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*ALSO ADMITTED IN THE DISTRICT OF COLUMBIA

July 26, 2007

Honorable Ross Johnson, Chairman
and Commissioners Remy, Huguenin, Leidigh and Hodson
Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, CA 95814

Via Overnight Delivery

Re: Formal Complaint Against Carole Migden and
Four of Her Controlled Committees

Dear Chairman Johnson and Commissioners:

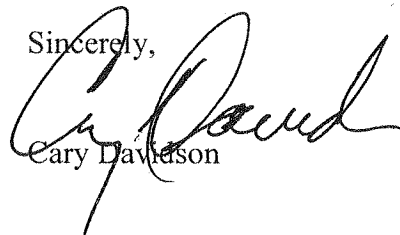
On behalf of Mark Leno for Senate 2008, enclosed is a formal sworn complaint against State Senator Carole Migden and her controlled committees. The complaint summarizes how Senator Migden and her committees violated the Political Reform Act by:

- 1) Failing to itemize nearly \$400,000 in credit card campaign expenses;
- 2) Illegally transferring nearly \$1,000,000 in surplus campaign funds;
- 3) Illegally spending \$250,000 in surplus campaign funds; and
- 4) Illegally maintaining a political committee that should have been closed.

Pursuant to Section 83115 of the Political Reform Act, the Commission is required to notify the complainant in writing within 14 days after the receipt of the complaint of any action the Commission has taken or plans to take on the complaint, together with the reasons for such action or nonaction. If the Commission has not made a decision within 14 days, it is required to notify the complainant of the reasons for the delay if no decision is made and to subsequently provide the notification of the decision to the complainant as required by the Section.

Senator Migden is on record in a recent San Francisco Chronicle article (copy attached) as refusing to disavow use of these illegal funds. Therefore, the FPPC should act quickly and we look forward to your early resolution of this serious matter.

Sincerely,



Cary Davidson

Enclosures

Js07/Appcformalcomplaint.doc



FAIR POLITICAL PRACTICES COMMISSION

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- COMMISSION
- PRESS CENTER
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Violation Report Form **FORMAL COMPLAINT**

Please fill out this form to file a complaint with the Enforcement division. Complaints sent by U. S. Mail should be directed to the Enforcement Division, Fair Political Practices Commission, 428 J. Street, Suite 620, Sacramento, California 95814. You may also submit your complaint by facsimile at telephone number 916-322-1932. Please make sure that all relevant documents supporting your complaint are attached to your communication.

- ▶ FPPC Home Page
- ▶ Commission
- ▶ Agendas
- ▶ FPPC Regulations
- ▶ The Political Reform Act
- ▶ Candidates and Committees
- ▶ Interested Persons' Meetings
- ▶ Lobbyists
- ▶ Restrictions on Government Officials and Employees
- ▶ Ethics Orientation for State Officials
- ▶ AB 1234 Ethics Training for Local Officials
- ▶ Conflicts of Interest / Form 700 / COI Codes
- ▶ Enforcement
- ▶ Audit Program
- ▶ Workshops & Seminars
- ▶ Legislation
- ▶ Litigation
- ▶ Mailing Lists
- ▶ Links
- ▶ Contacting the FPPC

Name of Person Making Complaint:

Last name: Davidson, Cary for
 First Name: Mark Leno for Senate 2008 ID#1295340
 Street Address: 520 S. Grand Ave. Suite #700
 City: Los Angeles, State: CA
 Zip: 90071
 Telephone: (213) 624-6200
 Fax: (213) 623-1692
 E-mail: cary@politicallaw.com

Complaint

Person or Persons who Allegedly Violated the Political Reform Act: *(If there are multiple parties involved, attach additional pages as necessary.)*

Last Name: Migden
 First Name: Carole, and four controlled committees
Re-elect Assembly Woman Carole Migden (ID#962662)
 Street Address:
2004 Senate Friends of Carole Migden (ID#1231831)
Carole Migden Leadership Committee (ID#1231896)
 City: _____ State: _____
Re-Elect Senator Carole Migden (ID#1273463)
 Zip: _____
 Telephone: (____) _____
 Fax: (____) _____
 E-mail: _____

Provision or Provisions of the Political Reform Act Allegedly Violated: (If specific sections are not known, please provide a brief summary of the nature of the allegations(s).)

Please see Attachment

Failure to itemize credit card expenses

Illegal transfer of surplus campaign funds

Illegal expenditure of surplus campaign funds

Illegal maintenance of political committee

Description, With as Much Particularity as Possible, of Facts Constituting Alleged Violation: (Attach additional pages as necessary.)

Please see attachment

(Please attach copies of any available documentation regarding the violation, for example, checks, campaign materials, etc., if applicable to the complaint.)

Name and Addresses of Potential Witnesses, if Known: (Please attach additional page(s) if necessary.)

Last Name: _____

First Name: _____

Street Address: _____

City: _____ State: _____

Zip: _____ - _____

Telephone: (____) _____ - _____

Fax: (____) _____ - _____

E-mail: _____

Last Name: _____

First Name: _____

Street Address: _____

City: _____ State: _____

Zip: _____ - _____

Telephone: (____) _____ - _____

Fax: (____) _____ - _____

E-mail: _____

Last Name: _____

First Name: _____

Street Address: _____

City: _____ State: _____

Zip: _____ - _____

Telephone: (____) _____ - _____

Fax: (____) _____ - _____

E-mail: _____

Additional Information: *If you have any additional information that may be useful to the FPPC in any possible future investigations into this matter, please attach as necessary.*

Date: _____

Signed: _____



SWORN DECLARATION:

I declare, under penalty of perjury, that the foregoing is true and correct.

Signed: Cary Davidson Date: 7-26-07

Printed name: Cary Davidson

Place of Signing: Los Angeles, CA