

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Michael J. Peragine

Case No.: FEC 14-173

TO: Michael J. Peragine
6231 PGA Blvd., Unit 104-308
Palm Beach Gardens, FL 33418

Patricia Snider
10500 North Military Trail
Palm Beach Gardens, FL 33410

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **November 16, 2016 at 8:30 am, or as soon thereafter as the parties can be heard**, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

If you are the Respondent, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard.

If you are the Complainant, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

If you are an Appellant, and you have requested a hearing, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Ann Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
November 1, 2016

Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106.265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld.

If this is a hearing to consider a **consent order before a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed and become public. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the case will remain confidential, unless confidentiality has been waived.

If this is a hearing to consider a **consent order after a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the Respondent will be entitled to another hearing to determine if the Respondent committed the violation(s) alleged.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However, the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, *he must provide the Commission with written proof of his financial resources* at the hearing. A financial affidavit form is available from the Commission Clerk.

FILED

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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 14-173

v.

**Michael J. Peragine
Respondent.**

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 17, 2016, in Tallahassee, Florida.

Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

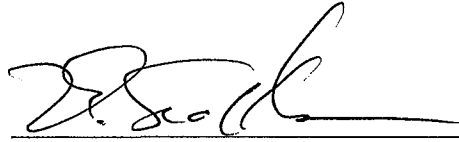
Count 1:

On or about June 9, 2014, Respondent violated Section 106.141(1), Florida Statutes, when he failed to file his Termination Report reflecting the disposition of all remaining funds in his campaign account.

Count 2:

On or about June 9, 2014, Respondent violated Section 106.19(1)(c), Florida Statutes, when he falsely reported, or deliberated failed to include information required to be reported by Chapter 106, Florida Statutes, on his Termination Report.

DONE AND ORDERED by the Florida Elections Commission on August 17, 2016.



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Michael J. Peragine, Respondent
Patricia Snider, Complainant

NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by consent order where you and Commission staff agree to resolve the violation(s) and agree to the amount of the fine. The consent order is then presented to the Commission for its approval. To discuss a consent order, contact the FEC attorney identified in the Order of Probable Cause.

Second, you may request an informal hearing held before the Commission, if you do not dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to make written or oral arguments to the Commission concerning the legal issues related to the violation(s) and the potential fine. At the request of Respondent, the Commission will consider and determine willfulness at an informal hearing. Otherwise, live witness testimony is unnecessary.

Third, you may request a formal hearing held before an administrative law judge in the Division of Administrative Hearings (DOAH), if you dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to present evidence relevant to the violation(s) listed in this order, to cross-examine opposing witnesses, to impeach any witness, and to rebut the evidence presented against you.

If you do not elect to resolve the case by consent order or request a formal hearing at the DOAH or an informal hearing before the Commission within 30 days of the date this Order of Probable Cause is filed with the Commission, the case will be sent to the Commission for a formal or informal hearing, depending on whether the facts are in dispute. The date this order was filed appears in the upper right-hand corner of the first page of the order.

To request a hearing, please send a written request to the Commission Clerk, Donna Ann Malphurs. The address of the Commission Clerk is 107 W. Gaines Street, Collins Building,

Suite 224, Tallahassee, Florida 32399-1050. The telephone number is (850) 922-4539. The Clerk will provide you with a copy of Chapter 28-106, *Florida Administrative Code*, and other applicable rules upon request. No mediation is available.



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street, Suite 224
Collins Building
Tallahassee, Florida 32399-1050
(850) 922-4539

March 1, 2016

Michael J. Peragine
277 Sedona Way
Palm Beach Gardens, FL 33418

RE: Case No.: FEC 14-173; Respondent: Michael J. Peragine

Dear Mr. Peragine:

The Florida Elections Commission at its last regularly scheduled meeting was unable to hear this case. Therefore, this case has been rescheduled for its next meeting, which is scheduled for May 18-19, 2016 in Tallahassee. A notice of hearing will be mailed approximately 14 days before the hearing.

