

John Duarte (CA-13) Red Box Backup

John Duarte is not one of us -- HE'S SO ARROGANT, THAT HE THINKS HE IS above the law. John Duarte acts like he is above the law. A Judge ruled that Duarte knowingly sold 'defective trees' to LOCAL farmers -- but Duarte refused to refund the farmers' money -- costing family farmers hundreds of thousands and in some cases millions of dollars. Duarte destroyed protected lands and was forced to pay a million dollar fine. And Duarte had to be chased down to pay over \$2 million in unpaid taxes. Yet Duarte has given nearly a half a million dollars to his Congressional campaign.

A Judge Ruled That Duarte Knowingly Sold “Defective Trees” To LOCAL Farmers -- But Duarte Refused To Refund The Farmers’ Money -- Costing Family Farmers Hundreds Of Thousands And In Some Cases Millions Of Dollars

A Judge Ruled That Duarte Knowingly Sold “Defective Trees” To Local Farmers...

A Judge Ruled That Duarte Nursery “Knowingly” Sold “Defective 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](#)]

...But Duarte Refused To Refund The Farmers’ Money...

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](#)]

...Costing Family Farmers Hundreds Of Thousands And In Some Cases Millions Of Dollars

One Plaintiff Incurred \$2,850,000 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](#)]

- **Another Plaintiff Incurred \$395,000 In Losses From Duarte’s Defective Trees.** “As a result of getting the bad pistachio trees, Parsons Farms spent more than \$395,000 for preparing the ground, planting the rootstock, budding, caring for the trees until removal, removing the bad trees, and buying replacement trees. (Parsons Decl. 3:10-15; Trial Exhibit 204.)” [Stanislaus County Superior Court, J Marchini & Son INC vs Duarte Nursery INC, [3/28/22](#)]

Duarte Destroyed Protected Lands And Was Forced To Pay A Million Dollar Fine

Duarte Was Forced To Pay A Million Dollar Fine For Violating The Clean Water Act By “Ripping” Federally-Protected Streams And Wetlands. “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.” [U.S. Department of Justice, [8/15/17](#)]

And Duarte Had To Be Chased Down To Pay Over \$2 Million In Unpaid Taxes

Duarte Had To Be Chased Down To Pay Over \$2 Million In Unpaid Taxes. In 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		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: 10/02/2002 Original Filing Number: 20020127935 Jurisdiction: CA Amount: \$2,438,406.00 					
Filing 1					
<ul style="list-style-type: none"> Filing Number: 20020127935 Filing Type: FEDERAL TAX LIEN Agency: STANISLAUS COUNTY COURT Agency State: CA Agency County: STANISLAUS 					

Document Number:

2002-0127935 ▶

Number of Pages: 1 Recording Date: 10/2/2002

Document Types

NTC FED LIEN

Grantors

[DUARTE NURSERY INC](#)

Grantees

[U S A](#)

[Nexis Comprehensive Business Report, Duarte Nursery, accessed 6/10/22; Stanislaus County Recorder, accessed [7/8/22](#)]

- **Duarte Co-Founded Duarte Nursery In 1988 With His Parents And Served As President.** [Duarte Nursery, accessed [7/8/22](#)]

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

Yet Duarte Has Given Nearly A Half A Million Dollars To His Congressional Campaign.

Duarte Has Given Nearly A Half A Million To His 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	6/30/22	\$200,000.00	No
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:	\$440,000

[FEC.gov, July Quarterly 2022 filing, All Contributions, filed [7/15/22](#); Pre-Primary 2022 filing, All Contributions, filed [5/26/22](#); FEC.gov, April Quarterly 2022 filing, All Contributions, filed [4/15/22](#)]