



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 18, 2019

**Via UPS Delivery**

Tim Lynch  
General Outdoor Advertising/Rialto Gateway Display, LLC  
632 S. Hope Ave  
Ontario, CA 91761

RE: MUR 6828

Dear Mr. Lynch:

The Federal Election Commission (the "Commission") has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission has issued the enclosed Subpoena to Produce Documents and Order to Submit Written Answers, which requires General Outdoor Advertising/Rialto Gateway Display, LLC to provide certain information in connection with an investigation that the Commission is conducting. The Commission does not consider General Outdoor Advertising/Rialto Gateway Display, LLC a respondent in this matter, but rather a witness only.

Please be advised that 52 U.S.C. § 30109(a)(12), a federal statute, prohibits making public any Commission investigation without the written consent of the person with respect to whom such investigation is made. You are advised that no such consent has been given in this case.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this subpoena and order. However, you are required to submit the information within 20 days of your receipt of this subpoena and order. All answers to questions must be submitted under oath.

If you have any questions, please contact me at (202) 694-1385 or by email at [apena-wallace@fec.gov](mailto:apena-wallace@fec.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Ana J. Peña-Wallace".

Ana J. Peña-Wallace  
Attorney

Enclosure  
Subpoena and Order

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of

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MUR 6828

**SUBPOENA TO PRODUCE DOCUMENTS**  
**ORDER TO SUBMIT WRITTEN ANSWERS**

TO: General Outdoor Advertising/ Rialto Gateway Display, LLC  
632 S. Hope Ave  
Ontario, CA 91761

Pursuant to 52 U.S.C. § 30107(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena.

Such answers must be submitted under oath and must be forwarded to Ana Peña-Wallace, Office of the General Counsel, Federal Election Commission, 1050 First Street, N.E., Washington, D.C. 20463, along with the requested documents within 20 days of your receipt of this Order.

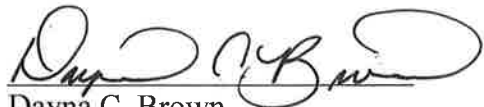
WHEREFORE, the Chair of the Federal Election Commission has hereunto set her hand in Washington, D.C., on this 18<sup>th</sup> day of April 2019.

On behalf of the Commission,



Ellen L. Weintraub  
Chair

ATTEST:



Dayna C. Brown  
Secretary and Clerk of the Commission

Attachments

Instructions and Definitions

Questions and Document Requests

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**INSTRUCTIONS**

1. In answering these questions and requests for production of documents, furnish all documents and other information, however obtained, including hearsay, that are in your possession, known by or otherwise available to you, including documents and information appearing in your records.
2. Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.
3. The response to each question propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.
4. If you cannot answer the following questions in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.
5. Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by the following interrogatories and subpoena for documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.
6. Mark each page with identification and consecutive document control numbers (*i.e.*, Bates numbers). Provide a master list showing the name of each person from whom responsive documents are submitted and the corresponding consecutive document control numbers used to identify that person's documents.
7. The following questions and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which, and the manner in which, such further or different information came to your attention.
8. All responses must be submitted under oath or affirmation under penalty of perjury, including any response that you have no responsive documents.

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### DEFINITIONS

1. For the purpose of this subpoena to produce documents, including the instructions thereto, the terms listed below are defined as follows:
2. "You" shall mean General Outdoor Advertising and Rialto Gateway Display, LLC, to whom the subpoena is addressed, including all employees, parent-companies, subsidiaries, and agents thereof.
3. "Person" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization, group or entity.
4. "Cal Voters for Honest Government" is a political committee registered with the Federal Election Commission. Johnny Diaz, Jr. is the committee's treasurer. Its address registered with the Federal Election Commission is 8819 Whittier Blvd, Suite 105, Pico Rivera, CA 90660.
5. "Joe Baca" was a candidate for the U.S. House of Representatives in the 2014 primary election for California's 31st Congressional District.
6. "Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term "document" includes, but is not limited to, books, letters, electronic mail, social media postings, messages sent via Twitter, instant messages, text messages, contracts, notes, diaries, log books, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, financial records, calendar entries, appointment records, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained. If the document request calls for a document that is maintained on or in a magnetic, optical, or electronic medium (for example, but not limited to, computer hard drive, USB drive, or CD-ROM), provide both "hard" (*i.e.*, paper) and "soft" (*i.e.*, in the magnetic or electronic medium) copies, including drafts, and identify the name (*e.g.*, Microsoft Word for Windows, WordPerfect) and version numbers of the software by which the document(s) will be most easily retrieved.
7. "Record" shall mean the original and all non-identical copies, including drafts, of all papers and documents of every type in your possession, custody, or control, or known by you to exist. The term "record" includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be

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obtained. The term "record" also includes electronic data, copies and all temporary and permanent storage devices under your control, including but not limited to, hard drives, servers, CD-ROMs, discs, jaz discs, zip disks, tape storage and tape back-up systems, CDs and optical back-up systems, electronic logs, e-mail and e-mail back-up systems. If a record is maintained on or in a magnetic or electronic medium (for example, but not limited to, computer tape, diskette, or CD-ROM), provide both "hard" (i.e., paper) and "soft" (i.e., in the magnetic or electronic medium) copies, including drafts, and identify the name (e.g., ASCII data files, WordPerfect, Microsoft Word for Windows, Pro Write, etc.) and version numbers by which the records will be most easily retrieved.

8. "Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, and the number of pages comprising the document.
9. "Identify" with respect to a person shall mean state the full name, the most recent business and residential addresses and the corresponding telephone numbers, e-mail addresses, the present occupation or position of such person, the occupation or position of such person during the relevant time period, and the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.
10. "And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for production of documents any documents and materials that may otherwise be construed to be out of their scope.
11. "Communication" shall be deemed to include both singular and plural, and to include written, oral, telephonic and electronic communications.
12. Unless otherwise indicated, these discovery requests shall refer to the time period from January 1, 2014, to the present time.

### **QUESTIONS AND DOCUMENT REQUESTS**

1. For all advertisements displayed on behalf of "Cal Voters for Honest Government," "www.veteranjobaca.com," Johnny Diaz, Jr., or any entities using the mailing address 8819 Whittier Blvd, Suite 105, Pico Rivera, CA 90660, state the number of billboards displayed, their locations, the dates they were displayed, and the amount paid for each billboard.
2. For all advertisements paid for by persons or entities (other than advertisements paid for by the "Friends of Joe Baca" and 2014 federal congressional candidates Eloise Reyes and Danny Tillman) that contained a photograph of, or statement about, federal candidate Joe Baca, state the

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number of billboards displayed, their locations, the dates they were displayed, and the amount paid for each billboard.

3. Produce copies of all invoices, receipts, agreements, communications, and other documents regarding the advertisements described in Questions 1 and 2, including, but not limited to, documents relating to the costs for rental of the billboard space or spaces, the production of the advertisement displayed on the spaces, the identity of the person or persons who paid for the advertisements, and any other relevant documents relating to the advertisements.

4. Produce photographic copies of all advertisements identified in Questions 1 and 2.