

STATE OF COLORADO

Department of State

1700 Broadway
Suite 270
Denver, CO 80290



Mike Coffman
Secretary of State

Holly Z. Lowder
Director, Elections Division

August 19, 2008

POMMER, JACK COMMITTEE TO ELECT

DAVID KIRK
420 HIGHLAND
BOULDER, CO 80302

20085632829 C
SECRETARY OF STATE
09/11/2008 09:14:34

Dear Agent or Candidate:

A review of our records indicates that the aforementioned committee has made a **delinquent** filing for the report period ending on 1/15/2008, **on 7/21/2008**. This report is required by C.R.S. 1-45-108(2)(a)(I). Please be advised that pursuant to the Colorado Constitution Article XXVIII, Section 10(2)(a):


"The appropriate officer shall impose a penalty of fifty dollars per day for each day that statement or other information required to be filed pursuant to section 5, section 6, or section 7 of this article, or sections 1-45-108, 1-45-109 or 1-45-110, C.R.S., or any successor sections, is not filed by the close of business on the day due."

Therefore, your committee is assessed a fine of **\$9400**. Any outstanding balance of the imposed penalty beyond 60 days will be sent to State Collections. Please be advised you may appeal this fine pursuant to the Colorado Constitution Article XXVIII, Section 10(2)(b):

"Any person required to file a report with the secretary of state and upon whom a penalty has been imposed pursuant to this subsection (2) may appeal such penalty by **filing a written appeal with the secretary of state no later than thirty days** after the date on which notification of the imposition of the penalty was mailed to such person's last known address in accordance with paragraph (a) of this subsection (2)." *(Emphasis added)*

If you have already submitted a request for waiver for this imposed penalty, you will be notified, in writing, once the Secretary of State has made a decision. For your reference, the filing calendar, electronic filing instructions, pertinent laws and rules and other related information can be found on our website at www.sos.state.co.us under the campaign finance section. If this letter was sent in error, please contact me at 303-894-2200 ext. 6305 or Keri Ashley ext. 6342.

Sincerely,


Marc Walegur
Elections Division

Enc.

Certified Mail # 7008 1830 0000 2406 9152

Article XXVIII

Section 10. Sanctions. (1) Any person who violates any provision of this Article relating to contribution or voluntary spending limits shall be subject to a civil penalty of at least double and up to five times the amount contributed, received, or spent in violation of the applicable provision of this Article. Candidates shall be personally liable for penalties imposed upon the candidate's committee.

(2) (a) The appropriate officer shall impose a penalty of fifty dollars per day for each day that a statement or other information required to be filed pursuant to section 5, section 6, or section 7 of this Article, or sections 1-45-108, 1-45-109 or 1-45-110, C.R.S., or any successor sections, is not filed by the close of business on the day due. Upon imposition of a penalty pursuant to this subsection (2), the appropriate officer shall send the person upon whom the penalty is being imposed proper notification by certified mail of the imposition of the penalty. If an electronic mail address is on file with the secretary of state, the secretary of state shall also provide such notification by electronic mail. Revenues collected from fees and penalties assessed by the secretary of state or revenues collected in the form of payment of the secretary of state's attorney fees and costs pursuant to this Article shall be deposited in the department of state cash fund created in section 24-21-104 (3), C.R.S., or any successor section.

(b) (I) Any person required to file a report with the secretary of state and upon whom a penalty has been imposed pursuant to this subsection (2) may appeal such penalty by filing a written appeal with the secretary of state no later than thirty days after the date on which notification of the imposition of the penalty was mailed to such person's last known address in accordance with paragraph (a) of this subsection (2). Except as provided in paragraph (c) of this subsection (2), the secretary shall refer the appeal to an administrative law judge. Any hearing conducted by an administrative law judge pursuant to this subsection (2) shall be conducted in accordance with the provisions of section 24-4-105, C.R.S., or any successor section. The administrative law judge shall set aside or reduce the penalty upon a showing of good cause, and the person filing the appeal shall bear the burden of proof. The decision of the administrative law judge shall be final and subject to review by the court of appeals pursuant to section 24-4-106 (11), C.R.S., or any successor section.

