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9 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
10 STATE OF CALIFORNIA

11 In the Matter of) FPPC No. 05/272
12)
13)
14 DAVID WEAVER, DAVID WEAVER FOR) STIPULATION, DECISION and
GLENDALE CITY COUNCIL, AND) ORDER
15 ERLINDA WEAVER,)
16)
17 Respondents.)
18)

19 Complainant Roman G. Porter, Executive Director of the Fair Political Practices Commission,
20 and Respondents David Weaver, David Weaver for Glendale City Council, and Erlinda Weaver, hereby
21 agree that this Stipulation will be submitted for consideration by the Fair Political Practices Commission
22 at its next regularly scheduled meeting.

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

26 Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural
27 rights set forth in sections 83115.5, 11503, and 11523 of the Government Code, and in section 18361.1
28 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not limited to,

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

5 It is further stipulated and agreed that: 1) Respondents David Weaver, David Weaver for Glendale City
6 Council, and Erlinda Weaver violated the Political Reform Act by receiving four cash contributions
7 of \$100 or more in cash, in violation of section 84300, subdivision (a), of the Government Code (1
8 count); 2) Respondents David Weaver, David Weaver for Glendale City Council, and Erlinda
9 Weaver violated the Political Reform Act by failing to maintain the detailed accounts, records, bills, and
10 receipts necessary to prepare the pre-election campaign statement for the reporting period of January 1,
11 2005, through February 19, 2005, to establish that the campaign statement was properly filed, and to
12 comply with the campaign reporting provisions of the Act, in violation of section 84104 of the
13 Government Code (1 count); and 3) Respondent David Weaver violated the Political Reform Act by
14 accepting a gift in excess of the annual gift limit, in violation of section 89503, subdivision (a), of the
15 Government Code (1 Count), as described in Exhibit 1, which is attached hereto and incorporated by
16 reference, as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this
17 matter.

18 Respondents agree to the issuance of the Decision and Order, which is attached hereto.
19 Respondents also agree to the Commission imposing upon them an administrative penalty in the amount
20 of Nine Thousand Dollars (\$9,000). A cashier's check from Respondents in said amount, made payable
21 to the "General Fund of the State of California," is submitted with this Stipulation as full payment of the
22 administrative penalty, and shall be held by the State of California until the Commission issues its
23 decision and order regarding this matter. The parties agree that in the event the Commission refuses to
24 accept this Stipulation, it shall become null and void, and within fifteen (15) business days after the
25 Commission meeting at which the Stipulation is rejected, all payments tendered by Respondents in
26 connection with this Stipulation shall be reimbursed to Respondents. Respondents further stipulate and
27 agree that in the event the Commission rejects the Stipulation, and a full evidentiary hearing before the
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1 Commission becomes necessary, neither any member of the Commission, nor the Executive Director,
2 shall be disqualified because of prior consideration of this Stipulation.

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Dated: _____

Roman G. Porter
Executive Director
Fair Political Practices Commission

Dated: _____

David Weaver, individually and on behalf of David Weaver
for Glendale City Council

Dated: _____

Erlinda Weaver, individually and on behalf of David
Weaver for Glendale City Council

DECISION AND ORDER

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The foregoing Stipulation of the parties “In the Matter of David Weaver, David Weaver for Glendale City Council, and Erlinda Weaver, FPPC No. 05/272,” including all attached exhibits, is hereby accepted as the final Decision and Order of the Fair Political Practices Commission, effective upon execution below by the Chairman.

IT IS SO ORDERED.

Dated: _____

Ross Johnson, Chairman
Fair Political Practices Commission

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