

1 STACEY FULHORST, Executive Director
City of San Diego Ethics Commission
2 1010 Second Avenue, Suite 1530
San Diego, CA 92101
3 Telephone: (619) 533-3476
4 Facsimile: (619) 533-3448

5 Petitioner

6
7 **BEFORE THE CITY OF SAN DIEGO**
8 **ETHICS COMMISSION**

9
10 In re the Matter of:) Case No.: 2008-60
11)
GORTON, MOORE & MULANIX,) **STIPULATION, DECISION, AND**
12) **ORDER**
Respondent.)
13)

14 **STIPULATION**

15 **THE PARTIES STIPULATE AS FOLLOWS:**

16 1. Petitioner Stacey Fulhorst is the Executive Director of the City of San Diego Ethics
17 Commission [Ethics Commission]. The Ethics Commission is charged with a duty to administer,
18 implement, and enforce local governmental ethics laws contained in the San Diego Municipal
19 Code [SDMC] relating to, among other things, the provisions of the City of San Diego's
20 Municipal Lobbying Ordinance [Lobbying Ordinance].

21 2. Respondent Gorton, Moore & Mulanix [Respondent] is a lobbying firm.
22 Respondent registered as a lobbying firm with the Office of the City Clerk on March 3, 2008.

23 3. This Stipulation will be submitted for consideration by the Ethics Commission at its
24 next scheduled meeting, and the agreements contained herein are contingent upon the approval
25 of the Stipulation and the accompanying Decision and Order by the Ethics Commission.

26 4. This Stipulation resolves all factual and legal issues raised in this matter by the
27 Ethics Commission without the necessity of holding an administrative hearing to determine
28 Respondent's liability.

1 disclosure report was late, and asking Respondent to file the report before September 15, 2008.
2 Despite these notifications by the City Clerk, Respondent did not file its second quarterly
3 disclosure report until September 23, 2008, more than 50 days after it was originally due.

4 **Factors In Mitigation**

5 17. Respondent fully cooperated with the Commission's investigation.

6 18. Respondent's second quarterly disclosure report, although filed late, was filed
7 prior to Commission staff contacting Respondent.

8 **Conclusion**

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10 19. Respondent agrees to take necessary and prudent precautions to comply with all
11 provisions of the Lobbying Ordinance in the future.

12 20. Respondent agrees to pay a fine in the amount of \$500 for violating SDMC
13 sections 27.4015 and 27.4016. This amount shall be paid no later than January 19, 2009, by
14 check or money order payable to the City Treasurer. The submitted payment will be held
15 pending Commission approval of this Stipulation and execution of the Decision and Order
16 portion set forth below.

17 DATED: _____

STACEY FULHORST, Executive Director
ETHICS COMMISSION, Petitioner

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19 DATED: _____

GORTON, MOORE & MULANIX, Respondent
By: Mitch Mulanix

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DECISION AND ORDER

The Ethics Commission considered the above Stipulation at its meeting on _____,
2009. The Ethics Commission hereby approves the Stipulation and orders that, in accordance
with the Stipulation, Respondent pays a fine in the amount of \$500.

DATED: _____

Richard Valdez, Vice-Chair
SAN DIEGO ETHICS COMMISSION