMINSTER, CA	PRT	PAID FOR BY CANDIDATE CREDIT CARD	1400.00
USPS SANTA ANA, CA	POS	PAID FOR BY CANDIDATE PERSONAL ACCOUNT	1250.00
BNSONS ORANGE, CA	CMP	PAID FOR BY CANDIDATE PERSONAL ACCOUNT	1540.00
OFFICE DEPOT FOUNTAIN VALLEY, CA	PRT	PAID FOR BY CANDIDATE CREDIT CARD	652.00
OFFICE DEPOT FOUNTAIN VALLEY, CA	PRT	PAID FOR BY CANDIDATE CREDIT CARD	1042.00

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$ 5884.00**

**Exhibit A-17**

**FAIR POLITICAL PRACTICES COMMISSION  
INVESTIGATION REPORT**

**FPPC CASE NO:** 2018-00569

**REPORT NO.** 1

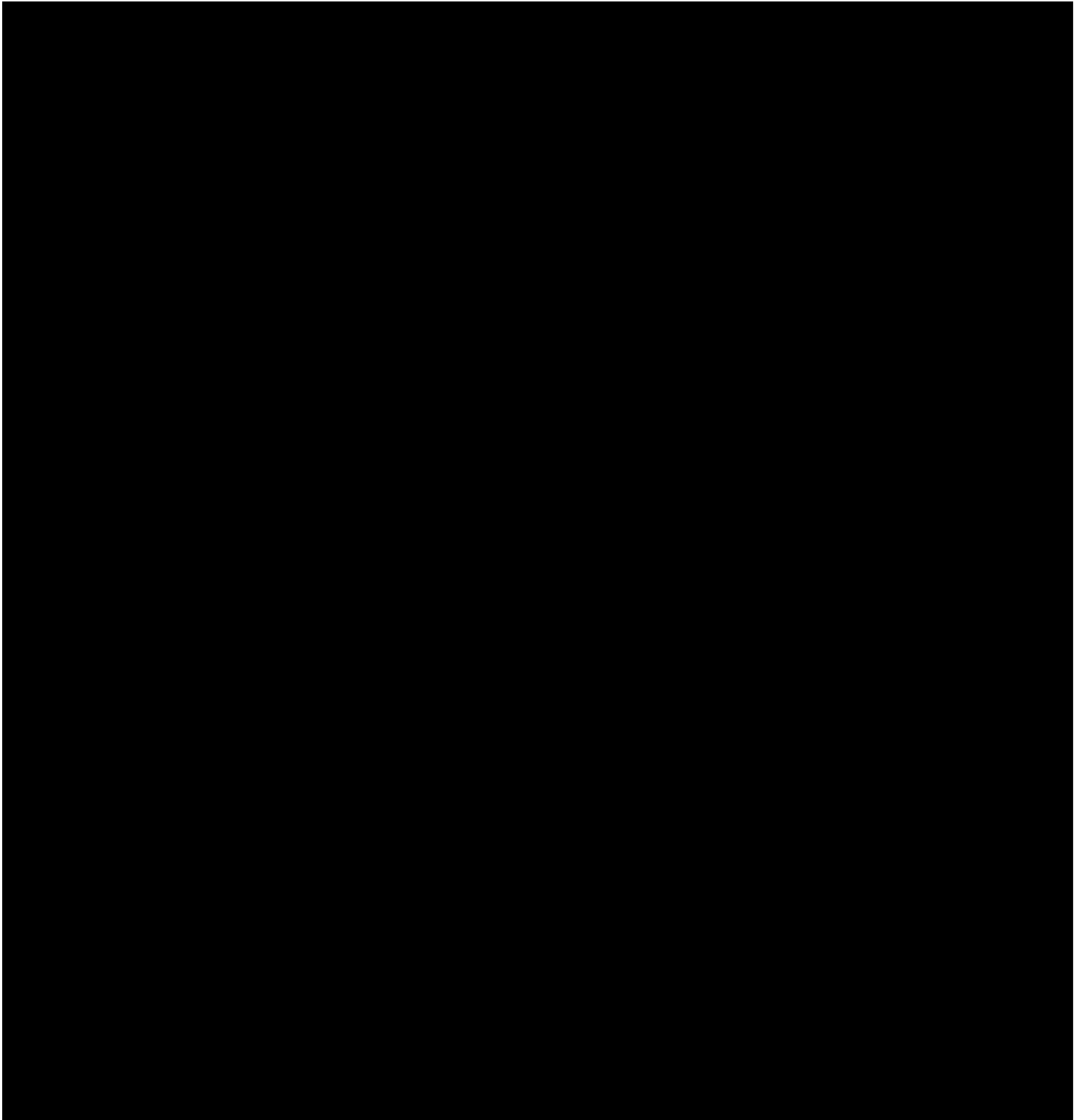
**REPORT DATE:** December 6, 2022

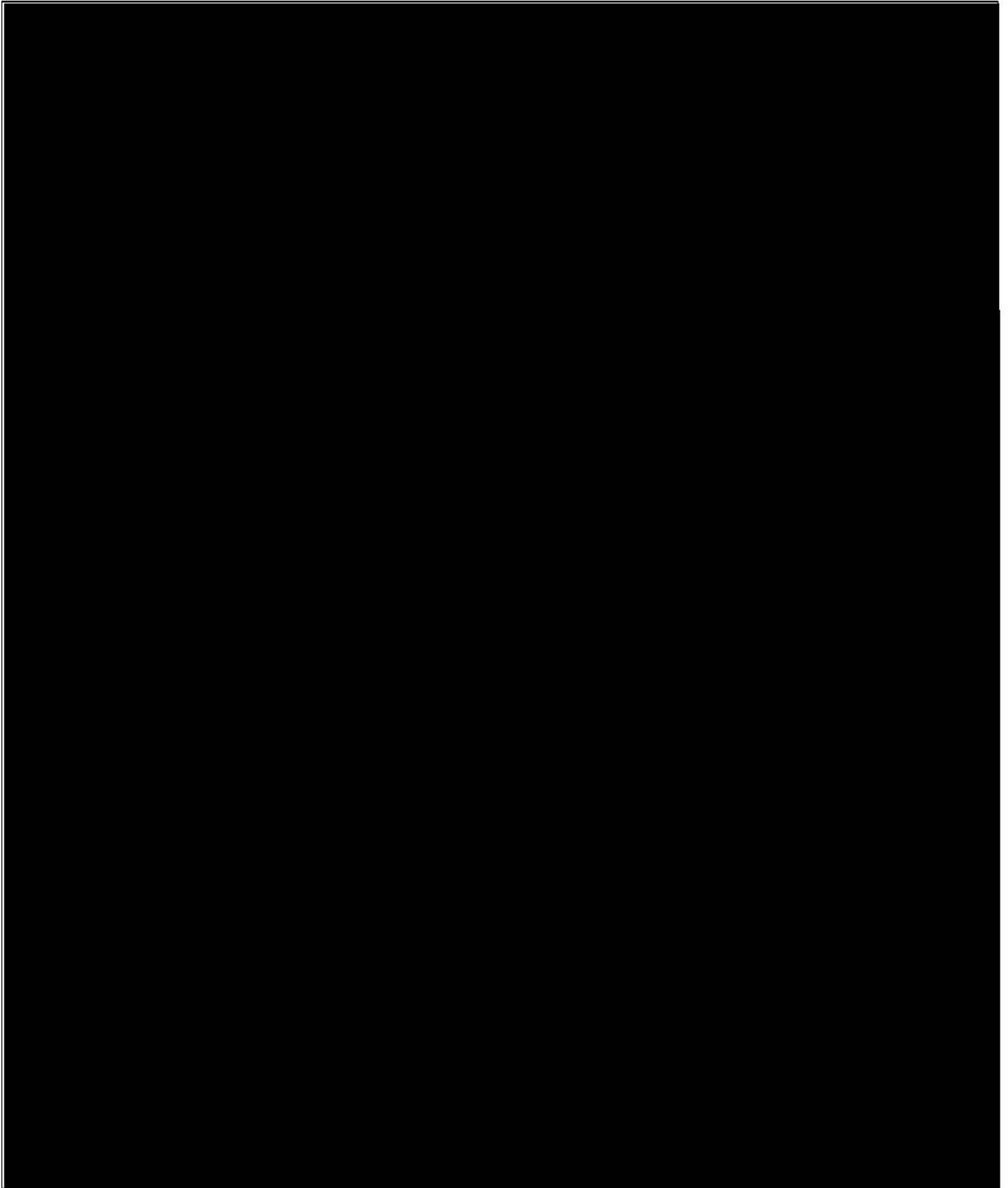
**CASE ATTORNEY:** Marissa Nash

**CASE NAME:** PHAM, Pham for Assembly 2018

**REPORT TYPE:** Communications with Pham/summary

**PREPARED BY:** Ann Flaherty





[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On 12/6/2022, I called Pham and left a message for him and also emailed him stating that I needed to hear from as soon as possible. Late in the day on 12/6/2022, I received a call from Pham (949-500-9887) who stated he did not want to put into writing the answers to my questions, as he would rather just give me the answers. I proceeded to ask Pham the same questions that I posted in my email and his answers are detailed below however, the following is a summary of some of the key information Pham provided to me:

