

JOHN SUTTIE, President  
JON COUPAL, Chairman of the Board



## Howard Jarvis Taxpayers Foundation

Howard Jarvis, Founder

October 6, 2020

*via USPS and email*

The Honorable Alex Padilla,  
California Secretary of State  
1500 11th Street, Sixth Floor  
Sacramento, CA 95814

RE: \$35 Million SKDKnickerbocker Contract

Dear Secretary of State Padilla:

By now you have learned that the State Controller has rejected the contract you entered into with SKDKnickerbocker for \$35 million. After you hid the contract and its details for over a month, the Controller correctly concluded that your office lacked any budget authority to spend \$35 million of taxpayer funds on your voter outreach "campaign." Your office was informed of this fact by the State Controller's office on a Monday morning conference call with your staff.

This means that your office has been spending millions of taxpayer dollars on this contract for the last several weeks illegally. And, despite the clear conclusion of the State Controller conveyed to you on Monday, the advertisements and other voter outreach funded by this illegal contract continue to this day.

We demand that you stop any further spending immediately and confirm that you have done so, in writing, by close of business Wednesday, October 7, 2020.

Code of Civil Procedure section 526a allows any taxpayer or organization representing taxpayers to seek an injunction prohibiting the waste of taxpayer funds, including waste occasioned by any contract entered unlawfully (See, *Hooper v. Deukmejian* (1981) 122 Cal.App.3d 987, 1018-1019; *Seymour v. State of California* (1984) 156 Cal.App.3d 200). Moreover, if it is determined that you have acted without "due care," liability for such unlawful expenditures is owed by you, personally. (*Stanson v. Mott* (1976) 17 Cal.3d 206, 226-227.) Now that you have been put on notice by the Controller's office, there can be no doubt that any further illegal expenditure is made without due care.

HJTF to CA Secretary of State

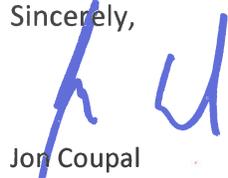
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Absent written confirmation that you will: (1) stop any future expenditure or payment on the SKDK contract; and (2) recover any funds you may have paid to SKDK pursuant to the contract, the Howard Jarvis Taxpayers Association will seek immediately relief from the court.

I await your response.

Sincerely,

A handwritten signature in blue ink, appearing to read "JC", is written over the word "Sincerely,".

Jon Coupal  
Chairman

Cc: Steve Reyes - Sreyes@sos.ca.gov