If you have any questions, please contact us at the number listed above or at fec@myfloridalegal.com

Sincerely,

/s/ Amy McKeever Toman
Executive Director

AMT/dam
cc: Palm Beach Gardens City Clerk, Complainant

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Michael J. Peragine

Case No.: FEC 14-173

TO: Michael J. Peragine
277 Sedona Way
Palm Beach Gardens, FL 33418

Patricia Snider, City Clerk
City of Palm Beach Gardens
10500 North Military Trail
Palm Beach Gardens, FL 33410

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **February 17, 2016 at 10:00 am, or as soon thereafter as the parties can be heard**, at the following location: **Florida State Conference Center, 555 West Pensacola Street, Room #108, Tallahassee, Florida 32306.**

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

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See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
February 2, 2016

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Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, *he must provide the Commission with written proof of his financial resources* at the hearing. A financial affidavit form is available from the Commission Clerk.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Michael J. Peragine

Case No.: FEC 14-173

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Sections 106.141(1) and 106.19(1)(c), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on December 22, 2015, the following facts and law support this staff recommendation

1. On July 8, 2014, the Florida Elections Commission ("Commission") received a sworn complaint from Patricia Snider, Palm Beach Gardens, City Clerk ("Complainant" or "City Clerk") alleging that Michael J. Peragine ("Respondent") violated Chapter 106, Florida Statutes

2. Respondent was an unsuccessful candidate for Palm Beach Gardens City Council, Group 3, in the March 11, 2014 municipal election. Respondent filed his Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form on December 16, 2013, appointing himself as his own treasurer (Attachment A)

3. On March 27, 2015, the Executive Director notified Respondent that staff would investigate the following sections of law:

Section 106.141(1), Florida Statutes: Michael J. Peragine, 2014 candidate for Palm Beach City Council, Group 3, failed to timely file his 2014 Termination Report reflecting the disposition of all remaining campaign funds, as alleged in the complaint.

Sections 106.19(1)(c), Florida Statutes: Michael J. Peragine, 2014 candidate for Palm Beach City Council, Group 3, falsely reported or deliberately failed to include information required by Chapter 106, as alleged in the complaint.

4. In her May 27, 2015 affidavit, the City Clerk stated that Respondent was provided with a copy of Chapters 104 and 106, Florida Statutes, *2014 Candidate Handbook* ("Handbook") and Calendar of Election dates. (ROI Exhibit 10, page 3 and ROI Exhibit 11)¹

5. Section 106.141(1), Florida Statutes, required Respondent to file a Termination Report within 90 days of being eliminated as a candidate. Therefore, Respondent's Termination Report covering the dates of March 7, 2014, to June 9, 2014, was due no later than June 9, 2014

¹ The Report of Investigation shall be referred to herein as "ROI,"

6 On May 23, 2014, the City Clerk sent Respondent an email reminder that his Termination Report ("TR") covering March 7, 2014, to June 9, 2014, was due by June 9, 2014, at 5:00 p.m. The email indicates that that Respondent was also reminded that his TR was due by June 9, 2014, during a telephone conversation earlier that day. (ROI Exhibit 1, page 1)

7 Respondent failed to file his TR by June 9, 2014. In a July 3, 2014 email, Respondent requested the City Clerk to send him a "filed copy (stamped)" of his final report for his records. (ROI Exhibit 3)

8 On July 9, 2014, the City Clerk answered Respondent's July 3, 2014, email informing Respondent that he had not yet filed his TR. *Id*

9 Based upon the information above, it appears that Respondent failed to file his Termination Report by June 9, 2014.

Section 106.19(1)(c), Florida Statutes.

10 Commission staff also investigated whether Respondent falsely reported or deliberately failed to include information on his TR required to be reported by Chapter 106, Florida Statutes.