(II) If the administrative law judge finds that the filing of an appeal brought pursuant to subparagraph (I) of this paragraph (b) was frivolous, groundless, or vexatious, the administrative law judge shall order the person filing the appeal to pay reasonable attorney fees and costs of the secretary of state in connection with such proceeding.

(c) Upon receipt by the secretary of state of an appeal pursuant to paragraph (b) of this subsection (2), the secretary shall set aside or reduce the penalty upon a showing of good cause.

(d) Any unpaid debt owing to the state resulting from a penalty imposed pursuant to this subsection (2) shall be collected by the state in accordance with the requirements of section 24-30-202.4, C.R.S., or any successor section.

(3) Failure to comply with the provisions of this article shall have no effect on the validity of any election.

INVOICE NUMBER: 2008E004119

For proper credit, please reference the invoice number (2008E004119) of your statement in order for the Department to credit the proper account. If no reference is made, your check will be returned and your bill will remain outstanding.

Make Check Payable to: COLORADO SECRETARY OF STATE
1700 Broadway Suite 200
Denver, Colorado 80290
For Inquiries call: 303-894-2200 Ext. 6107

MAIL
INVOICE
TO: **COMMITTEE TO ELECT JACK POMMER**
Attn: JACK POMMER
605 PINE STREET
BOULDER CO 80302

74)	FCPA Penalty	Documents	1	Amount	\$9400.00
-----	--------------	-----------	---	--------	-----------

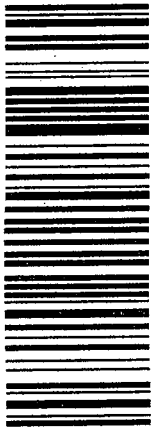
DESC: LATE FILING OF 01-15-2008 CPF REPORT (FILED 07-21-2008)
KRR

MAIL/PKUP: M	DATE ORDERED: 08/19/2008	AMT CHG: \$9400.00
PHONE NUM:	DATE COMPLETED: 08/19/2008	AMT PAID:
	DUE DATE: 09/18/2008	BAL DUE: \$9400.00

INVOICE NUMBER: 2008E004119

PAYMENT TERMS: 30 DAYS NET
THIS IS YOUR INVOICE NO OTHER STATEMENT WILL BE
SENT. AFTER 60 DAYS ALL ACCOUNTS WILL BE SENT TO
THE STATE'S CENTRAL COLLECTION AGENCY.

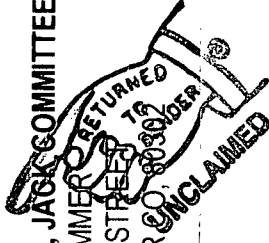
STATE OF COLORADO
SECRETARY OF STATE
1700 BROADWAY - SUITE 270
DENVER, CO 80290
M390000080



7008 1830 0000 2406 9152

RETURNED TO SENDER
UNCLAIMED
RETURN RECEIPT REQUESTED
H/20

POMMER, JACK COMMITTEE TO ELECT
JACK POMMER
605 PINE STREET
BOULDER CO, 80502



02 1A
0004365162 AUG 19 2008
MAILED FROM ZIP CODE 80216

\$ 05.32⁰⁰



NAME
1st Notice
300 Notice 8-26
9-4

RECEIVED

SEP 09 2008

ELECTIONS
SECRETARY OF STATE
MUNICIPALITY OF BOULDER

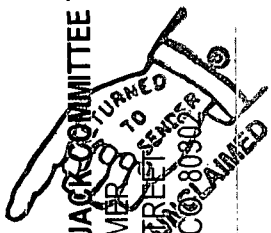
PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF POSTAGE AND ADDRESS LABELS

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

POMMER, JACK COMMITTEE TO ELECT
JACK POMMER
 605 PINE STREET
 BOULDER CO 80502



COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
 Addressee
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1? Yes
 if YES, enter delivery address below: No

3. Service Type
- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label)

7008 1830 0000 2406 9152

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-Z-0985