- Pham has run for public office, in California, approximately (11) times and both he and his wife acted as treasurers most of the time because of the cost of a professional treasurer.
- Pham was not specifically aware of the requirements relating to contributions and that they all be deposited into the committee bank account. He admits to depositing campaign contribution's into his personal bank account in order to protect his 15 or so contributors from retaliation. Pham believes it was only about \$5000 and the rest were in-kind contributions.
- Pham believes that Tyler Diep, who ran against him in 2018 and who works for FTB, is behind some of his issues and believes anything he gives to our agency, Diep will know.
- Pham said that his 2018 committee did not have money but bills needed to be paid so he had to pay for those expenditures with personal funds. Pham said he skipped a house payment to pay for campaign expenses.
- Pham believes that he complied with the recordkeeping requirements for his committee as it pertains to contribution and expenditure records. The amendments that he filed, though, were made with his records in front of him and are accurate reporting.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]



**Exhibit A-18**

**Campaign Disclosure Statement  
Summary Page**

Amounts may be rounded  
to whole dollars.

SUMMARY PAGE

Statement covers period from <u>1/01/2018</u> through <u>4/21/2018</u>	<b>CALIFORNIA FORM 460</b>
	Page <u>3</u> of <u>14</u>
	I.D. NUMBER 1403605

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
PHAM FOR ASSEMBLY 2018

**Contributions Received**

	Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
1. Monetary Contributions ..... <i>Schedule A, Line 3</i>	\$ 9800.00	\$ 9800.00
2. Loans Received ..... <i>Schedule B, Line 3</i>	4400.00	4400.00
3. SUBTOTAL CASH CONTRIBUTIONS ..... <i>Add Lines 1 + 2</i>	14200.00	14200.00
4. Nonmonetary Contributions ..... <i>Schedule C, Line 3</i>	6800.00	6800.00
5. TOTAL CONTRIBUTIONS RECEIVED ..... <i>Add Lines 3 + 4</i>	\$ 21000.00	\$ 21000.00

**Calendar Year Summary for Candidates  
Running in Both the State Primary and  
General Elections**

	1/1 through 6/30	7/1 to Date
20. Contributions Received	\$ _____	\$ _____
21. Expenditures Made	\$ _____	\$ _____

**Expenditures Made**

	Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
6. Payments Made ..... <i>Schedule E, Line 4</i>	\$ 11329.00	\$ 11329.00
7. Loans Made ..... <i>Schedule H, Line 3</i>	0	0
8. SUBTOTAL CASH PAYMENTS ..... <i>Add Lines 6 + 7</i>	11329.00	11329.00
9. Accrued Expenses (Unpaid Bills) ..... <i>Schedule F, Line 3</i>	0	0
10. Nonmonetary Adjustment ..... <i>Schedule C, Line 3</i>	6800.00	6800.00
11. TOTAL EXPENDITURES MADE ..... <i>Add Lines 8 + 9 + 10</i>	\$ 18129.00	\$ 18129.00

**Expenditure Limit Summary for State  
Candidates**

22. Cumulative Expenditures Made\*  
(If Subject to Voluntary Expenditure Limit)

Date of Election (mm/dd/yy)	Total to Date
____/____/____	\$ _____
____/____/____	\$ _____

**Current Cash Statement**

12. Beginning Cash Balance ..... <i>Previous Summary Page, Line 16</i>	\$ 0
13. Cash Receipts ..... <i>Column A, Line 3 above</i>	14200.00
14. Miscellaneous Increases to Cash ..... <i>Schedule I, Line 4</i>	0
15. Cash Payments ..... <i>Column A, Line 8 above</i>	11329.00
16. ENDING CASH BALANCE ..... <i>Add Lines 12 + 13 + 14, then subtract Line 15</i>	\$ 2871.00

*If this is a termination statement, Line 16 must be zero.*

17. LOAN GUARANTEES RECEIVED ..... <i>Schedule B, Part 2</i>	\$ 0
--	------

**Cash Equivalents and Outstanding Debts**

18. Cash Equivalents ..... <i>See instructions on reverse</i>	\$ 2871.00
19. Outstanding Debts ..... <i>Add Line 2 + Line 9 in Column B above</i>	\$ 4400.00

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

\*Amounts in this section may be different from amounts reported in Column B.

