

John Duarte (CA-13) Research Report

The following report contains research on John Duarte, a Republican candidate running in California's 13th district. Research for this research book was conducted by the DCCC's Research Department between May 2022 and June 2022. By accepting this report, you are accepting responsibility for all information and analysis included. Therefore, it is your responsibility to verify all claims against the original documentation before you make use of it. Make sure you understand the facts behind our conclusions before making any specific charges against anyone.



John Duarte

Republican Candidate in
California's 13th Congressional District

Research Memo – 2022

Last Updated June 2022

Prepared by the DCCC Research Department

Significant Findings

Duarte Criticized Government “COVID-Support Regimes” After Duarte-Affiliated Companies Took \$6.1 Million In PPP Loans—With Duarte’s 2021 Salary Equaling Nearly 40% Of The PPP Money His Main Company Received That Year

- ✓ From 2020 to 2021, Duarte-affiliated companies took \$6.1 million in PPP loans.
- ✓ Duarte’s main business, Duarte Nursery Inc., received \$5.79 million in PPP loans—receiving \$3.79 million in 2020 and another \$2 million in 2021.
- ✓ Peacock Nuts LLC, of which Duarte said he was CEO on his 2022 personal financial disclosure, received \$273,537 in PPP loans in 2021.
- ✓ Innate Immunity, LLC received \$44,900 in PPP loans in 2020.
 - ✓ On his 2022 personal financial disclosure, Duarte reported that he was “Director” of Innate Immunity, LLC, and in 2020 the company listed Duarte as being on its Board Of Directors.
- ✓ Immunological Solutions, Inc received \$12,500 in PPP loans in 2020.
 - ✓ On his 2022 personal financial disclosure, Duarte reported that he was “Director” of Immunological Solutions, Inc, which was a “spinoff company” of Innate Immunity, LLC.
- ✓ Duarte reported on his 2022 personal financial disclosure that in 2021, he took a salary of \$783,328 from Duarte Nursery, equaling nearly 40% of the \$2 million in PPP loans that the company received that year.
- ✓ In March 2022, Duarte criticized COVID-19 relief money by saying “these covid support regimes that have paid people to stay home and not work have got to wind out immediately.”
- ✓ Duarte’s 2021 salary was 8 times larger than the average California farmer’s salary that year, which according to the Bureau of Labor and Statistics was \$91,950, and in 2022 Duarte reported a net worth of up to \$80 million.

March 2022: A Judge Ruled That Duarte “Knowingly” Sold Defective Pistachio Trees To Farmers, Resulting In Millions In Losses; Duarte Claimed He Had No Cash To Give Farmers, Even As He Self-Funded His Campaign

- ✓ 2015: Duarte reached a settlement with multiple pistachio growers after his nursery sold pistachio trees that had a disorder known as bushy top syndrome and “posed serious problems for growers.”
 - ✓ The California Pistachio Research Board estimated the bushy top syndrome affected as many as 2 million trees.
 - ✓ The affected “trees are weak and can be pulled up easily from the ground”, they also “cannot be successfully budded.”
- ✓ 2016: In a lawsuit, Duarte was accused of selling the defective pistachio trees even though he “well knew” that the trees were defective.

- ✓ March 2022: Right as Duarte was launching his campaign for Congress a judge ruled that Duarte had “knowingly” sold defective trees to growers.
- ✓ Some plaintiffs accumulated millions in losses from Duarte’s defective trees.
- ✓ In sworn testimony, Duarte claimed he had “no cash” to give to farmers for selling them defective trees – even as he self-funded \$240,000.

Duarte Had A Lengthy, Public Legal Battle With The Army Corps Of Engineers Over Deep Tilling On Federally Protected Wetlands, Which He Lost And Eventually Settled

- ✓ November 2012: Duarte hired a contractor to “rip” or deep till land within federally protected wetlands and streams on his property and was ordered to cease and desist by the Army Corps of Engineers.
- ✓ 2013: Duarte sued, claiming that the Army Corps of Engineers citation was a violation of his Fifth Amendment rights.
- ✓ October 2013: Duarte was countersued by the federal government for plowing wetlands in violation of the Clean Water Act.
- ✓ November 2016: A federal judge sided with the Army Corps of Engineers and dismissed Duarte’s lawsuit; the government asked the judge to fine Duarte \$2.8 million.
 - ✓ The case gained national attention among farmers and conservatives and Duarte hoped newly elected President Trump would intervene.
 - ✓ May 2017: Republican chairmen of the House Judiciary and Agriculture Committees sent letters to then Attorney General Jeff Sessions asking for DOJ to clarify the reasoning behind the case.
- ✓ August 2017: Duarte agreed to pay a \$1.1 million settlement agreement with the federal government but claimed he did not admit wrongdoing.

Duarte’s Business Was Fined For Multiple Occupational Safety and Health Administration Violations, Including Exposing 9 Employees To Carbon Monoxide, And Received Repeated Violation Notices From The California EPA

- ✓ Duarte Nursery had four OSHA violations and was fined over \$5,000 total across three of those cases, with one case still pending as of June 2022.
- ✓ In one of those OSHA complaints, Duarte’s business was fined \$3,375 for an incident where nine employees had to be taken to the hospital for carbon monoxide exposure.
- ✓ Duarte described regulations by agencies like OSHA as “the biggest hurdle facing Ag businesses such as his.”
- ✓ Duarte Nursery also received 22 violation notices from the California Environmental Protection Agency, including for failing to prepare for and train employees how to deal with dangerous situations, such as oil spills and accidents involving other hazardous materials.

Duarte’s Business Faced A Class-Action Lawsuit From Former Employees For Allegedly Violating California Labor Laws, Which Was Still Ongoing As Of June 2022

- ✓ In April 2015, Former employees of Duarte Nursery filed a class action lawsuit against Duarte Nursery and members of company leadership, including John Duarte, for violating labor laws. Specific allegations included that Duarte Nursery failed to:
 - ✓ Pay all minimum wages owed and all wages owed upon termination or resignation
 - ✓ Keep accurate time records
 - ✓ Provide rest or meal periods
 - ✓ Reimburse necessary expenses incurred
- ✓ In May 2020, Duarte and his legal team filed a motion arguing that he should not be sued as an individual in the case because he was “not involved with paying wages, setting schedules, or providing meal and rest periods for employees,” so “was not responsible” for damages claimed in the lawsuit.
- ✓ In October 2020, the court granted Duarte’s motion, which meant Duarte was no longer an individual defendant in the case.
- ✓ However, as of the case’s most recent filing on January 21st, 2022, Duarte Nursery, as a company, was still named as a defendant in the case and was in the process of scheduling a trial. As of June 2022, the case was still “open.”
- ✓ On company review sites Glassdoor and Indeed, former Duarte Nursery employees complained about low pay and working conditions at the company.
 - ✓ In September 2018, one purported employee claimed that they didn’t receive a paycheck because Duarte Nursery’s bank accounts “were frozen by the IRS.”
 - ✓ In July 2017, a purported former employee said that working at Duarte Nursery was “very stressful.”
 - ✓ In August 2017, a purported former employee said that Duarte Nursery “did not pay overtime.”
 - ✓ In December 2018, a purported former employee said that Duarte Nursery did not offer holidays.

From 1992-2016, Nearly \$3.5 Million In Federal, State, And County Tax Liens Were Filed Against Duarte Nursery And By June 2022, \$2,701,505 In Liens Were Not Marked As “Released”

- ✓ At least \$2,673,752 in federal tax liens were filed against Duarte Nursery.
- ✓ At least \$734,172 in state tax liens were filed against Duarte Nursery.
- ✓ At least \$30,398 in county tax liens were filed against Duarte Nursery.
- ✓ As of June 2022, \$2,701,5050 of federal, state, and county tax liens levied against Duarte Nursery were marked as not resolved.

Duarte Claimed That He Was Not A Politician, But In Reality, He Was A Textbook Political Opportunist And A Failed Candidate Trying To Buy Himself A Seat In Congress

- ✓ Duarte campaigned on the claim that he was not a politician, saying “I’m no politician” and “we don’t need a career politician.”
- ✓ Duarte was a prolific Republican donor who hosted fundraisers for major Republican politicians and gave \$148,950 to federal candidates over the course of three decades.
 - ✓ In 2010, The California Farm Bureau Federation held a fundraiser at Duarte Nursery for U.S. Senate candidate Carly Fiorina.
 - ✓ In 2012, Duarte hosted a fundraiser featuring then Wisconsin Governor Scott Walker for Mitt Romney’s Presidential campaign.
 - ✓ From 1994-2022, Duarte contributed \$148,950 to federal campaigns and committees, overwhelmingly to Republicans.
- ✓ 2011: Duarte was a failed candidate who lost a race in his hometown for the Modesto Irrigation Board by 17 points.
- ✓ Duarte was running for Congress in California’s 13th district despite living in California’s 5th district, prompting the Modesto Bee to note that it was “curious that John Duarte [...] chose not to run in the district in which he lives.”
- ✓ Duarte was using his personal fortune to try to buy himself a congressional seat.
 - ✓ As of May 2022, Duarte had personally given \$240,000 out of the \$797,000 total his campaign had raised, meaning Duarte’s contributions made up about 30% of his overall campaign fundraising.

On His Campaign Website, Duarte May Be Exaggerating The Number Of Jobs His Company Provides

- ✓ June 2022: Duarte’s website stated that his main company, Duarte Nursery, provided “a thousand good-paying valley jobs.”
 - ✓ March 2021: Discussing a vaccination drive that Duarte Nursery held for employees, Duarte said that the company had 450 employees.
 - ✓ As of June 2022, Duarte Nursery’s LinkedIn page reported that the company had between 201 and 500 employees.

Duarte Was Supported By And Affiliated With Radical Conservatives And Trump-Aligned Republicans Such As Devin Nunes, Elise Stefanik, Kevin McCarthy, Tommy Tuberville, And Others

- ✓ 2022: Duarte was endorsed by House Minority Leader Kevin McCarthy.
 - ✓ 2022: Duarte received \$10,000 from McCarthy’s Leadership PAC.
- ✓ 2022: Duarte was endorsed by House Republican Campaign Committee Chair, Elise Stefanik.
- ✓ In 2022, Duarte was endorsed by Devin Nunes and had previously called Devin Nunes “an American hero” who “unmasked the swamp.”

- ✓ 2020: Duarte endorsed Tommy Tuberville for U.S. Senate and said that “Tommy Tuberville is our best home to help Donald Trump drain the swamp.”
- ✓ 2022: Duarte received \$4,000 from Rep. Steve Scalise’s campaign committee and \$10,000 from Rep. Scalise’s PAC, “The Eye of the Tiger” PAC.
- ✓ Duarte’s key conservative political backers including McCarthy and Stefanik voted to overturn the 2020 election and supported Trump after the January 6th capitol insurrection

Duarte Said That “One Of My Very Favorite Intellectuals” Was Victor Davis Hanson, A Historian Who Has “A History Of Hostility” Towards Undocumented Immigrants And “African Americans Who Speak Out About The Persistence Of Slavery”

- ✓ Victor Davis Hanson was a historian who “had a history of hostility “towards undocumented Mexican and Central American immigrants who he claimed, “are undermining American culture.”
- ✓ Hanson was also hostile to “African Americans who speak out about the persistence of racism, including Barack Obama, whom he has described as a leading member of ‘The New Segregationists.’”
- ✓ Hanson viewed Trump as a “classically tragic hero, whom America needs but will never fully appreciate.”

2010: Duarte Was Accused Of Violating Campaign Finance Law By Promoting An Event Through Radio And TV That Featured Political Candidates

- ✓ 2010: Then-candidate Jeff Denham accused Duarte of violating campaign finance law by promoting an event through radio and TV ads that featured Denham’s primary opponent, Ex-Rep. Richard Pombo.
 - ✓ Duarte claimed that the event, called “Friends Day,” often had politicians as guest speakers, including Denham and that Denham’s accusation showed “a severe lack of depth” in his character.

Duarte Supported The 2017 Republican Tax Scam That Enriched Corporations, Special Interests, And The Ultra-Wealthy At The Expense Of The Middle Class

- ✓ In a March 2022 podcast, Duarte praised the 2017 Republican Tax Scam, saying that under “the previous administration under Donald Trump,” “we fixed the tax law” and “we actually have enormous Treasury revenues based on the Trump Tax Cut And Jobs Act.”
- ✓ The 2017 Republican Tax bill overwhelmingly benefitted corporations, special interests, and the very wealthy, while eventually raising taxes on the middle class.

Duarte Has A History Of Making Bizarre And Extreme Remarks

- ✓ 2011: Duarte called Ted Kaczynski, the Unabomber killer, a “leftwing envirowacko.”
- ✓ 2022: During a debate, Duarte “cited a discredited conspiracy theory that several leftist activists were arrested for setting forest fires in the Sierra Nevada.”
- ✓ March 2022: Referencing his Democratic opponent, Adam Gray, Duarte said “If I serve 10 years in Congress, and all that somebody’s got to say about me is that I’m a nice guy, and that I’m a moderate, I’ll shoot myself.”

Duarte Argued For Hiking Water Rates In Order To Block A Proposal For The Modesto Irrigation District To Sell Water To San Francisco

- ✓ Duarte opposed the proposed sale of Modesto Irrigation District water to San Francisco and supported water rate hikes to prevent the sale.
- ✓ Duarte funded a recall effort in an attempt to block the water sale.

Background

- **FULL LEGAL NAME:** John Scott Duarte
- **BORN:** 9/9/1966 (Age: 55)
- **HOME:** Modesto, CA
- **EDUCATION:**
 - Business Finance, San Diego State University, Class of 1989
 - MBA, University Of Pacific
- **PROFESSIONAL:** President, Duarte Nursery
- **POLITICAL:**
 - Ran for Modesto Irrigation Board, lost
 - Currently running for CA-13 Congressional Seat

Duarte Criticized Government “COVID Support Regimes” After Duarte-Affiliated Companies Took \$6.1 Million In PPP Loans—With Duarte’s 2021 Salary Equaling Nearly 40% Of The PPP Money His Main Company Received That Year**March 2022: Duarte Criticized COVID-19 Relief Money By Saying “These Covid Support Regimes That Have Paid People To Stay Home And Not Work Have Got To Wind Out Immediately”**

On A March 2022 Podcast, Duarte Said “These Covid Support Regimes That Have Paid People To Stay Home And Not Work Have Got To Wind Out Immediately.” "[42:15] Host: ‘The labor issue is beyond severe [...] what do you do to fix this work ethic [...] we’re creating too many incentives not to work and be a part of the labor force. How do you fix that and how aggressively can you get it done.’ Duarte: [...] ‘You cut welf-, Cut the incentives not to work. You cut the government's support for not working, and you get people back in the workplace. These Covid support regimes that have paid people to stay home and not work have got to wind out immediately and we gotta get back to normal. When you pay 'em not to work and then you ruin the job market through taxation and limitations on business... no wonder people aren't going to work.' [Trent Loos Podcast, Rural Route Radio, [3/31/22](#)] (AUDIO)

2020-2021: Duarte-Affiliated Businesses Took \$6.12 Million In Paycheck Protection Program Loans, With Duarte’s Main Business, Duarte Nursery, Receiving The Overwhelming Majority Of That Money

Duarte’s Main Business, Duarte Nursey Inc., Received \$5.79 Million In Paycheck Protection Program Loans

Duarte Nursery’s Website Said That John And His Brother, Jeff, “Currently Run The Company” And Listed John And “President, Current” Of Duarte Nursery.

Company Directors

Duarte Nursery was founded in 1988 by Jim and Anita Duarte, and their sons John and Jeff. The brothers John and Jeff Duarte currently run the company.

Jim Duarte – Co-Founder, 1988

Anita Duarte – Co-Founder, 1988

John Duarte – President, Current

Jeff Duarte – Vice President, Director of Operations, Current



Credits: <https://www.farmprogress.com/farm>

[Duarte Nursery, accessed [6/1/22](#)]

April 2021: Duarte Nursey Inc. Accepted \$2 Million In Paycheck Protection Program Loans. Duarte Nursery Inc in Hughson, CA received a Paycheck Protection Loan of \$2M through Yosemite Farm Credit, Aca, which was approved in April, 2021. This loan has been disbursed by the lender and has not yet been fully repaid or forgiven. [Small Business Administration PPP Data via Federalpay.org, accessed [5/9/22](#)]

April 2020: Duarte Nursey Inc. Accepted \$3.79 Million In Paycheck Protection Program Loans. Duarte Nursery, Inc in Hughson, CA received a Paycheck Protection Loan of \$3.79M through Yosemite Farm Credit, Aca, which was approved in April, 2020. This loan has been disbursed by the lender and has not yet been fully repaid or forgiven. [Small Business Administration PPP Data via Federalpay.org, accessed [5/9/22](#)]

Peacock Nuts LLC, Of Which Duarte Said He Was CEO, Received \$273,537 In Paycheck Protection Program Loans

On His Personal Financial Disclosure, Duarte Indicated That He Was Chief Executive Officer Of Peacock Nuts, LLC.

John Scott Duarte

Schedule E

Position	Name of Organization
President	Duarte Nursery Inc
Chief Executive Officer	Peacock Green LLC
Chief Executive Officer	Peacock Nuts LLC
Director	Peacock Green LLC
Director	Innate Immunity LLC
Director	Immunological Solutions Inc
Member	Dewitt Farming LLC
Member	California Winelands LLC
Member	Georgetown Properties LLC
Employee	Duarte Nursery Inc.

[United States House Of Representatives Clerk, John Duarte Personal Financial Disclosure Report, accessed [6/7/22](#)]

April 2021: Peacock Nuts LLC Accepted \$273,537 In Paycheck Protection Program Loans. Peacock Nuts, LLC in Hughson, CA received a Paycheck Protection Loan of \$273,537 through Bank of America which was approved in April, 2021. This loan has been disbursed by the lender and has not yet been fully repaid or forgiven. [Small Business Administration PPP Data via [Federalpay.org](https://www.federalpay.org), accessed [6/5/22](#)]

Innate Immunity, LLC, Of Which Duarte Said He Was “Director” And Which In 2020 Listed Duarte As On Its Board Of Directors, Accepted \$44,900 In Paycheck Protection Program Loans

April 2022: On His Personal Finance Disclosure, Duarte Indicated That He Was A Director At Innate Immunity, LLC

John Scott Duarte

Schedule E

Position	Name of Organization
President	Duarte Nursery Inc
Chief Executive Officer	Peacock Green LLC
Chief Executive Officer	Peacock Nuts LLC
Director	Peacock Green LLC
Director	Innate Immunity LLC
Director	Immunological Solutions Inc
Member	Dewitt Farming LLC
Member	California Winelands LLC
Member	Georgetown Properties LLC
Employee	Duarte Nursery Inc.

[United States House Of Representatives Clerk, John Duarte, Financial Disclosure Reports, accessed [6/7/22](#)]

A September 2020 Website Archive For Innate Immunity Showed That Duarte Was On The Board Of Directors On The Company.

Who We Are

Board of Directors

Michelle Miller

Dr. Goutam Gupta

Dr. Goutam Gupta

Michelle is a co-founder and current managing member of Innate Immunity and President of the Board of Directors. She is the Founder and CEO of the High Desert Discovery District (HD3), the first startup accelerator in New Mexico with the purpose of commercializing and bringing to market technologies created in New Mexico that will become high growth companies and create long lasting economic development and wealth in the state.

In her roles at Innate Immunity, she holds executive and board level responsibility for the performance of the startup. She creates and oversees industry partnerships and stakeholder relationships; raises equity investment; manages the board and investors; leads regulatory approval processes; and works to develop and execute the overall strategy and ROI for this young company.

Dr. Goutam Gupta

Dr. Goutam Gupta

Dr. Goutam Gupta

Dr. Gupta retired from Los Alamos National Laboratory in 2017 after a 30+ year career, and now holds the position of Senior Research Scientist at the New Mexico Consortium is the Co Founder and Chief Scientific Officer for Innate Immunity.

In his role at Innate Immunity, Dr. Gupta leads all scientific, technology and product development. He oversees several teams, both at the Innate Immunity lab/greenhouse in Los Alamos and in partnership with the USDA, commercial producers/growers, and other research teams affiliated with universities and industry led research groups.

John Duarte

Dr. Goutam Gupta

Greg Edwards

John is a fourth generation farmer and native of Stanislaus County. He is President of Duarte Nursery Inc., the largest permanent crops nursery in the United States and is the leading tree and vine supplier located in Hughson, CA. Duarte Nursery is an industry leader in nursery science, technology and research, and employs more than 800 people annually. Duarte Nursery's Dry Creek Laboratory focuses on micropropagation to meet demand for clonal rootstocks for our Prunus program, focusing primarily on almonds, as well as pistachios and walnuts. The laboratory has expanded Duarte Nursery's ability to continue its "growth through innovation" by making micro-propagated clonal rootstocks commercially available for many fruit and nut trees, for which they were previously not an option.

[Wayback Machine, Innate Immunity LLC, Board Of Directors, captured [9/21/20](#)]

April 2020: Innate Immunity, LLC Accepted \$44,900 In Paycheck Protection Program Loans. Innate Immunity, LLC in Los Alamos, New Mexico received a Paycheck Protection Loan of \$44,900 through The Citizens Bank which approved in April, 2020. The loan has been "paid in full," which includes both loans repaid and those fully forgiven from repayment under PPP guidelines. [Small Business Administration PPP Data via Federalpay.org, accessed [6/5/22](#)]

Immunological Solutions, Inc, Of Which Duarte Said He Was "Director," And Which Was A "Spinoff Company" Of Innate Immunity, LLC, Accepted \$12,500 In Paycheck Protection Program Loans

April 2022: On His Personal Finance Disclosure, Duarte Indicated That He Was A Director At Immunological Solutions, Inc.

John Scott Duarte

Schedule E

Position	Name of Organization
President	Duarte Nursery Inc
Chief Executive Officer	Peacock Green LLC
Chief Executive Officer	Peacock Nuts LLC
Director	Peacock Green LLC
Director	Innate Immunity LLC
Director	Immunological Solutions Inc
Member	Dewitt Farming LLC
Member	California Winelands LLC
Member	Georgetown Properties LLC
Employee	Duarte Nursery Inc.

[United States House Of Representatives Clerk, John Duarte, Financial Disclosure Reports, accessed [6/7/22](#)]

Immunological Solutions, Inc Was A “Spinoff Company From Innate Immunity, LLC.” “Innate Immunity has created a novel chimeric peptide topical plant therapy that aids in clearing plant diseases from the host. Plant diseases caused oranges to be down a total of 73 percent and grapefruit production down 89 percent last year since 2003. Spinoff company from Innate Immunity, LLC, and biotech startup Immunological Solutions, Inc. focuses on utilizing the natural human response towards infection as a method to battle antibiotic-resistant strains that cause disease chronic illness. Immunological Solutions, Inc. is now working on completing validation of its therapeutic approach to engineer human-derived new peptides and proteins to treat many diseases.” [North Forty News, [11/1/20](#)]

April 2020: Immunological Solutions, Inc Accepted \$12,500 In Paycheck Protection Program Loans.

Immunological Solutions Inc in Los Alamos, New Mexico received a paycheck protection loan of \$12,500 through The Citizens Bank which was approved in April, 2020. The loan has been “paid in full,” which includes both loans repaid and those fully forgiven from repayment under PPP guidelines. [Small Business Administration PPP Data via Federalpay.org, accessed [6/5/22](#)]

Duarte-Affiliated Businesses Received A Total Of \$6.12 Million In Paycheck Protection Program Loans

Amount Of PPP Loans Granted To Duarte-Affiliated Businesses	
Company	Total Amount Of Loans Granted
Duarte Nursery, LLC	\$5,790,000
Peacock Nuts, LLC	\$273,537
Innate Immunity, LLC	\$44,900
Immunological Solutions, Inc	\$12,500
Total:	\$6,120,937

[United States House Of Representatives Clerk, John Duarte, Financial Disclosure Reports, accessed [6/7/22](#); Small Business Administration PPP Data via Federalpay.org, Duarte Nursery, accessed [5/9/22](#); Small Business Administration PPP Data via Federalpay.org, Peacock Nuts, accessed [6/5/22](#)]

2020-2021: Duarte Nursery Took A Total Of \$5.79 Million In PPP Loans, And In 2021 Duarte Reported A Salary Equaling Nearly 40% Of The \$2 Million In PPP Loans The Company Received That Year

2020: Duarte Nursery Received \$3.79 Million In Paycheck Protection Program Loans

April 2020: Duarte Nursey Inc. Accepted \$3.79 Million In Paycheck Protection Program Loans. Duarte Nursery, Inc in Hughson, CA received a Paycheck Protection Loan of \$3.79M through Yosemite Farm Credit, Aca, which was approved in April, 2020. This loan has been disbursed by the lender and has not yet been fully repaid or forgiven. [Small Business Administration PPP Data via Federalpay.org, accessed [5/9/22](#)]

2021: Duarte Nursery Received \$2 Million In Paycheck Protection Program Loans

April 2021: Duarte Nursey Inc. Accepted \$2 Million In Paycheck Protection Program Loans. Duarte Nursery Inc in Hughson, CA received a Paycheck Protection Loan of \$2M through Yosemite Farm Credit, Aca, which was approved in April, 2021. This loan has been disbursed by the lender and has not yet been fully repaid or forgiven. [Small Business Administration PPP Data via Federalpay.org, accessed [5/9/22](#)]

2021: Duarte's Salary As The President Of Duarte Nursery Was \$783,328.00

Duarte's 2021 Salary As President Of Duarte Nursery Was \$783,328.00

According To His Public Finance Disclosure, Duarte's 2021 Salary As President Of Duarte Nursery Was \$783,328.00.

SCHEDULE C – EARNED INCOME

Name: <u>John Scott Duarte</u>	Page <u>4</u> of <u>9</u>
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List the source, type, and amount of earned income from any source (other than the filer's current employment by the U.S. government) totaling \$200 or more during the reporting period. For both the filer and filer's spouse, list the source and amount of any honoraria. List only the source for other spouse earned income exceeding \$1,000. See examples below.
EXCLUDE: Military pay (such as National Guard or Reserve pay), federal retirement programs, and benefits received under the Social Security Act.
INCOME LIMITS and PROHIBITED INCOME: Be advised that the outside earned income limit and prohibitions on types of income may apply to you after you are on House payroll. The 2020 limit on outside earned income for Members and employees compensated at or above the "senior staff" rate was \$28,845. The 2021 limit is \$28,595. In addition, certain types of income (notably honoraria, director's fees, and payments for professional services involving a fiduciary relationship) are totally prohibited for Members and senior staff.

Source (include date of receipt for honoraria)	Type	Amount	
		Current Year to Filing	Preceding Year
Examples: ABC Trade Association, Baltimore, MD (July 15)	Honorarium	\$0	\$500
State of Maryland	Salary	\$20,000	\$75,000
Chad Mize, Boardable (Oct. 2)	Spouse Speech	\$0	\$1,000
Ontario County Board of Education	Spouse Salary	N/A	N/A
Duarte Nursery Inc	Salary	\$ 731,439	\$ 783,328
Duarte Nursery Inc. - Spouse	Salary	37,929	35,653

Use additional sheets if more space is required.

[United States House Of Representatives Clerk, Financial Disclosures, [4/1/22](#)]

Duarte’s Self-Reported 2021 Salary Was Equal To Nearly 40% Of The \$2 Million Paycheck Protection Program Loan Granted To Duarte Nursery In 2021

When Compared, Duarte’s \$783,328 Salary Was Equivalent 39.2% Of The 2 Million Dollar Paycheck Protection Program Loan Granted To Duarte Nursery In 2021. [United States House Of Representatives Clerk, Financial Disclosures, [4/1/22](#); Small Business Administration PPP Data via Federalpay.org, accessed [5/9/22](#)]

Duarte’s 2021 Salary Was 8 Times Larger Than The Average California Farmer’s, And In 2022 He Had A Net Worth Of Up To \$80,674,983

April 2022: According To His Public Finance Disclosure, Duarte Had A Worth Of Between \$-2,648,993 And \$80,674,983

April 2022: According To His Public Finance Disclosure, Duarte Had A Calculated Net Worth Between \$-2,648,993 And \$80,674,983. [United States House Of Representatives Clerk, Financial Disclosures, [4/1/22](#)]

- **April 2022: According To His Public Finance Disclosure, Duarte’s Total Assets Were Worth \$17,501,007-\$86,015,000.**

Duarte Assets As Of April 2022			
Asset	Location	Minimum Value	Maximum Value
JP Morgan Chase Bank		\$1,001	\$15,000
Rental House	Dusty Lane, Modesto	\$500,001	\$1,000,000
Dusty Lane Ranch, Almonds & Walnut Trees	Modesto, CA	\$1,000,001	\$5,000,000
Claribel Ranch, Almond Trees	Modesto, CA	\$5,000,001	\$25,000,000
Duarte Georgetown Vineyards, Grape Vineyard	Georgetown, CA	\$5,000,001	\$25,000,000
Duarte Georgetown Vineyards, Unplanted land	Georgetown, CA	\$1,000,001	\$5,000,000
Duarte Nursery- Permanent Crop Nursery	Hughson, CA	\$5,000,001	\$25,000,000
Georgetown Properties LLC- Orchard Management Company	Modesto, CA	No value	No value
	TOTAL:	\$17,501,007	\$86,015,000

[United States House Of Representatives Clerk, John Duarte, Personal Financial Disclosure, [4/1/22](#)]

- **April 2022: According To His Public Finance Disclosure, Duarte Had \$5,340,017-\$20,150,000 In Liabilities.**

Duarte Liabilities As Of April 2022					
Creditor	Date Incurred	Reason Incurred	Location	Min Value	Max Value
Yosemite Farm Credit	January 2013	Mortgage on Georgetown Vineyard	Georgetown, CA	\$1,000,001	\$5,000,000
Yosemite Farm Credit	January 2013	Mortgage on Georgetown Vineyard	Georgetown, CA	\$500,001	\$1,000,000
Yosemite Farm Credit	July 2015	Mortgage on Georgetown Vineyard	Georgetown, CA	\$250,001	\$500,000

Yosemite Farm Credit	April 2015	Mortgage on Georgetown Vineyard	Georgetown, CA	\$500,001	\$1,000,000
Yosemite Farm Credit	June 2019	Revolver on Orchard	Modesto, CA	\$1,000,001	\$5,000,000
Yosemite Farm Credit	June 2020	Mortgage on orchard	Modesto, CA	\$1,000,001	\$5,000,000
Yosemite Farm Credit	June 2020	Revolver on orchard	Modesto, CA	\$100,001	\$250,000
Yosemite Farm Credit	June 2020	Revolver on orchard	Modesto, CA	\$250,001	\$500,000
Ford Credit F-250	Mary 2019	Equipment	Modesto, CA	\$15,001	\$50,000
Kubota Credit Corps- Cab M5L	March 2019	Cab M5L Equipment	Modesto, CA	\$15,001	\$50,000
Kubota Credit Corps- M4N	May 2020	M4N Equipment	Georgetown, CA	\$15,001	\$50,000
Kubota Credit Corps-M5N	May 2020	M5N Equipment	Georgetown, CA	\$15,001	\$50,000
Kubota Credit Corps- MX4800	May 2020	MX4800 Equipment	Georgetown, CA	\$15,001	\$50,000
Yosemite Farm Credit	September 2018	Equipment	Georgetown, CA	\$50,001	\$100,000
Duarte Nursery, Inc	June 2002	Equipment	Hughson, CA	\$500,001	\$1,000,000
California Winelands, LLC	June 2002	Equipment	Hughson, CA	\$15,001	\$50,000
Freedom Mortgage	September 2003	Mortgage on Rental Property	Modesto, CA	\$100,001	\$250,000
			TOTAL:	\$5,340,017	\$20,150,000

[United States House Of Representatives Clerk, John Duarte, Personal Financial Disclosures, [6/5/22](#)]

Duarte's 2021 Salary As President Of Duarte Nursery Was \$783,328.00

According To His Public Finance Disclosure, Duarte's 2021 Salary As President Of Duarte Nursery Was \$783,328.00.

SCHEDULE C -- EARNED INCOME

Name: <u>John Scott Duarte</u>	Page <u>4</u> of <u>9</u>
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List the source, type, and amount of earned income from any source (other than the filer's current employment by the U.S. government) totaling \$200 or more during the reporting period. For both the filer and filer's spouse, list the source and amount of any honoraria. List only the source for other spouse earned income exceeding \$1,000. See examples below.
EXCLUDE: Military pay (such as National Guard or Reserve pay), federal retirement programs, and benefits received under the Social Security Act.
INCOME LIMITS and PROHIBITED INCOME: Be advised that the outside earned income limit and prohibitions on types of income may apply to you after you are on House payroll. The 2020 limit on outside earned income for Members and employees compensated at or above the "senior staff" rate was \$28,845. The 2021 limit is \$29,595. In addition, certain types of income (notably honoraria, director's fees, and payments for professional services involving a fiduciary relationship) are totally prohibited for Members and senior staff.