11 Investigator Aulet obtained Respondent's Campaign Account Records for March 7, 2014, to June 9, 2014, the TR reporting period. The following table lists the contributions and expenditures that occurred during the 2014 Termination Report reporting period that Respondent deliberately failed to include that was required to be reported by Chapter 106, Florida Statutes:

RESPONDENT'S UNREPORTED TRANSACTIONS DURING TR REPORTING PERIOD		
Transaction Date	Type of Transaction	Amount
03/10/14	Check #1033 to ASAP Grafix	\$180.20
03/12/14	Debit PayPal	\$428.31
03/13/14	Debit PayPal	\$200.00
03/16/14	Check #1036 to Anita Carbone	\$2,744.66
03/28/14	Check #1040 to Lori Dingers	\$250.00
04/03/14	Check #1041 to Respondent	\$500.00
04/09/14	Check #1043 to Budget Printing	\$1,270.69
05/19/14	Check #1044 to Bill (illegible)	\$2,750.00
05/22/14	Check #1045 to Comcast Spotlight	\$139.90
05/29/14	Deposit	\$2,000.00
05/30/14	Debit Maintenance Fee	\$12.00

(ROI Exhibit 4, pages 1, 3, 4, 6, 7, 8, 9, 10, and 11 and ROI Paragraph 12)

12. Investigator Aulet called Respondent six times during her investigation and left a message on Respondent's voice mail each time requesting Respondent to return her call. Respondent never responded to Investigator Aulet's messages. Additionally, Respondent chose not to respond to the Affidavit of Background Information that Investigator Aulet sent him (ROI Exhibit 8, Phone Log Entries 3 4, 8, 9, 10, and 11)

13. During a December 17, 2015 phone conversation, the City Clerk told Investigator Aulet that Respondent had not filed his TR. (Exhibit 8, Phone Log Entry 12)

14. "Probable Cause" is defined as reasonable grounds of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. *Schmitt v State*, 590 So.2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v Favino*, 667 So.2d 305, 309 (Fla. 1st DCA 1995).

15. The facts above show that Respondent was a candidate for the Palm Beach Gardens City Council, Group 3, in the March 11, 2014 municipal election. Respondent was required to file his Termination Report covering the dates of March 7, 2014 to June 9, 2014 on June 9, 2014. On May 23, 2014, the City Clerk spoke with Respondent on the telephone and sent Respondent an email reminding him that his TR was due on June 9, 2014. As of December 17, 2015, Respondent had not filed his TR. Additionally, Respondent deliberately failed to include information on his TR that he was required to report by not filing a TR.

Count 1:

On or about June 9, 2014, Respondent violated Section 106.141(1), Florida Statutes when he failed to file his Termination Report reflecting the disposition of all remaining funds in his campaign account.

Count 2:

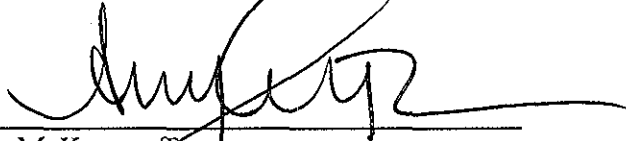
On or about June 9, 2014, Respondent violated Section 106.19(1)(c), Florida Statutes, when he falsely reported, or deliberately failed to include information required to be reported by Chapter 106, Florida Statutes, on his Termination Report.

Respectfully submitted on January 11, 2016,



Eric M. Lipman
General Counsel

I have reviewed this Staff Recommendation on the 11th day of January 2016



Amy McKeever Toman
Executive Director

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR CANDIDATES**

(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

12-16-13A10:41 RCVD

NOTE: This form must be on file with the qualifying officer before opening the campaign account.