**Exhibit A-19**



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
1102 Q Street, Suite 3050 • Sacramento, CA 95811

August 30, 2024

Long Pham  
Mary Pham  
9460 Daisy Avenue  
Fountain Valley, CA 92708

**NOTICE OF DEFAULT DECISION AND ORDER**

**Re: FPPC No. 18/569; Pham for Assembly 2018, Long Pham, and Mary Pham**

Dear Long Pham, Mary Pham and Committee:

On August 8, 2024 you were personally served with an accusation in the above referenced matter. Pursuant to the Administrative Procedure Act, you were required to file a notice of defense within 15 days after service of the accusation to request an administrative hearing. You did not file a notice of defense. **As a result, you have waived your right to an administrative hearing.**<sup>1</sup>

The Fair Political Practices Commission (the “Commission”) will proceed with a default, decision and order (“default”) against you. The initial notice of this default will appear on the published agenda for the Commission’s public meeting on **September 19, 2024**. This agenda will be public and you could be contacted by the media with questions. The Commission will be asked to adopt the default at the subsequent public meeting on **October 17, 2024** and impose an administrative penalty of \$39,500 against you.

Following the issuance of the default, the Commission will obtain a judgment in superior court for the amount owed and then take action to collect the judgment. Please be advised that administrative penalties for violations of the Political Reform Act cannot be discharged in bankruptcy proceedings.

You may still resolve this matter informally by way of a stipulated settlement if an agreement can be reached prior to this matter appearing for consideration by the Commission. Please contact me at (279) 237-5932 or [mcorona@fppc.ca.gov](mailto:mcorona@fppc.ca.gov) if you wish to enter into a settlement to resolve this matter in its entirety.

Sincerely,

*Marissa Corona*

Marissa Corona  
Commission Counsel  
Enforcement Division

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<sup>1</sup> Government Code section 11505.

**Exhibit A-20**



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
1102 Q Street, Suite 3050 • Sacramento, CA 95811

October 1, 2024

Long Pham  
Mary Pham  
9460 Daisy Avenue  
Fountain Valley, CA 92708

**NOTICE OF INTENT TO ENTER DEFAULT DECISION AND ORDER**

**Re: FPPC No. 18/569; Pham for Assembly 2018, Long Pham, and Mary Pham**

Dear Long Pham, Mary Pham and Committee:

On August 8, 2024, you were personally served with an accusation in the above referenced matter. Pursuant to the Administrative Procedure Act, you were required to file a notice of defense within 15 days after service of the accusation to request an administrative hearing. You did not file a notice of defense. **As a result, you have waived your right to an administrative hearing.<sup>1</sup>**

The Fair Political Practices Commission (the “Commission”) will proceed with a default, decision and order (“default”) against you. The initial notice of this default appeared on the published agenda for the Commission’s public meeting on **September 19, 2024**. The Commission will be asked to adopt the default at its public meeting scheduled for **October 17, 2024** and impose an administrative penalty of \$39,500 against you. A copy of the default, decision, and order and accompanying exhibits the Commission will consider at its meeting on **October 17, 2024** is enclosed with this letter.

You may, but you are not required to, provide a response brief, along with any supporting materials, no later than five calendar days before the Commission hearing at which the default is scheduled to be heard. Your response brief must be served on the Commission Assistant, at the above address.

Following the issuance of the default order and imposition of the administrative penalty, we will commence legal proceedings to collect this fine, which may include converting the Commission’s order to a court judgment. Please be advised that administrative penalties for violations of the Political Reform Act cannot be discharged in bankruptcy proceedings.

This letter is your last opportunity to resolve this matter informally by way of a stipulated settlement, before the default proceedings are commenced. If we do not reach a resolution, the enclosed documents will be placed on the Commission’s agenda for the **October 17, 2024** meeting. Please contact me at (279) 237-5932 or [mcorona@fppc.ca.gov](mailto:mcorona@fppc.ca.gov) if you wish to enter into a negotiated settlement.

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<sup>1</sup> Government Code Section 11505.

Sincerely,

*Marissa Corona*

Marissa Corona  
Commission Counsel  
Enforcement Division

*Enclosures: Default Decision and Order, Exhibit 1 and attachments*