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8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

9 STATE OF CALIFORNIA
10

11 In the Matter of)

FPPC No: 11/336

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BRIAN DEFORGE,
Respondent.

STIPULATION, DECISION and
ORDER

19 Complainant, Fair Political Practices Commission, and Respondent Brian DeForge agree that
20 this Stipulation will be submitted for consideration by the Fair Political Practices Commission at its
21 next regularly scheduled meeting.

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

25 Respondent understands and hereby knowingly and voluntarily waives any and all procedural
26 rights set forth in Sections 83115.5, 11503 and 11523 of the Government Code, and in Sections
27 18361.1 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not
28 limited to, the right to personally appear at any administrative hearing held in this matter, to be

1 represented by an attorney at Respondents own expense, to confront and cross-examine all witnesses
2 testifying at the hearing, to subpoena witnesses to testify at the hearing, to have an impartial
3 administrative law judge preside over the hearing as a hearing officer, and to have the matter judicially
4 reviewed.

5 Respondent further stipulates and agrees that, as described in Exhibit 1, he violated the Political
6 Reform Act by failing to disclose the Beaumont-Cherry Valley Water District and the Dixieline
7 Builder Fund Control, clients of his business, Brian E. DeForge Construction, as sources of income on
8 his 2007 Annual Statement of Economic Interests, in violation of Government Code sections 87203
9 and 87207 (1 count), as described in Exhibit 1. Exhibit 1 is attached hereto and incorporated by
10 reference, as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this
11 matter.

12 Respondent agrees to the issuance of the Decision and Order, which is attached hereto.
13 Respondent also agrees to the Commission imposing upon him an administrative penalty in the amount
14 of One Thousand Dollars (\$1,000). A cashier's check from Respondent totaling said amount, made
15 payable to the "General Fund of the State of California," is submitted with this Stipulation as full
16 payment of the administrative penalty, and shall be held by the State of California until the
17 Commission issues its decision and order regarding this matter. The parties agree that in the event the
18 Commission refuses to accept this Stipulation, it shall become null and void, and within fifteen (15)
19 business days after the Commission meeting at which the Stipulation is rejected, all payments tendered
20 by Respondent in connection with this Stipulation shall be reimbursed to Respondent. Respondent
21 further stipulates and agrees that in the event the Commission rejects the Stipulation, and a full
22 evidentiary hearing before the Commission becomes necessary, neither any member of the
23 Commission, nor the Executive Director, shall be disqualified because of prior consideration of this
24 Stipulation.

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26 Dated: _____

Gary S. Winuk, Chief of Enforcement
Fair Political Practices Commission

Dated: _____

Brian DeForge, Respondent

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1 **DECISION AND ORDER**

2 The foregoing Stipulation of the parties “In the Matter of Brian DeForge, FPPC No. 11/336,”
3 including all attached exhibits, is hereby accepted as the final Decision and Order of the Fair Political
4 Practices Commission, effective upon execution below by the Chair.
5

6 IT IS SO ORDERED.
7

8
9 Dated: _____

Ann Ravel, Chair
Fair Political Practices Commission