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

☒ Initial Filing of Form Re-filing to Change: ☐ Treasurer/Deputy ☐ Depository ☐ Office ☐ Party

2. Name of Candidate (in this order: First, Middle, Last)
Michael J. Peragine

3. Address (include post office box or street, city, state, zip code)

4. Telephone
(561) 444-8158

5. E-mail address
mjperagine@gmail.com

277 Sedona Way
Palm Beach Gardens FL 33418

6. Office sought (include district, circuit, group number)
Palm Beach Gardens City Council, Group #3

7. If a candidate for a nonpartisan office, check if applicable:
☐ My intent is to run as a Write-In candidate

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a
☐ Write-In ☒ No Party Affiliation ☐ _____ Party candidate

9. I have appointed the following person to act as my ☒ Campaign Treasurer ☐ Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer
Michael J. Peragine

11. Mailing Address
277 Sedona Way

12. Telephone
(561) 444-8158

13. City
Palm Beach Gardens

14. County
Palm Beach

15. State
FL

16. Zip Code
33418

17. E-mail address
mjperagine@gmail.com

18. I have designated the following bank as my ☒ Primary Depository ☐ Secondary Depository

19. Name of Bank
Sun Trust

20. Address
6289 PGA Blvd

21. City
Palm Beach Gardens

22. County
Palm Beach

23. State
FL

24. Zip Code
33418

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date
December 16th, 2013

26. Signature of Candidate

X M. Peragine

27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)

I, Michael J. Peragine, do hereby accept the appointment
(Please Print or Type Name)

designated above as: ☒ Campaign Treasurer ☐ Deputy Treasurer.

December 16th, 2013

Date

X M. Peragine

Signature of Campaign Treasurer or Deputy Treasurer

Attachment A

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 14-173

Respondent: Michael J. Peragine

Complainant: Patricia Snider

On July 8, 2014, the Florida Elections Commission received a sworn complaint alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statutes:

Section 106.141(1), Florida Statutes, failure of a candidate to file a termination report reflecting the disposition of all remaining funds in his campaign account within 90 days after he withdrew, became unopposed, was eliminated, or elected; and

Section 106 19(1)(c), Florida Statutes, prohibiting a person or organization from falsely reporting or deliberately failing to report information required by Chapter 106, Florida Statutes.

I. Preliminary Information:

1. Respondent was a first-time candidate for Palm Beach Gardens City Council, Group 3; he was defeated in the municipal election held on March 11, 2014.

2. Complainant is the Palm Beach Gardens City Clerk, and Respondent's filing officer

II. Alleged Violation of Section 106.141(1), Florida Statutes:

3. I investigated whether Respondent violated this section of election laws by not filing his 2014 Termination Report within 90 days of being defeated in an election after receiving notice that the report was due.

4. Complainant provided with her complaint a copy of an e-mail she sent to Respondent on May 23, 2014, reminding Respondent that his Termination Report covering March 7 to June 9, 2014 was due by June 9, 2014¹. To view a copy of the e-mail, please refer to Exhibit 1

5. Complainant also provided with her complaint a copy of a letter she sent to Respondent via certified mail on June 10, 2014, informing Respondent that his Termination Report covering March 7 to June 9, 2014 was not received by Complainant. The United States

¹ The e-mail reflects Respondent was also notified of the termination report due date by telephone that same day

Postal Service website reflects the letter was delivered on June 12, 2014. To view a copy of the letter and website printout, please refer to Exhibit 2.

6. According to additional e-mails provided by Complainant, Respondent e-mailed Complainant on July 3, 2014, requesting that Complainant send him a stamped copy of his "Final Report" for his records. The e-mails further reflect Complainant replied on July 9, 2014, by informing Respondent that she had filed a complaint with the Commission, and that as of the date of the e-mail, Respondent had yet to file the Termination Report. To view a copy of the e-mail exchange between Complainant and Respondent, please refer to Exhibit 3.