Source (include date of receipt for honoraria)	Type	Amount	
		Current Year to Filing	Preceding Year
Examples: ABC Trade Association, Baltimore, MD (July 16)	Honorarium	\$0	\$500
State of Missouri	Salary	\$20,000	\$25,000
Coal Miner Roundtable (Oct. 7)	Spouse Speech	\$0	\$1,000
Ontario County Board of Education	Spouse Salary	N/A	N/A
Duarte Nursery Inc	Salary	\$ 731,439	\$ 783,328
Duarte Nursery Inc. - Spouse	Salary	37,929	35,653

Use additional sheets if more space is required.

[United States House Of Representatives Clerk, Financial Disclosures, [4/1/22](#)]

U.S. Bureau Of Labor Statistics: In 2021, The Average Californian Farmer Or Rancher Had An Average Annual Wage Of \$91,590, Which Would Comprise Only 11.6% Of Duarte's Salary

U.S. Bureau Of Labor Statistics: In 2021, The Average Californian Farmer Or Rancher Had An Annual Wage Of \$91,590.

States with the highest employment level in Farmers, Ranchers, and Other Agricultural Managers:

State	Employment (1)	Employment per thousand jobs	Location quotient (9)	Hourly mean wage	Annual mean wage (2)
California	1,260	0.08	2.05	\$ 44.03	\$ 91,590
Texas	370	0.03	0.81	\$ 31.15	\$ 64,780
Idaho	320	0.43	11.55	\$ 30.03	\$ 62,450
Florida	290	0.03	0.91	\$ 44.56	\$ 92,690
Nebraska	210	0.22	5.99	\$ 33.78	\$ 70,260

[U.S. Bureau Of Labor Statistics, accessed [6/2/22](#)]

- **When Compared To Duarte’s 2021 Salary, The Wage Of An Average Californian Farmer Or Rancher In 2021 Represented Just 11.6% Of Duarte’s Salary Earnings In That Year.** [United States House Of Representatives Clerk, Financial Disclosures, [4/1/22](#); U.S. Bureau Of Labor Statistics, accessed [6/2/22](#)]

March 2022: A Judge Ruled That Duarte “Knowingly” Sold Defective Pistachio Trees To Farmers, Resulting In Millions In Losses; Duarte Claimed He Had No Cash To Give Farmers, Even As He Self-Funded His Campaign

2015: Duarte Reached A Settlement With Multiple Pistachio Growers After His Nursery Sold Pistachio Trees That “Posed Serious Problems For Growers” After Affecting As Many As “2 Million Trees” With Bushy Top Syndrome

Duarte Reached A Settlement With Multiple Pistachio Growers After His Nursery Sold Pistachio Trees That Had A Disorder Known As Bushy Top Syndrome. “Duarte Nursery sold a widely planted type of pistachio tree that has posed serious problems for growers in the San Joaquin Valley. As many as 20,000 acres could be affected by a disorder that is known as bushy top syndrome and has resulted in stunted growth and other problems, said Robert Klein, manager of the California Pistachio Research Board in Fresno. John Duarte, president of the family-owned company, said it has reached legal settlements with most growers and hopes to do the same with others. He declined to detail the settlement terms. ‘We want to work with our growers as much as we can,’ Duarte said. ‘We want to maintain goodwill in the industry. [...] Research done for the board concluded that the cause is *Rhodococcus fascians* bacteria, which are known to infect some ornamental plants. Duarte disagrees. He said testing at the nursery has not found the microbe, and a more likely cause is a mutation in the genes that make up this pistachio type. The nursery uses cloning to propagate its trees in a laboratory, and it bills itself as a source of ‘clean’ plants. Duarte is the top producer of pistachio trees for California growers and a key part of Stanislaus County’s nursery industry. It employs 1,000 people during peak production at its headquarters just west of Hughson, and about a third of that year-round.” [Modesto Bee, 5/9/15]

- **The California Pistachio Research Board Estimated The Bushy Top Syndrome Affected As Many As 2 Million Trees.** “Scientists say a bacteria found its way into a pistachio tree rootstock from Duarte Nursery, one of the largest tree nurseries in California. Some young trees sold to farmers in California and in Arizona from 2011 to 2014 exhibit what has been called Bushy Top Syndrome affecting 20,000 acres and perhaps 2 million trees according to an estimate by Robert Klein, manager of the California Pistachio Research Board.” [Tulare Advance Register, 4/29/15]
- **The Affected “Trees Are Weak And Can Be Pulled Up Easily From The Ground”, They Also “Cannot Be Successfully Budded.”** “According to Klein, the affected trees exhibit short stature, stunted growth in the limbs and roots with a bushy top somewhat like a witches broom. The trees are weak and can be pulled up easily from the ground. Most cannot be successfully budded. Farm advisors have recognized there has been a problem with the trees for some time although its cause was not known and no mention of Duarte, based in Modesto, as the source has been made public before. Budders were having problems grafting buds onto rootstocks in several fields of young pistachio trees, which didn't appear to be growing normally,’ said Craig Kallsen, University of California Cooperative Extension Service farm advisor. ‘As many as 60 percent of the buds didn't take in some orchards.’” [Tulare Advance Register, 4/29/15]
- **Budding Is An Agriculture Practice That Allows Farmers To Multiply The Variety Of Plants That Can Not Be Produced By Seeds.** “Budding is most frequently used to multiply a variety that cannot be produced from seed. It is a common method for producing fruit trees, roses and many varieties of ornamental trees and shrubs. It may also be used for topworking trees that can't be easily grafted with cleft or whip grafts. The stone fruits, cherry, plum and peach, are examples.” [University Of Missouri, [7/2002](#)]

2016: In A Lawsuit, Duarte Was Accused Of Selling The Defective Pistachio Trees Even Though He “Well Knew” That The Trees Were “Defective” And “Suffered Adverse Mutation”

2016: In A Lawsuit, Duarte Was Accused Of Selling The Defective Pistachio Trees Even Though He “Well Knew” That The Trees Were “Defective” And “Suffered Adverse Mutation.” “At the time, Duarte Nursery, was facilitated, aided, and abetted by John Duarte and Steve Scheuber, sold the clonal pistachio rootstock, subject of the Agreement, Defendants and each of them, well knew that Duarte Nursery’s clonal pistachio UCB-1 rootstock was defective, suffered adverse mutation, all of which Defendants had prior experience with and express knowledge about, including but not limited to, that the same type of UCB-1 clonal pistachio rootstock had failed to accept grafted buds; had failed to grow properly; had grown in defective patterns that prevented the timely maturation and development of the pistachio orchard to produce nut bearing crops within the time period normally achieved by non-defective pistachio rootstock.” [Stanislaus County Superior Court, J Marchini & Son INC vs Duarte Nursery INC, [5/9/16](#)]

March 2022: A Judge Ruled That Duarte “Knowingly” Sold Defective Pistachio Trees, Resulting In Millions In Losses To Some Growers

According To A Court Order, Duarte Nursery “Knowingly” Sold Defective Pistachio Trees. “Defective trees were knowingly delivered to growers (Trial testimony of John Bahme, Sept 21, 24:26 - 28). The genetic defect causing the Chinos existed in the trees while at the nursery (Trial testimony of John Bahme, Sept 21, 36:28 - 37:2; 4:2-9; 67:25-28).” [Stanislaus County Superior Court, J Marchini & Son INC vs Duarte Nursery INC, [3/28/22](#)]

- **Duarte Had “Full Knowledge” Of The Defect But Failed To Inform Farmers Buying His Product.** “The evidence presented demonstrates that DUARTE had full knowledge of the fact that an unknown portion or percentage of their UCB-1 rootstock contained or carried a mutation which had a direct effect on the future growth and production of the pistachio tree. John Duarte acknowledged that the genetic mutation occurred at the DNI nursery. [...] Duarte failed to inform Marchini of the growing and production problems of their UCB-1 rootstock prior to Marchini agreeing to buy the rootstock. (” [Stanislaus County Superior Court, J Marchini & Son INC vs Duarte Nursery INC, [3/28/22](#)]

One Plaintiff Incurred \$2,875,000 In Losses From Duarte’s Defective Trees. “In total, the Laborde Plaintiffs have incurred more than \$2.85 million to replace and replant trees, and to repair their ranch as a result of defective trees acquired from DNI. [Stanislaus County Superior Court, J Marchini & Son INC vs Duarte Nursery INC, [3/28/22](#)]

Duarte Told Growers That He Had “No Cash” To Compensate For The Purchase Of Defective Trees – Even As He Self-Funded His Campaign

Duarte Told Growers That He Had “No Cash” To Give To Growers That Purchased The Defective Trees. “DNI had no replacement trees to ship customers and had no cash to give to growers (John Duarte Deposition, 129:13 - 130:14; Trial testimony of John Bahme, Sept 21, 101:11 - 15). [...] Stiefvater cancelled the undelivered contracts and demanded a refund of the deposits without success from DNI (Decl_ of Stiefvater, 11:12 - 19). DNI could not refund RTS its deposits since it had no money left to do so (John Duarte Deposition, 354:10 - 355:3).” [Stanislaus County Superior Court, J Marchini & Son INC vs Duarte Nursery INC, [3/28/22](#)]

- **Duarte Said He Was Not Writing Checks To Growers For Off-Type Trees.** “John Duarte told Julien Parsons and Steven Vignolo that he was not writing checks for the off-type trees. (Parsons Decl., 2:25-28.) Steve Schueber told Lee Ann Jones (and Steve Vignolo) that they weren’t giving refunds. (Krebs Decl., 18 2:25-27; Vignolo Decl., 2:25-28.) Consequently, the growers were left with no remedy at all.” [Stanislaus County Superior Court, J Marchini & Son INC vs Duarte Nursery INC, [3/28/22](#)]

As Of May 2022, Duarte Donated \$240,000 To His Campaign War Chest And Self-Funded Around 30% Of His 2022 Congressional Campaign.

John Duarte Contributions To His 2022 CA-13 Congressional Campaign				
Source	Recipient	Receipt Date	Amount	In Kind?
John Duarte	John Duarte For Congress	3/31/22	\$100,000.00	No
John Duarte	John Duarte For Congress	3/31/22	\$30,000.00	No
John Duarte	John Duarte For Congress	3/28/22	\$100,000.00	No
John Duarte	John Duarte For Congress	3/3/22	\$10,000.00	No
			Total:	\$240,000

[FEC.gov, Pre-Primary 2022 filing, All Contributions, filed [5/26/22](#); FEC.gov, April Quarterly 2022 filing, All Contributions, filed [4/15/22](#)]

Duarte Had A Lengthy, Public Legal Battle With The Army Corps Of Engineers Over Deep Tilling On Federally Protected Wetlands, Which He Lost And Eventually Settled

November 2012: Duarte Hired A Contractor To Conduct “Ripping” On Land Which He Knew Included Federally Protected Wetlands And Streams

November 2012: Duarte Hired A Contractor To Conduct “Ripping” On Land Which He Knew Included Federally Protected Wetlands And Streams. “This case stems from activities Duarte conducted after he recently purchased property that had laid fallow and unfarmed for more than 20 years. Duarte bought the property in 2012 for \$5 million and shortly thereafter sold most of it for approximately \$8 million, retaining 450 acres for his own use. Even before the purchase, Duarte received detailed maps showing the location of federally-protected streams and wetlands which took up less than 10 percent of his remaining property. Despite the small portion of property that was subject to the Clean Water Act, Duarte hired a contractor to conduct ‘ripping’ throughout the entire 450 acres, including in streams and wetlands, even though Duarte’s own environmental consultant had warned him that he would be subject to significant penalties for ripping without a permit from the Army Corps of Engineers. This resulted in the ripping of flowing streams, running creeks, and in protected wetlands.” [Department Of Justice, [8/15/17](#)]

- **According To Pacific Legal Foundation, Who Represented The Nursery, Duarte Argued That He Simply Plowed The Land And That The Wetlands Were Just Rain Puddles.** “John Duarte is a fourth-generation California farmer growing grapevines and almond, walnut and pistachio root stock. The family also cultivates vineyards and orchards. Duarte hired a contractor to plow 450 acres in Tehama County, about two hours north of Sacramento, to plant winter wheat and a walnut orchard. The land contains isolated vernal pools, also known as rain puddles. The Army Corps of Engineers, which considers vernal pools to be wetlands, ordered Duarte Nursery to stop farming its land, without giving the company a hearing. This violates the Fifth Amendment’s prohibition against the government depriving any person of their property without due process of law. When Duarte sued, with PLF representation, the government doubled down and counter-sued, demanding millions of dollars to restore wetlands in perpetuity – even though there is no evidence that he damaged a single wetland on his property. The government’s retaliation against Duarte violated his First Amendment right to petition the government for redress of grievances.” [Pacific Legal Foundation, [8/15/17](#)]

2017: Duarte: “The Type Of Farming That We Were Doing Does Not Require A Permit. No One Has Ever Been Permitted By The Army Corps Of Engineers Processes To Farm Wheat As We Were Farming It There.” Reporter: “[1:20] Meet John Duarte, President of Duarte Nursery. His trouble started in 2012 when he had

someone plow this 450 acre plot of land in (xxx) county.’ Duarte: ‘The type of farming that we were doing does not require a permit. No one has ever been permitted by the Army Corps Of Engineers processes to farm wheat as we were farming it there.’ [ABC 7 KRCR, accessed through John Duarte, Facebook, [6/17/17](#)] (VIDEO)

The Army Corps Of Engineers Argued That By Plowing The Vernal Pools On His Property, Duarte Turned Wetlands Into Drylands In Violation Of The Clean Water Act, And Sent Duarte A Cease-And-Desist Letter

The Army Corps Of Engineers Argued That By Plowing The Vernal Pools On His Property, Duarte Turned Wetlands Into Drylands In Violation Of The Clean Water Act, And Sent Duarte A Cease-And-Desist Letter.

“Duarte was aware of the smattering of vernal pools and swales on his property, and asked his contractor to plow around them. Some he did, some he didn't, but none was destroyed. After all, the plow was going only 4 to 7 inches deep, maybe a foot in a few places, but not far enough down to disturb the impermeable clay-like layer beneath the pools. As a farming matter, you don't really want to plant in puddles that don't drain. As a legal matter, the government takes a dim view of wetlands destruction. Vernal pools are considered wetlands. Years ago, in the course of refining the Clean Water Act, the Environmental Protection Agency adopted a rule that plowing is not regulated by the act, so long as plowing does not turn a wetland into dryland. This allows farmers to plow their land without the onerous permitting process required when wetlands are otherwise put to human use. In the winter of 2012, a project manager from the local office of the U.S. Army Corps of Engineer, which is responsible for enforcing the Clean Water Act, happened to drive by Duarte's field as it was being plowed. He decided that the land was being tilled too deeply. What he observed did not count as plowing, he concluded. It was ‘deep ripping,’ which is not allowed, as it can destroy wetlands. The Corps sent Duarte a cease-and-desist letter.” [LA Times, 1/15/16]

2013: Duarte Sued, Claiming That The Army Corps Of Engineers Citation Was A Violation Of His Fifth Amendment Rights

2013: Duarte Sued, Claiming That The Army Corps Of Engineers Citation Was A Violation Of His Fifth Amendment Rights. “The Army Corps of Engineers, which considers vernal pools to be wetlands, ordered Duarte Nursery to stop farming its land, without giving the company a hearing. This violates the Fifth Amendment’s prohibition against the government depriving any person of their property without due process of law. When Duarte sued, with PLF representation, the government doubled down and counter-sued, demanding millions of dollars to restore wetlands in perpetuity – even though there is no evidence that he damaged a single wetland on his property. The government’s retaliation against Duarte violated his First Amendment right to petition the government for redress of grievances.” [Pacific Legal Foundation, [8/15/17](#)]

- **According To Court Records, The Army Corps Of Engineers Claimed That Duarte Was Warned He Might Be Violating The Clean Water Act And That He Need A Permit, Duarte Refuted Those Claims.** “In December 2012, court records show, a U.S. Army Corps of Engineer field inspector from Redding noticed a massive Case IH tractor working the fields. The inspector, Matthew Kelley, called Duarte. According to the federal government, Kelley warned Duarte that he might be violating the Clean Water Act by ‘deep ripping’ the land and depositing dredged soil onto the property’s wetlands. The inspector also told Duarte that he needed a permit from the federal government. Duarte, in court papers, said he received no such warning. He insisted his furrows dug by the plowing were small enough they posed no harm the vernal pools he acknowledges were on his property. ‘No deep ripping has taken place,’ he said in court papers. After the Army Corps issued a cease and desist letter, Duarte sued the government, saying he should have been entitled to a hearing. The U.S. Justice Department fired back with a lawsuit of its own.” [Sacramento Bee, [5/31/17](#)]

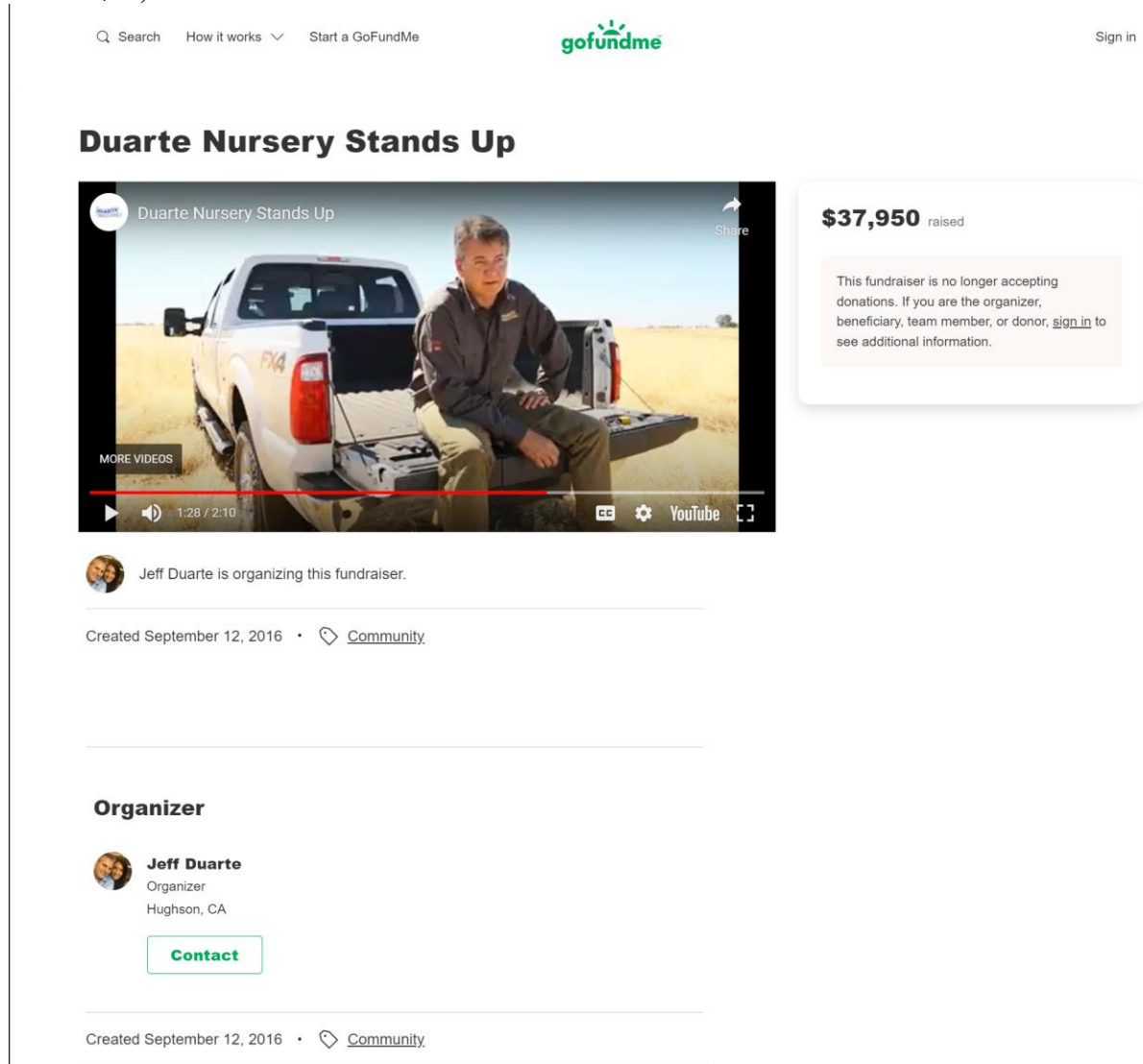
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had laid fallow and unfarmed for more than 20 years. Duarte bought the property in 2012 for \$5 million and shortly thereafter sold most of it for approximately \$8 million, retaining 450 acres for his own use. Even before the purchase, Duarte received detailed maps showing the location of federally-protected streams and wetlands which took up less than 10 percent of his remaining property. Despite the small portion of property that was subject to the Clean Water Act, Duarte hired a contractor to conduct ‘ripping’ throughout the entire 450 acres, including in streams and wetlands, even though Duarte's own environmental consultant had warned him that he would be subject to significant penalties for ripping without a permit from the Army Corps of Engineers. This resulted in the ripping of flowing streams, running creeks, and in protected wetlands.” [Department Of Justice, [8/15/17](#)]

September 2016: Duarte Started A GoFundMe To Raise Money For His Legal Defense And Raised \$37,950.00

September 2016: Duarte And His Brother Started A GoFundMe To Raise Money For His Legal Defense And Raised \$37,950.00.



The screenshot shows a GoFundMe page for a fundraiser titled "Duarte Nursery Stands Up". At the top, there is a search bar, navigation links for "How it works" and "Start a GoFundMe", the GoFundMe logo, and a "Sign in" link. The main content area features a video player showing a man sitting in the bed of a white pickup truck in a field. To the right of the video, it displays "\$37,950 raised" and a message stating: "This fundraiser is no longer accepting donations. If you are the organizer, beneficiary, team member, or donor, [sign in](#) to see additional information." Below the video, it identifies the organizer as "Jeff Duarte" and notes the fundraiser was created on September 12, 2016, in the "Community" category. An "Organizer" section follows, featuring a profile for "Jeff Duarte" (Organizer, Hughson, CA) with a "Contact" button. A second "Created September 12, 2016" notice is visible at the bottom of the page.

[GoFundMe, Duarte Nursery Stands Up, [9/12/16](#)]

November 2016: A Federal Judge Sided With The Army Corps Of Engineers And Dismissed Duarte's Lawsuit; The Government Asked The Judge To Fine Duarte \$2.8 Million

November 2016: A Federal Judge Sided With The Army Corps Of Engineers And Dismissed Duarte's Lawsuit; The Government Asked The Judge To Fine Duarte \$2.8 Million. "A year ago, U.S. District Judge Kimberly Mueller ruled in the Army Corps' favor and tossed out Duarte's lawsuit. Although farmers under certain circumstances are exempt from Clean Water Act rules, Mueller ruled Duarte needed a permit before he plowed. 'A discharge of dredged or fill material ... that impairs the flow of the waters of the United States still requires a permit, because it changes the chemical, physical and biological integrity of the waters,' she wrote. The law exempts ordinary farming activities that are 'established and ongoing.' Mueller said Duarte's plowing didn't qualify for the exemption because the land he bought hadn't been farmed in 24 years. The government asked Mueller to fine the agribusinessman \$2.8 million." [Sacramento Bee, [5/31/17](#)]

The Case Gained National Attention Among Farmers And Conservatives And Duarte Hoped Newly Elected President Trump Would Intervene. "John Duarte spent five years fighting the Obama administration's Justice Department over charges that he broke environmental laws by harming wetlands while planting a wheat crop on his Northern California farm. He lost his case, and faces a \$2.8 million fine. Now Duarte, whose case has become a national rallying cry among farmers and conservatives, is hoping President Donald Trump will wipe the penalties away. Last week, the Republicans who head the House agriculture and judiciary committees asked Attorney General Jeff Sessions to reconsider the government's case against Duarte." [Sacramento Bee, [5/31/17](#)]

May 2017: Republican Chairmen Of The House Judiciary And Agriculture Committees Sent Letters To Then Attorney General Jeff Sessions Asking For DOJ To Clarify The Reasoning Behind The Case

May 2017: Republican Chairmen Of The House Judiciary And Agriculture Committees Sent Letters To Then Attorney General Jeff Sessions Asking For DOJ To Clarify The Reasoning Behind The Case. "Congress has weighed in on a case in which a farmer faces a \$2.8 million fine for allegedly plowing wetlands in his Tehama County field. Chairmen of the House judiciary and agriculture committees sent a letter last week to Attorney General Jeff Sessions asking for clarification on the department's reasoning behind the case against John Duarte Nursery. 'The prosecution of Mr. Duarte raises concerns that the Congressional intent behind the farming exemptions in the statute is misunderstood,' the letter says. U.S. Rep. Doug LaMalfa, who represents Tehama County, said he asked for the letter to be sent because he was worried about the case setting a new precedent that would put farmers at risk of high fines. 'Unfortunately, this is no laughing matter for John Duarte and the many other farmers who face similar fines and penalties around the country,' LaMalfa said in a statement. 'Under the previous Administration, the EPA severely overstepped their authority and their regulations are preventing farmers from simply plowing their fields and using their land, LaMalfa said. The letter from the two chairmen, judiciary's Bob Goodlatte and agriculture's K. Michael Conaway, questioned the reasoning behind the case against Duarte.'" [Record Searchlight, [5/29/17](#)]

August 2017: Duarte Ultimately Agreed To Pay A \$1.1 Million Settlement Agreement With The Federal Government

August 2017: Duarte Ultimately Agreed To Pay A \$1.1 Million Settlement Agreement With The Federal Government. "Bringing to a close several years of litigation, John Duarte and Duarte Nursery Inc. have agreed to pay a large civil penalty and preserve and restore creeks, streams, and wetlands to resolve violations of the Clean Water Act on property located in Tehama County, California, the Justice Department announced today. Duarte has agreed to pay \$1.1 million in civil penalties and mitigation for 22 acres of disturbed streams and wetlands and to permanently protect creeks on the property that are connected to the Sacramento River. The agreement follows a federal court determination in 2016 finding Duarte liable for violating the Clean Water Act and will redress illegal 'ripping' of federally-protected streams and wetlands. The agreement allows Duarte to return the vast majority of the site to productive use and allows him to seek future determinations concerning jurisdictional waters at the site." [Department Of Justice, [8/15/17](#)]

- **Duarte Claimed He Settled With The Government And Agreed To Pay Fines But Not Admit Liability.** "After the federal district court rejected Duarte's claims, he reached a settlement with the federal government

and agreed to pay fines but admit no liability.” [Pacific Legal Foundation, [8/15/17](#)]

- **Duarte Claimed While He Would Have Preferred To Continue Fighting, He Settled To Avoid Further Risk To His Business.** “Although he would have preferred to fight in the trial and appeal, he could not afford the risk to his family, his business, and his hundreds of employees.” [Pacific Legal Foundation, [8/15/17](#)]

April 2022: Duarte Filed An Amicus Brief In Supreme Court Case “Sackett v. Environmental Protection Agency” Which Deals With How Wetlands Are Classified Under The Clean Water Act

Sackett V. Environmental Protection Agency Was A Supreme Court Case Deciding The Proper Test To Determine Whether Wetlands Are “Waters Of The United States” Under The Clean Water Act. “Sackett v. Environmental Protection Agency [...] Issue: Whether the U.S. Court of Appeals for the 9th Circuit set forth the proper test for determining whether wetlands are “waters of the United States” under the Clean Water Act, 33 U.S.C. § 1362(7).” [SCOTUS Blog, [9/22/21](#)]

Duarte Filed An Amicus Brief For The Case In April 2022. [Brief Amicus Curiae Of Duarte Nursery, Inc., In Support Of Petitioners, [4/18/22](#)]

In A May 2022 Ad By The Congressional Leadership Fund, The Ad Incorrectly Stated That Duarte “Won” After “The Feds Said He Couldn’t Farm On His Own Land”

May 2022: In An Radio Ad Titled “Another Tax Increase” By The Congressional Leadership Fund, The Ad Incorrectly Stated That Duarte “Won” After “The Feds Said He Couldn’t Farm On His Own Land” “Man #1: ‘Morning fellas. So, what are you reading there?’ Man #2: ‘Uh, Newsom and the liberals up in Sacramento trying to screw things up for us again. You won’t believe this, another tax increase.’ Man #1: ‘Of course, on top of what we’re already paying for gas and groceries and everything else. Ha. Just wait until John Duarte gets a hold of them.’ Man #2: ‘Who?’ Man #1: ‘John Duarte. Look, you gotta know John Duarte. He’s a farmer here, born and raised in the valley. He’ll take on Newsom and Pelosi and Biden and anyone else gonna raise our taxes or get in our way.’ Man #2: ‘What does John Duarte have to do with this?’ Man #1: ‘Duarte is running for Congress. Listen, when San Francisco wanted to take Central Valley’s water, he fought for us, beat them, and saved our water. And when the feds said he couldn’t farm on his own land, he fought them too. Ha. And won.’ [Congressional Leadership Fund, “Another Tax Increase”, [5/27/22](#)]

Duarte’s Business Was Fined For Multiple Occupational Safety and Health Administration Violations, Including Exposing 9 Employees To Carbon Monoxide, And Received 22 Violation Notices From The California Environmental Protection Agency

Duarte Nursery Had Four OSHA Violations And Was Fined Over \$5,000 Total Across Three Of Those Cases, With One Case Still Pending As Of June 2022

Duarte Nursery Had Four OSHA Violations And Was Fined \$5,325 Total In Three Of Those Cases As Of June 2022, With One Still Open.

