



THE CITY OF SAN DIEGO  
**PRESS RELEASE**

**Ethics Commission**

**FOR IMMEDIATE RELEASE**  
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**ETHICS COMMISSION LEVIES FINE AGAINST  
ATTORNEY CYNTHIA MORGAN FOR  
VIOLATING THE CITY'S LOBBYING LAWS**

Stacey Fulhorst, Executive Director of the City of San Diego Ethics Commission, announced today the Commission's approval of a stipulated settlement agreement with Cynthia Morgan, an attorney with the law firm of Selter Caplan McMahon Vitek. Morgan agreed to pay a fine of \$5,000 for failing to register as a lobbyist and disclose her lobbying activities. Ms. Fulhorst explained that, during the fourth quarter of 2005, Morgan spent more than eighty hours on lobbying efforts intended to discourage the City Council from approving the proposed relocation of the Volunteers of America rehabilitation facility from the downtown area to Pacific Beach. Despite these extensive efforts – which were ultimately successful – Ms. Morgan failed to register as a lobbyist until she was contacted by the Commission staff.

According to Ms. Fulhorst, several factors in aggravation influenced the Commission's decision in this matter. In particular, when Ms. Morgan finally registered as a lobbyist, her registration forms and disclosure reports stated that she represented the "Pacific Beach Concerned Citizens Coalition." The Commission's investigation revealed, however, that this information was misleading because it suggested that there was an organized group of citizens sponsoring Ms. Morgan's lobbying efforts, when in fact her efforts were funded and directed almost entirely by two parties: the owner of Mission Bay Center (a shopping center located adjacent to the proposed site in Pacific Beach) and Shawn Evans (a physician who resides in the

Pacific Beach area). Accordingly, Mission Bay Center and Dr. Evans should have been identified as Ms. Morgan's clients on her disclosure forms.

Ms. Fulhorst explained that Ms. Morgan's failure to provide complete information regarding her clients reflects a nationwide trend in lobbying whereby lobbyists attempt to garner public support for a particular cause by camouflaging an unpopular or unsympathetic client in the guise of a "coalition" of "concerned citizens." Ms. Fulhorst added that this practice is known as "astroturf lobbying" because it is a distortion of true grassroots lobbying. In this case, Ms. Morgan's initial disclosure that she represented a coalition of "concerned citizens" effectively concealed the fact that she was financed in large part by the owner of a nearby shopping center. As part of the settlement in this matter, Ms. Morgan has amended her lobbying statements to add her primary sources of funding as clients.

In addition, the Commission noted that six attorneys at the Seltzer Caplan law firm have been registered as lobbyists for many years. Although Ms. Morgan reports directly to one of these attorneys, the Commission was disappointed to learn that she did not receive any information or instructions regarding the City's lobbyist registration requirements. Ms. Fulhorst reported that, as a result of this enforcement action, the Seltzer Caplan law firm has implemented a training system on the City's lobbying laws for new attorneys.

According to the Commission Chair, Dorothy Leonard, the Commission felt that the amount of the fine was appropriate in light of the underlying circumstances. "Ms. Morgan's failure to timely register as a lobbyist and disclose her lobbying activities resulted in the public and City Officials being deprived of important information until well after a contentious municipal decision was made by the City Council." Ms. Leonard added that, "the disclosure of information regarding compensated efforts to influence government decisions is the cornerstone of the City's Lobbying Ordinance."

Ethics Commission fines are paid to the City of San Diego's General Fund. The stipulated settlements approved by the Commission resolve all factual and legal issues without the necessity of holding an administrative hearing.

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