7. I subpoenaed and reviewed Respondent's campaign account records for the Termination Report cover period of March 7 to June 9, 2014. According to the records, Respondent deposited \$2,000 on May 29, 2014, and authorized seven checks between March 10 and May 22, 2014, totaling \$7,835.45.² The records further reflect there were debits from Respondent's campaign account on March 12, March 13 and May 30, 2014, totaling \$640.31. To view copies of the relevant campaign account records, please refer to Exhibit 4.³

8. Based upon review of Respondent's campaign account records, it appears Respondent is required to file a 2014 Termination Report disclosing 11 transactions that occurred during the termination report cover period of March 7 to June 9, 2014.

9. No record of Respondent having previously violated this section of law was found.

III. Alleged Violation of Section 106.19(1)(c), Florida Statutes:

10. I investigated whether Respondent violated this section of election laws by failing to disclose campaign activity during the 2014 Termination Report cover period of March 7 to June 9, 2014.

11. To review the circumstances regarding Respondent's failure to disclose contributions and expenditures, please refer to paragraphs 4 through 8 of this report.

12. Table 1 summarizes the contributions and expenditures that appear to have occurred during the 2014 Termination Report cover period of March 7 to June 9, 2014, according to Respondent's campaign account records (Exhibit 4).⁴

² It appears Respondent may have accepted contributions after he was defeated in the election. However, because Complainant did not have this information at the time the complaint was filed, I did not further investigate this information.

³ Respondent's campaign account records reflect a deposit on March 10, 2014 in the amount of \$3,652.51, and a deposit on March 12, 2014 in the amount of \$3,150. Based upon review of Respondent's campaign treasurer's report on file, it appears these deposits correspond with contributions that were disclosed on Respondent's 2014 M4 report, the report immediately preceding the 2014 Termination Report.

⁴ Check numbers 1012 and 1019 were authorized on February 6 and February 26, 2014, respectively. It appears they should have been disclosed on reports other than the 2014 Termination Report. After review of Respondent's reports on file it appears they were not. However, because Complainant did not have this information at the time the complaint was filed and therefore did not allege Respondent failed to disclose information on a report other than the

TABLE 1: UNREPORTED TRANSACTIONS DURING TR COVER PERIOD		
Transaction Date	Type of Transaction	Amount
03/10/14	Check #1033 to ASAP Grafix	\$180.20
03/12/14	Debit PayPal	\$428.31
03/13/14	Debit PayPal	\$200.00
03/16/14	Check #1036 to Anita Carbone	\$2,744.66
03/28/14	Check #1040 to Lori (illegible)	\$250.00
04/03/14	Check #1041 to Respondent	\$500.00
04/09/14	Check #1043 to Budget Printing	\$1,270.69
05/19/14	Check #1044 to Bill (illegible)	\$2,750.00
05/22/14	Check #1045 to Comcast Spotlight	\$139.90
05/29/14	Deposit	\$2,000.00
05/30/14	Debit Maintenance Fee ⁵	\$12.00
TOTAL		\$10,475.76

13 No record of Respondent having previously violated this section of law was found.

IV. FEC History:

14 As of the date of this report, Respondent has not had any other cases which have been considered by the Commission

Conclusion:

15 On July 9, 2014, the Commission sent Respondent a letter via certified mail informing him that it received a complaint alleging violations of Florida's election laws. The letter advised Respondent he had 14 days to respond to the allegations in the complaint; however, the letter was returned to the Commission marked "Unclaimed" by the postal service. On December 22, 2014, the letter was re-sent via certified mail and was delivered on December 24, 2014. Respondent did not provide a response to the complaint. To view a copy of the Commission's July 9 and December 22, 2014 letters, please refer to Exhibit 5.