Date	Penalty	Type	Investigation Summary / Standard Cited
8/27/18	\$1,200	Other	3203(A)(7) (18B-CA) General Indus, Accident Preven. Program
3/29/19	\$3,375	Serious	At approximately 3:28 p.m. on March 29, 2019, nine employees were suckering the grapevines inside the greenhouse. Suckering is the process where unwanted branches, limbs, and buds are removed from the grapevines either by hand, or by using simple hand tools, such as a knife. The employees were initially treated for heat-related illness, but the symptoms did not improve. The employees were

			transported to the hospital, where they were treated for carbon monoxide exposure.
1/7/20	\$750	Other	3314(C) (18B-CA) Servicing Moving Machinery/Equipment
12/15/21	Case Open	Case Open	Case Open

[United States Department Of Labor, accessed [5/5/22](#)]

In One Of The OSHA Complaints, Duarte’s Business Was Fined \$3,375 For An Incident Where Nine Employees Had To Be Taken To The Hospital For Carbon Monoxide Exposure

In March 2019, Nine Employees Were Transported To The Hospital, Where They Were Treated For Carbon Monoxide Exposure. “At approximately 3:28 p.m. on March 29, 2019, nine employees were suckering the grapevines inside the greenhouse. Suckering is the process where unwanted branches, limbs, and buds are removed from the grapevines either by hand, or by using simple hand tools, such as a knife. The employees were initially treated for heat-related illness, but the symptoms did not improve. The employees were transported to the hospital, where they were treated for carbon monoxide exposure.” [United States Department Of Labor, accessed [3/29/19](#)]

Duarte’s Business Was Fined \$3,375 By OSHA For The Incident. [United States Department Of Labor, accessed [3/29/19](#)]

Duarte Described Regulations By Agencies Like OSHA As “The Biggest Hurdle Facing AG Businesses Such As His”

Duarte Complained About State And Federal Regulators Including OSHA, Saying They Were The Biggest Hurdles Facing Agriculture Businesses Like His. “John Duarte, president of Duarte Nursery in Hughson, said the biggest hurdle facing ag businesses such as his is too much regulation. But that comes mostly from the state and federal level, not local government, Duarte said. ‘I don’t want an air quality regulator, a water regulator, an OSHA regulator,’ Duarte said. ‘We don’t need different bureaucracies throughout the state with their own fleets of Ford Tauruses and inspectors.’” [Modesto Bee, [2/15/10](#)]

Duarte Nursery Also Received 22 Violation Notices From The California Environmental Protection Agency, Including For Failing To Train Employees How To Deal With Dangerous Situations

Duarte Nursery Inc. Received 22 Violation Notices From the California Environmental Protection Agency. According to CalEPA, Duarte Nursery Inc. received 22 violation notices under different regulatory programs including: Aboveground Petroleum Storage, Chemical Storage Facilities, and Hazardous Waste Generator. As of June 2022, Duarte Nursery Inc. had one open violation. [CalEPA, Regulated Site Portal, accessed [5/9/22](#)]

Duarte Nursery Violation Notices: California Environmental Protection Agency				
Violation	Citation	Case Details	Determination Date	Case Status
Aboveground Petroleum Storage Act (APSA)	40 CFR 1 112.3 40 CFR 1 112.6 HSC 6.67 25270.4.5(a)	The SPCC plan that the facility has had prepared does not meet all applicable requirements. There are still some issues that the plan prepared for the facility has	11/05/20	Open: Since 11/05/20

		<p>such as inaccurate information such as security and tank information. There are also some areas of the plans that need further clarification.</p> <p>CORRECTIVE ACTION: The facility should work with their P.E. and ensure that all requirements for the SPCC are met.</p>		
Hazardous Materials Release Response Plan	HSC 6.95 25505(a)(4)	<p>Failure to provide initial and annual training to all employees in safety procedures in the event of a release or threatened release of a hazardous material or failure to document and maintain training records for a minimum of three years.</p>	06/12/19	Resolved: 6/12/19
Aboveground Petroleum Storage Act (APSA)	40 CFR 1 112.8(c)(10) HSC 6.67 25270.4.5(a)	<p>The diesel tank located on the east side had signs of a possible release due to heavy staining on the tank and piping within the containment walls. There was also heavy staining on the outside of the containment wall where product hoses are located. The other tank on the west side did not have this visual.</p>	06/12/19	Resolved: 10/28/20

<p>Aboveground Petroleum Storage Act (APSA)</p>	<p>40 CFR 112.7(f)(1) HSC 6.67 25270.4.5(a):</p>	<p>Facility has not been conducting required training for all oil-handling employees. The training topics that are supposed to be covered are Operation and maintenance of equipment to prevent discharges, Discharge procedure protocols, Applicable pollution control laws, rules, and regulations, General facility operations, and Contents of the SPCC Plan. This training is not the same as the annual spill prevention briefings.</p>	<p>06/12/19</p>	<p>Resolved:10/28/20</p>
<p>Aboveground Petroleum Storage Act (APSA)</p>	<p>40 CFR 112.7(f)(1) HSC 6.67 25270.4.5(a)</p>	<p>Facility has not been conducting the required annual spill prevention briefings for all oil-handling employees.</p>	<p>06/12/19</p>	<p>Resolved: 10/28/20</p>
<p>Aboveground Petroleum Storage Act (APSA)</p>	<p>40 CFR 112.3, 112.6: HSC 6.67 25270.4.5(a)</p>	<p>Facility does not have a Spill Prevention Control and Countermeasures (SPCC) plan. The Safety Coordinator, Laura Cisneros, provided a copy of an email from Ground Zero as proof they are working on getting an approved plan for</p>	<p>6/12/19</p>	<p>Resolved: 5/28/20</p>

		<p>their facility. It appears the consulting company will not be able to start working on the plan until August due to their professional engineer's schedule. Ms. Cisneros has also contacted another company to see if they may be able to start working on a plan before August.</p>		
<p>Hazardous Materials Release Response Plans (HMRRP)</p>	<p>HSC 6.95 25508.1(a)-(f)</p>	<p>The business failed to update business plan within 30 days when one of the following occurs: a 100 percent or more increase in the quantity of a previously disclosed material; any handling of a previously undisclosed hazardous material; a change of business address, business ownership, or business name; or a substantial change in the handler's operations that requires modification to any portion of the business plan. Facility failed to update hazardous materials inventory on line to include the increase in argon,</p>	<p>6/12/19</p>	<p>Resolved: 7/31/19</p>

		compressed gas mix (argon/helium/ CO2), argon mix (argon/CO2), diesel and the addition of gasoline, 2 stroke engine oil, helium		
Hazardous Materials Release Response Plans (HMRRP)		Failure to complete and electronically submit hazardous material inventory information for all reportable hazardous materials on site at or above reportable quantities.	6/12/19	Resolved
Hazardous Waste Generator (HW)	HSC 6.95 25505(a)(1): HSC 6.95 25506 HSC 6.95 25508(a)(1)	At the time of inspection there was about one inch of used oil inside the secondary containment pallet where the used oil and used oil filters drums were placed.	6/12/19	Resolved: 7/31/19
Aboveground Petroleum Storage Act (APSA)	40 CFR 1 112.7(c) HSC 6.67 25270.4.5(a)	The fuel delivery piping for both diesel tanks is outside the containment structure. There is no containment provided for possible failures/leaks during the fuel delivery process.	6/12/19	Resolved: 10/28/20
Hazardous Waste Generator (HW)	22 CCR 12 66262.34(d)(2) 40 CFR 1 262.34(d)(2) 40 CFR 1 265.173:	A 55 gallon drum of used oil filters and a 55 gallon drum of used oil located in the welding shop was observed open.	6/12/19	Resolved: 6/12/19

Hazardous Waste Generator (HW)	22 CCR 12 66262.34(f)	A 55 gallon drum of used oil and two lead acid batteries located in the welding shop were observed without hazardous waste labels.	6/12/19	Resolved: 6/12/19
Aboveground Petroleum Storage Act (APSA)	40 CFR 1 112.8(c)(6): HSC 6.67 25270.4.5(a)	Facility has not been conducting the required monthly and annual visual inspections for regulated aboveground storage containers on-site. There are two containers believed to be between 120-180 gallons each within the shop area and two-12,000 gallon Diesel tanks in another section of the property. Per industry standards these containers must have monthly and annual visual inspections by the owner's inspector. This can be an employee knowledgeable of the tanks on-site. In addition, only the two-12,000 gallon diesel containers are required to have an External Inspection conducted by a certified inspector every 20 years. During the inspection, it was	6/12/19	Resolved: 10/28/20

		determined that these tanks have not been on-site for 20 years but the exact date will be determined.		
Aboveground Petroleum Storage Act (APSA)	<p>40 CFR 112.8(c)(8)</p> <p>40 CFR 112.8(c)(8)(i)</p> <p>40 CFR 112.8(c)(8)(ii)</p> <p>40 CFR 112.8(c)(8)(iii)</p> <p>40 CFR 112.8(c)(8)(iv)</p> <p>HSC 6.67 25270.4.5(a)</p>	There was no approved overfill prevention device on the engine oil container within the shop.	6/12/19	Resolved: 10/28/20
Hazardous Waste Generator (HW)	22 CCR 12 66262.34(f)	Failure to properly label hazardous waste accumulation containers with the following requirements: "Hazardous Waste", name and address of the generator, physical and chemical characteristics of the Hazardous Waste, and starting accumulation date.	3/30/16	Resolved: 5/24/16
Hazardous Waste Generator (HW)	<p>22 CCR 12 66262.34(d)(2):</p> <p>40 CFR 1 265.173:</p>	Failure to properly close hazardous waste containers when not in active use.	3/30/16	Resolved: 3/30/16
Hazardous Waste	22 CCR 16 66266.130	Failure to properly handle, manage, label, and recycle	3/30/16	Resolved: 6/30/16

Generator (HW)		used oil and fuel filters.		
Hazardous Materials Release Response Plans (HMRRP)	HSC 6.95 25505(a)(1) HSC 6.95 25506 HSC 6.95 25508(a)(1)	Failure to complete and electronically submit hazardous material inventory information for all reportable hazardous materials on site at or above reportable quantities.	3/30/16	Resolved: 6/15/16
Hazardous Materials Release Response Plans (HMRRP)	19 CCR 4 2729.2(a)(1) 19 CCR 6.95 25508(a)(1)	Failure to complete and electronically submit the Business Activities Page and/or Business Owner Operator Identification Page.	3/30/16	Resolved: 6/15/16
Hazardous Materials Release Response Plans (HMRRP)	HSC 6.95 25508(c): HSC 6.95 25508.2	Failure to annually review and electronically certify that the business plan is complete, accurate, and up-to-date.	3/30/16	Resolved: 6/30/16
Hazardous Materials Release Response Plans (HMRRP)	HSC 6.95 25505(a)(2): HSC 6.95 25508(a)(1)	Failure to complete and electronically submit a site map with all required content.	3/30/16	Resolved: 6/30/16
Hazardous Materials Release Response Plans (HMRRP)	HSC 6.95 25505(a)(3): HSC 6.95 25508(a)(1)	Failure to establish and electronically submit an adequate emergency response plan and procedures for a release or threatened release of a hazardous material.	3/30/16	Resolved:6/15/16

Duarte Nursery Received Multiple Violations For Failure To Adequately Prepare And Develop Response Plans For Oil Spills And Other Hazardous Materials Accidents

United States Environmental Protection Agency: Facilities Owners And Operators That Worked With Oil Were Required To Create A “Spill Prevention, Control, And Countermeasure”, Or SPCC, Plan To Proactively Address Potential Oil Spills. “Due to the danger oil spills cause to public health and the environment, every effort must be made to prevent oil spills and to clean them up promptly once they occur. The purpose of the Spill Prevention, Control, and Countermeasure (SPCC) rule is to help facilities prevent a discharge of oil into navigable waters or adjoining shorelines. The SPCC rule requires facilities to develop, maintain, and implement an oil spill prevention plan, called an SPCC Plan. These Plans help facilities prevent oil spill, as well as control a spill should one occur. [...] The SPCC rule requires the owner or operator of the facility prepare and implement an SPCC Plan. The Plan must be maintained at the location of the facility that is normally attended at least four hours per day. [U.S. Environmental Protection Agency, accessed [6/7/22](#)]

November 2020: The California Environmental Protection Agency Said “The SPCC Plan That” Duarte Nursery “Has Prepared Does Not Meet All Applicable Requirements” And Has “Inaccurate Information.” “The SPCC plan that the facility has had prepared does not meet all applicable requirements. There are still some issues that the plan prepared for the facility has such as inaccurate information such as security and tank information. There are also some areas of the plans that need further clarification. **CORRECTIVE ACTION:** The facility should work with their P.E. and ensure that all requirements for the SPCC are met.” [California Environmental Protection Agency, accessed [6/7/22](#)]

- **As Of June 2022, This Violation Has Not Yet Been Resolved And Remained Classified As “Open.”**
Open (1)

Determination Date	Program
11/05/2020	APSA - Aboveground Petroleum Storage Act (APSA)
<p>NOTES</p> <p>OBSERVATION: The SPCC plan that the facility has had prepared does not meet all applicable requirements. There are still some issues that the plan prepared for the facility has such as inaccurate information such as security and tank information. There are also some areas of the plans that need further clarification. CORRECTIVE ACTION: The facility should work with their P.E. and ensure that all requirements for the SPCC are met.</p> <p>CITATIONS</p> <p>40 CFR 1 112.3: U.S. Code of Federal Regulations, Title 40, Chapter 1, Section(s) 112.3 40 CFR 1 112.6: U.S. Code of Federal Regulations, Title 40, Chapter 1, Section(s) 112.6 HSC 6.67 25270.4.5(a): California Health and Safety Code, Chapter 6.67, Section(s) 25270.4.5(a)</p>	

[California Environmental Protection Agency, accessed [6/7/22](#)]

June 2019: Duarte Nursery Was Cited Because It Did “Not Have A Spill Prevention Control And Countermeasures (SPCCP Plan.”

06/12/2019	APSA - Aboveground Petroleum Storage Act (APSA)
<p>NOTES</p> <p>Returned to compliance on 05/28/2020. OBSERVATIONS: Facility does not have a Spill Prevention Control and Countermeasures (SPCC) plan. The Safety Coordinator, Laura Cisneros, provided a copy of an email from Ground Zero as proof they are working on getting an approved plan for their facility. It appears the consulting company will not be able to start working on the plan until August due to their professional engineer's schedule. Ms. Cisneros has also contacted another company to see if they may be able to start working on a plan before August. CORRECTIVE ACTIONS: Please continue working on obtaining an approved SPCC plan to achieve compliance. Once the plan is completed and ready for review, inform our Department so a re-inspection can be conducted. While working with the consulting company on the SPCC plan, please make sure you review it to ensure your facility is accurately represented. In addition, have the company explain all training and inspections required. The comply by date is for 7/12/2019, but [Truncated]</p> <p>CITATIONS</p> <p>40 CFR 1 112.3, 112.6: U.S. Code of Federal Regulations, Title 40, Chapter 1, Section(s) 112.3, 112.6 HSC 6.67 25270.4.5(a): California Health and Safety Code, Chapter 6.67, Section(s) 25270.4.5(a)</p>	
06/12/2019	HMRRP - Hazardous Materials Release Response Plans (HMRRP)

[California Environmental Protection Agency, accessed [6/7/22](#)]

March 2016: Duarte Nursery Was Cited For Failing To “Establish And Electronically Submit An Adequate Emergency Response Plan And Procedures For A Release Or Threatened Release Of A Hazardous Material.”

03/30/2016	HMRRP - Hazardous Materials Release Response Plans (HMRRP) - Failure to establish and electronically submit an adequate emergency response plan and procedures for a release or threatened release of a hazardous material.
<p>NOTES</p> <p>Returned to compliance on 06/15/2016. ER plan has been uploaded onto CERS. HY</p> <p>CITATIONS</p> <p>HSC 6.95 25505(a)(3): California Health and Safety Code, Chapter 6.95, Section(s) 25505(a)(3) HSC 6.95 25508(a)(1): California Health and Safety Code, Chapter 6.95, Section(s) 25508(a)(1)</p>	

[California Environmental Protection Agency, accessed [6/7/22](#)]

2016-2019: Duarte Nursery Received Several Citations From The California Environmental Protection Agency For Neglecting To Train And Prepare Employees For Potentially Dangerous Situations Such As Oil Spills Or Hazardous Chemical Leaks

June 2019: Duarte Nursery Was Cited For Failing To Prove That They Provided “Initial And Annual Training To All Employees In Safety Procedures In The Event Of A Release Or Threatened Release Of A Hazardous Material.”

—	06/12/2019	HMRRP - Hazardous Materials Release Response Plans (HMRRP) - Failure to provide initial and annual training to all employees in safety procedures in the event of a release or threatened release of a hazardous material or failure to document and maintain training records for a minimum of three years.
<p>NOTES</p> <p>Returned to compliance on 06/12/2019. OBSERVATION: At the time of inspection the facility did not have three years worth of training records. CORRECTIVE ACTION: The facility agreed to ensure annual training is conducted and records are kept and has already conducted training for 2019.</p> <p>CITATIONS</p> <p>HSC 6.95 25505(a)(4): California Health and Safety Code, Chapter 6.95, Section(s) 25505(a)(4)</p>		

[California Environmental Protection Agency, accessed [6/7/22](#)]

June 2019: Duarte Nursery Was Cited For Failing To Conduct “Required Training For All Oil-Handling Employees.”

—	06/12/2019	APSA - Aboveground Petroleum Storage Act (APSA)
<p>NOTES</p> <p>Returned to compliance on 10/28/2020. OBSERVATIONS: Facility has not been conducting required training for all oil-handling employees. The training topics that are supposed to be covered are Operation and maintenance of equipment to prevent discharges, Discharge procedure protocols, Applicable pollution control laws, rules, and regulations, General facility operations, and Contents of the SPCC Plan. This training is not the same as the annual spill prevention briefings. CORRECTIVE ACTIONS: By the comply by date, conduct required training for all oil handling employees and provide proof to our Department this was completed.</p> <p>CITATIONS</p> <p>40 CFR 1 112.7(f)(1): U.S. Code of Federal Regulations, Title 40, Chapter 1, Section(s) 112.7(f)(1) HSC 6.67 25270.4.5(a): California Health and Safety Code, Chapter 6.67, Section(s) 25270.4.5(a)</p>		

[California Environmental Protection Agency, accessed [6/7/22](#)]

June 2019: Duarte Nursery Was Cited For Failing To Conduct “The Required Annual Spill Prevention Briefings For All Oil-Handling Employees.”

—	06/12/2019	APSA - Aboveground Petroleum Storage Act (APSA)
<p>NOTES</p> <p>Returned to compliance on 10/28/2020. OBSERVATIONS: Facility has not been conducting the required annual spill prevention briefings for all oil-handling employees. CORRECTIVE ACTIONS: Start conducting these briefings for all oil-handling employees at least once a year. Per regulations, topics must include highlights and descriptions of known discharges, failures, malfunctioning components and any recently developed precautionary measures. These must also help those employees understand the facility's SPCC plan. To achieve compliance, conduct required briefings on-site and provide proof of this by submitting the briefing sign-in sheet to our Department. Ensure the sheet has a description of what topics were discussed.</p> <p>CITATIONS</p> <p>40 CFR 1 112.7(f)(3): U.S. Code of Federal Regulations, Title 40, Chapter 1, Section(s) 112.7(f)(3) HSC 6.67 25270.4.5(a): California Health and Safety Code, Chapter 6.67, Section(s) 25270.4.5(a)</p>		

[California Environmental Protection Agency, accessed [6/7/22](#)]

Duarte And His Business Faced A Class-Action Lawsuit From Former Employees For Allegedly Violating California Labor Laws, Which Was Still Ongoing As Of June 2022

April 2015: Teresa Mendez Villegas, Et Al. Filed A Class Action Lawsuit Against Duarte Nursery And Members Of Company Leadership, Including John Duarte, For Violating California Labor Laws

April 2015: Teresa Mendez Villegas, Maria Navaro, Loyda Aguilar, And Olimpia Cano De Peral Filed A Class Action Lawsuit Against Duarte Nursery And Members Of Company Leadership For Failing To Pay Their Employees, Failing To Provide Meal Or Rest Periods, And Violating Labor Laws. “Plaintiffs Teresa Mendez Villegas, Maria Navarro, Loyda Aguilar, and Olimpia Cano De Peral (“collectively PLAINTIFFS”) bring this action against Duarte Nursery, INC., Michael Duarte, Jeff Duarte, John Duarte, Patricia Lopez, Engracia Lopes, and DOES 1 through 20, inclusive, individually and on behalf of all other similarly situated individuals employed under common circumstances and facts. [...] This is a wage and hour class action to vindicate the rights afforded employees by California labor law. This action is brought by Plaintiffs [...] for themselves and on behalf of a Class of similarly situated individuals. [...] The core violations PLAINTIFFS allege against the EMPLOYER DEFENDANT are: (1) failure to pay all minimum wages owed; (2) failure to keep accurate time records; (3) failure to provide rest or meal periods (or pay the statutory additional wages due); and (4) failure to reimburse necessary expenses incurred.” [Stanislaus County Superior Court, Teresa E. Mendez Villegas, Maria Navarro, Loyda Aguilar, Olimpia Cano De Peral VS Duarte Nursery, Michael Duarte, Jeff Duarte, John Duarte, Patricia Lopez, Engracia

Lopez, filed 4/2/15

This case has been assigned to Judge ROGER M. BEAUCHESE
Department 24, for all purposes including Trial.

APR 22 2015 MAIL

1 STAN S. MALLISON (Bar No. 184191)
 StánM@TheMMLawFirm.com
 2 HECTOR R. MARTINEZ (Bar No. 206336)
 HectorM@TheMMLawFirm.com
 3 MARCO A. PALAU (Bar No. 242340)
 MPalau@TheMMLawFirm.com
 4 JOSEPH D. SUTTON (Bar No. 269951)
 JSutton@TheMMLawFirm.com
 5 ERIC S. TRABUCCO (Bar No. 295473)
 ETrabucco@TheMMLawFirm.com
 6 MALLISON & MARTINEZ
 1939 Harrison Street, Suite 730
 7 Oakland, California 94612-3547
 Telephone: (510) 832-9999
 8 Facsimile: (510) 832-1101

9 Attorneys for Plaintiffs

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 IN AND FOR THE COUNTY OF STANISLAUS

FILED
 APR 22 2015
 CLERK OF THE SUPERIOR COURT
 COUNTY OF STANISLAUS
 BY DEPUTY

31435

12 Case No. 2014212-

13 CLASS ACTION COMPLAINT

14 TERESA E. MENDEZ VILLEGAS, MARIA
 15 NAVARRO, LOYDA AGUILAR, OLIMPIA CANO
 16 DE PERAL, individually, acting in the interest of
 other current and former employees, and acting in the
 interest of the State of California

17 Plaintiffs,

18 vs.

19 DUARTE NURSERY, INC., a California corporation;
 20 MICHAEL DUARTE, an individual; JEFF DUARTE,
 21 an individual; JOHN DUARTE, an individual;
 22 PATRICIA LOPEZ, an individual; ENGRACIA
 23 LOPEZ, an individual; and DOES 1 through 20,
 inclusive,

24 Defendants.

1. Failure to Pay Minimum Wages;
2. Failure to Provide Rest or Pay Additional Wages in Lieu Thereof;
3. Failure to Provide Timely and Complete Meal Periods or Pay Additional Wages in Lieu Thereof;
4. Failure to Indemnify Employees For All Necessary Expenditures Or Losses Incurred
5. Knowing and Intentional Failure to Comply with Itemized Employee Wage Statement Provisions
6. Failure to Pay All Wages Owed Upon Termination or Resignation
7. Violation of Unfair Competition Law, Cal. Bus. & Prof. Code §§ 17200 *et seq.*
8. Penalties Pursuant to Labor Code's Private Attorney General Act, Cal. Labor Code §§ 2698 *et seq.*

25 DEMAND FOR JURY TRIAL
26 REQUEST FOR COMPLEX DESIGNATION

27 CLASS ACTION COMPLAINT - DEMAND FOR JURY TRIAL
28

Allegations Included Failure To Pay Wages, Provide Adequate Breaks, And More

Allegations Against Duarte Nursery Included Failing "To Pay All Minimum Wages Owed" And Failing To Pay Wages Owed After Termination Or Resignation

April 2015: Duarte Nursery Was Sued For “Failure To Pay All Minimum Wages Owed.” “Plaintiffs Teresa Mendez Villegas, Maria Navarro, Loyda Aguilar, and Olimpia Cano De Peral (“collectively PLAINTIFFS”) bring this action against Duarte Nursery, INC., Michael Duarte, Jeff Duarte, John Duarte, Patricia Lopez, Engracia Lopes, and DOES 1 through 20, inclusive, individually and on behalf of all other similarly situated individuals employed under common circumstances and facts. [...] This is a wage and hour class action to vindicate the rights afforded employees by California labor law. This action is brought by Plaintiffs [...] for themselves and on behalf of a Class of similarly situated individuals. [...] The core violations PLAINTIFFS allege against the EMPLOYER DEFENDANT are: (1) failure to pay all minimum wages owed; (2) failure to keep accurate time records; (3) failure to provide rest or meal periods (or pay the statutory additional wages due); and (4) failure to reimburse necessary expenses incurred.” [Stanislaus County Superior Court, Teresa E. Mendez Villegas, Maria Navarro, Loyda Aguilar, Olimpia Cano De Peral VS Duarte Nursery, Michael Duarte, Jeff Duarte, John Duarte, Patricia Lopez, Engracia Lopez, filed [4/2/15](#)]

Allegations Included Failure To Pay All Wages Owed Upon Termination or Resignation.

9 Attorneys for Plaintiffs
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 IN AND FOR THE COUNTY OF STANISLAUS
12
13 Case No. 2014212-
14 CLASS ACTION COMPLAINT
15 TERESA E. MENDEZ VILLEGAS, MARIA
16 NAVARRO, LOYDA AGUILAR, OLIMPIA CANO
17 DE PERAL, individually, acting in the interest of
18 other current and former employees, and acting in the
19 interest of the State of California
20 Plaintiffs,
21 vs.
22 DUARTE NURSERY, INC., a California corporation;
23 MICHAEL DUARTE, an individual; JEFF DUARTE,
24 an individual; JOHN DUARTE, an individual;
25 PATRICIA LOPEZ, an individual; ENGRACIA
26 LOPEZ, an individual; and DOES 1 through 20,
27 inclusive,
28 Defendants.
29
30

1. Failure to Pay Minimum Wages;
2. Failure to Provide Rest or Pay Additional Wages in Lieu Thereof;
3. Failure to Provide Timely and Complete Meal Periods or Pay Additional Wages in Lieu Thereof;
4. Failure to Indemnify Employees For All Necessary Expenditures Or Losses Incurred
5. Knowing and Intentional Failure to Comply with Itemized Employee Wage Statement Provisions
6. Failure to Pay All Wages Owed Upon Termination or Resignation
7. Violation of Unfair Competition Law, Cal. Bus. & Prof. Code §§ 17200 *et seq.*
8. Penalties Pursuant to Labor Code's Private Attorney General Act, Cal. Labor Code §§ 2698 *et seq.*

DEMAND FOR JURY TRIAL
REQUEST FOR COMPLEX DESIGNATION

APR 22 2015
MAY 15 2015
This case has been assigned to Department 24, for all

\$1435

[Stanislaus County Superior Court, Teresa E. Mendez Villegas, Maria Navarro, Loyda Aguilar, Olimpia Cano De Peral VS Duarte Nursery, Michael Duarte, Jeff Duarte, John Duarte, Patricia Lopez, Engracia Lopez, filed [4/2/15](#)]

Allegations Against Duarte Nursery Included Failing “To Keep Accurate Time Records”

April 2015: Duarte Nursery Was Sued For “Failure To Keep Accurate Time Records.” “Plaintiffs Teresa Mendez Villegas, Maria Navarro, Loyda Aguilar, and Olimpia Cano De Peral (“collectively PLAINTIFFS”) bring this action against Duarte Nursery, INC., Michael Duarte, Jeff Duarte, John Duarte, Patricia Lopez, Engracia Lopes, and DOES 1 through 20, inclusive, individually and on behalf of all other similarly situated individuals employed under common circumstances and facts. [...] This is a wage and hour class action to vindicate the rights afforded employees by California labor law. This action is brought by Plaintiffs [...] for themselves and on behalf of a Class of similarly situated individuals. [...] The core violations PLAINTIFFS allege against the EMPLOYER DEFENDANT are: (1) failure to pay all minimum wages owed; (2) failure to keep accurate time records; (3) failure to provide rest or meal periods (or pay the statutory additional wages due); and (4) failure to reimburse necessary expenses incurred.” [Stanislaus County Superior Court, Teresa E. Mendez Villegas, Maria Navarro, Loyda Aguilar, Olimpia Cano De Peral VS Duarte Nursery, Michael Duarte, Jeff Duarte, John Duarte, Patricia Lopez, Engracia Lopez, filed [4/2/15](#)]

Allegations Against Duarte Nursery Included Failing “To Provide Rest Or Meal Periods (Or Pay The Statutory Additional Wages Owed)”

April 2015: Duarte Nursery Was Sued For “Failure To Provide Rest Or Meal Periods (Or Pay The Statutory Additional Wages Owed).” “Plaintiffs Teresa Mendez Villegas, Maria Navarro, Loyda Aguilar, and Olimpia Cano De Peral (“collectively PLAINTIFFS”) bring this action against Duarte Nursery, INC., Michael Duarte, Jeff Duarte, John Duarte, Patricia Lopez, Engracia Lopes, and DOES 1 through 20, inclusive, individually and on behalf of all other similarly situated individuals employed under common circumstances and facts. [...] This is a wage and hour class action to vindicate the rights afforded employees by California labor law. This action is brought by Plaintiffs [...] for themselves and on behalf of a Class of similarly situated individuals. [...] The core violations PLAINTIFFS allege against the EMPLOYER DEFENDANT are: (1) failure to pay all minimum wages owed; (2) failure to keep accurate time records; (3) failure to provide rest or meal periods (or pay the statutory additional wages due); and (4) failure to reimburse necessary expenses incurred.” [Stanislaus County Superior Court, Teresa E. Mendez Villegas, Maria Navarro, Loyda Aguilar, Olimpia Cano De Peral VS Duarte Nursery, Michael Duarte, Jeff Duarte, John Duarte, Patricia Lopez, Engracia Lopez, filed [4/2/15](#)]

Duarte Nursery Was Sued For Failing “To Reimburse Necessary Expenses Incurred”

April 2015: Duarte Nursery Was Sued For “Failure To Reimburse Necessary Expenses Incurred.” “Plaintiffs Teresa Mendez Villegas, Maria Navarro, Loyda Aguilar, and Olimpia Cano De Peral (“collectively PLAINTIFFS”) bring this action against Duarte Nursery, INC., Michael Duarte, Jeff Duarte, John Duarte, Patricia Lopez, Engracia Lopes, and DOES 1 through 20, inclusive, individually and on behalf of all other similarly situated individuals employed under common circumstances and facts. [...] This is a wage and hour class action to vindicate the rights afforded employees by California labor law. This action is brought by Plaintiffs [...] for themselves and on behalf of a Class of similarly situated individuals. [...] The core violations PLAINTIFFS allege against the EMPLOYER DEFENDANT are: (1) failure to pay all minimum wages owed; (2) failure to keep accurate time records; (3) failure to provide rest or meal periods (or pay the statutory additional wages due); and (4) failure to reimburse necessary expenses incurred.” [Stanislaus County Superior Court, Teresa E. Mendez Villegas, Maria Navarro, Loyda Aguilar, Olimpia Cano De Peral VS Duarte Nursery, Michael Duarte, Jeff Duarte, John Duarte, Patricia Lopez, Engracia Lopez, filed [4/2/15](#)]

May-June 2020: Duarte Argued That He Should Not Be Sued As An Individual In The Case Because Was “Not Involved With Paying Wages, Setting Schedules, Or Providing Meal And Rest Periods For Employees,” So “Was Not Responsible” For Damages Claimed In The Lawsuit

May 2020: Duarte Filed A Motion For Summary Judgement

May 2020: Duarte Filed A Motion For Summary Judgement.

1	GERALD E. BRUNN, SBN 107004	Electronically Filed
2	MAHANVIR S. SAHOTA, SBN 245501	5/7/2020 3:16 PM
3	LAW OFFICES OF BRUNN & FLYNN	Superior Court of California
4	A Professional Corporation	County of Stanislaus
5	928 - 12th Street, Suite 200	Clerk of the Court
6	Modesto, CA 95354	By: Kimberly Mean, Deputy
7	Telephone: (209) 521-2133	
8	Facsimile: (209) 521-7584	\$500 PD
9	Attorneys for Defendants, DUARTE NURSERY, INC.,	\$30 NOT PD
10	a California corporation; JEFF DUARTE, an individual;	
11	JOHN DUARTE, an individual, PATRICIA LOPEZ,	
12	an individual and ENGRACIA LOPEZ, an individual	
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111

TERESA E. MENDEZ VILLEGAS, MARIA NAVARRO, LOYDA AGUILAR, OLIMPIA CANO DE PERAL, individually, acting in the interest of other current and former employees, and acting in the interest of the State of California,

Plaintiffs,

vs.

DUARTE NURSERY, INC., a California corporation; JEFF DUARTE, an individual; JOHN DUARTE, an individual; PATRICIA LOPEZ, an individual; ENGRACIA LOPEZ, an individual, and DOES 1 through 20, inclusive,

Defendants.

To Plaintiffs, TERESA E. MENDEZ VILLEGAS, MARIA NAVARRO, LOYDA AGUILAR, and OLIMPIA CANO DE PERAL, and their attorney of record:

NOTICE IS HEREBY GIVEN that on the above referenced date, time and location or as soon thereafter as the matter may be heard by this court, located at 801 10th Street, Fourth Floor, Modesto, California, Defendant JOHN DUARTE will, and hereby does, move for an order that judgment be entered in favor of him as prayed for in his answer.

This motion is made on the grounds that there is no merit to Plaintiffs' First Amended Complaint

NOTICE OF MOTION AND MOTION BY DEFENDANT JOHN DUARTE FOR SUMMARY JUDGMENT

111

1 as pleaded against this moving defendant. JOHN DUARTE is entitled to judgment as a matter of law as

2 there is no triable issue of material fact.

3 The motion is based on this notice of motion, the attached declaration of JOHN DUARTE, the

4 attached separate statement of undisputed material facts, the attached memorandum, the papers, records,

5 and file herein, and such evidence as may be presented at the hearing of the motion.

6 Dated: May 5, 2020

7

[Stanislaus County Superior Court, Teresa Mendez-Villegas, et al. VS Duarte Nursery, Inc, et al., filed [5/5/20](#)]

A Motion For Summary Judgement “Is A Request Made By A Party Asking The Court To Decide All Or Part Of A Lawsuit Without Going To Trial Because There’s No Dispute About The Key Facts Of The Case”

A Motion For Summary Judgement “Is A Request Made By A Party Asking The Court To Decide All Or Part Of A Lawsuit Without Going To Trial Because There’s No Dispute About The Key Facts Of The Case.”

