

EXHIBIT 1

INTRODUCTION

Respondent Mario Rodriguez is the Vice Chairman of the California State Athletic Commission. As such, Respondent is subject to the annual gift limits of the Political Reform Act (the “Act”).¹

During 2009, Respondent was prohibited from accepting gifts from a single source that exceeded \$420 in that calendar year. In this matter, Respondent accepted gifts in the form of tickets to boxing matches from promoters in 2009, which exceeded the annual gift limits by \$2,660. Respondent’s violation became known after public disclosure of his gift acceptance in a Los Angeles newspaper.

For the purposes of this stipulation, Respondent’s violation is stated as follows:

COUNT 1: In 2009, as a Commissioner of the California State Athletic Commission, Respondent accepted gifts from Golden Boy Promotions valued in the amount of \$1,500, which exceeded the \$420 gift limit.

COUNT 2: In 2009, as a Commissioner of the California State Athletic Commission, Respondent accepted gifts from Affliction Entertainment valued in the amount of \$2,000, which exceeded the \$420 gift limit.

SUMMARY OF THE LAW

Prohibition Against Accepting Gifts in Excess of Gift Limit

Section 89503, subdivision (c), of the Act states that “No member of a state board or commission or designated employee of a state or local government agency shall accept gifts from any single source in any calendar year with a total value of more than two hundred fifty (\$250) if the member or employee would be required to report receipt of income or gifts from that source on his or her statement of economic interests.” The \$250 gift limit amount is adjusted biennially to reflect changes in the Consumer Price Index pursuant to Section 89503, subdivision (f). For calendar year 2009, the applicable gift limit is \$420 from a single source in a calendar year. (Regulation 18940.2.)

¹ The Political Reform 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 are contained in Sections 18110 through 18997 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.

Section 82028 defines a “gift” as any payment that confers a personal benefit on the recipient to the extent that consideration of equal or greater value is not received and includes a rebate or discount in the price of anything of value unless the rebate or discount is made in the regular course of business to members of the public without regard to official status.

Regulation 18946(d)(2) specifically provides that a “ticket” or “pass” “means anything that provides an admission privilege to an event or function and for which similar tickets or passes are offered for sale to the public.”

Pursuant to Regulation 18943(a)(4), you may pay the gift down within 30 days of receipt or acceptance by reimbursing the donor. In such event the value of the gift is reduced by the amount of the reimbursement, and the amount of the any gift which must be disclosed is reduced by the amount of the reimbursement.

SUMMARY OF THE FACTS

During 2009, as a Commissioner of the California State Athletic Commission, Respondent was prohibited from accepting gifts from a single source that exceeded \$420 for that calendar year. In 2009, Respondent received tickets to boxing matches from Golden Boy Promotions with a total value of \$1,500. This consisted of three tickets to a fight held on March 4, 2009, which Respondent did not attend, and two tickets to the Mosley fight on January 24, 2009. Respondent issued a check for \$1,080, the amount by which the gift exceeded the limit, on August 4, 2009.

In 2009, Respondent accepted two tickets to a boxing match from Affliction Entertainment for an event occurring on January 24, 2009, which were worth a total of \$2,000. Respondent issued a check for \$1,580, the amount by which the gift exceeded the limit, on August 4, 2009.

AGGRAVATING FACTORS

The Commission has regulatory authority over boxers and promoters, and the acceptance of over the limit gifts from an entity subject to regulation by the recipient creates a potential conflict of interest.

MITIGATING FACTORS

Respondent (and other Commissioners) indicated that the Commission’s former Executive Officer, Armando Garcia, had informed Commissioners that they could bring a guest, and that the passes they received were not reportable because they were for seats in areas not available to the public and could not be sold, and thus, had no monetary value.

CONCLUSION

This matter consists of one count, which carries a maximum possible administrative penalty of Five Thousand Dollars (\$5,000). Accepting a gift in excess of the legal gift limit is a serious violation of the Act. In the present matter, when confronted with information regarding the gifts, Respondent amended his Statements of Economic Interests and paid the value of the gift that exceeded the limitations.

The typical administrative penalty for a gift violation, depending on the facts of the case, has been in the low-to-mid range of available penalties. The facts of this case, and the above aggravating and mitigating factors, justify imposition of the agreed upon administrative penalty of One Thousand Dollars (\$1,000) for count 1 and One Thousand Dollars (\$1,000) for count 2, for a total penalty of Two Thousand Dollars (\$2,000).