16 On March 27, 2015, the Commission sent Respondent a letter informing him that the complaint was found to be legally sufficient and the Commission would be investigating Respondent's alleged failure to file a 2014 Termination Report and alleged failure to include

termination report, I did not further investigate this information. Check numbers 1028, 1029, 1030, and 1032 were disclosed on Respondent's amended 2014 M4 report

⁵ There was an additional debit for a maintenance fee in the amount of \$12.00; however, this debit occurred on June 30, 2014, which is outside the termination report cover period

information required by Chapter 106, Florida Statutes. The letter advised Respondent he could file a notarized statement providing any information regarding the facts surrounding the allegations. Respondent did not provide a notarized statement regarding the complaint. To view a copy of the Commission's March 27, 2015 letter, please refer to Exhibit 6.

17. On May 21, 2015, I mailed Respondent a questionnaire asking that he explain the reason why he has not filed his 2014 Termination Report. As of the date of this report, Respondent has not returned the questionnaire and the questionnaire has not been returned by the postal service as undeliverable. To view a copy of the affidavit, please refer to Exhibit 7.

18. I have left several voicemail messages asking Respondent to return my call to discuss the allegations in the complaint. As of the date of this report, Respondent has not returned my calls. To view a copy of the Investigator Phone Log, please refer to Exhibit 8.

19. Because Respondent has not returned my telephone calls during this investigation, I am unable to ascertain whether he has read Chapter 106, Florida Statutes, and/or the *Candidate and Campaign Treasurer Handbook*. Respondent signed his Statement of Candidate form on December 16, 2013. To view a copy of the form, please refer to Exhibit 9.

20. Complainant submitted an Affidavit of Filing Officer dated May 27, 2015, in which she attested Respondent was given Chapters 104 and 106, Florida Statutes, and the *Candidate and Campaign Treasurer Handbook* on December 16, 2013. To view a copy of the affidavit, please refer to Exhibit 10.

21. In her affidavit, Complainant attested that on December 16, 2013, Respondent was also given a copy of municipal election dates. The MARCH 11, 2014 ELECTION TIMETABLE – CANDIDATE COPY reflects the Termination Report for opposed candidates covering the period March 7 through June 9, 2014 was due by 5:00 p.m. on June 9, 2014.⁶ To view a copy of the timetable, please refer to Exhibit 11.

22. In a follow-up telephone interview on December 17, 2015, Complainant stated Respondent still has not filed his 2014 Termination Report.

23. During my investigation of the allegations contained in the sworn complaint, I found that as of May 31, 2015, Respondent's campaign account remained open with a balance of \$140.73; it appears Respondent may have failed to dispose of remaining funds within 90 days of being defeated in the election. However, because Complainant did not have this information at the time the complaint was filed, I did not investigate this information.

This space intentionally left blank

⁶ Respondent had an opponent in the March 11, 2014 municipal election.

Respectfully submitted on December 22, 2015,

Tracie Aulet

Tracie Aulet
Investigation Specialist

Current address of Respondent

Mr Michael J. Peragine
277 Sedona Way
Palm Beach Gardens, FL 33410

Current address of Complainant

Ms. Patricia Snider, City Clerk
10500 North Military Trail
Palm Beach Gardens, FL 33410

Name and Address of Filing Officer:

Ms. Patricia Snyder, City Clerk
City of Palm Beach Gardens
10500 North Military Trail
Palm Beach Gardens, FL 33410

Copy furnished to:

Mr. David Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Michael J. Peragine -- FEC 14-173

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	E-mail dated 5/23/14
Exhibit 2	Failure-to-file letter dated 6/10/14
Exhibit 3	E-mail dated 7/9/14
Exhibit 4	Campaign account records, relevant pages
Exhibit 5	Commission letters dated 7/9/14 & 12/22/14
Exhibit 6	Commission letter dated 3/27/15
Exhibit 7	Commission letter dated 5/21/15
Exhibit 8	Investigative phone log
Exhibit 9	Statement of Candidate form signed 12/16/13
Exhibit 10	Affidavit of Filing officer dated 5/27/15
Exhibit 11	Election timetable

Patty Snider

From: Patty Snider
Sent: Friday, May 23, 2014 11:43 AM
To: 'mjperagine@gmail.com'
Cc: 'anitahcarbone@gmail.com'
Subject: Termination Report

Importance: High

Good morning Michael,

As per our telephone conversation this morning, this is a reminder that your Termination Report covering March 7, 2014 to June 9, 2014 is due to me by Monday, June 9, 2014 at 5:00 p.m.