“Lawsuits generally go to trial because the parties disagree about the facts of a case. But what if the important facts of a case aren’t disputed? A motion for summary judgment is a request made by a party asking the court to decide all or part of a lawsuit without going to trial because there’s no dispute about the key facts of the case. The party making the motion (called the ‘movant’) can be the plaintiff or the defendant. Either way, the movant must prove two things to be successful: That there are no material facts that can be reasonably disputed, and In light of the undisputed facts, the movant is entitled to judgment under the applicable law.” [Enjuris, accessed [6/5/22](#)]

May 2020: In Its Motion For Summary Judgement, Duarte’s Legal Team Said Duarte “Cannot Be Subject To A Claim For Civil Penalties” Because He Was “Not Responsible For Wages, Schedules, Or Meal And Rest Periods” And That Claims Against Him As An Individual Should Be Dismissed Because There “Is No Triable Issue Of Fact”

May 2020: Duarte’s Legal Team Filed A Memorandum That Said Duarte Filed For Summary Judgement Because He Was “Sued For No Reason” And That Duarte, And His Co-Defendants, “Cannot Be Subject To

A Claim For Civil Penalties [...] Because They Were Not Responsible For Wages, Schedules, Or Meal And Rest Periods.” “Defendants John Duarte, Engracia Lopez and Patricia Lopez (hereinafter, the ‘Named Defendants’ or ‘Moving Defendants’) move for summary judgement because they have been sued for no reason. They have been subjected to a single cause of action under the Private Attorney General Act (hereinafter, ‘PAGA’) set forth in Labor Code Sections 2698, et seq. The remaining seven causes of action are set forth solely against Defendant Duarte Nursery, INC (hereinafter, ‘DNI’), the corporation that actually employed plaintiffs. After over five years of litigation, plaintiffs cannot provide substantial evidence against these named defendants that would render them liable under PAGA.[...] The named defendants cannot be subject to a claim for civil penalties under PAGA because they were not responsible for plaintiffs’ wages, schedules, or meal and rest periods.” [Stanislaus County Superior Court, Teresa Mendez-Villegas, et al. VS Duarte Nursery, Inc, et al., filed [5/7/20](#)]

May 2020: Duarte’s Legal Team Stated That Since “Plaintiffs Cannot Meet Their Burden To Provide Substantial Evidence That Named Defendants Are Liable” For Accusations, “Summary Judgement Should Be Granted And The Named Defendants Should Be Dismissed Because There Is No Triable Issue Of Fact.” “Plaintiffs cannot meet their burden to provide substantial evidence that the Named Defendants are liable under PAGA. The only cause of action pleaded against the Named Defendants fails as a matter of law. Summary judgement should be granted and the Named Defendants should be dismissed because there is no triable issue of fact.” [Stanislaus County Superior Court, Teresa Mendez-Villegas, et al. VS Duarte Nursery, Inc, et al., filed [5/7/20](#)]

June 2020: In A Deposition, Duarte Claimed That He Did Not Make Decisions Or Hold Responsibility For Setting Wages, Setting Schedules, And Determining Breaks, Meals, Or Overtime

June 2020: In A Deposition, Duarte Said “Of The Employee Groups Involved In This Case, Setting Specific Wages Or Piece Rate Or Schedules Or Anything Else, I Simply Don’t Make Decisions For Individuals Within Those Groups Of Employees.” “Q: Okay. And I’m going to ask you to explain a part of sentence. What did you mean by ‘setting wages’? A: Of the employee groups involved in this case, setting specific wages in terms or piece rate or schedules or anything else, I simply don’t make decisions for individuals within those groups. [...] This is a case regarding, you know, line workers at Duarte Nursery and what exactly they get paid and what are the what are the issues with their --- with their payroll data. And I don’t – I don’t make decisions for individual employees at that level.” [Stanislaus County Superior Court, Teresa Mendez-Villegas, et al. VS Duarte Nursery, Inc, et al., filed [6/25/20](#)]

June 2020: In A Deposition, Duarte Said That When It Came To “Determining What Exactly Rate Of Pay An Individual Gets At That Level, I Was Not Directly Responsible For Setting Those Wages That Would Be Paid.” “Q: Okay. And then so going back to paragraph three on page 2 of the declaration, that – the second part of that clause; what did you mean by ‘At no time was I responsible for paying wages of employees’? [...] A: Well I’m obviously responsible to see the people get paid. But determining the exact rate of pay an individual gets at that level, I was not directly responsible for setting those wages that would be paid.” [Stanislaus County Superior Court, Teresa Mendez-Villegas, et al. VS Duarte Nursery, Inc, et al., filed [6/25/20](#)]

June 2020: In A Deposition, Duarte Said That “Determining When A Particular Crew Starts. When Its’ Break Period Is. When Its’ Lunch Period Is. Whether A Crew Needs To Work On Saturdays Or Not. Whether A Crew Needs To Work Overtime Or Not. I Just Don’t Get Involved In Those Decisions.” “Q: Okay. And now I’m going to move onto paragraph number four. And could you read that out loud for us as well, Mr. Duarte. A: ‘At no time during the relevant time period was I responsible for setting work schedules for employees of Duarte Nursery Incorporated.’ Q: Okay. And again, I’m going to ask you to explain the phrase ‘setting work schedules.’ What did you mean by that? [...] A: Determining when a particular crew starts. When its’ break period ends. When its’ lunch period is. Whether a crew needs to work on Saturdays or not. Whether a crew needs to work overtime or not. I just don’t get involved in those decisions.” [Stanislaus County Superior Court, Teresa Mendez-Villegas, et al. VS Duarte Nursery, Inc, et al., filed [6/25/20](#)]

June 2020: In A Deposition, Duarte Said That “I Obviously Need To Make Sure That Meal And Rest Periods Are Provided, But Exactly When They’re Provided And When They Are Scheduled In The Day Is Not Something That I Get Involved With Directly.” “Q: And paragraph five on page 2, same thing. Could you please read that allowed for us. A: Yes. ‘At no time during the relevant time period was I responsible for providing meal and rest periods for employees of Duarte Nursery Incorporated.’ Q: Okay. Thank you. And what did you mean by the term ‘providing’ [...] A: Providing the specific timeframes for. So I obviously need to make sure that meal and rest periods are provided, but exactly when they’re provided and when they are scheduled in the day is not something that I get involved with directly” [Stanislaus County Superior Court, Teresa Mendez-Villegas, et al. VS Duarte Nursery, Inc, et al., filed [6/25/20](#)]

October 2020: The Court Ruled Granted “There Is No Evidence In The Record That Defendant Duarte Is Individually Responsible For Any Of The Claims” And He Was No Longer An Individual Defendant

October 2020: The Court Accepted Duarte’s Motion For Summary Judgement And Said That “There Is No Evidence In The Record That Defendant Duarte Is Individually Responsible” For Labor Code Violations

October 2020: The Court Accepted Duarte’s Motion For Summary Judgement And Said That “There Is No Evidence In The Record That Defendant Duarte Is Individually Responsible” For Labor Code Violations. “Defendant John Duarte has met his initial burden of proof on this motion for summary judgement, and Plaintiffs have failed to provide evidence raising a genuine issue of material fact as to Defendant Duarte’s liability for their damages. There is no evidence in the record that Defendant Duarte is individually responsible for violations of Labor Code sections 558 or 1197.1. While Defendant Duarte is responsible for setting wages at the highest level, he has no involvement in determining whether the time needed to punch a time clock or doff protective equipment should be paid or not. Nor does he instruct individual employees regarding when their breaks start or end. While he acknowledges that he has responsibility for making sure that rest breaks and lunch periods are provided to employees in the first instance, there is no evidence that he is involved in granular decisions regarding when breaks begin and when they end. Accordingly, Defendant Duarte’s motion for summary judgement is granted.” [Stanislaus County Superior Court, Teresa Mendez-Villegas, et al. VS Duarte Nursery, INC., et al. [10/28/20](#)]

RULING

The Court **CONFIRMS** its tentative ruling as follows:

Defendant John Duarte's Motion for Summary Judgment - **GRANTED**.

Defendant John Duarte has met his initial burden of proof on this motion for summary judgment, and Plaintiffs have failed to provide evidence raising a genuine issue of material fact as to Defendant Duarte's liability for their damages. There is no evidence in the record that Defendant Duarte is individually responsible for violations of Labor Code sections 558 or 1197.1. While Defendant Duarte is responsible for setting wages at the highest level, he has no involvement in determining whether the time needed to punch a time clock or doff protective equipment should be paid or not. Nor does he instruct individual employees regarding when their breaks start or end. While he acknowledges that he has responsibility for making sure that rest breaks and lunch periods are provided to employees in the first instance, there is no evidence that he is involved in granular decisions regarding when breaks begin and when they end. Accordingly, Defendant Duarte's motion for summary judgment is granted.

MINUTE ORDER

However, Duarte Nursery Remained A Defendant In The Case And As Of The Case's Most Recent Filing On January 21st, 2022, The Class Action Lawsuit Remained Classified As "Open" And Was In The Process Of Scheduling A Trial

As The Case's Most Recent Filing On January 21st, 2022, Duarte Nursery, As A Company, Has Not Filed For Summary Judgement

As Of The Case's Most Recent Filing On January 21st, 2022, Duarte Nursery, As A Company, Did Not Appear To Have Filed For Summary Judgement.

2014212

MEDEZ-VILLEGAS, TERESA VS DUARTE NURSERY INC

CASE INFO PARTIES **EVENTS** HEARINGS PRINTABLE

EVENTS

Show 25 entries

Search: summary judgment

File Date	File Type	Filed By	Documents
8/11/2020	Motion for Summary Judgment/Adjudication	JOHN DUARTE,	
8/6/2020	Motion for Summary Judgment/Adjudication	PATRICIA LOPEZ,	
8/4/2020	Motion for Summary Judgment/Adjudication	ENGRACIA LOPEZ,	
5/7/2020	Motion for Summary Judgment/Adjudication	ENGRACIA LOPEZ,	
5/7/2020	Motion for Summary Judgment/Adjudication	JOHN DUARTE,	
5/7/2020	Motion for Summary Judgment/Adjudication	PATRICIA LOPEZ,	

[Stanislaus County Superior Court, Teresa-Mendez-Villegas vs Duarte Nursery Inc, accessed [6/9/22](#)]

As Of The Case's Most Recent Filing On January 21st 2022, Duarte Nursery Was Still Listed As A Defendant And The Case Was In The Process Of Scheduling A Trial In 2022

As Of The Case's Most Recent Filing On January 21st 2022, Duarte Nursery Was Still Listed As A Defendant.

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Mahanvir S. Sahota 245501 Law Offices of Brunn & Flynn 928 12th Street, Suite 200 Modesto, CA 95354 TELEPHONE NO.: (209) 521-2133 FAX NO. (Optional): (209) 521-7584 E-MAIL ADDRESS: MSahota@brunn-flynn.com ATTORNEY FOR (Name): Defendants</p>	<p>FOR COURT USE ONLY</p> <p>Electronically Filed 1/21/2022 3:31 PM Superior Court of California County of Stanislaus Clerk of the Court By: Marie Brillon, Deputy</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Stanislaus STREET ADDRESS: 801 10th Street MAILING ADDRESS: CITY AND ZIP CODE: Modesto, CA 95354 BRANCH NAME:</p>	
<p>PLAINTIFF/PETITIONER: TERESA E. MENDEZ VILLEGAS, ET AL. DEFENDANT/RESPONDENT: DUARTE NURSERY, INC., ET AL.</p>	
<p>CASE MANAGEMENT STATEMENT</p>	
<p>(Check one): <input checked="" type="checkbox"/> UNLIMITED CASE <input type="checkbox"/> LIMITED CASE (Amount demanded exceeds \$25,000) (Amount demanded is \$25,000 or less)</p>	
<p>CASE NUMBER: 2014212</p>	
<p>A CASE MANAGEMENT CONFERENCE is scheduled as follows: Date: 02/07/2022 Time: 1:30pm Dept.: 22 Div.: Room: Address of court (if different from the address above):</p>	
<p><input checked="" type="checkbox"/> Notice of Intent to Appear by Telephone, by (name): MAHANVIR S. SAHOTA</p>	

INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.

1. Party or parties (answer one):
 - a. This statement is submitted by party (name): Defendants, DUARTE NURSERY, INC, ET AL.
 - b. This statement is submitted jointly by parties (names):
2. Complaint and cross-complaint (to be answered by plaintiffs and cross-complainants only)
 - a. The complaint was filed on (date):
 - b. The cross-complaint, if any, was filed on (date):
3. Service (to be answered by plaintiffs and cross-complainants only)
 - a. All parties named in the complaint and cross-complaint have been served, have appeared, or have been dismissed.
 - b. The following parties named in the complaint or cross-complaint
 - (1) have not been served (specify names and explain why not):
 - (2) have been served but have not appeared and have not been dismissed (specify names):
 - (3) have had a default entered against them (specify names):
 - c. The following additional parties may be added (specify names, nature of involvement in case, and the date by which they may be served):
4. Description of case
 - a. Type of case in complaint cross-complaint (Describe, including causes of action):
 Failure to pay minimum wages; Failure to Provide Rest or Pay in Lieu Thereof; Failure to Provide Timely Meal Periods; Failure to Indemnify Employees for Expenditures or Losses; Knowing and Intentional Failure to Comply with Itemized Employee Wage Statement Provisions; Failure to Pay All Wages Owed Upon Termination; Violation of Unfair Competition Law

[Stanislaus County Superior Court, Teresa-Mendez-Villegas vs Duarte Nursery Inc, filed [1/21/22](#)]

As Of January 21st, 2022, The Case Was In The Process Of Scheduling A Trial.

4. Description of case
a. Type of case in complaint cross-complaint (Describe, including causes of action):
Failure to pay minimum wages; Failure to Provide Rest or Pay in Lieu Thereof; Failure to Provide Timely Meal Periods; Failure to Indemnify Employees for Expenditures or Losses; Knowing and Intentional Failure to Comply with Itemized Employee Wage Statement Provisions; Failure to Pay All Wages Owed Upon Termination; Violation of Unfair Competition Law

Form Adopted for Mandatory Use
Judicial Council of California
Case 10 (Rev. September 1, 2011)

CASE MANAGEMENT STATEMENT

CECJ Essential
cjb.com | CCECJ

Page 1 of 6
Cal. Rules of Court,
rules 3.750-3.760
www.court.ca.gov

300-15184

CM-110

PLAINTIFF/PETITIONER: TERESA E. MENDEZ VILLEGAS, ET AL.	CASE NUMBER: 2014212
DEPENDANT/RESPONDENT: DUARTE NURSERY, INC., ET AL.	

4. b. Provide a brief statement of the case, including any damages. (If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)

(If more space is needed, check this box and attach a page designated as Attachment 4b.)

5. Jury or nonjury trial
The party or parties request a jury trial a nonjury trial. (If more than one party, provide the name of each party requesting a jury trial):

6. Trial date
a. The trial has been set for (date):
b. No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint (if not, explain):
c. Dates on which parties or attorneys will not be available for trial (specify dates and explain reasons for unavailability):
Trials: 3/21/22; 4/5/22; 5/3/22; 7/26/22; 9/13/22; 10/4/22
10/18/22; 11/14/22; 11/28/22

7. Estimated length of trial
The party or parties estimate that the trial will take (check one):
a. days (specify number): 15 days
b. hours (short causes) (specify):

8. Trial representation (to be answered for each party)
The party or parties will be represented at trial by the attorney or party listed in the caption by the following:
a. Attorney:
b. Firm:
c. Address:
d. Telephone number:
e. E-mail address:
f. Fax number:
g. Party represented:
 Additional representation is described in Attachment 8.

9. Preference
 This case is entitled to preference (specify code section):

10. Alternative dispute resolution (ADR)
a. ADR information package. Please note that different ADR processes are available in different courts and communities; read

[Stanislaus County Superior Court, Teresa Mendez-Villegas VS Duarte Nursery Inc, filed [1/21/22](#)]

As Of June 2022, The Case Was Classified As “Open” By The Stanislaus County Superior Court

Stanislaus County Superior Court: As Of June 2022, The Case Was Classified As “Open.”



Public Portal
Superior Court of California, County of Stanislaus

HOME SEARCH CALENDARS TRAFFIC PAYMENT

2014212
MENDEZ-VILLEGAS, TERESA VS DUARTE NURSERY INC

CASE INFO PARTIES EVENTS HEARINGS PRINTABLE

Case Information
Case Type: Other Employment:
Unlimited
Case Number: 2014212
Filing Date: 4/22/2015
Case Status: Open
Court Location: Unlimited

[Go Back](#)

[Stanislaus County Superior Court, Teresa Mendez-Villegas VS Duarte Nursery INC, accessed [6/9/22](#)]

“Glassdoor” And “Indeed” Reviews Of Duarte Nursery By Former Employees Included Claims That Duarte Nursery Had Failed On Occasion To Pay Employees, Provide Breaks, Holidays, And Overtime”—Echoing Allegations In The Lawsuit

September 2018: A Former Employee Quit Duarte Nursery After Claiming That They Didn’t Receive A Paycheck Because Duarte Nursery’s “Bank Accounts Were Frozen By IRS”

September 2018: A Former Employee Quit Duarte Nursery “Due To Financial Troubles And Problems With The IRS, Twice We Did Not Get A Check Because Their Bank Accounts Were Frozen By IRS.”

indeed.com/cmp/Duarte-Nursery/reviews

Snapshot	Why Join Us	31 Reviews	10 Salaries	Jobs	8 Q&A	Interv
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3.0 **Good place to work**
★★★★☆
Shipping Manager/In House Sales (Former Employee) - Hughson, CA - September 4, 2018

I moved on from Duarte Nursery due to financial troubles and problems with the IRS, twice we did not get a check because their bank accounts were frozen by IRS.

Was this review helpful?

Yes 2 No

Report Share

[Indeed, [9/4/18](#)]

July 2018: A Former Employee Claimed That Work At Duarte Nursery Was “Very Stressful”

July 2018: A Former Employee Said That Their Experience Was “Very Stressful,” That “You Have To Do More Of The Homework On Minimum Wage,” And That “There Is Time For A 15 Minute Coffee.” “Muy Estresante. Tienes que hacer mas de la tarea con el salario minimo.’ Pros: ‘Ninguno.’ Cons: ‘Si hay tiempo para tomar café para 15 minutos.” Translation: “Very stressful. You have to do more of the homework on minimum wage.’ Pros: ‘None.’ Cons: ‘There is time for a 15 minute coffee.”

3.0 **Muy estresante**
★★★★☆
Laboratorio (Former Employee) - Hughson, CA - July 17, 2018

Tienes que hacer más de la tarea con el salario mínimo

✓ **Pros**
Ninguno

✗ **Cons**
Si hay tiempo para tomar café 15 minutos

Was this review helpful?

Yes 1 No 1

Report Share

[Indeed, [7/17/18](#)]

SPANISH - DETECTED ENGLISH SPANISH FRENCH ▾ ↔ ENGLISH SPANISH ARABIC ▾

Muy Estresante. Tienes que hacer mas de la tarea con el salario minimo.' Pros: 'Ninguno.' Cons: 'Si hay tiempo para tomar café para 15 minutos.'

Very stressful. You have to do more of the homework on minimum wage.' Pros: 'None.' Cons: 'There is time for a 15 minute coffee.'

144 / 5,000

[Google Translate, accessed [6/5/22](#)]

Note: Google Translate translated “tarea” from the original post to “homework.” Contextually, “tarea” more likely translates to “work.”

August 2017: A Former Employee Accused Duarte Nursery Of Not Paying Overtime

August 2017: A Former Employee Said That Duarte Nursery “Did Not Pay Overtime.”

[indeed.com/cmp/Duarte-Nursery/reviews](https://www.indeed.com/cmp/Duarte-Nursery/reviews)

4.0
★★★★☆

The job was very efficient.

[Tying the trees to the bamboos](#) (Former Employee) - [Hughson, CA](#) - August 21, 2017

The job environment was good. Everyone helped everyone out in what they needed. The job tasks where real easy to catch on. The supervisor was always helpful and also worked around your schedule. The only difficult part of the job was working in the heat.

✓ **Pros**
They had insurance and worked with your schedule as well.

✗ **Cons**
Did not pay overtime

Was this review helpful?

Yes No Report Share

[Indeed, [8/21/17](#)]

December 2018: A Former Employee Said That Duarte Nursery Did Not Offer Holidays

December 2018: A Former Employee Said That “Holidays Were Not Offered” At Duarte Nursery.

2.0 Duarte

★★★★☆

Transpl (Former Employee) - [Hughson, CA](#) - December 7, 2018

6am start production work, tedious repetitive movements until 1pm then repeated until work day is done 4pm worked 6 days out of the week and holidays were not offered

✓ **Pros**

Sunday's off

✗ **Cons**

Greenhouse work

Was this review helpful?

Yes No

Report Share

[Indeed, [12/7/18](#)]

From 1992-2016, Nearly \$3.5 Million In Federal, State, And County Tax Liens Were Filed Against Duarte Nursery And \$2,701,505 In Liens Were Not Marked As “Released”

At Least \$2,673,752 In Federal Tax Liens Were Filed Against Duarte Nursery

September 2016: A Federal Tax Lien Was Filed Against Duarte Nursery Totaling \$48,526; The Federal Tax Lien Was Released In November 2017

September 2016: A Federal Tax Lien Was Filed Against Duarte Nursery Totaling \$48,526.

2	FEDERAL TAX LIEN RELEASE	\$48,526.00	09/29/2016	2016007560800	CA
Debtor 1		Creditor 1			
<ul style="list-style-type: none"> DUARTE NURSERY INC 1555 Baldwin Rd Hughson, CA 95326-9522 Tax Id: 4659 		<ul style="list-style-type: none"> INTERNAL REVENUE SERVICE 			
Filing Information					
<ul style="list-style-type: none"> Filing Date: 09/29/2016 Original Filing Number: 2016007560800 Jurisdiction: CA Amount: \$48,526.00 					
Filing 1					
<ul style="list-style-type: none"> Filing Number: 2017008644200 Filing Type: FEDERAL TAX LIEN RELEASE Agency: STANISLAUS COUNTY COURT Agency State: CA Agency County: STANISLAUS Release Date: 11/21/2017 					

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

- **November 2017: Duarte Nursery’s \$48,526 Federal Tax Lien Was Released.** [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

- September 2018: A Former Employee Quit Duarte Nursery “Due To Financial Troubles And Problems With The IRS, Twice We Did Not Get A Check Because Their Bank Accounts Were Frozen By IRS.”**

indeed.com/cmp/Duarte-Nursery/reviews

Snapshot	Why Join Us	31 Reviews	10 Salaries	Jobs	8 Q&A	Interv
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3.0 Good place to work
 Shipping Manager/In House Sales (Former Employee) - Hughson, CA - September 4, 2018

I moved on from Duarte Nursery due to financial troubles and problems with the IRS, twice we did not get a check because their bank accounts were frozen by IRS.

Was this review helpful?

Yes 2 No

Report Share

- [Indeed, [9/4/18](#)]

July 2007: A Federal Tax Lien Was Filed Against Duarte Nursery Totaling \$17,936; The Federal Tax Lien Was Released In November 2011

July 2007: A Federal Tax Lien Was Filed Against Duarte Nursery Totaling \$17,936.

6	FEDERAL TAX LIEN	\$17,936.00	07/19/2007	2007009403100	CA
Debtor 1 DUARTE NURSERY INC 1555 Baldwin Rd Hughson, CA 95326-9522 Tax Id: 68-0174659		Creditor 1 INTERNAL REVENUE SERVICE			
Filing Information Filing Date: 07/19/2007 Original Filing Number: 2007009403100 Jurisdiction: CA Amount: \$17,936.00					
Filing 1 Filing Number: 2007009403100 Filing Type: FEDERAL TAX LIEN Agency: STANISLAUS COUNTY COURT Agency State: CA Agency County: STANISLAUS					

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

- November 2007: Duarte Nursery’s \$17,936 Federal Tax Lien Was Released.**

7	FEDERAL TAX LIEN RELEASE	\$17,936.00	07/19/2007	20070094031	CA
Debtor 1 DUARTE NURSERY INC 1555 Baldwin Rd Hughson, CA 95326-9522 Tax Id: 68-0174659		Creditor 1 INTERNAL REVENUE SERVICE			
Filing Information Filing Date: 07/19/2007 Original Filing Number: 20070094031 Jurisdiction: CA Amount: \$17,936.00					
Filing 1 Filing Number: 20070141961 Filing Type: FEDERAL TAX LIEN RELEASE Agency: STANISLAUS COUNTY COURT Agency State: CA Agency County: STANISLAUS Release Date: 11/26/2007					

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

January 2004: A Federal Tax Lien Was Filed Against Duarte Nursery Totaling \$2,235; The Federal Tax Lien Was Released In June 2004

January 2004: A Federal Tax Lien Was File Against Duarte Nursery Totaling \$2,235.

<input type="checkbox"/> 9.	FEDERAL TAX LIEN RELEASE	\$2,235.00	01/26/2004	20040010348	CA
Debtor 1			Creditor 1		
<ul style="list-style-type: none"> DUARTE NURSERY INC 1555 Baldwin Rd Hughson, CA 95326-9522 Tax Id: 68-0174659 			<ul style="list-style-type: none"> IRS 		
Filing Information					
<ul style="list-style-type: none"> Filing Date: 01/26/2004 Original Filing Number: 20040010348 Jurisdiction: CA Amount: \$2,235.00 					
Filing 1					
<ul style="list-style-type: none"> Filing Number: 2004008717500 Filing Type: FEDERAL TAX LIEN RELEASE Agency: STANISLAUS COUNTY COURT Agency State: CA Agency County: STANISLAUS Release Date: 06/04/2004 					

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

- **June 2004: Duarte Nursery’s \$2,235 Federal Tax Lien Was Released.** [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

1992: A Federal Tax Lien Was Filed Against Duarte Nursery Totaling \$166,649; The Federal Tax Lien Was Released In December 1992

April 1992: A Federal Tax Lien Was Filed Against Duarte Nursery Lien Totaling \$166,649.

<input type="checkbox"/> 13.	FEDERAL TAX LIEN RELEASE	\$166,649.00	04/29/1992	120341	CA
Debtor 1			Creditor 1		
<ul style="list-style-type: none"> DUARTE NURSERY 1555 Baldwin Rd Hughson, CA 95326-9522 Tax Id: 95-3022012 			<ul style="list-style-type: none"> IRS 		
Filing Information					
<ul style="list-style-type: none"> Filing Date: 04/29/1992 Original Filing Number: 120341 Jurisdiction: CA Amount: \$166,649.00 					
Filing 1					
<ul style="list-style-type: none"> Filing Number: 120341 Filing Type: FEDERAL TAX LIEN RELEASE Agency: STANISLAUS COUNTY COURT Agency State: CA Agency County: STANISLAUS Release Date: 12/14/1992 					

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

- **December 1992: Duarte Nursery's \$166,649 Federal Tax Lien Was Released.**

13	FEDERAL TAX LIEN RELEASE	\$166,649.00	04/29/1992	120341	CA
Debtor 1 <ul style="list-style-type: none">o DUARTE NURSERYo 1555 Baldwin Rdo Hughson, CA 95326-9522o Tax Id: 95-3022012		Creditor 1 <ul style="list-style-type: none">o IRS			
Filing Information <ul style="list-style-type: none">o Filing Date: 04/29/1992o Original Filing Number: 120341o Jurisdiction: CAo Amount: \$166,649.00					
Filing 1 <ul style="list-style-type: none">o Filing Number: 120341o Filing Type: FEDERAL TAX LIEN RELEASEo Agency: STANISLAUS COUNTY COURTo Agency State: CAo Agency County: STANISLAUSo Release Date: 12/14/1992					

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

October 2002: A Federal Tax Lien Was Filed Against Duarte Nursery Totaling \$2,438,406; The Federal Lien Did Not Have A Release Date

October 2002: A Federal Tax Lien Was Filed Against Duarte Nursery Totaling \$2,438,406.

12	FEDERAL TAX LIEN	\$2,438,406.00	10/02/2002	20020127935	CA
Debtor 1 <ul style="list-style-type: none">o DUARTE NURSERY INCo 1555 Baldwin Rdo Hughson, CA 95326-9522o Tax Id: 68-0174659		Creditor 1 <ul style="list-style-type: none">o IRS			
Filing Information <ul style="list-style-type: none">o Filing Date: 10/02/2002o Original Filing Number: 20020127935o Jurisdiction: CAo Amount: \$2,438,406.00					
Filing 1 <ul style="list-style-type: none">o Filing Number: 20020127935o Filing Type: FEDERAL TAX LIENo Agency: STANISLAUS COUNTY COURTo Agency State: CAo Agency County: STANISLAUS					

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

- **No Release Date Was Listed In Duarte Nursery's October 2002 Federal Tax Lien.** [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

At Least \$734,172 In State Tax Liens Were Filed Against Duarte Nursery

March 11th, 2013: A State Tax Lien Was Filed Against Duarte Nursery Totaling \$232,701; The State Lien Did Not Have A Release Date

March 11th, 2013: A State Tax Lien Was Filed Against Duarte Nursery Totaling \$232,701.

<input type="checkbox"/> 4.	STATE TAX LIEN	\$232,701.00	03/11/2013	2013002047300	CA
Debtor 1 ◦ DUARTE NURSERY INC ◦ 1555 Baldwin Rd Hughson, CA 95326-9522 ◦ Tax Id: 4659		Creditor 1 ◦ STATE OF CALIFORNIA			
Filing Information ◦ Filing Date: 03/11/2013 ◦ Original Filing Number: 2013002047300 ◦ Jurisdiction: CA ◦ Amount: \$232,701.00					
Filing 1 ◦ Filing Number: 2013002047300 ◦ Filing Type: STATE TAX LIEN ◦ Agency: STANISLAUS COUNTY COURT ◦ Agency State: CA ◦ Agency County: STANISLAUS					

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

- **No Release Date Was Listed In Duarte Nursery’s March 2013 Lien.** [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

December 2003: A State Tax Lien Was Filed Against Duarte Nursery Totaling \$501,471; The State Lien Was Released On August 2006

December 2003: A State Tax Lien Was Filed Against Duarte Nursery Totaling \$501,471.

<input type="checkbox"/> 10.	STATE TAX LIEN RELEASE	\$501,471.00	12/01/2003	2003020318700	CA
Debtor 1 ◦ DUARTE NURSERY INC ◦ 1555 Baldwin Rd Hughson, CA 95326-9522 ◦ Tax Id: 68-0174659		Creditor 1 ◦ STATE OF CALIFORNIA			
Filing Information ◦ Filing Date: 12/01/2003 ◦ Original Filing Number: 2003020318700 ◦ Jurisdiction: CA ◦ Amount: \$501,471.00					
Filing 1 ◦ Filing Number: 2006011591800 ◦ Filing Type: STATE TAX LIEN RELEASE ◦ Agency: STANISLAUS COUNTY COURT ◦ Agency State: CA ◦ Agency County: STANISLAUS ◦ Release Date: 08/03/2006					

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

- **August 2006: Duarte Nursery’s \$501,471 State Tax Lien Was Released.** [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

At Least \$30,398 In County Tax Liens Were Filed Against Duarte Nursery

March 2011: A County Tax Lien Was Filed Against Duarte Nursery Totaling \$30,398; The County Lien Did Not Have A Release Date

March 2011: A County Tax Lien Was Filed Against Duarte Nursery Totaling \$30,398.

5.	COUNTY TAX LIEN	\$30,398.00	03/14/2011	2011002067200	CA
Debtor 1 <ul style="list-style-type: none"> DUARTE NURSERY INC 1555 Baldwin Rd Hughson, CA 95326-9522 Tax Id: 68-0174659 		Creditor 1 <ul style="list-style-type: none"> COUNTY OF STANISLAUS 			
Filing Information <ul style="list-style-type: none"> Filing Date: 03/14/2011 Original Filing Number: 2011002067200 Jurisdiction: CA Amount: \$30,398.00 					
Filing 1 <ul style="list-style-type: none"> Filing Number: 2011002067200 Filing Type: COUNTY TAX LIEN Agency: STANISLAUS COUNTY COURT Agency State: CA Agency County: STANISLAUS 					

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

- **No Release Date Was Listed In Duarte Nursery’s March 2011 Lien.** [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

Duarte Nursery Appears To Have Had Several Other State And Federal Liens Of Unknown Amount

October 2016: A Lien Was Filed Against Duarte Nursery With An Unspecified Amount And “IRS/Ohio” As The Creditor; The Lien Did Not Have A Release Date

October 2016: A Lien Was Filed Against Duarte Nursery With An Unspecified Amount And “IRS/Ohio” As The Creditor.

1.			10/04/2016	167550635402	CA
Debtor 1 <ul style="list-style-type: none"> DUARTE NURSERY INC, A CORPORATION 1555 Baldwin Rd Hughson, CA 95326-9522 Tax Id: 68-0174659 		Creditor 1 <ul style="list-style-type: none"> IRS/OHIO 			
Filing Information <ul style="list-style-type: none"> Filing Date: 10/04/2016 Original Filing Number: 167550635402 Jurisdiction: CA 					
Filing 1 <ul style="list-style-type: none"> Filing Number: 1776183929 Agency State: CA 					

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

- **No Release Date Was Listed In Duarte Nursery’s October 2016 Lien.** [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

March 13th, 2013: A State Tax Lien Was Filed Against Duarte Nursery With An Unspecified Amount And “Employment Development Department” As The Creditor; The Lien Did Not Have A Release Date

March 13th, 2013: A State Tax Lien Was Filed Against Duarte Nursery With An Unspecified Amount And “Employment Development Department As The Creditor.

<input type="checkbox"/> 3.	STATE TAX LIEN	03/13/2013	137353018495	CA
Debtor 1		Creditor 1		
<ul style="list-style-type: none"> o DUARTE NURSERY, INC. o 1555 Baldwin Rd o Hughson, CA 95326-9522 o Tax Id: 68-0174659 		<ul style="list-style-type: none"> o EMPLOYMENT DEVELOPMENT DEPARTMENT 		
Filing Information				
<ul style="list-style-type: none"> o Filing Date: 03/13/2013 o Original Filing Number: 137353018495 o Jurisdiction: CA o Filing Status: Unlapsed 				
Filing 1				
<ul style="list-style-type: none"> o Filing Number: 1373651330 o Filing Type: TERMINATION o Filing Status: UNLAPSED o Agency State: CA 				

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

- **No Release Date Was Listed In Duarte Nursery’s March 2013 Lien.** [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]
- **The Lien Filing Type Was Listed As “Termination.”** [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

November 2005: A Lien Titled “Civil New Filing” Was Filed Against Duarte With An Unspecified Amount And “Hans Wagner” As Creditor; The Lien Did Not Have A Release Date

November 2005: A Lien Titled “Civil New Filing” Was Filed Against Duarte With An Unspecified Amount And “Hans Wagner” As Creditor.

<input type="checkbox"/> 8.	CIVIL NEW FILING	11/07/2005	376020	CA
Debtor 1		Creditor 1		
<ul style="list-style-type: none"> o DUARTE NURSERY INC o 1555 Baldwin Rd o Hughson, CA 95326-9522 o Tax Id: 68-0174659 		<ul style="list-style-type: none"> o HANS WAGNER 		
Filing Information				
<ul style="list-style-type: none"> o Filing Date: 11/07/2005 o Original Filing Number: 376020 o Jurisdiction: CA o Eviction: NO 				
Filing 1				
<ul style="list-style-type: none"> o Filing Number: 376020 o Filing Type: CIVIL NEW FILING o Agency: MODESTO - STANISLAUS MUNICIPAL CRT o Agency State: CA o Agency County: STANISLAUS 				

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

- **No Release Date Was Listed In Duarte Nursery’s November 2005 Lien.** [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

On An Unspecified Date, A Lien Was Filed Against Duarte Nursery With An Unspecified Amount And “IRS-Northern California District” As The Creditor; The Lien Did Not Have A Release Date

On An Unspecified Date, A Lien Was Filed Against Duarte Nursery With An Unspecified Amount And “IRS-Northern California District” As The Creditor.

15.			0227060489	CA
Debtor 1 <ul style="list-style-type: none">DUARTE NURSERY INC, A CORPORATION1555 Baldwin RdHughson, CA 95326-9522Tax Id: 68-0174659		Creditor 1 <ul style="list-style-type: none">IRS - NORTHERN CALIFORNIA DISTRICT		
Filing Information <ul style="list-style-type: none">Original Filing Number: 0227060489Jurisdiction: CA				
Filing 1 <ul style="list-style-type: none">Filing Number: 02294C0451Filing Type: AMENDMENTAgency State: CA				

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

- **No Release Date Was Listed In Duarte Nursery’s Tax Lien.** [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]
- **The Lien Filing Type Was Listed As “Amendment.”** [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

On An Unspecified Date, A Lien Was Filed Against Duarte Nursery With An Unspecified Amount And “IRS-Oakland” As The Creditor; The Lien Did Not Have A Release Date

On An Unspecified Date, A Lien Was Filed Against Duarte Nursery With An Unspecified Amount And “IRS-Oakland” As The Creditor.

14.			0402161033	CA
Debtor 1 <ul style="list-style-type: none">DUARTE NURSERY INC, A CORPORATION1555 Baldwin RdHughson, CA 95326-9522Tax Id: 68-0174659		Creditor 1 <ul style="list-style-type: none">IRS / OAKLAND		
Filing Information <ul style="list-style-type: none">Original Filing Number: 0402161033Jurisdiction: CA				
Filing 1 <ul style="list-style-type: none">Filing Number: 04057C0565Filing Type: TERMINATIONAgency State: CA				

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

- **No Release Date Was Listed In Duarte Nursery’s Tax Lien.** [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]
- **The Lien Filing Type Was Listed As “Termination.”** [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

As Of June 2022, \$2,701,505 Of Federal, State, And County Tax Liens Levied Against Duarte Nursery Were Not Marked As Released

As Of June 2022, \$2,701,5050 Of Federal State, And County Tax Liens Levied Against Duarte Nursery Were Not Marked As Released

March 2011: A County Tax Lien Was Filed Against Duarte Nursery Totaling \$30,398.

<input type="checkbox"/> 5.	COUNTY TAX LIEN	\$30,398.00	03/14/2011	2011002067200	CA
Debtor 1			Creditor 1		
<ul style="list-style-type: none"> DUARTE NURSERY INC 1555 Baldwin Rd Hughson, CA 95326-9522 Tax Id: 68-0174659 			<ul style="list-style-type: none"> COUNTY OF STANISLAUS 		
Filing Information					
<ul style="list-style-type: none"> Filing Date: 03/14/2011 Original Filing Number: 2011002067200 Jurisdiction: CA Amount: \$30,398.00 					
Filing 1					
<ul style="list-style-type: none"> Filing Number: 2011002067200 Filing Type: COUNTY TAX LIEN Agency: STANISLAUS COUNTY COURT Agency State: CA Agency County: STANISLAUS 					

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

- **No Release Date Was Listed In Duarte Nursery’s March 2011 Lien.** [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

March 11th 2013: A State Tax Lien Was Filed Against Duarte Nursery Totaling \$232,701.

<input type="checkbox"/> 4.	STATE TAX LIEN	\$232,701.00	03/11/2013	2013002047300	CA
Debtor 1			Creditor 1		
<ul style="list-style-type: none"> DUARTE NURSERY INC 1555 Baldwin Rd Hughson, CA 95326-9522 Tax Id: 4659 			<ul style="list-style-type: none"> STATE OF CALIFORNIA 		
Filing Information					
<ul style="list-style-type: none"> Filing Date: 03/11/2013 Original Filing Number: 2013002047300 Jurisdiction: CA Amount: \$232,701.00 					
Filing 1					
<ul style="list-style-type: none"> Filing Number: 2013002047300 Filing Type: STATE TAX LIEN Agency: STANISLAUS COUNTY COURT Agency State: CA Agency County: STANISLAUS 					

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

- **No Release Date Was Listed In Duarte Nursery’s March 2013 Lien.** [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

October 2002: A Federal Tax Lien Was Filed Against Duarte Nursery Totaling \$2,438,406.

12. FEDERAL TAX LIEN	\$2,438,406.00	10/02/2002	20020127935	CA
Debtor 1 <ul style="list-style-type: none">DUARTE NURSERY INC1555 Baldwin RdHughson, CA 95326-9522Tax Id: 68-0174659		Creditor 1 <ul style="list-style-type: none">IRS		
Filing Information <ul style="list-style-type: none">Filing Date: 10/02/2002Original Filing Number: 20020127935Jurisdiction: CAAmount: \$2,438,406.00				
Filing 1 <ul style="list-style-type: none">Filing Number: 20020127935Filing Type: FEDERAL TAX LIENAgency: STANISLAUS COUNTY COURTAgency State: CAAgency County: STANISLAUS				

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

No Release Date Was Listed In Duarte Nursery's October 2002 Federal Tax Lien. [Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22]

Duarte Claimed He Was Not A Politician, But In Reality Was A Textbook Political Opportunist And Failed Former Candidate Trying To Buy Himself A Seat In Congress**Duarte Made Campaign On The Claim That He Was Not A Politician**

April 2022: In A Campaign Ad Titled "Send A Farmer To Congress," Duarte Said "I'm No Politician." "[0:00] I'm John Duarte. I'm a farmer and businessman. When San Francisco tried to steal Central Valley water, I led the fight to stop them. When the government said I couldn't farm my own land, I took them to court. I'm no politician, but I'm running for congress because we're fighting for our way of life." [YouTube, John Duarte For Congress, [4/20/22](#)] (VIDEO)

May 2022: In An Interview With California Agriculture Network, Duarte Said "We Don't Need A Career Politician, We Need One Of Us. And That's Me." "[1:09] We're going to spend a farmer and a businessman from the Central Valley, who built his business in the Central Valley, who has 33 years of experience, thousands of customers up and down the state, to go represent our communities in Washington D.C. We don't need a career politician, we need one of us. And that's me." [YouTube, California Agriculture Network, [5/19/22](#)] (VIDEO)

Merced County Times: "Duarte Said He Isn't Looking To Become A Career Politician." "Duarte is sure to introduce himself to Merced County folks. He was one of the guest candidates for the Republican Assembly candidate night at the Elks Lodge in Merced on Wednesday night. What's he going to tell the audience? 'I'm a farmer, and a businessman, and a fighter,' he told the Times. 'The only difference now, running for Congress, is that I'm getting out of the cheap seats, and I'm going to do the job that Adam Gray isn't doing. The first thing supporters say about Adam Gray is that he's a moderate and he's a nice guy. And you know. He talks like a moderate, and he probably is a nice guy. I don't know him that well. But if I finish my service as a congressman — if I serve 10 years like Adam Gray has done so far — and all people have to say is, 'John Duarte is a moderate and a nice guy,' I will have failed.' Duarte said he isn't looking to become a career politician — and unlike some former local congressmen in past years — he wants to serve his time and go back to his family business and everyday life in this valley he calls home." [Merced County Times, [3/31/22](#)]

However, Duarte Was A Prolific Republican Donor Who Hosted Fundraisers For Major Republican Politicians And Gave \$148,950 To Federal Candidates Over The Course Of 30 Years

Duarte Hosted Fundraisers And Events For Major Republican Politicians Such As Cary Fiorina And Scott Walker

2010: U.S Senate Candidate Carly Fiorina And The California Farm Bureau Federation Held A Fundraiser At Duarte Nursery. “U.S. Senate candidate Carly Fiorina vowed Wednesday to boost the San Joaquin Valley's water supply while easing taxes and regulation. ‘I know what it takes to create a job and make a payroll,’ the former Hewlett-Packard Co. chief executive told about 70 supporters at Duarte Nursery. The event was held by the California Farm Bureau Federation, which endorsed Fiorina earlier in the day. She is running in the June 8 Republican primary for a chance to take on Democratic Sen. Barbara Boxer in November. [...] Fiorina said Duarte Nursery, a leading producer of trees and vines for commercial growers, is an example of the family-owned businesses she would like to foster. ‘The federal government does not create the American dream that I have lived and that others have lived, although the federal government can surely kill the American dream,’ she said. Nursery President John Duarte said he likes Fiorina's stance on the water shortage, which has put people out of work, and the estate tax. He's a regular Republican donor who has been host for a number of GOP candidates over the years.” [Modesto Bee, 4/8/10]

2012: Duarte Hosted A Fundraiser With Then Wisconsin Governor Scott Walker For Mitt Romney's Presidential Campaign. “Wisconsin Gov. Scott Walker will visit Modesto next week to raise money for fellow Republican Mitt Romney's presidential campaign. Walker will take part in a private dinner Thursday evening at the DoubleTree Hotel. Tickets start at \$1,000 a plate. The governor gained national attention earlier this year when he beat back a recall attempt sparked by his effort to sharply restrict the collective-bargaining rights of most state employees in Wisconsin. ‘We're excited,’ said John Duarte, a nursery president and member of one of the host families. ‘For a lot of us fiscal conservatives, what Scott Walker accomplished in Wisconsin is what we're hoping someone can accomplish in California.’ Romney is polling well behind President Barack Obama in California, but Duarte said the fund-raiser will help in states where the race is close.” [Modesto Bee, 10/20/12]

From 1994-2022, Duarte Contributed \$148,950 To Federal Campaigns And Committees, Overwhelmingly To Republicans

1994-2022: Duarte Contributed \$148,950 To Federal Campaigns And Committees, Overwhelmingly To Republicans. [Federal Election Commission, accessed [5/5/22](#)]

2011: Duarte Was A Failed Candidate Who Lost A Race For Public Office In His Hometown By 17 Points

2011: Duarte Ran For The Modesto Irrigation District Board, Losing The Election 58% To 41%

2011: Duarte Ran For The Modesto Irrigation District Board. “John Duarte, a leader in Stanislaus County's nursery industry, is running for the Modesto Irrigation District board. Duarte, 44, joins Waterford-area rancher Larry Byrd in seeking the seat held since 1991 by Cecil Hensley in the Nov. 8 election. ‘I'm running because the Modesto Irrigation District is at a really critical juncture right now,’ Duarte said Wednesday. His concerns include the cost of state-mandated renewable energy sources and the upcoming federal relicensing of Don Pedro Reservoir, which could mean increased releases for Tuolumne River fish. Duarte is president of Duarte Nursery, a major producer of fruit and nut trees for commercial growers near Hughson. The nursery is in the Turlock Irrigation District, but Duarte lives and grows wine grapes in the MID's territory. The seat represents an area from east Modesto to La Grange. Hensley is not running again. Duarte, a leader in Republican Party circles, said he also is concerned about pension costs at the MID and its decision to provide electricity in Mountain House, a new town northwest of Tracy. ‘I think the Modesto Irrigation District needs a board of directors that has a strong business background to start managing these issues,’ said Duarte, who has a master's degree in business administration from University of the Pacific.” [Modesto Bee, 3/24/11]

Duarte Lost His Race For Modesto Irrigation District 58.1% To 41.7%. “Newcomers Larry Byrd and Nick C. Blom won seats on the Modesto Irrigation District board Tuesday night, while Michael Frantz kept his seat in the Turlock Irrigation District. Blom defeated longtime MID incumbent John Kidd in Division 5, which includes west Modesto and farmland to the west. The challenger had 966 votes, or 56 percent, to Kidd's 752 votes, or 43.6 percent, with all precincts reporting. Byrd beat John Duarte in a race to succeed retiring incumbent Cecil Hensley in Division 1, which stretches from east Modesto to the La Grange area. Byrd had 2,374 votes, or 58.1 percent, with all precincts reporting. Duarte had 1,705 votes, or 41.7 percent.” [Modesto Bee, 11/9/11]

Duarte Grew Up And Resided In Modesto, California

Turlock Journal: Duarte “Grew Up And Still Resides In Modesto.” “Duarte, who grew up and still resides in Modesto, said he believes that he could win this seat to help regain a Republican majority in the House of Representatives to get this country ‘back on the right track.’” [Turlock Journal, [3/19/22](#)]

Duarte Was Running For Congress In California’s 13th District, Despite The Fact That He Lived And Was Registered To Vote In A Completely Different District

Duarte Was Registered To Vote In California’s 5th Congressional District

Duarte Was Registered To Vote In Modesto, CA. [VoteBuilder, accessed 5/23/22]

- **Duarte’s Address Was Located In California’s New 5th Congressional District.**

California has new congressional districts. Find yours here

December 21, 2021

By [Rahul Mukherjee](#) and [Vanessa Martinez](#)



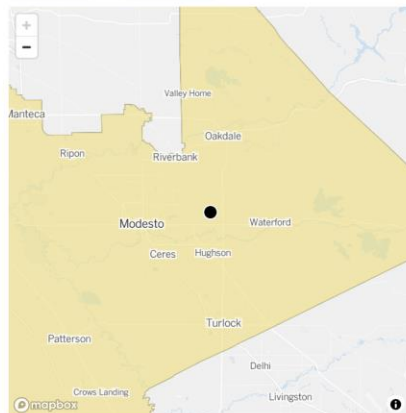
An independent state panel has [redrawn the political maps](#) for the California's congressional districts. The new map includes 52 districts, [one fewer seat](#) than before due to the state's relatively flat population growth. Enter your address below or click on the map of current boundaries to see how your district has changed.

Find your district:

Q [redacted] Modesto, California 95357, United States

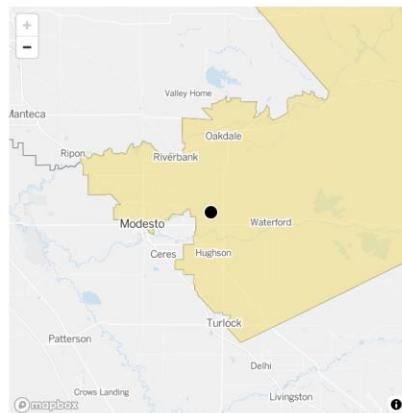
Current: CA-10

This district is represented by [Josh Harder \(D\)](#). Registered voters here are **39% Democrat** and **34% Republican**.



New: CA-5

Under the new lines, registered voters in this district would be **43% Republican** and **31% Democrat**.



[Los Angeles Times, accessed [5/9/22](#)]

Modesto Bee: “It’s Curious That John Duarte [...] Chose Not To Run In The District In Which He Lives.”

Modesto Bee: “It’s Curious That John Duarte, The Owner Of A Successful Hughson Tree Nursery And Also A Staunch Conservative, Chose Not To Run In The District In Which He Lives. [...] The Fifth Is About As Red As You Can Get In California—Seemingly Perfect For Someone Like Duarte.” “It's curious that John Duarte, the owner of a successful Hughson tree nursery and also a staunch conservative, chose not to run in the district in which he lives. The neighboring Fifth Congressional District takes in Stanislaus areas east of Highway 99, except for Ceres, but also runs through the conservative Mother Lode, including Tuolumne County, across a total of eight counties. With 42% Republican registration to Democrats' 32%, the Fifth is about as red as you can get in California -- seemingly perfect for someone like Duarte.” [Modesto Bee, 5/8/22]

Duarte Used His Personal Fortune To Attempt To Buy Himself A Congressional Seat; 30% Of Duarte’s Total Money Raised, Nearly A Quarter Of A Million Dollars, Came From His Own Wallet

As Of Late May 2022, Duarte Donated Nearly A Quarter Of A Million Dollars To His 2022 Campaign War Chest, Which Equaled About 30% Of His Total Campaign Receipts To That Point

As Of May 2022, Duarte’s Campaign Raised \$797,005.25 In Total Receipts. [FEC.gov, accessed [6/9/22](#)]

As Of May 2022, Duarte Donated \$240,000 To His Campaign War Chest And Self-Funded Around 30% Of His 2022 Congressional Campaign.

John Duarte Contributions To His 2022 CA-13 Congressional Campaign				
Source	Recipient	Receipt Date	Amount	In Kind?
John Duarte	John Duarte For Congress	3/31/22	\$100,000.00	No
John Duarte	John Duarte For Congress	3/31/22	\$30,000.00	No
John Duarte	John Duarte For Congress	3/28/22	\$100,000.00	No
John Duarte	John Duarte For Congress	3/3/22	\$10,000.00	No
			Total:	\$240,000

[FEC.gov, Pre-Primary 2022 filing, All Contributions, filed [5/26/22](#); FEC.gov, April Quarterly 2022 filing, All Contributions, filed [4/15/22](#)]

On His Campaign Website, Duarte May Be Exaggerating The Number Of Jobs His Company Provides

June 2022: Duarte’s Website Stated That His Main Company, Duarte Nursery, Provided “A Thousand Good-Paying Valley Jobs”

On His Campaign Website, Duarte Said That He “Was Able To Build Duarte Nurseries To Where It Is Today: Providing A Thousand Good-Paying Valley Jobs.” “John has spent his life building his business, Duarte Nurseries, in the Valley. John’s first office was a kitchen table and he’s no stranger to sleepless nights and serious setbacks throughout his career. But, through handwork and the abundant opportunity available to him in the Valley, John was able to build Duarte Nurseries to where it is today: providing a thousand good-paying Valley jobs. John is not a politician – he has real-life experience and knows what it takes to get a job done.” [John Duarte For Congress, Campaign Website, accessed [5/31/22](#)]



BUSINESSMAN

John has spent his life building his business, Duarte Nurseries, in the Valley. John's first office was a kitchen table and he's no stranger to sleepless nights and serious setbacks throughout his career. But, through handwork and the abundant opportunity available to him in the Valley, John was able to build Duarte Nurseries to where it is today: providing a thousand good-paying Valley jobs. John is not a politician – he has real-life experience and knows what it takes to get a job done.

[John Duarte For Congress, Campaign Website, accessed [6/7/22](#)]

Note: Duarte appeared to use the terms “Duarte Nurseries” and “Duarte Nursery” interchangeably, both to refer to his main business. Searches indicate that “Duarte Nurseries” is not the official name of Duarte's business, rather the name of the business is “Duarte Nursery Inc.”

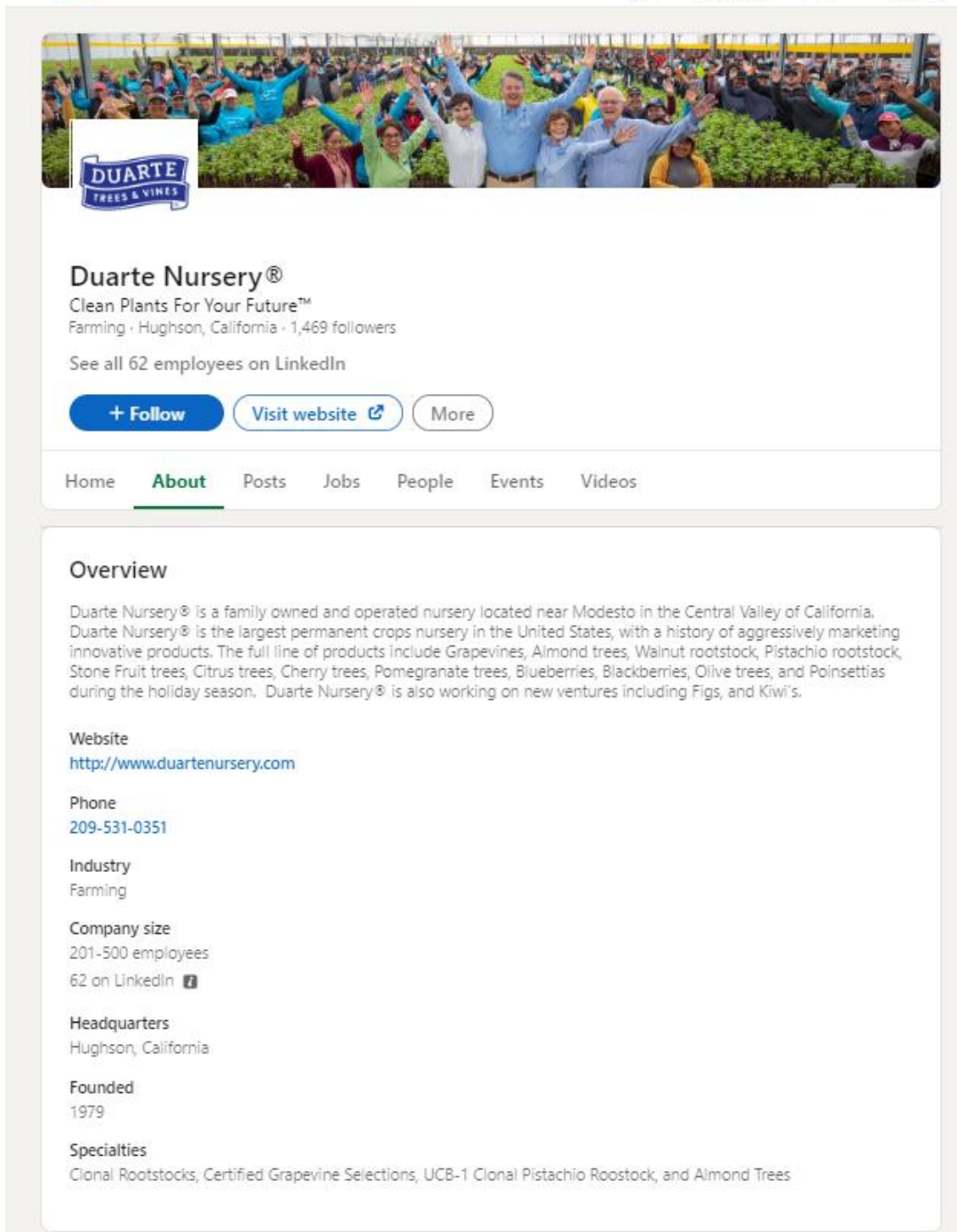
March 2021: Discussing A Vaccination Drive That Duarte Nursery Held For Employees, Duarte Said That The Company Had 450 Employees

2021: Modesto Bee: “Duarte Nursery Provided Covid-19 Vaccines To Hundreds Of Its Workers.” “Duarte Nursery provided Covid-19 vaccines to hundreds of its workers Wednesday and is opening its Hughson quarters to nearby employers this week. [...] Duarte is a leading producer of nut trees and grapevines for commercial growers in California. Its workers have priority for vaccines because they are part of the food industry.” [Modesto Bee, 3/18/21]

- **Modesto Bee: “President John Duarte Said He Hoped Most Of The 450 Or So Employees Would Choose To Get Vaccinated.”** “President John Duarte said he hoped most of the 450 or so employees would choose to get vaccinated. Wednesday was their first dose of the Pfizer shot, to be followed by the second in three weeks.” [Modesto Bee, 3/18/21]

As Of June 2022, Duarte Nursery's LinkedIn Page Reported That The Company Had Between 201 And 500 Employees

As Of June 2022, Duarte Nursery's LinkedIn Page Listed That The Company Had Between "201-500 Employees."



The image is a screenshot of the Duarte Nursery LinkedIn profile page. At the top, there is a banner image showing a large group of people in a nursery setting, many with their arms raised. Below the banner is the Duarte Nursery logo, which features the text "DUARTE TREES & VINES" in a stylized font. The profile name is "Duarte Nursery®" with the tagline "Clean Plants For Your Future™" and the location "Farming · Hughson, California · 1,469 followers". There is a link to "See all 62 employees on LinkedIn" and three buttons: "+ Follow", "Visit website", and "More". Below this is a navigation bar with tabs for "Home", "About", "Posts", "Jobs", "People", "Events", and "Videos". The "About" tab is selected. The "Overview" section contains a paragraph describing the company as a family-owned nursery near Modesto, California, with a long history of marketing innovative products like grapevines, almond trees, and walnut rootstock. It also lists various other products and mentions new ventures like figs and kiwis. Below the overview are several key facts: Website (http://www.duartenursery.com), Phone (209-531-0351), Industry (Farming), Company size (201-500 employees, 62 on LinkedIn), Headquarters (Hughson, California), Founded (1979), and Specialties (Clonal Rootstocks, Certified Grapevine Selections, UCB-1 Clonal Pistachio Rootstock, and Almond Trees).

Duarte Nursery®
Clean Plants For Your Future™
Farming · Hughson, California · 1,469 followers

See all 62 employees on LinkedIn

+ Follow Visit website More

Home **About** Posts Jobs People Events Videos

Overview

Duarte Nursery® is a family owned and operated nursery located near Modesto in the Central Valley of California. Duarte Nursery® is the largest permanent crops nursery in the United States, with a history of aggressively marketing innovative products. The full line of products include Grapevines, Almond trees, Walnut rootstock, Pistachio rootstock, Stone Fruit trees, Citrus trees, Cherry trees, Pomegranate trees, Blueberries, Blackberries, Olive trees, and Poinsettias during the holiday season. Duarte Nursery® is also working on new ventures including Figs, and Kiwi's.

Website
<http://www.duartenursery.com>

Phone
209-531-0351

Industry
Farming

Company size
201-500 employees
62 on LinkedIn

Headquarters
Hughson, California

Founded
1979

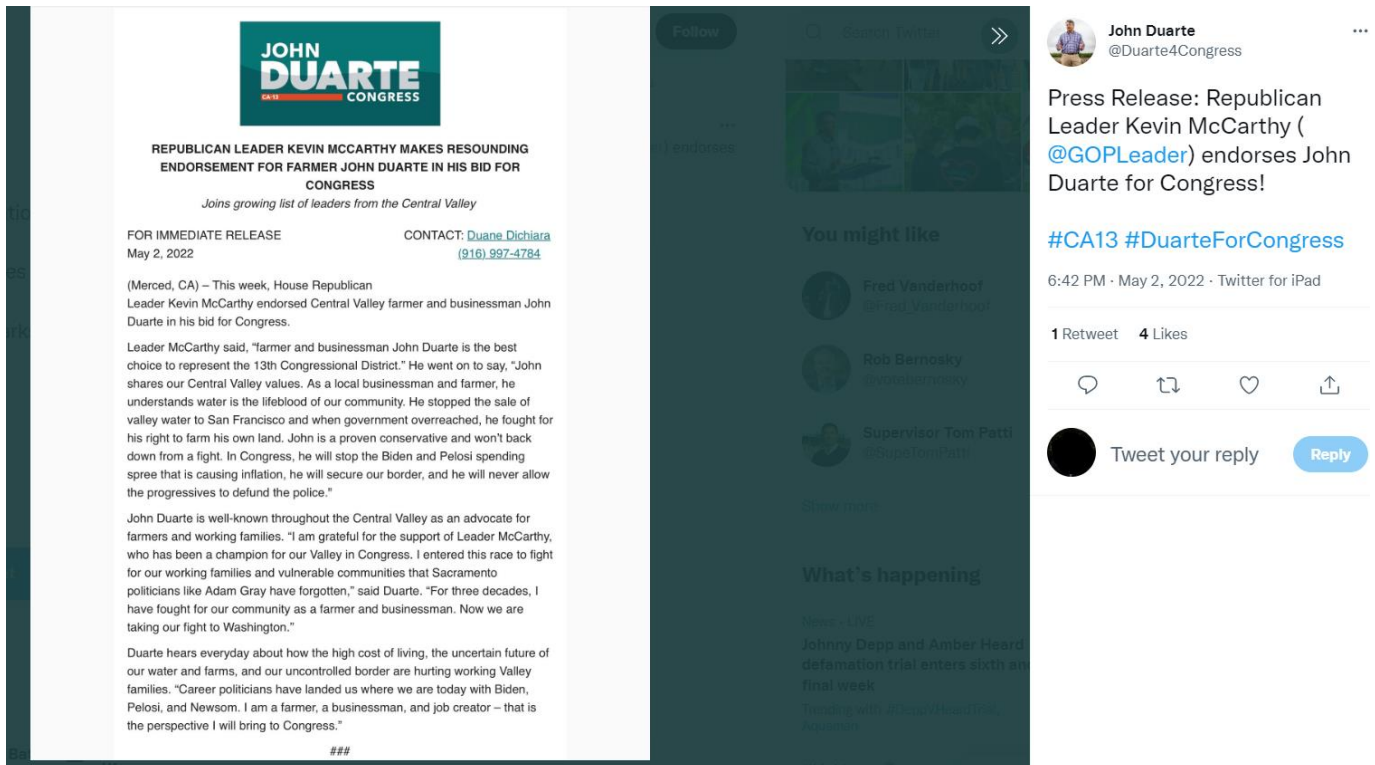
Specialties
Clonal Rootstocks, Certified Grapevine Selections, UCB-1 Clonal Pistachio Rootstock, and Almond Trees

[LinkedIn, Duarte Nursery, accessed [6/9/22](#)]

Duarte Was Supported By And Affiliated With Radical Conservatives And Trump-Aligned Republicans Such As Devin Nunes, Elise Stefanik, Kevin McCarthy, Tommy Tuberville

2022: Duarte Was Endorsed By House Minority Leader Kevin McCarthy And Received \$10,000 From McCarthy's PAC

May 2022: Duarte Was Endorsed By House Minority Leader Kevin McCarthy. "This week, House Republican Leader Kevin McCarthy endorsed Central Valley farmer and businessman John Duarte in his bid for Congress. Leader McCarthy said, "farmer and businessman John Duarte is the best choice to represent the 13th Congressional District,' He went on to say, 'John shares our Central Valley values. As a local businessman and farmer, he understands water is the lifeblood of our community. He stopped the sale of valley water to San Francisco and when government overreached, he fought for his right to farm his own land. John is a proven conservative and won't back down from a fight. In Congress, he will stop the Biden and Pelosi spending spree that is causing inflation, he will secure our border and he will never allow the progressives to defund the police.'" [John Duarte For Congress, Press Release, accessed through @Duarte4Congress, Twitter, [5/2/22](#)]



The image shows two side-by-side screenshots. The left screenshot is a press release titled "REPUBLICAN LEADER KEVIN MCCARTHY MAKES RESOUNDING ENDORSEMENT FOR FARMER JOHN DUARTE IN HIS BID FOR CONGRESS". It includes contact information for Duane Dichiaro and a quote from John Duarte. The right screenshot is a Twitter post from John Duarte (@Duarte4Congress) dated May 2, 2022, at 6:42 PM. The tweet reads: "Press Release: Republican Leader Kevin McCarthy (@GOPLeader) endorses John Duarte for Congress! #CA13 #DuarteForCongress". It shows 1 retweet and 4 likes.

May 2022: Duarte Received \$10,000.00 From McCarthy's Leadership PAC, The Majority Committee PAC. [FEC.gov, accessed [6/2/22](#); [OpenSecrets](#), accessed [6/5/22](#)]

2022: Duarte Was Endorsed By House Republican Conference Chair Elise Stefanik

May 2022: Duarte Was Endorsed By Elise Stefanik.