Please confirm receipt of this email.

Thanks,



Patty Snider

From: Microsoft Exchange
To: 'anitahcarbone@gmail.com'; 'mjperagine@gmail.com'
Sent: Friday, May 23, 2014 11:43 AM
Subject: Relayed: Termination Report

Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:

Subject: Termination Report

EXHIBIT 1 pg. 2 of 2



10500 N. MILITARY TRAIL PALM BEACH GARDENS, FLORIDA 33410-4698
www.pbgi.com

June 10, 2014

Mr. Michael J. Peragine
277 Sedona Way
Palm Beach Gardens, FL 33410

Sent via: USPS -- Registered/Return Receipt

Dear Mr. Peragine,

In accordance with Chapter 106, F.S., I notified you on May 23, 2014 via telephone and email and via email to Anita Carbone, Deputy Treasurer, that your termination report covering March 7, 2014 to June 9, 2014 was due by Monday, June 9, 2014 at 5:00 p.m. (attached). I reminded you again on Thursday, June 5, 2014 via telephone.

As of today, the report has not been received, therefore, in accordance with Chapter 106 F.S., any candidate failing to file a report on the designated due date shall be subject to a fine as provided in this Chapter for submitting late termination reports.

All fines must be paid from the candidate's personal funds, not campaign funds.

Upon receipt of your report, I will determine the amount owed and notify you accordingly so you may submit your payment made payable to the City of Palm Beach Gardens.

Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due.

Please contact me if you have any questions.

Sincerely,

Patricia Snider, CMC, City Clerk

Cc: Florida Elections Commission
Anita Carbone, 11 Thurston Drive, Palm Beach Gardens, FL 33410

EXHIBIT 2 pg. 1 of 2

011010

English

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USPS Tracking™

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70122920000189579192

Postal Product:

Features:
Certified Mail™

DATE & TIME	STATUS OF	LOCATION
June 12, 2014, 12:24 pm		PALM BEACH GARDENS, FL 33418
June 12, 2014, 9:40 am	Out for Delivery	PALM BEACH GARDENS, FL 33410
June 12, 2014, 9:39 am	Sorting Complete	PALM BEACH GARDENS, FL 33410
June 12, 2014, 7:46 am	Arrival at Unit	PALM BEACH GARDENS, FL 33410
June 12, 2014, 12:19 am	Processed through USPS Sort Facility	WEST PALM BEACH, FL 33416
June 11, 2014, 8:16 pm	Processed through USPS Sort Facility	WEST PALM BEACH, FL 33416
June 11, 2014, 6:26 pm	Depart USPS Sort Facility	WEST PALM BEACH, FL 33416

What's your tracking (or receipt) number?

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Inspector General
Postal Explorer
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EXHIBIT 2 pg. 2 of 2

06/13/14

#2
Patty Snider

From: Patty Snider
Sent: Wednesday, July 09, 2014 12:29 PM
To: 'Michael J. Peragine'
Subject: RE: Filed Copy (stamped) of "Final Report"
Attachments: 070914 response to email.pdf

Michael,

In response to your email below, please see the attached correspondence dated June 10, 2014, which was previously provided to you via USPS registered mail/return receipt. On July 1, 2014, since your termination report remained delinquent, I was left with no other option but to file a sworn complaint with the Florida Elections Commission regarding your failure to timely file your 2014 termination report. To date you have yet to file your termination report. Upon such filing I will determine the fine amount to be assessed and provide notice of same in accordance with state law.

Please govern yourself accordingly.