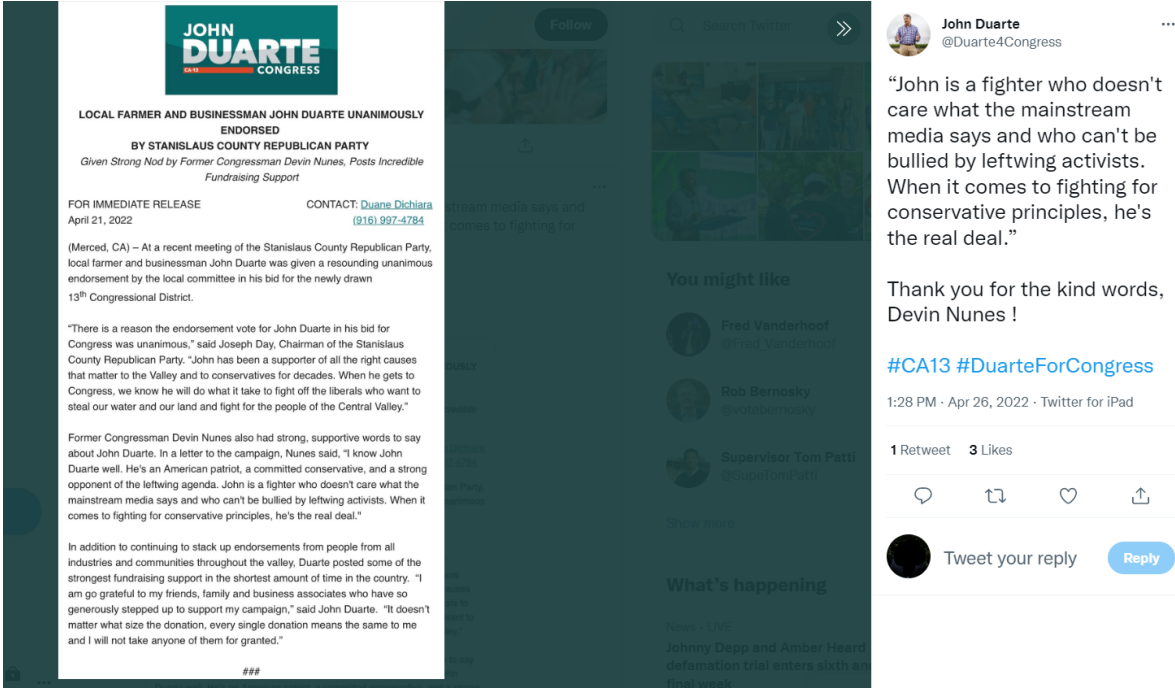
A screenshot of a Facebook post from the page "John Duarte for Congress". The post is dated May 26 at 4:10 PM and is public. The text of the post reads: "Elise Stefanik endorses Farmer and Businessman John Duarte for Congress!" followed by the hashtags "#CA13" and "#DuarteForCongress". Below the text is a video player. The video frame shows a portrait of Elise Stefanik, the House Republican Conference Chairwoman, with an American flag in the background. Below the portrait, the text reads: "House Republican Conference Chairwoman Elise Stefanik Endorses JOHN DUARTE CA-13 CONGRESS". At the bottom of the video frame, the words "FARMER | BUSINESSMAN" are visible. The video player interface shows a progress bar at 0:03 / 0:06, along with icons for play, settings, share, and volume. Below the video player, the post shows 48 likes and 7 comments, with a "Share" button.

[John Duarte for Congress, Facebook, [5/26/22](#)]

Duarte Was Endorsed By Devin Nunes In 2022 And Had Previously Called Devin Nunes “An American Hero” Who “Unmasked The Swamp”

April 2022: In A Press Release, Duarte Released An Endorsement From Former Congressman Devin Nunes Who Said That Duarte Is “An American Patriot, A Committed Conservative, And A Strong Opponent Of The Leftwing Agenda. [...] He’s The Real Deal.” “Former Congressman Devin Nunes also had strong, supportive words to say about John Duarte. In a letter to the campaign, Nunes said, ‘I know John Duarte well. He’s an

American patriot, a committed conservative, and a strong opponent of the leftwing agenda. John is a fighter who doesn't care what the mainstream media says and who can't be bullied by leftwing activists. When it comes to fighting for conservative principles, he's the real deal." [John Duarte For Congress, Press Release, accessed through @Duarte4Congress, Twitter, [4/26/22](#)]



The image shows a side-by-side comparison of a press release and a tweet. On the left is a press release from the Stanislaus County Republican Party endorsing John Duarte. On the right is a screenshot of a tweet from John Duarte (@Duarte4Congress) dated April 26, 2022, which contains the quote from the press release.

JOHN DUARTE CONGRESS

LOCAL FARMER AND BUSINESSMAN JOHN DUARTE UNANIMOUSLY ENDORSED BY STANISLAUS COUNTY REPUBLICAN PARTY
Given Strong Nod by Former Congressman Devin Nunes, Posts Incredible Fundraising Support

FOR IMMEDIATE RELEASE CONTACT: Duane Dichiaro (916) 997-4784
April 21, 2022

(Merced, CA) – At a recent meeting of the Stanislaus County Republican Party, local farmer and businessman John Duarte was given a resounding unanimous endorsement by the local committee in his bid for the newly drawn 13th Congressional District.

"There is a reason the endorsement vote for John Duarte in his bid for Congress was unanimous," said Joseph Day, Chairman of the Stanislaus County Republican Party, "John has been a supporter of all the right causes that matter to the Valley and to conservatives for decades. When he gets to Congress, we know he will do what it take to fight off the liberals who want to steal our water and our land and fight for the people of the Central Valley."

Former Congressman Devin Nunes also had strong, supportive words to say about John Duarte. In a letter to the campaign, Nunes said, "I know John Duarte well. He's an American patriot, a committed conservative, and a strong opponent of the leftwing agenda. John is a fighter who doesn't care what the mainstream media says and who can't be bullied by leftwing activists. When it comes to fighting for conservative principles, he's the real deal."

In addition to continuing to stack up endorsements from people from all industries and communities throughout the valley, Duarte posted some of the strongest fundraising support in the shortest amount of time in the country. "I am go grateful to my friends, family and business associates who have so generously stepped up to support my campaign," said John Duarte. "It doesn't matter what size the donation, every single donation means the same to me and I will not take anyone of them for granted."

###

John Duarte
@Duarte4Congress

"John is a fighter who doesn't care what the mainstream media says and who can't be bullied by leftwing activists. When it comes to fighting for conservative principles, he's the real deal."

Thank you for the kind words, Devin Nunes !

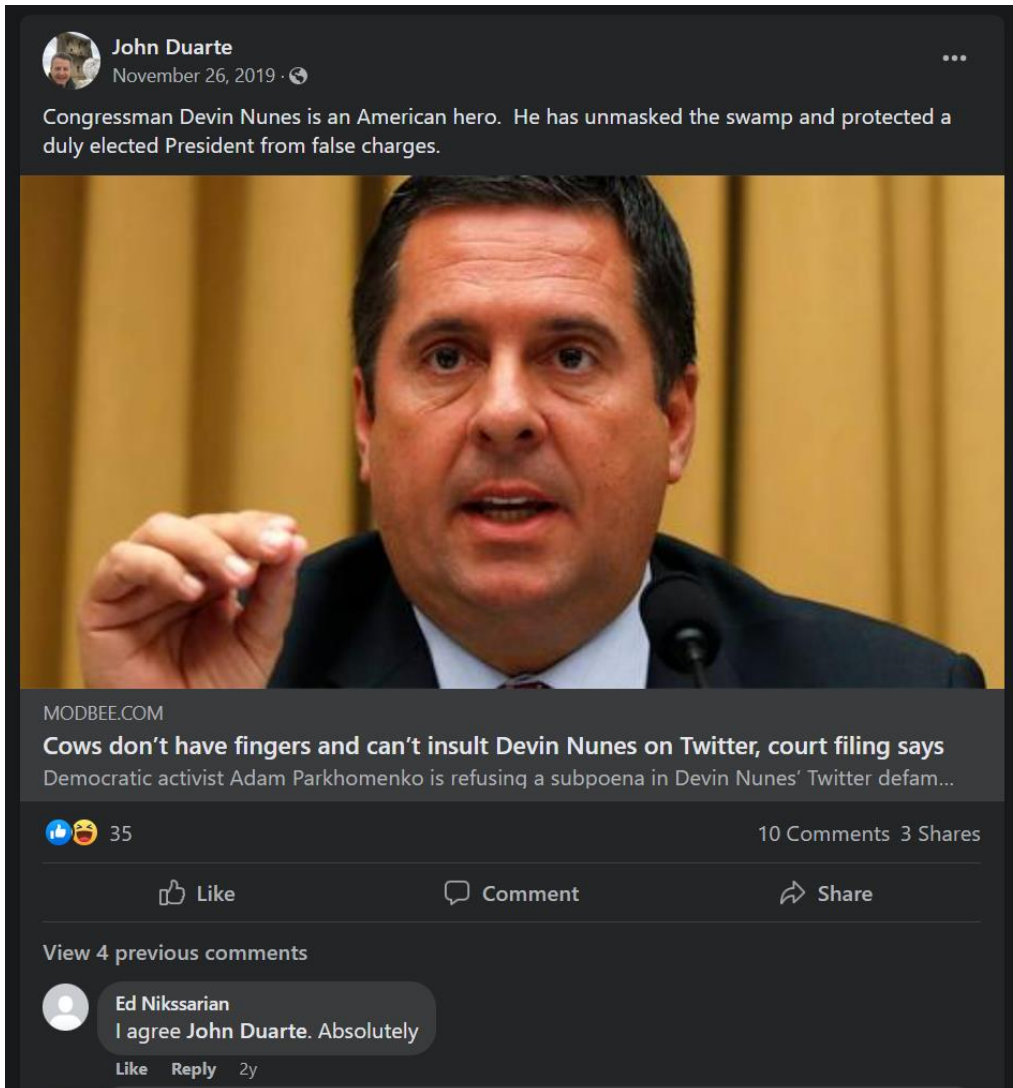
#CA13 #DuarteForCongress

1:28 PM · Apr 26, 2022 · Twitter for iPad

1 Retweet 3 Likes

Tweet your reply Reply

November 2019: Duarte: "Congressman Devin Nunes Is An American Hero. He Has Unmasked The Swamp And Protected A Duly Elected President From False Charges."

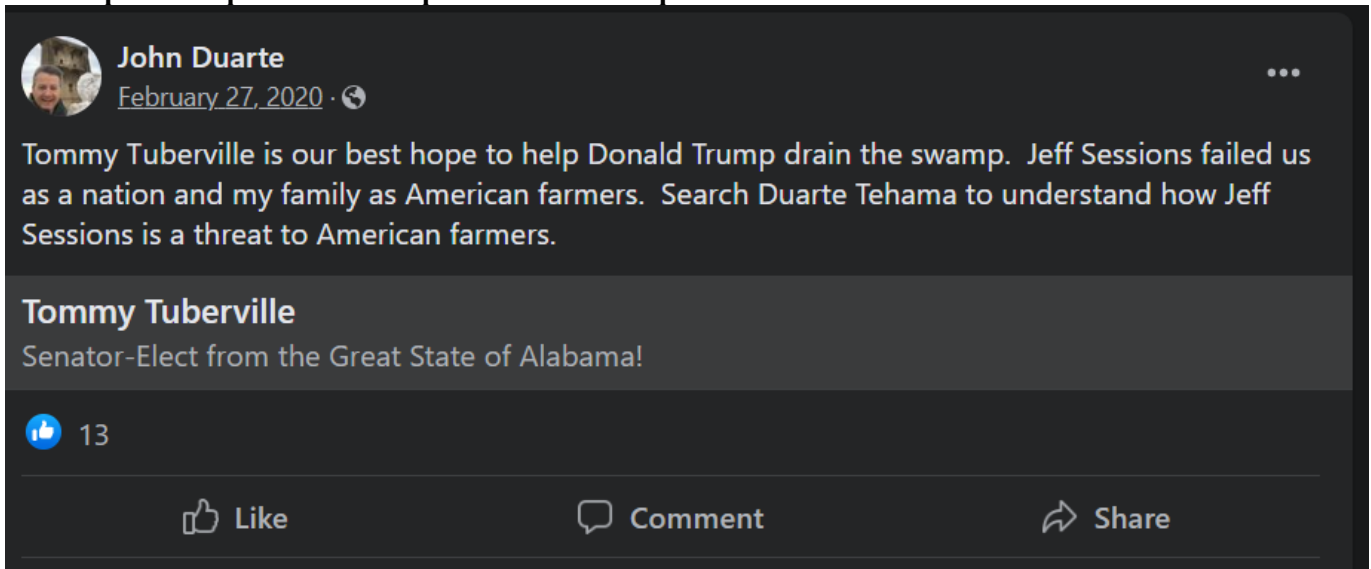


[John Duarte, Facebook, [11/26/19](#)]

- The Article That Duarte Reposted Was About Rep. Nunes Filing A Lawsuit Against Individuals Who Created The Twitter Accounts ‘Devin Nunes’ Cow’ And ‘Devin Nunes’ Mom’ To Prank Rep. Nunes.** “Nunes, R-Tulare, has sued Twitter and anonymous social media users who run accounts known as Devin Nunes’ Cow and Devin Nunes’ Mom. Nunes’ attorney last month issued a subpoena demanding records about them from former Democratic National Committee employee Adam Parkhomenko. In a new filing to quash the subpoena, Parkhomenko’s attorney argues that the Twitter accounts’ language ‘does not constitute defamation’ and that courts are tasked with protecting anonymous communications in the interest of freedom of speech. ‘No reasonable person would believe that Devin Nunes’ cow actually has a Twitter account, or that the hyperbole, satire and cow-related jokes it posts are serious facts,’ reads the filing in Virginia’s Henrico County Circuit Court. ‘It is self-evident that cows are domesticated livestock animals and do not have the intelligence, language, or opposable digits needed to operate a Twitter account. Defendant ‘Devin Nunes’ Mom’ likewise posts satirical patronizing, nagging, mothering comments which ostensibly treat Mr. Nunes as a misbehaving child.” [Sacramento Bee, [11/27/19](#)]

2020: Duarte Endorsed Tommy Tuberville For U.S. Senate And Said That “Tommy Tuberville Is Our Best Hope To Help Donald Trump Drain The Swamp”

February 2020: Duarte Endorsed Tommy Tuberville For U.S. Senate And Said “Tommy Tuberville Is Our Best Hope To Help Donald Trump Drain The Swamp.”



[John Duarte, Facebook, [2/27/20](#)]

May 2020: Duarte Posted A Fundraising Link From Tuberville’s Senate Campaign And Captioned It “Please Support Tommy Tuberville Over Jeff ‘The Recuser’ Sessions.”



[John Duarte, Facebook, [5/21/20](#)]

2022: Duarte Received \$10,000 From Rep. Steve Scalise’s PAC, “The Eye Of The Tiger Political Action Committee” And \$4,000 From Rep Scalise’s Campaign Committee

Duarte Received \$10,000 From Rep. Steve Scalise’s PAC, “The Eye Of The Tiger Political Action Committee.” [FEC.gov, accessed [6/2/22](#); [OpenSecrets](#), accessed [6/5/22](#)]

May 2022: Duarte Received \$4,000.00 From Rep. Scalise’s Campaign Committee. [FEC.gov, accessed [6/5/22](#)]

2022: Duarte Received \$2,000 From Rep. Jason Smith’s Campaign Committee

May 2022: Duarte Received \$2,000.00 From Rep. Jason Smith’s Campaign Committee. [FEC.gov, accessed [6/5/22](#)]

2022: Duarte Received \$1,000.00 From Rep. Ashley Hinson’s “Fight On PAC”

May 2022: Duarte Received \$1,000.00 From Rep. Ashley Hinson’s “Fight On PAC.” [FEC.gov, Receipts, accessed [6/5/22](#); [OpenSecrets](#), accessed [6/5/22](#)]

2022: Duarte Received \$1,000 From Rep. Tom Cole’s Conservative Opportunity Leadership And Enterprise PAC

Duarte Received \$1,000 From Rep. Tom Cole’s Conservative Opportunity Leadership And Enterprise PAC. [FEC.gov, accessed [6/5/22](#); [OpenSecrets](#), accessed [6/5/22](#)]

Duarte’s Key Conservative Political Backers Voted To Overturn The 2020 Election And Supported Trump After The January 6th Capitol Insurrection

Minority Leader Kevin McCarthy Voted To Overturn The 2020 Election. [New York Times, [1/7/21](#)]

Rep. Steve Scalise Voted To Overturn The 2020 Election. [New York Times, [1/7/21](#)]

Politico: “Rep Scalise: Don’t Pinpoint Blame On Trump” For Capitol Insurrection. “House Minority Whip Steve Scalise on Sunday continued to spread the blame for the Jan. 6 Capitol riots, while stating both that former President Donald Trump condemned the violence and that Democrats did not adequately denounce unrelated violence during last summer’s racial justice protests. ‘Surely, there’s a lot of blame to go around,’ Scalise (R-La.) said on ABC’s ‘This Week.’ The lawmaker also made it clear he didn’t appreciate efforts to continue to pin blame for the insurrection on the former president. ‘President Trump has denounced what happened, and I think everyone should have been unequivocal in their denouncing of what happened, not only on Jan. 6 but during the summer when they were burning down cities,’ Scalise said.” [Politico, [2/21/21](#)]

Rep. Elise Stefanik Voted To Overturn The 2020 Election. [New York Times, [1/7/21](#)]

NCPR: Stefanik “Made A Lot Of False And Misleading Statements About The 2020 Presidential Election, Both Before And On January 6th.” “SOMMERSTEIN: Now let’s turn to why Congress — and the rioters — were in the Capitol that day to begin with. The certification of the election for President Joe Biden. Trump had repeated for weeks baseless claims that the election was ‘rigged’, that he had won by a “landslide” victory. What was Stefanik saying about the election? HIRSCH: Well, she made a lot of false and misleading statements about the 2020 presidential election, both before and on January 6th. She had said that she planned to object to certifying the

final results for some states, but that was based on claims that many state and federal courts had already dismissed.” [NCPR, [1/4/22](#)]

NCPR: Stefanik Has “Really Downplayed” The Capitol Insurrection And Blamed Speaker Nancy Pelosi For The Attack. “SOMMERSTEIN: We’ve asked Stefanik to talk to us about all this and she wouldn’t. Now it’s been a year. What has Stefanik said about the Capitol attack since then? HIRSCH: She’s really downplayed it. Many top Republicans at the time were saying former President Trump bears responsibility – including George W. Bush, Mitch McConnell, even her own leader, the House Minority Leader Kevin McCarthy. Stefanik did not say Trump is to blame. And some months later, she even falsely blamed House Speaker Nancy Pelosi – a Democrat – for the attack. ‘The American people deserve to know the truth, that Nancy Pelosi bears responsibility as Speaker of the House for the tragedy that occurred on January 6th,’ Stefanik [said](#) in May 2021.” That seems to be based on the idea, Pelosi oversees the day-to-day operations of the Capitol Police, [which is not true](#). She also might’ve been referring to a claim that Democrats rejected help from the National Guard. That claim has also been widely debunked – it’s false. [NCPR, [1/4/22](#)]

Rep. Devin Nunes Voted To Overturn The 2020 Election. [New York Times, [1/7/21](#)]

The Atlantic: Nunes “Remained Silent After The Riot At The Capitol” And “Indulged the Fox News host Maria Bartiromo’s Assertions Of Voting Irregularities.” “Another active Trump enabler, Nunes remained silent after the riot at the Capitol. In November, Nunes indulged the Fox News host Maria Bartiromo’s assertions of voting irregularities.” [Atlantic, [2/18/21](#)]

CNN: Trump Lauded Tuberville After He Publicly Urged Senators To Object To Election Results On January 6th During A Stump Speech. “President Donald Trump lauded Tommy Tuberville this week after the [Republican Alabama senator-elect](#) said he is not ruling out [joining a House member to object](#) to the election results when Congress meets in a joint session to accept the votes of the Electoral College. Trump is continuing to push senators to overturn the election while Tuberville’s efforts would put his party in an awkward spot to vote on whether to accept the will of the voters or side with him. [...] Tuberville, while stumping in Georgia for the Senate runoff elections which will determine control of the chamber, said in a video that resurfaced this week that senators should also object on January 6 when Congress ratifies the election results. The video that resurfaced showed Tuberville saying, ‘You’ll see what’s coming. You’ve been reading about it in the House. We’re going to have to do it in the Senate.’ A person familiar told CNN’s Kaitlan Collins that Tuberville knew what he was doing and is willing to lean out there as if he’s considering doing this. [CNN Politics, [12/18/20](#)]

Rep. Jason Smith Voted To Overturn The 2020 Election. [New York Times, [1/7/21](#)]

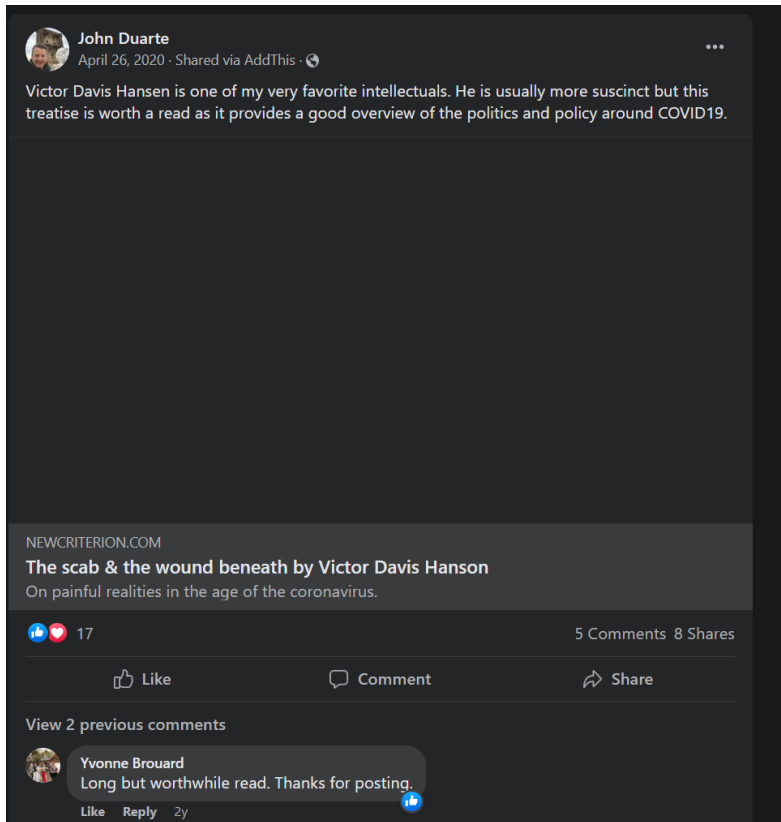
August 2020: Smith Tweeted That He Introduced “The Integrity Of Our Elections Act To Safeguard Our Federal Election” That Would “Prevent Mail-In Voter Fraud From Diminishing Our Democratic Process.”

[@RepJasonSmith, Twitter, [8/19/20](#)]

Duarte Said That “One Of My Very Favorite Intellectuals” Was Victor Davis Hanson, A Historian Who Has “A History Of Hostility” Towards Undocumented Immigrants And “African Americans Who Speak Out About The Persistence Of Slavery”

April 2020: Duarte Said That “Victor Davis Hansen Is One Of My Very Favorite Intellectuals”

April 2020: Duarte Said That “Victor Davis Hansen Is One Of My Very Favorite Intellectuals.”



[John Duarte, Facebook, [4/26/20](#)]

Victor Davis Hanson Was A Historian Who “Had A History Of Hostility” Towards Undocumented Mexican And Central American Immigrants Who He Claimed “Are Undermining American Culture”

Victor Davis Hanson Was A Classicist, Military Historian, And Senior Fellow At The Stanford University Hoover Institution. “Hanson, a senior fellow at Stanford’s Hoover Institution, is a classicist and military historian, who was awarded the National Humanities Medal by George W. Bush, in 2007. His previous book, ‘The Second World Wars,’ was respectfully reviewed by the Times and The New Yorker.” [New Yorker, [2/20/19](#)]

New Yorker: Hanson Had A “History Of Hostility To Undocumented Mexican And Central American Immigrants” Who He Claimed “Are Undermining American Culture.” “But Hanson has another side, one that is well suited for the age of Trump. A longtime contributor to the National Review, he has a history of hostility to undocumented Mexican and Central American immigrants, who he claims are undermining American culture, and to African-Americans who speak about the persistence of racism, including Barack Obama, whom he has described as a leading member of “the new segregationists.” [New Yorker, [2/20/19](#)]

Hanson Was Also Hostile “To African Americans Who Speak Out About The Persistence Of Racism, Including Barack Obama, Whom He Has Described As A Leading Member Of ‘The New Segregationists’”

New Yorker: Hanson Had “A History Of Hostility” “To African-Americans Who Speak Out About The Persistence Of Racism, Including Barack Obama, Whom He Has Described As A Leading Member Of ‘The New Segregationists.’ “But Hanson has another side, one that is well suited for the age of Trump. A longtime contributor to the National Review, he has a history of hostility to undocumented Mexican and Central American immigrants, who he claims are undermining American culture, and to African-Americans who speak about the

persistence of racism, including Barack Obama, whom he has described as a leading member of “the new segregationists.” [New Yorker, [2/20/19](#)]

Hanson Said He Viewed Trump As A “Classically Tragic Hero, Whom America Needs But Will Never Fully Appreciate”

New Yorker: New Yorker: In His New Book, Hanson “Explains Why He Views The President As Akin To A Classically Tragic Hero, Whom America Needs But Will Never Fully Appreciate.” “In his new book, which will be published by Basic Books, in March, Hanson explains why he thinks Trump was elected, and why he views the President as akin to a classically tragic hero, whom America needs but will never fully appreciate.” [New Yorker, [2/20/19](#)]

2010: Duarte Was Accused Of Violating Campaign Finance Law By Promoting An Event Through Radio And TV That Featured Political Candidates

2010: Duarte Was Accused By Then-Candidate Jeff Denham For Violating Campaign Finance Law By Promoting An Event That Featured Denham’s Opponent Through Radio And TV Ads

2010: Then-Candidate Jeff Denham Accused Duarte Of Violating Campaign Finance Law By Promoting An Event Through Radio And TV Ads That Featured A Political Candidate, Denham’s Primary Opponent, Ex-Rep. Richard Pombo. “Supporters of two candidates in the 19th Congressional District Republican primary are crying foul over radio and television commercials they say violate federal election law. On one side of the dispute is a May 7 speech at Duarte Nursery of Hughson by Richard Pombo, a former congressman from the Tracy area who is seeking the seat. [...] Paul Sullivan, a lawyer working for the Denham campaign, told The Fresno Bee that a radio ad for the nursery event amounted to a political pitch on behalf of Pombo. The event, known as Friends Day, was an annual gathering of Duarte’s business associates. Sullivan cited a recent Supreme Court ruling that allowed corporations to spend money in federal elections but barred them from coordinating with a campaign. He said Duarte’s commercial touched on Pombo’s candidacy, and coordination was evident by ‘the mere fact that Pombo ... showed up at the event.’ The accusation drew a sharp response from nursery president John Duarte, a prominent supporter of Republican causes.” [Modesto Bee, 5/22/10]

2010: In A Response, Duarte Claimed That His “Friends Day” Events Often Had Politicians As Guest Speakers, Including Denham, And That Denham’s Accusation Showed A “Severe Lack Of Depth” In His Character

Duarte Claimed His “Friends Day” Events Often Had Politicians As Guest Speakers, Including Denham, And That Denham’s Accusation Showed A “Severe Lack Of Depth” In His Character. “The accusation drew a sharp response from nursery president John Duarte, a prominent supporter of Republican causes. He said Friends Day has often had politicians as guest speakers, including Denham in 2006. After the election law accusation appeared, Duarte sent an ‘open letter’ to Denham via newspapers in the district. ‘Your recent attack on my family and Duarte Nursery regarding the legality of our Friends Day radio promotions on KMJ 580AM radio shows severe lack of depth in your character, your loyalty, your intellect and your most basic capacities of simple recollection,’ the letter said. Duarte later said he will support Pombo in the June 8 primary because of his experience as chairman of the House Resources Committee during part of his 1993-2007 tenure, which could help the district’s farmers maintain their water supplies.” [Modesto Bee, 5/22/10]

Duarte Supported The 2017 Republican Tax Scam That Overwhelmingly Cut Taxes For Corporations And The Ultra-Wealthy At The Expense Of The Middle Class

Duarte Praised Trump's Tax Plan And Said That "We Actually Have Enormous Treasury Revenues Based On The Trump Tax Cut"

On A March 2022 Podcast, Duarte Praised Trump's Tax Plan And Said That "We Actually Have Enormous Treasury Revenues Based On The Trump Tax Cut." DUARTE: "[43:00] Well we thought, again, back to the previous administration under Donald Trump. We fixed the tax law. We cut regulation, [...] we had more minority home ownership under the end of Donald Trump's terms, we actually have enormous treasury revenues based on Trump Tax Cut And Jobs Act." [Trent Loos Podcast, Rural Route Radio, [3/31/22](#)] (AUDIO)

The 2017 Republican Tax Bill Overwhelmingly Benefitted The Very Wealthy, Corporations, And Special Interests While Ultimately Raising Taxes On The Middle Class

Washington Post: The Final Tax Bill Included A "Significant Tax Break For The Very Wealthy" And "A Massive Tax Cut For Corporations." "A new tax cut for the rich: The final plan lowers the top tax rate for top earners. Under current law, the highest rate is 39.6 percent for married couples earning over \$470,700. The GOP bill would drop that to 37 percent and raise the threshold at which that top rate kicks in, to \$500,000 for individuals and \$600,000 for married couples. This amounts to a significant tax break for the very wealthy, a departure from repeated claims by Trump and his top officials that the bill would not benefit the rich. [...] A massive tax cut for corporations "A massive tax cut for corporations: Starting on Jan. 1, 2018, big businesses' tax rate would fall from 35 percent to just 21 percent, the largest one-time rate cut in U.S. history for the nation's largest companies." [Washington Post, [12/15/17](#)]

PolitiFact: The GOP Tax Bill Would Raise Taxes For The Middle Class After Individual Tax Cut Provisions Expired In 2025. "Gillibrand said the Republican 'tax [plan] raises middle-class taxes.' That's not true during the first years of the new tax provisions. If not for the sunset for the tax changes for individuals, we likely would have rated Gillibrand's statement False or perhaps Mostly False. Middle-income taxpayers will either benefit or see no change in their tax liability through 2025. But her claim could hold up after the bill's individual provisions expire that year. There's no guarantee a future Congress will extend those parts of the bill." [PolitiFact, [12/22/17](#)]

The GOP Tax Bill Provided The Largest Benefit To High Income Households, While Low- And Middle-Income Families Would End Up Worse Off In 2025. "The final tax bill that the House and Senate will vote on this week provides by far the largest benefits to high-income people, and many middle- and lower-income households would end up worse off, new Joint Committee on Taxation (JCT) estimates show.[1] Under the amended bill, in 2025 (when most of its provisions would be in place), high-income households would get the largest tax cuts as a share of after-tax income, on average, while households with incomes below \$30,000 would on average face a tax increase." [CBPP, [12/19/17](#)]

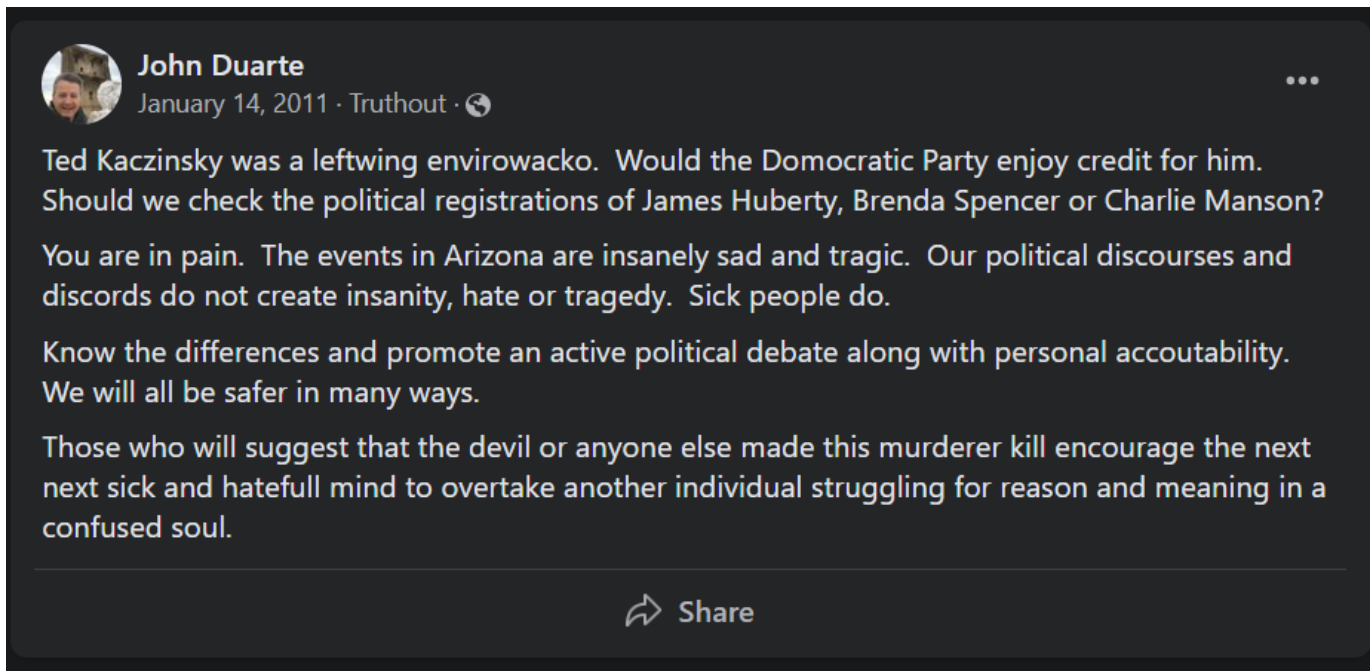
- **Tax Cuts Did Exist For Middle Class Families, But Were "Modest," Amounting To Below Two Percent Of After Tax Income On Average.** "Those in the middle class would see tax cuts, on average, especially in the first half of the next decade. But they would be modest -- with an average increase below 2% in after-tax income. By contrast, higher income households would see an average bump in after-tax income north of 2%, according to the Tax Policy Center." [CNN Money, [12/13/17](#)]

Duarte Has A History Of Making Bizarre And Extreme Remarks

2011: Duarte Called Ted Kaczynski, The Killer Infamously Known As The Unabomber, A "Leftwing Envirowacko"

2011: Duarte Called Ted Kaczynski A "Leftwing Envirowacko." "Ted Kaczinsky was a leftwing envirowacko. Would the Democratic Party enjoy credit for him. Should we check the political registrations of James Huberty, Brenda Spencer or Charlie Manson? You are in pain. The events in Arizona are insanely sad and tragic. Our

political discourses and discords do not create insanity, hate or tragedy. Sick people do. Know the differences and promote an active political debate along with personal accountability. We will all be safer in many ways. Those who will suggest that the devil or anyone else made this murderer kill encourage the next next sick and hateful mind to overtake another individual struggling for reason and meaning in a confused soul.” [John Duarte, Facebook, [1/14/11](#)]



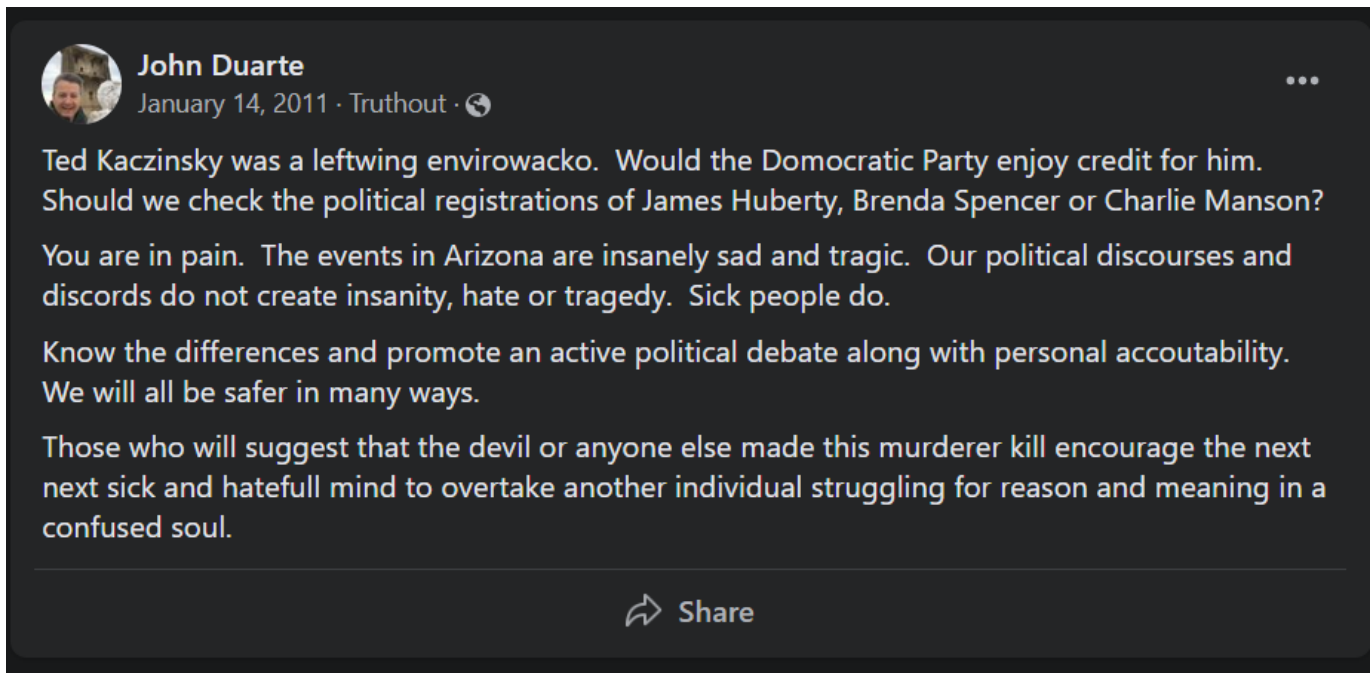
[John Duarte, Facebook, [1/14/11](#)]

- **Ted Kaczynski Was An Infamous Killer Known As The “Unabomber” Who Sent Bombs Disguised As Packages To Individuals Throughout The Latter Part Of The 1900’s.** “The man that the world would eventually know as Theodore Kaczynski came to our attention in 1978 with the explosion of his first, primitive homemade bomb at a Chicago university. Over the next 17 years, he mailed or hand delivered a series of increasingly sophisticated bombs that killed three Americans and injured nearly two dozen more. Along the way, he sowed fear and panic, even threatening to blow up airliners in flight. In 1979, an FBI-led task force that included the ATF and U.S. Postal Inspection Service was formed to investigate the “UNABOM” case, code-named for the UNiversity and Airline BOMBing targets involved. The task force would grow to more than 150 full-time investigators, analysts, and others. In search of clues, the team made every possible forensic examination of recovered bomb components and studied the lives of victims in minute detail. These efforts proved of little use in identifying the bomber, who took pains to leave no forensic evidence, building his bombs essentially from “scrap” materials available almost anywhere. And the victims, investigators later learned, were chosen randomly from library research. We felt confident that the Unabomber had been raised in Chicago and later lived in the Salt Lake City and San Francisco areas. This turned out to be true. His occupation proved more elusive, with theories ranging from aircraft mechanic to scientist. Even the gender was not certain: although investigators believed the bomber was most likely male, they also investigated several female suspects. [FBI, accessed [6/5/22](#)]

2011: Duarte Said “Our Political Discourses And Discords Do Not Create Insanity, Hate Or Tragedy. Sick People Do”

2011: Duarte Said “Our Political Discourses And Discords Do Not Create Insanity, Hate Or Tragedy. Sick People Do.” “Ted Kaczynski was a leftwing envirowacko. Would the Democratic Party enjoy credit for him. Should we check the political registrations of James Huberty, Brenda Spencer or Charlie Manson? You are in pain. The

events in Arizona are insanely sad and tragic. Our political discourses and discords do not create insanity, hate or tragedy. Sick people do. Know the differences and promote an active political debate along with personal accountability. We will all be safer in many ways. Those who will suggest that the devil or anyone else made this murderer kill encourage the next next sick and hatefull mind to overtake another individual struggling for reason and meaning in a confused soul.” [John Duarte, Facebook, [1/14/11](#)]



[John Duarte, Facebook, [1/14/11](#)]

During A Debate, Duarte “Cited A Discredited Conspiracy Theory [...] That Several Leftist Activists Were Arrested For Setting Forest Fires In The Sierra Nevada”

Modesto Bee: During A Congressional Debate With Republican Primary Opponents, Duarte “Cited A Discredited Conspiracy Theory [...] That Several Leftist Activists Were Arrested For Setting Forest Fires In The Sierra Nevada.” “It was troubling, however, that Duarte cited a discredited conspiracy theory in the debate before McClatchy editors, claiming twice that several leftist activists were arrested for setting forest fires in the Sierra Nevada. It just isn't true, and Duarte will need to steer clear of misinformation sources if he hopes to win voters' trust.” [Modesto Bee, [5/8/22](#)]

Referencing His Democratic Opponent, Adam Gray, Duarte Said “If I Serve 10 Years In Congress, And All That Somebody’s Got To Say About Me Is That I’m A Nice Guy, And That I’m A Moderate, I’ll Shoot Myself”

March 2022: Referencing His Democratic Opponent, Adam Gray, Duarte Said “If I Serve 10 Years In Congress, And All That Somebody’s Got To Say About Me Is That I’m A Nice Guy, And That I’m A Moderate, I’ll Shoot Myself.” Duarte: “ [38:22] The guy I’m running against is a long-time politician, Adam Gray. He’s been an assemblyman, he’s been a state senator, y’know, he hasn’t had a real job a day in his life. And everybody tells me ‘y’know he’s a nice guy, he’s a moderate Democrat, he’s a blue dog.’ I said y’know, if I serve 10 years in Congress, and all that somebody’s got to say about me is that I’m a nice guy, and that I’m a moderate, I’ll shoot myself.” [Trent Loos Podcast, [3/31/22](#)] (AUDIO)

- **In Response, The Podcast Host Said: “Well I Don’t Think Anybody’s Ever Accused You Of Being A Nice Guy So You’re Good There.”** Duarte: “ [38.22] The guy I’m running against is a long-time politician, Adam Gray. He’s been an assemblyman, he’s been a state senator, y’know, he hasn’t had a real job a day in his life. And everybody tells me ‘y’know he’s a nice guy, he’s a moderate Democrat, he’s a blue dog.’ I said y’know, if I serve 10 years in Congress, and all that somebody’s got to say about me is that I’m a nice guy, and that I’m a moderate, I’ll shoot myself.’ Host: ‘Well I don’t think anybody’s ever accused you of being a nice guy so you’re good there’ *Duarte and the host laugh*” [Trent Loos Podcast, [3/31/22](#)] (AUDIO)

Duarte Fiercely Opposed A Plan For The Modesto Irrigation District To Sell Water To San Francisco, Arguing For Water Rate Hikes And Funding A Recall In Attempts To Halt The Plan

2011: Duarte Opposed Selling Modesto Irrigation District Water To San Francisco

Duarte Opposed Selling Modesto Irrigation District Water To San Francisco. “The Modesto Irrigation District is in talks about selling some of its water to San Francisco, an idea that already is drawing protest. Details have not been disclosed about the amount of water, the price or the duration of the sale. [...] MID board candidate John Duarte spoke out against the proposed sale at Tuesday’s board meeting and again at a meeting of candidates with The Bee’s editorial board. Duarte said it is ‘completely ridiculous’ to sell water when aquifers in much of the area are in need of recharge.” [Modesto Bee, 9/28/11]

2012: In Response, Duarte Supported Water Rate Hikes To Prevent The Sale Of Modesto Water To San Francisco And Funded A Recall Effort In An Attempt To Block The Water Sale

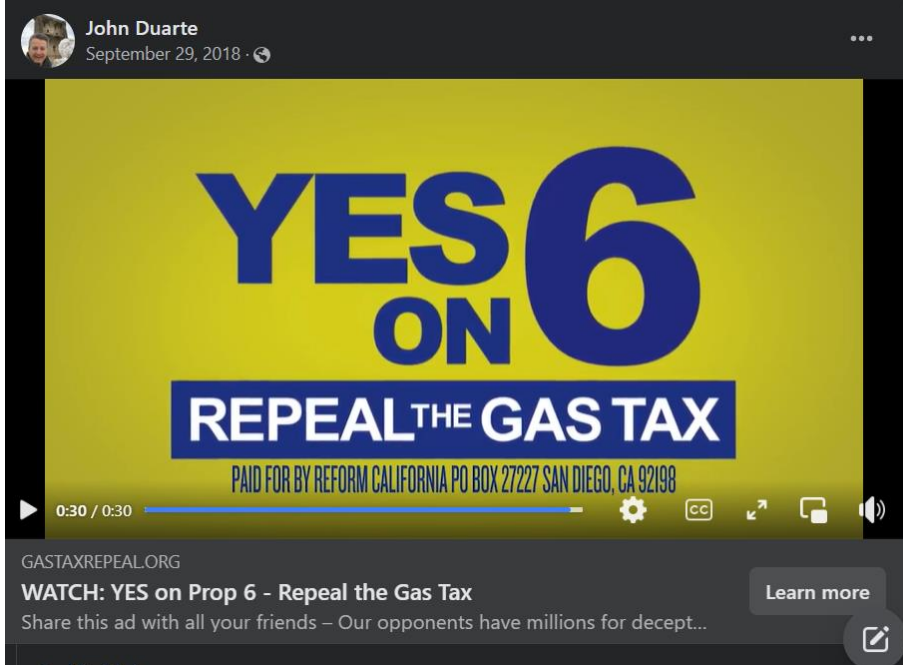
Duarte Supported Water Rate Hikes To Prevent The Sale Of Modesto Water To San Francisco. “You don’t hear this often: Some farmers in the Modesto Irrigation District might accept increases in their water rates. But they see doing so as an alternative to the MID’s proposal to sell water to San Francisco. [...] John Duarte, who uses MID water for his wine grapes east of Modesto, supports a substantial rate increase to prevent the San Francisco sales — perhaps to \$50 per acre-foot, if he could be sure the money is well-spent on the upgrades. Some farmers say the MID’s low rates make their land more valuable, but Duarte said the values would decline if the transfers to San Francisco made the supply less reliable in dry years. ‘Our land values are high because we have secure water, not because we have incredibly cheap water,’ he said.” [Modesto Bee, 6/5/12]

Duarte Funded A Recall Effort In An Attempt To Block The Water Sale. “Meanwhile, two of the most strident opponents to this sale announced that once the board vote is taken they plan an immediate referendum to block the sale and a simultaneous recall effort against two directors. Reed Smith and John Duarte are listed as the treasurer and other principal officer, respectively, of a political action committee called StopMIDInsanity.com. It will be up to the secretary of state to determine whether that inflammatory label can be the title of the referendum, but the state Water Code (Section 20204) provides for voters to petition for a repeal if they don’t like an ordinance that a water agency has approved. Duarte said the recall would target Tom Van Groningen, which is logical since he has spoken in favor of the water sale; and Nick Blom, who could be vulnerable because he represents a largely rural area — and many farmers oppose the sale. Blom was elected just last November, but because he has vacillated on the water sale, he’s in the crosshairs. He also was supported by Bill Lyons Jr., who Duarte and Smith don’t trust in all this. And now you can start to see the many layers of this political onion. The StopMIDInsanity Web site, presumably unfinished, identifies only two people under its cast of characters tab: Blom and Modesto City Schools trustee Ruben Villalobos, who favors the water sale, prompting objections at a school board meeting last month. Active with Smith and Duarte group is Brian Du Bois, unsuccessful school board candidate from last fall.” [Modesto Bee, 7/1/12]

Gas

Duarte Shared A Video That Supported The Repeal Of The Proposition 6 Gas Tax

September 2018: Duarte Shared A Video That Supported The Repeal Of The Proposition 6 Gas Tax.



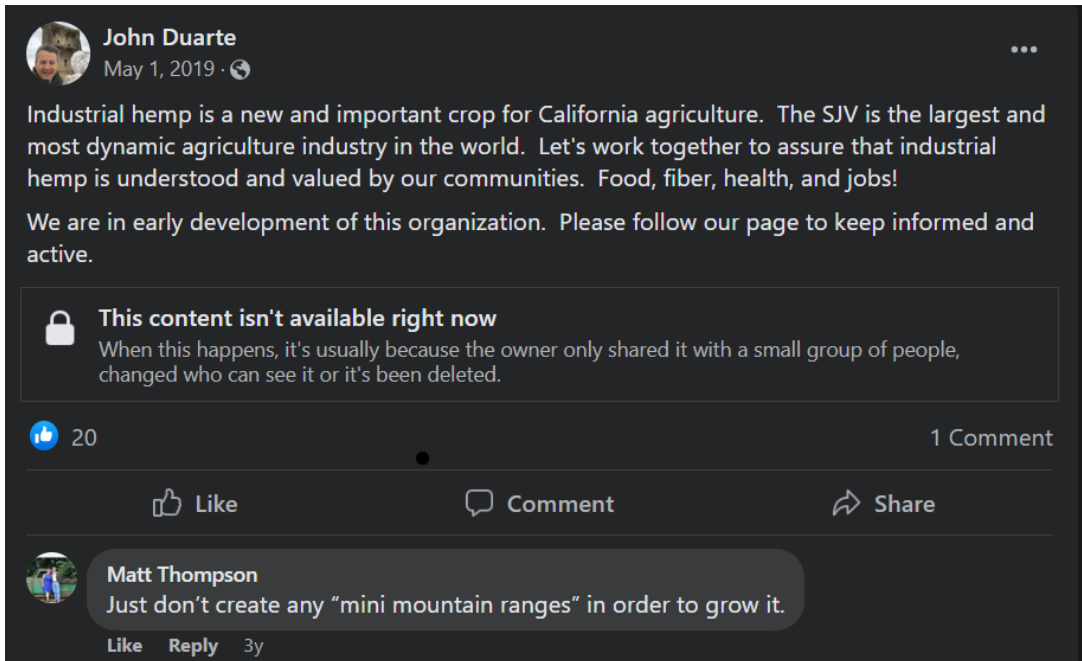
[John Duarte, Facebook, [9/29/18](#)]

Hemp And Cannabis

Hemp

2019: Duarte Said That “Industrial Hemp Is A New And Important Crop For California Agriculture.”

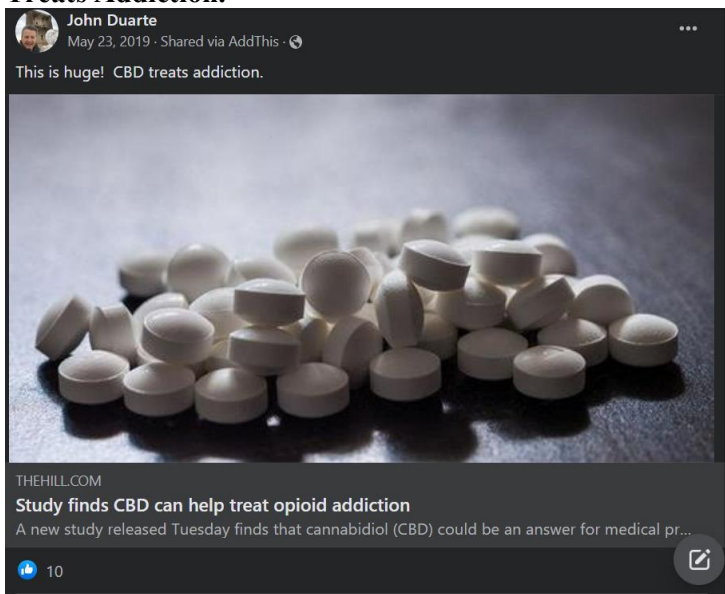
“Industrial hemp is a new and important crop for California agriculture. The SJV is the largest and most dynamic agriculture industry in the world. Let's work together to assure that industrial hemp is understood and valued by our communities. Food, fiber, health, and jobs! We are in early development of this organization. Please follow our page to keep informed and active.”



[John Duarte, Facebook, [5/1/19](#)]

Cannabis

2019: Duarte Shared An Article About CBD Treating Opioid Addictions And Said “This Is Huge! CBD Treats Addiction.”

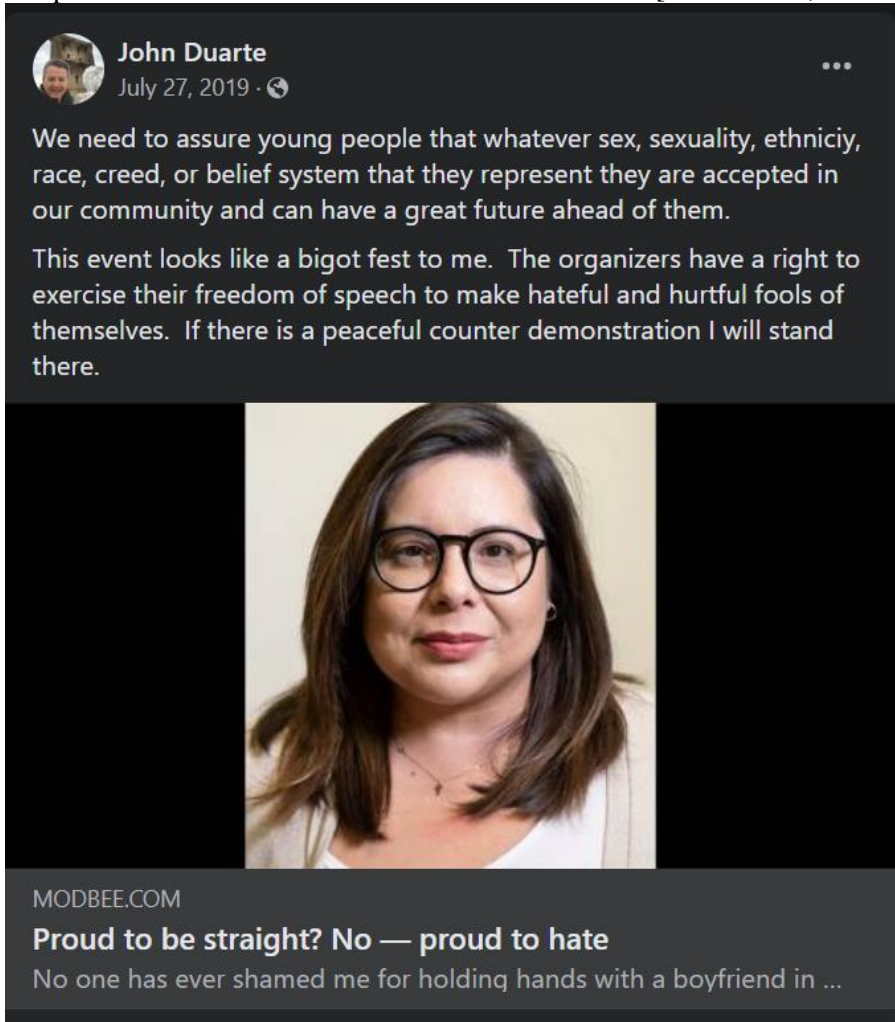


[John Duarte, Facebook, [5/23/19](#)]

LGBTQ Issues

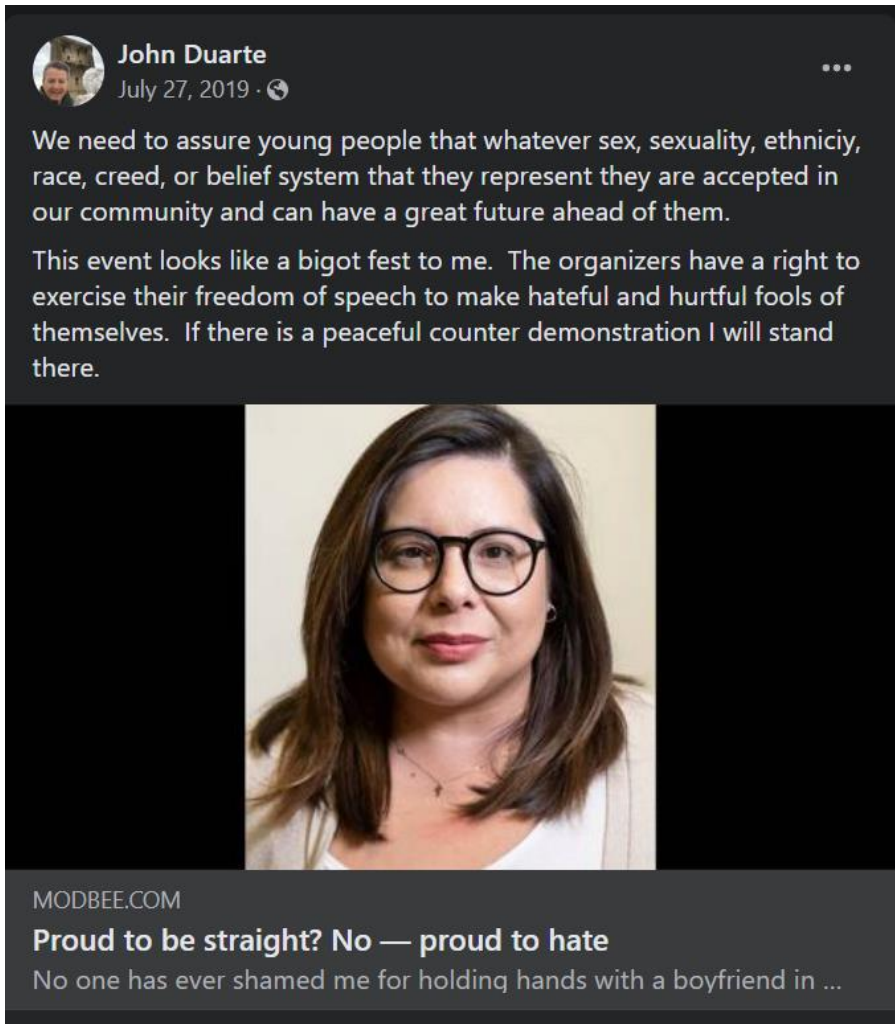
2019: Duarte Was Critical Of A “Straight Pride Parade” In Modesto And Said That He Would Stand With Counter Protesters At The Event

July 2019: Responding To An Article About A “Straight Pride Parade” In Modesto, Duarte Said: “We Need To Assure Young People That Whatever Sex, Sexuality, Ethnicity, Race, Creed, Or Belief System That They Are Accepted In Our Community And Can Have A Great Future Ahead Of Them.” “We need to assure young people that whatever sex, sexuality, ethnicity, race, creed, or belief system that they represent they are accepted in our community and can have a great future ahead of them. This event looks like a bigot fest to me. The organizers have a right to exercise their freedom of speech to make hateful and hurtful fools of themselves. If there is a peaceful counter demonstration I will stand there.” [John Duarte, Facebook, [7/27/19](#)]



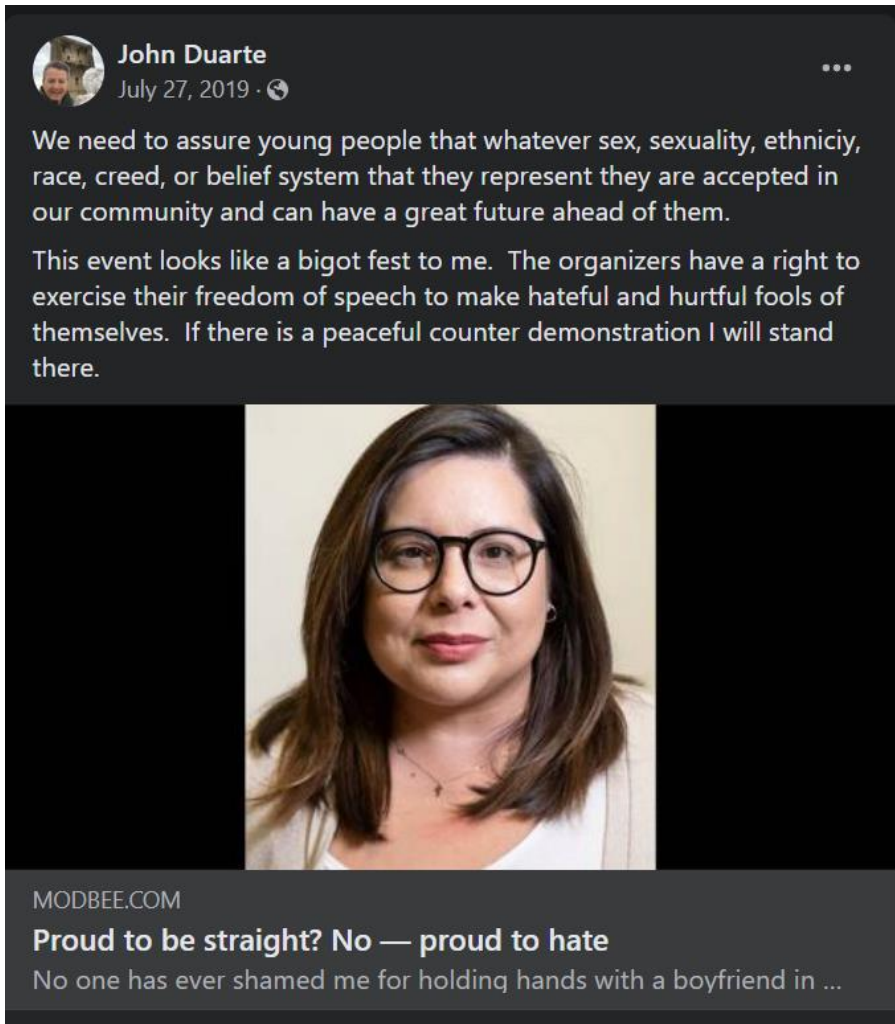
[John Duarte, Facebook, [7/27/19](#)]

- **Duarte Said That Straight Pride Festival “Looks Like A Bigot Fest To Me.”** “We need to assure young people that whatever sex, sexuality, ethnicity, race, creed, or belief system that they represent they are accepted in our community and can have a great future ahead of them. This event looks like a bigot fest to me. The organizers have a right to exercise their freedom of speech to make hateful and hurtful fools of themselves. If there is a peaceful counter demonstration I will stand there.” [John Duarte, Facebook, [7/27/19](#)]



[John Duarte, Facebook, [7/27/19](#)]

- **On Potential Counter Protests For The Straight Pride Festival, Duarte Said “If There Is A Peaceful Counter Demonstration I Will Stand There.”** “We need to assure young people that whatever sex, sexuality, ethnicity, race, creed, or belief system that they represent they are accepted in our community and can have a great future ahead of them. This event looks like a bigot fest to me. The organizers have a right to exercise their freedom of speech to make hateful and hurtful fools of themselves. If there is a peaceful counter demonstration I will stand there.” [John Duarte, Facebook, [7/27/19](#)]



[John Duarte, Facebook, [7/27/19](#)]

2019: The “Straight Pride Parade” In Modesto Took Place On August 24th, 2019, In Modesto, California. “A so-called ‘straight pride’ parade may be coming to California as Modesto officials weigh whether to approve plans for the event that would “celebrate heterosexuality.” City officials are reviewing an application for a permit to hold the event Aug. 24 in Graceada Park, Thomas Reeves, a spokesperson for the City Manager's Office in Modesto, told USA TODAY. Reeves said the event was flagged to the city's executive team as being ‘potentially sensitive’ but that it was going through the approval process as any other event permit would. [USA Today, [7/25/19](#)]

- **2019: The “Straight Pride Parade” Drew A Counter-Protest Of “More Than 100 Members Of The LGBTQ Community And Their Supporters.”** “A straight pride demonstration took place in front of a Modesto Planned Parenthood and was met with protests. The group, which calls itself the California Straight Pride Coalition, assembled on McHenry Avenue on Saturday afternoon with approximately 20-30 people. Some held signs in support of President Donald Trump and his policies, such as a border wall, while other signs shared Bible verses and asked God to forgive the nation and its citizens. [...] In the lead-up to the demonstration, more than 100 members of the LGBTQ community and their supporters joined together at Enslin Park to counter the coalition's message.” [KCRA 3, [8/26/19](#)]

Note: It is not clear whether Duarte was a part of the “Straight Pride Parade” counter-protest, despite his statement on Facebook that he would stand with counter-protestors.

Education

Critical Race Theory

March 2022: Duarte Stated That One Of His Campaign Priorities Was To “Keep Critical Race Theory Out Of Our Schools.”



[John Duarte For Congress, Facebook, [3/25/22](#)]

COVID-19

Duarte Launched A Covid-19 Vaccination Drive For His Employees At Duarte Nursery And Invited Employers To Use The Clinic Space For Their Own Staff

- **2021: Modesto Bee: “Duarte Nursery Provided Covid-19 Vaccines To Hundreds Of Its Workers.”** “Duarte Nursery provided Covid-19 vaccines to hundreds of its workers Wednesday and is opening its Hughson quarters to nearby employers this week. [...] Duarte is a leading producer of nut trees and grapevines for commercial growers in California. Its workers have priority for vaccines because they are part of the food industry.” [Modesto Bee, 3/18/21]
- **Modesto Bee: “President John Duarte Said He Hoped Most Of The 450 Or So Employees Would Choose To Get Vaccinated.”** “President John Duarte said he hoped most of the 450 or so employees would choose to get vaccinated. Wednesday was their first dose of the Pfizer shot, to be followed by the second in three weeks.” [Modesto Bee, 3/18/21]
- **Modesto Bee: “Duarte Has Offered The Clinic Space To Several Other Ag Employers In The Hughson Area.”** “Duarte has offered the clinic space to several other ag employers in the Hughson area Thursday and Friday. The list as of Wednesday was mainly almond and walnut processors, such as Grower Direct, Mid-Valley, Alpine-Pacific, Frazier and California Grown.” [Modesto Bee, 3/18/21]

Political History

2022 Congressional Race

Duarte Launched His 2022 Bid For Congress On March 9th, 2022.



The image shows a Facebook post from John Duarte for Congress, dated March 9, 2022. The post text reads: "Today, I announced my campaign for California's 13th Congressional District. As your next Congressman, I know that my job is simple. Give everyday Americans more opportunity to succeed, while keeping our communities safe and secure. Learn more about my campaign at my website!" Below the text is a large blue banner with the text "JOHN DUARTE FOR CONGRESS" in white and green. The banner features a stylized green water drop icon above the letter 'O' in "JOHN". At the bottom of the banner, the website "JOHNDUARTEFORCONGRESS.COM" is listed, followed by the text "John Duarte for Congress" and "John Duarte for Congress READ THE LATEST PRESS RELEASE HERE Join the team! Email Address...". The post has 142 likes and 30 comments.

[John Duarte, Facebook, [3/9/22](#)]

March 2022: Duarte Stated That His Campaign Priorities Were To “Improve And Expand Water Infrastructure, Keep Critical Race Theory Out Of Our Schools, Make Our Communities Safer And More Affordable.”

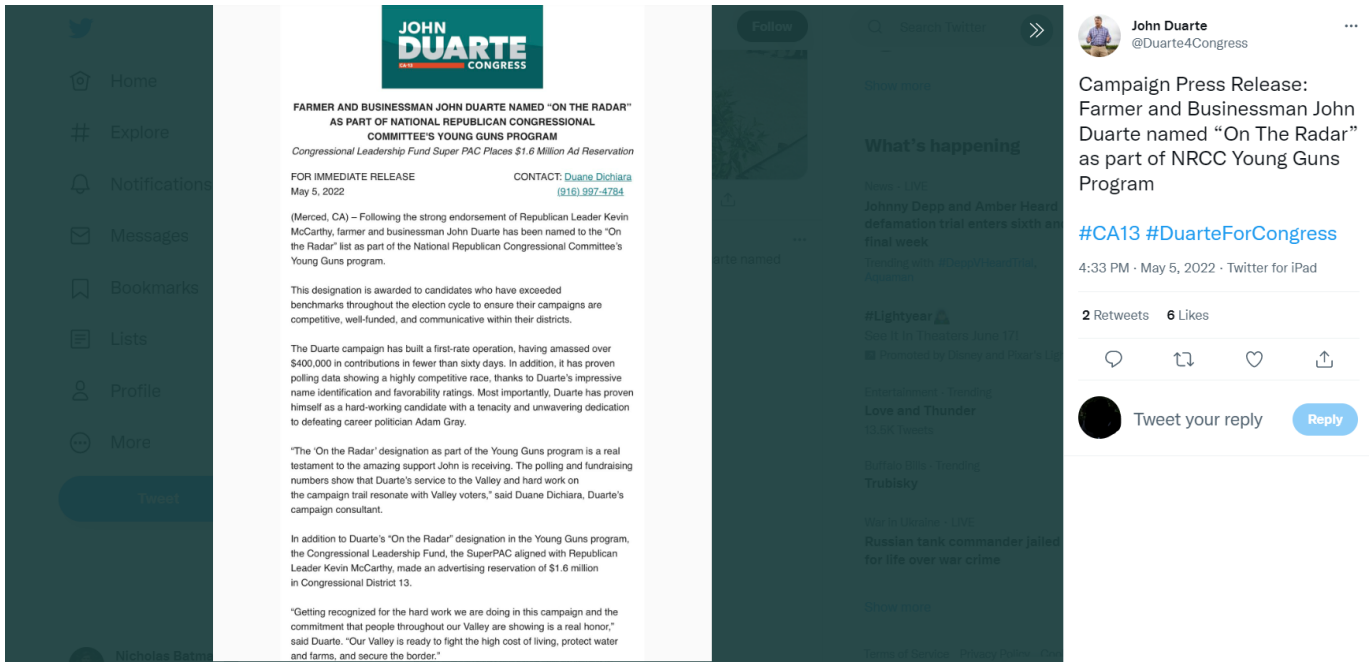


[John Duarte For Congress, Facebook, [3/25/22](#)]

Endorsements And Affiliations

May 2022: The NRCC Named Duarte As “On The Radar” As A Part Of Their “Young Guns” Program. “Following the strong endorsement of Republican Leader Kevin McCarthy, farmer and businessman John Duarte has been named to the ‘On the Radar’ list as a part of the National Republican Congressional Committee’s Young Guns program. This designation is awarded to candidates who have exceeded benchmarks throughout the election

cycle to ensure their campaigns are competitive, well-funded, and communicative within their districts.” [John Duarte For Congress, Press Release, accessed through @Duarte4Congress, Twitter, [5/5/22](#)]



2018: Duarte Called Elizabeth Heng, Who Later Became One Of Duarte’s Primary Opponents In 2022, “A Great Candidate.”

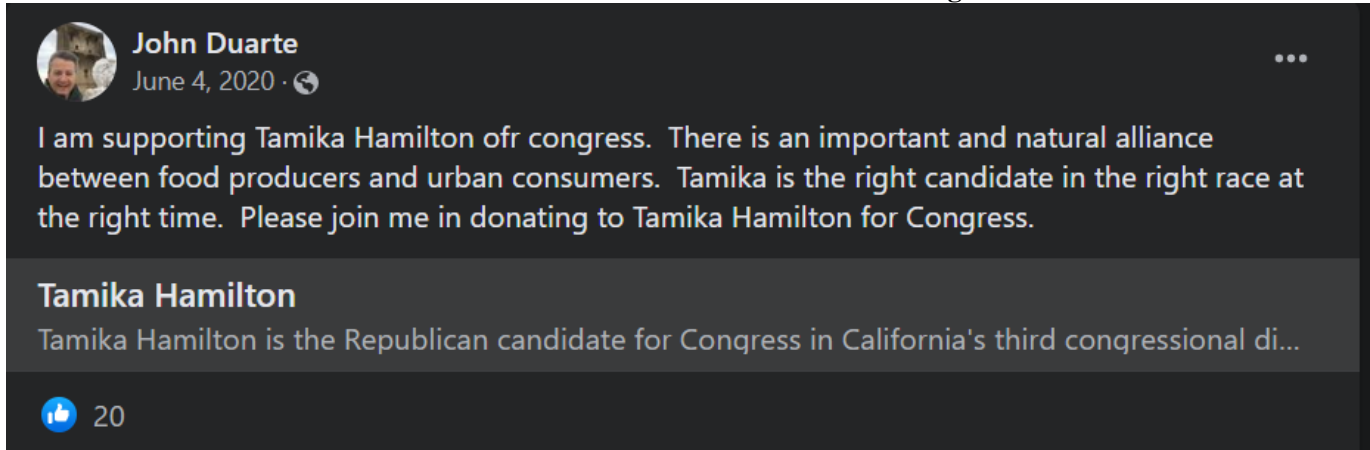


[John Duarte, Facebook, [10/29/18](#)]

- **HEADLINE: “Modesto Farmer Enters Race That Includes Adam Gray, Elizabeth Heng”** “John Duarte, a Modesto farmer who took on the federal government, is running for Congress. [...] The 13th Congressional

District is an open seat with no incumbent. Major names in the race include Assemblyman Adam Gray, D-Merced; Phil Arballo, D-Fresno; businessman David Giglio, R-Madera County; and Elizabeth Heng, R-Fresno, who is also running in the CD-22 special election.” [GV Wire, [3/11/22](#)]

June 2020: Duarte Endorsed Tamika Hamilton For California’s Third Congressional District.



[John Duarte, Facebook, [5/31/20](#)]

Professional History

2011: Duarte Nursery Expanded Thanks To Tax Breaks And A Provision Of The 2009 Economic Stimulus

Duarte Nursery Expanded In 2011 Thanks To Tax Breaks And A Provision Of The 2009 Economic Stimulus. “Duarte Nursery has launched an expansion that is expected to create 40 to 50 seasonal jobs. The project reflects strong demand for the trees and vines the company produces for fruit and nut growers, president John Duarte said. ‘When it's all done, it will increase our production by about 50 or 60 percent,’ he said. The nursery, founded in 1989 by Jim and Anita Duarte, has about 200 year-round and 720 seasonal employees. The 20-acre expansion includes a greenhouse that has started to rise at the nursery, just south of Hatch Road and west of Hughson[...] Duarte said the project was aided by the expansion of Stanislaus County's enterprise zone, which provides state tax breaks for companies that add jobs. He also cited a federal law, adopted as part of the economic stimulus package, that changed how assets are depreciated.” [Modesto Bee, 8/4/11]

Duarte Nursery’s Website Said That “Duarte Nursery Is The Largest Permanent Crops Nursery In The United States”

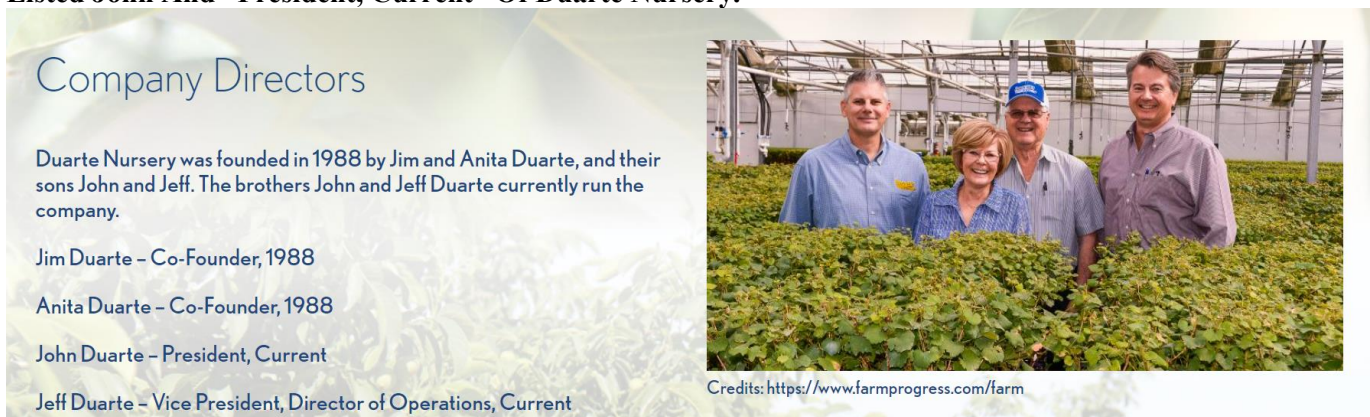
Duarte Nursery’s Website Said That “Duarte Nursery Is The Largest Permanent Crops Nursery In The United States.”



[Duarte Nursery, [6/2/22](#)]

Duarte Nursery’s Website Said That John And His Brother, Jeff, “Currently Run The Company” And Listed John And “President, Current” Of Duarte Nursery.

Duarte Nursery’s Website Said That John And His Brother, Jeff, “Currently Run The Company” And Listed John And “President, Current” Of Duarte Nursery.



[Duarte Nursery, accessed [6/1/22](#)]

Lawsuits

November 1996: Duarte Nursery And John Duarte Were Listed As Defendants In A 1996 Lawsuit Filed By Carneros Creek Winery. Duarte Nursery and John Duarte were listed as defendants in a 1996 lawsuit filed in the Stanislaus County Superior Court by Carneros Creek Winery. The case was filed on November 27th, 1996 and was marked as “closed” as of October 10th, 1998.

112136

CARNEROS CREEK WINERY VS. DUARTE NURSERY

Case Information

Case Type: Damages: Unlimited
 Case Number: 112136
 Filing Date: 11/27/1996
 Case Status: Closed
 Court Location: Unlimited

PARTIES
EVENTS
HEARINGS

Show All entries Search:

Type	First Name	Middle Name	Last Name
Defendant			DUARTE NURSERY INC
Defendant	JOHN	S	DUARTE
Plaintiff			CARNEROS CREEK WINERY

Showing 1 to 3 of 3 entries Previous 1 Next

Attorneys

Hold Shows Lead Attorney

Show All entries Search:

Representing	First Name	Middle Name	Last Name
CARNEROS CREEK WINERY	VINCENT	M	SPOHN
JOHN S DUARTE			BRUNN & FLYNN
JOHN S DUARTE			BRUNN & FLYNN

Showing 1 to 3 of 3 entries Previous 1 Next

Show All entries Search:

File Date	File Type	Filed By
10/10/1998	Purpose Pending	

[Stanislaus County Superior Court, Carneros Creek Winery VS Duarte Nursery, filed [11/27/96](#)]

NOTE: As of June 2022, no documents from the legal proceedings were available on the Stanislaus County Superior Court website.

Political Career

Campaign Finance

Duarte Raised A Total Of \$797,005.25 And Spent A Total Of \$491,016.22 In His Run For Federal Office

According to the Federal Election Commission, Duarte raised a total of \$797,005.25 and spent a total of \$491,016.22 in his run for federal office

Duarte Federal Campaign Finance History			
Year	Candidate (Office Sought) or Committee	Raised	Spent
2022	John Duarte for Congress	\$797,005.25	\$491,016.
	Total:	\$797,005.25	\$491,016

[FEC.gov, accessed [5/9/22](#)]

As Of May 2022, Duarte Had Donated \$240,000 To His Own Campaign.

John Duarte Contributions To His 2022 CA-13 Congressional Campaign				
Source	Recipient	Receipt Date	Amount	In Kind?
John Duarte	John Duarte For Congress	3/31/22	\$100,000.00	No

John Duarte	John Duarte For Congress	3/31/22	\$30,000.00	No
John Duarte	John Duarte For Congress	3/28/22	\$100,000.00	No
John Duarte	John Duarte For Congress	3/3/22	\$10,000.00	No
		Total:	\$240,000	

[FEC.gov, Pre-Primary 2022 filing, All Contributions, filed [5/26/22](#); FEC.gov, April Quarterly 2022 filing, All Contributions, filed [4/15/22](#)]

Personal Political History

Personal Political Donations

Duarte Has Given \$148,950 To Federal Political Candidates

1994-2022: Duarte Has Given \$148,950 To Federal Political Candidates. [Federal Election Commission, accessed [5/5/22](#)]

Duarte Political Giving History –Highlights From Federal Giving			
Date	Candidate (Office Sought) or Committee	Party	Amount
2017-2020	Donald J. Trump for President, Inc	R	\$6,000
2012-2021	Kevin McCarthy for Congress	R	\$15,200
5/17/21	Devin Nunes Campaign Committee	R	\$5,800
4/18/13	McConnell Cornyn Leadership Victory Committee	R	\$5,000
12/21/20	Perdue for Senate	R	\$1,000
12/21/20	Georgians For Kelly Loeffler	R	\$1,000
10/28/20	Joni for Iowa	R	\$1,000
10/22/20	Collins for Senator	R	\$1,000
19/22/20	McSally for Senate Inc	R	\$1,000
7/30/20	Graham Victory 2020	R	\$1,000
2019-2020	Team Graham Inc	R	\$3,500
5/21/20	Tuberville for Senate Inc	R	\$500
5/31/19	Graham Majority Fund	R	\$2,500
1/6/94	Feinstein for Senate '94	D	\$1,000

[FEC.gov, accessed [6/7/22](#)]

Note: This table marks some of Duarte's most notable contributions from his extensive giving history as there are too many contributions to list entirely on this document.

Duarte Has Given \$16,791.60 To State-Level Political Candidates

According to the California Secretary of State, Duarte has given \$16,791.60 to state-level candidates.

Duarte Political Giving History - State			
Date	Candidate (Office Sought) or Committee	Party	Amount
2/27/02	Bill Jones for Governor	R	\$200
10/29/08	Bill Berryhill for Assembly	R	\$134
4/23/10	Meg Whitman for Governor 2010	R	\$367.39
9/7/10	Brown for Governor	R	\$100
8/5/11	California Farm Bureau Federation Fund to Protect the Family Farm (FARM PAC)	N/A	\$500
8/5/11	California Farm Bureau Federation Fund to Protect the Family Farm (FARM PAC)	N/A	\$185
8/5/11	California Farm Bureau Federation Fund to Protect the Family Farm (FARM PAC)	N/A	\$240
8/19/12	Friends of Rico Oller for Assembly 2012	R	\$1,000
8/19/12	Mobley for Assembly 2012	R	\$1,000
8/21/13	California Farm Bureau Federation Fund to Protect the Family Farm (FARM PAC)	N/A	\$425
8/21/13	California Farm Bureau Federation Fund to Protect the Family Farm (FARM PAC)	N/A	\$500
9/25/13	California Farm Bureau Federation Fund to Protect the Family Farm (FARM PAC)	N/A	\$775
6/30/17	Borgeas for Senate 2018	R	\$1,000
8/31/18	John Cox for Governor 2018	R	\$5,000
8/4/20	Reform California	R	\$2,604.48
1/28/20	American Pistachio Growers California PAC	N/A	\$156.25
9/10/21	Reform California	R	\$2,604.48
		Total	\$16,791.60

[California Secretary of State, accessed [5/9/22](#)]

Voter Activity

2000 – 2021: Duarte Voting History

John Duarte Voting History (2000-2021)	
Year	Description
2021	Voted in recall election
2020	Voted in primary and general election
2019	Did not vote
2018	Voted in primary and general election
2017	No information
2016	Voted in general election
2015	No information
2014	Voted in primary and general election
2013	Did not vote
2012	Voted in primary and general election
2011	Did not vote

2010	Voted in primary and general election
2009	Voted in special election
2008	Voted in primary and general election
2007	No information
2006	Voted in primary and general election
2005	Voted in special election
2004	Voted in primary and general election
2003	Voted in special election
2002	Voted in primary and general election
2001	No information
2000	Voted in primary and general election

[VoteBuilder, accessed 5/23/22]

According To VoteBuilder, Duarte Did Not Vote In The 2016 Presidential Primary

According To VoteBuilder, Duarte Did Not Vote In The 2016 Presidential Primary. [Votebuilder, accessed 5/23/22]

Public Records

Associated Entities

As of June 2022, Duarte was potentially associated with the following entities.

Duarte Associated Entities	
Entity Name	Years
California Winelands, LLC	5/28/98 - present
Dewitt Farming LLC	9/8/21-Present
Duarte Nursery Inc.	12/28/88-Present
Duarte Properties, Inc.	11/21/90-Present
Georgetown Properties, LLC	2/22/2000-Present
Peacock Green, LLC	Present
Tuolumne Ridge, LLC	1/9/13-Present

[Nexis Comprehensive Person Report, accessed 6/2/22]

NOTE: Duarte's 2022 Financial Disclosure corroborated the fact that California Winelands, LLC, Dewitt Farming, LLC, Duarte Nursery Inc, Georgetown Properties, LLC, and Peacock Green, LLC are associated entities of John Duarte. However, neither Duarte Properties, Inc or Tuolumne Ridge, LLC are reported in John Duarte's Public Finance Disclosure.

Criminal And Traffic Violation Record

October 2012: Duarte Was Listed As Having A "Traffic: Adult Infractions" Violation By The Stanislaus County Superior Court, Which Could Refer To Speeding Or Expired Registration

October 2012: John Scott Duarte Was Listed As Having A "Traffic: Adult Infractions" Violation By The Stanislaus County Superior Court And Failed To Appear At His Arraignment Hearing. In 2012, John Scott Duarte was listed as having a "Traffic: Adult Infractions" violation by The Stanislaus County Superior Court. Duarte failed to appear at his arraignment hearing on 12/4/2012. The case is now closed. [Stanislaus County Superior Court, The People Vs John Scott Duarte, filed [10/3/12](#)]

1850202

THE PEOPLE VS DUARTE, JOHN SCOTT

[CASE INFO](#)[PARTIES](#)[HEARINGS](#)[PRINTABLE](#)

Case Information

Case Type: Traffic: Adult Infractions

Case Number: 1850202

Filing Date: 10/3/2012

Case Status: Closed

Court Location: Traffic

1850202

THE PEOPLE VS DUARTE, JOHN SCOTT

[CASE INFO](#)[PARTIES](#)[HEARINGS](#)[PRINTABLE](#)

HEARINGS

Show 25 entries

Search:

Department	Type	Date	Time	Result
Dept. 20	Arraignment Hearing	12/4/2012	8:00AM	Failure to Appear



According To The Yuba County Superior Court In California, An “Adult” Traffic Infraction Was A Citation Issued To Adults For “Speeding Or An Expired Registration.” “If a police officer issues a citation for speeding or an expired registration, these citations are called ‘infractions.’ [Yuba County Superior Court, Traffic And Infractions (Adult), accessed [6/5/22](#)]

2013: Duarte Appeared To Have Committed A Traffic Violation In The City Of Stockton, California

2013: According To The San Joaquin County Superior Court, Duarte Appeared To Have Committed A Traffic Violation. In 2013, John S Duarte appeared to have committed a traffic violation in San Joaquin County, in the city of Stockton, California. The San Joaquin County Superior Court did not publish any details regarding the incident, but published Duarte’s name, his case number, and the name of the case; ‘People of the State of California

vs John S Duarte.?


THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN JOAQUIN

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Search Case By Party

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Last: 
 Company

First:

Middle:

Case Type:

Case Filed Year Range:

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NAME	CASE NUMBER	CASE NAME
Duarte, John S	STK-TR-IN-2013-0019072	People of the State of California vs. John S Duarte

1

[San Joaquin County Superior Court, The People of the State of California vs. John Duarte, accessed [6/2/22](#)]

- **According To The City Of Stockton, An Example Of A Case Number For A Traffic Citation In The City Of Stockton Would Be “STK-TR-IN-2016-00123456,” Which Lined Up With Duarte’s 2013 Case**

Number.

Pay a City of Stockton Traffic Citation

To pay a traffic ticket online, the external link below will take you to the San Joaquin County Superior Court's Online Payment Center.

Be sure you have your case number or citation number available.

- Case number example: STK-TR-IN-2016-00123456
- Citation number example: AB12345

With your case or citation number in hand, visit: [SJ County Online Payment Center](#)



NOTE: Further research necessary to determine whether Duarte has a criminal record.

Bankruptcy, Judgments, & Liens

August 2021: Duarte Had A UCC Lien Filing Filed Against Him By Yosemite Production Credit. According to the California Secretary of State, Duarte and his wife Alexandra were listed as debtors in a UCC Lien filing filed by Yosemite Production Credit on August 30th, 2021. [California Secretary of State, File #: U210080022821, filed

8/30/21]

UCC Search

Print

UCC Documents have been processed through: 05/17/2022

Disclaimer: This tool allows you to search the California Secretary of State's Uniform Commercial Code database for abstracts of information for lien notices that have been filed with this office. The UCC Search is updated as documents are filed. The data provided is not a complete or certified record.

U210080022821

Advanced ▾

Results: 1

UCC Type ▾	Debtor Information ▾	File Number ▾	Secured Party Info ▾	Status ▾	Filing Date ▾	Lapse Date ▾
UCC >	JOHN SCOTT DUARTE - MODESTO, CA	U210080022821	YOSEMITE PRODUCTION CREDIT, PCA - TURLOCK, CA	Active	08/30/2021	08/30/2026

1

JOHN SCOTT DUARTE - MODESTO, CA ✕

- Debtor Name: DUARTE, ALEXANDRA
- Debtor Address: [REDACTED] MODESTO, CA 95357
- Debtor Name: DUARTE, JOHN SCOTT
- Debtor Address: [REDACTED] MODESTO, CA 95357
- Debtor Name: GEORGETOWN PROPERTIES, LLC
- Debtor Address: [REDACTED] MODESTO, CA 95357
- Debtor Name: THE JOHN AND ALEXANDRA DUARTE 2020 REVOCABLE TRUST
- Debtor Address: [REDACTED] MODESTO, CA 95357
- Secured Party Name: YOSEMITE PRODUCTION CREDIT, PCA
- Secured Party Address: P.O. BOX 3278, TURLOCK, CA 95381

View History Request Access

March 2021: Duarte Had A UCC Filing Filed Against Him By Yosemite Production Credit. According to the California Secretary of State, Duarte and his wife Alexandra were listed as debtors in a UCC Lien filing filed by Yosemite Production Credit on March 24th, 2021. [California Secretary of State, File #: U210033074024, filed [3/24/21](#)]

UCC Search

Print

UCC Documents have been processed through: 05/17/2022

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U210033074024

Advanced ▾

Results: 1

UCC Type ▾	Debtor Information ▾	File Number ▾	Secured Party Info ▾	Status ▾	Filing Date ▾	Lapse Date ▾
UCC >	JOHN SCOTT DUARTE - MODESTO, CA	U210033074024	YOSEMITE PRODUCTION CREDIT, PCA - TURLOCK, CA	Active	03/24/2021	03/24/2026

JOHN SCOTT DUARTE - MODESTO, CA ✕

- Debtor Name: DUARTE, ALEXANDRA
- Debtor Address: [REDACTED] MODESTO, CA 95357
- Debtor Name: DUARTE, JOHN SCOTT
- Debtor Address: [REDACTED] MODESTO, CA 95357
- Debtor Name: GEORGETOWN PROPERTIES, LLC
- Debtor Address: [REDACTED] MODESTO, CA 95357
- Secured Party Name: YOSEMITE PRODUCTION CREDIT, PCA
- Secured Party Address: P.O. BOX 3278, TURLOCK, CA 95381

View History Request Access

April 2018: Duarte Had A UCC Filing Filed Against Him By Yosemite Land Bank. According to the California Secretary of State, Duarte and his wife Alexandra were listed as debtors in a UCC Lien filing filed by Yosemite Land Bank on April 25th, 2018. [California Secretary of State, File #: 187645695475, filed [4/25/18](#)]

UCC Search

Print

UCC Documents have been processed through: 05/17/2022

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Advanced ▾

Results: 1

UCC Type	Debtor Information	File Number	Secured Party Info	Status	Filing Date	Lapse Date
UCC	JOHN SCOTT DUARTE - HUGHSON, CA	187645695475	YOSEMITE LAND BANK, FLCA - TURLOCK, CA	Active	04/25/2018	04/25/2023

1

JOHN SCOTT DUARTE - HUGHSON, CA

Debtor Name	CALIFORNIA WINELANDS, LLC
Debtor Address	1555 BALDWIN ROAD, HUGHSON, CA 95326
Debtor Name	DEWITT FARMING LLC
Debtor Address	1555 BALDWIN ROAD, HUGHSON, CA 95326
Debtor Name	DUARTE NURSERY INC.
Debtor Address	1555 BALDWIN ROAD, HUGHSON, CA 95326
Debtor Name	DUARTE, ALEXANDRA
Debtor Address	1555 BALDWIN ROAD, HUGHSON, CA 95326
Debtor Name	DUARTE, JOHN SCOTT
Debtor Address	1555 BALDWIN ROAD, HUGHSON, CA 95326
Debtor Name	THE JOHN AND ALEXANDRA DUARTE 2020 REVOCABLE TRUST
Debtor Address	[REDACTED]
Secured Party Name	YOSEMITE LAND BANK, FLCA
Secured Party Address	P.O. BOX 3278, TURLOCK, CA 95381

April 2018: Duarte Had A UCC Filing Filed Against Him By Yosemite Production Credit. According to the California Secretary of State, Duarte and his wife Alexandra were listed as debtors in a UCC Lien filing filed by Yosemite Production Credit on April 25th, 2018. [California Secretary of State, File #: 187645696123, filed [4/25/18](#)]

UCC Search

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UCC Documents have been processed through: 05/17/2022

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Advanced ▾

Results: 1

UCC Type	Debtor Information	File Number	Secured Party Info	Status	Filing Date	Lapse Date
UCC	JOHN SCOTT DUARTE - HUGHSON, CA	187645696123	YOSEMITE PRODUCTION CREDIT, PCA - TURLOCK, CA	Active	04/25/2018	04/25/2023

1

JOHN SCOTT DUARTE - HUGHSON, CA

Debtor Name	CALIFORNIA WINELANDS, LLC
Debtor Address	1555 BALDWIN ROAD, HUGHSON, CA 95326
Debtor Name	DEWITT FARMING, LLC
Debtor Address	1555 BALDWIN ROAD, HUGHSON, CA 95326
Debtor Name	DUARTE NURSERY INC.
Debtor Address	1555 BALDWIN ROAD, HUGHSON, CA 95326
Debtor Name	DUARTE, ALEXANDRA
Debtor Address	1555 BALDWIN ROAD, HUGHSON, CA 95326
Debtor Name	DUARTE, JOHN SCOTT
Debtor Address	1555 BALDWIN ROAD, HUGHSON, CA 95326
Debtor Name	THE JOHN AND ALEXANDRA DUARTE 2000 REVOCABLE TRUST
Debtor Address	1555 BALDWIN ROAD, HUGHSON, CA 95326
Secured Party Name	YOSEMITE PRODUCTION CREDIT, PCA
Secured Party Address	P.O. BOX 3278, TURLOCK, CA 95381

January 2017: Duarte Had A UCC Filing Filed Against Him By Golden State Farm Credit. According to the California Secretary of State, Duarte and his wife Alexandra were listed as debtors in a UCC Lien filing filed by Golden State Farm Credit on January 3rd, 2017. [California Secretary of State, File #: 177564082040, filed [1/3/17](#)]

UCC Search

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UCC Documents have been processed through: 05/17/2022

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177564082040

Advanced

Results: 1

UCC Type	Debtor Information	File Number	Secured Party Info	Status	Filing Date	Lapse Date
UCC	JOHN SCOTT DUARTE - MODESTO, CA	177564082040	GOLDEN STATE FARM CREDIT, PCA - CHICO, CA	Active	01/03/2017	01/03/2027

1

JOHN SCOTT DUARTE - MODESTO, CA

Debtor Name: DUARTE, ALEXANDRA
 Debtor Address: 6706 DUSTY LANE, MODESTO, CA 95357

Debtor Name: DUARTE, JOHN SCOTT
 Debtor Address: [REDACTED] MODESTO, CA 95357

Debtor Name: GEORGETOWN PROPERTIES, LLC
 Debtor Address: [REDACTED] MODESTO, CA 95357

Secured Party Name: GOLDEN STATE FARM CREDIT, PCA
 Secured Party Address: P.O. BOX 929, CHICO, CA 95927

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August 2016: Duarte Had A UCC Filing Filed Against Him By Golden State Farm Credit. According to the California Secretary of State, Duarte and his wife Alexandra were listed as debtors in a UCC Lien filing filed by Golden State Farm Credit on August 22nd, 2016. [California Secretary of State, File #: 167542632905, filed [8/22/16](#)]

UCC Search

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UCC Documents have been processed through: 05/17/2022

Disclaimer: This tool allows you to search the California Secretary of State's Uniform Commercial Code database for abstracts of information for lien notices that have been filed with this office. The UCC Search is updated as documents are filed. The data provided is not a complete or certified record.

167542632905

Advanced

Results: 1

UCC Type	Debtor Information	File Number	Secured Party Info	Status	Filing Date	Lapse Date
UCC	JOHN S. DUARTE - MODESTO, CA	167542632905	GOLDEN STATE FARM CREDIT, PCA - CHICO, CA	Lapsed	08/22/2016	08/22/2021

1

JOHN S. DUARTE - MODESTO, CA

Debtor Name: CALIFORNIA WINELANDS, LLC
 Debtor Address: 1555 BALDWIN ROAD, HUGHSON, CA 95326

Debtor Name: DUARTE NURSERY, INC.
 Debtor Address: 1555 BALDWIN ROAD, HUGHSON, CA 95326

Debtor Name: DUARTE, JOHN S.
 Debtor Address: [REDACTED] MODESTO, CA 95357

Secured Party Name: GOLDEN STATE FARM CREDIT, PCA
 Secured Party Address: P.O. BOX 929, CHICO, CA 95927

View History Request Access

January 2013: Duarte Had A UCC Filing Filed Against Him By Yosemite Land Bank. According to the California Secretary of State, Duarte and his wife Alexandra were listed as debtors in a UCC Lien filing filed by Yosemite Land Bank on January 22nd, 2013. [California Secretary of State, File #: 137345639930, filed [1/22/13](#)]

UCC Search

Print

UCC Documents have been processed through: 05/17/2022

Disclaimer: This tool allows you to search the California Secretary of State's Uniform Commercial Code database for abstracts of information for lien notices that have been filed with this office. The UCC Search is updated as documents are filed. The data provided is not a complete or certified record.

137345639930



Advanced

Results: 1

UCC Type	Debtor Information	File Number	Secured Party Info	Status	Filing Date	Lapse Date
UCC	JOHN S DUARTE - MODESTO, CA	137345639930	YOSEMITE LAND BANK, FLCA - TURLOCK, CA	Active	01/22/2013	01/22/2023

1

JOHN S DUARTE - MODESTO, CA

Debtor Name	DUARTE, ALEXANDRA
Debtor Address	MODESTO, CA 95357
Debtor Name	DUARTE, JOHN S
Debtor Address	MODESTO, CA 95357
Debtor Name	DUARTE, JOHN SCOTT
Debtor Address	MODESTO, CA 95357
Secured Party Name	YOSEMITE LAND BANK, FLCA
Secured Party Address	P.O. BOX 3278, TURLOCK, CA 95381



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January 2013: Duarte Had A UCC Filing Filed Against Him By Yosemite Land Bank. According to the California Secretary of State, Duarte and his wife Alexandra were listed as debtors in a UCC Lien filing filed by Yosemite Land Bank on January 22nd, 2013. [California Secretary of State, File #: 1574624248, filed [1/22/13](#)]

UCC Search

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UCC Documents have been processed through: 05/17/2022

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1574624248



Advanced

Results: 1

UCC Type	Debtor Information	File Number	Secured Party Info	Status	Filing Date	Lapse Date
UCC	JOHN SCOTT DUARTE - MODESTO, CA	1574624248		Active	01/22/2013	01/22/2023

1

JOHN SCOTT DUARTE - MODESTO, CA

Debtor Name	DUARTE, ALEXANDRA
Debtor Address	MODESTO, CA 95357
Debtor Name	DUARTE, JOHN S
Debtor Address	MODESTO, CA 95357
Debtor Name	DUARTE, JOHN SCOTT
Debtor Address	MODESTO, CA 95357
Secured Party Name	YOSEMITE LAND BANK, FLCA
Secured Party Address	P.O. BOX 3278, TURLOCK, CA 95381



View History



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NOTE: Further research necessary into whether Duarte or his associated entities had bankruptcies, judgments or liens.

Important Note On This Document

Please keep in mind at all times that this is preliminary research, and further research will be necessary on John Duarte. It is strongly recommended that you contact the DCCC's Research Department for more information and in the event that you intend to use material from this report for public communications purposes. Thank you.