Patricia Snider, CMC, City Clerk
City of Palm Beach Gardens
561-799-4122

-----Original Message-----

From: Michael J. Peragine []
Sent: Thursday, July 03, 2014 5:02 PM
To: Patty Snider
Subject: Filed Copy (stamped) of "Final Report"

Patty,

Please email me a filed copy (stamped) of my "Final Report" for my records.

Thank you,

Michael J. Peragine

EXHIBIT 3

SUNTRUST BANK
PO BOX 305183
NASHVILLE TN 37230-5183

SUNTRUST

PAGE 1 OF 2
36/E00/O175/O/ 40
[REDACTED]
03/31/2014

ACCOUNT
STATEMENT

MICHAEL J PERAGINE
CAMPAIGN ACCOUNT
277 SEDONA WAY
PALM BEACH GARDENS FL 33418

QUESTIONS? PLEASE CALL
1-800-786-8787

EFFECTIVE 5/1/2014: FOR CLIENTS USING NON-SUNTRUST ATMS LOCATED IN THE U.S.
THE FEE IS CHANGING FROM \$2.00 TO \$2.50 PER WITHDRAWAL, BALANCE INQUIRY
OR TRANSFER. THIS FEE DOES NOT APPLY TO SIGNATURE ADVANTAGE ACCOUNTS.
FOR MORE INFORMATION CALL 800-SUNTRUST.

ACCOUNT TYPE: PRIMARY BUSINESS CHECKING
ACCOUNT SUMMARY: ACCOUNT NUMBER: [REDACTED]
STATEMENT PERIOD: 03/01/2014 - 03/31/2014

DESCRIPTION	AMOUNT	DESCRIPTION	AMOUNT
BEGINNING BALANCE	\$55,417.53	AVERAGE BALANCE	\$15,175.82
DEPOSITS/CREDITS	\$6,802.51	AVERAGE COLLECTED BALANCE	\$15,090.33
CHECKS	\$58,634.41	NUMBER OF DAYS IN STATEMENT PERIOD	31
WITHDRAWALS/DEBITS	\$628.31		
ENDING BALANCE	\$2,957.32		

DEPOSITS/CREDITS

DATE	AMOUNT	SERIAL #	DATE	AMOUNT	SERIAL #
03/12	3,150.00		DEPOSIT		
03/10	3,652.51		ELECTRONIC/ACH CREDIT		
			PAYPAL	TRANSFER	SBFJ27VX8U81J

DEPOSITS/CREDITS: 2
TOTAL ITEMS DEPOSITED: 7

CHECKS

CHECK NUMBER	AMOUNT	DATE	CHECK NUMBER	AMOUNT	DATE
1012	38.00	03/21	*1032	20,000.00	03/10
*1019	1,000.00	03/03	1033	180.20	03/12
*1028	2,500.00	03/14	*1036	2,744.66	03/20
1029	25,000.00	03/05	*1040	250.00	03/31
1030	6,921.55	03/10			

CHECKS: 9
*BREAK IN CHECK SEQUENCE

DATE	AMOUNT	SERIAL #	DESCRIPTION
03/12	428.31		ELECTRONIC/ACH DEBIT
			PAYPAL
03/13	200.00		ELECTRONIC/ACH DEBIT
			PAYPAL

WITHDRAWALS/DEBITS: 2

DATE	BALANCE	BALANCE ACTIVITY HISTORY	BALANCE
03/01	55,417.53	COLLECTED DATE BALANCE	29,417.53
03/03	54,417.53	55,417.53 03/05	6,148.49
		54,417.53 03/10	
		MEMBER FDIC	

CONTINUED ON NEXT PAGE

EXHIBIT 4pg. 1 of 12

PO BOX 305183
NASHVILLE TN 37230-5183

36/E00/0175/0/ 40
[REDACTED]
03/31/2014

SUNTRUST

ACCOUNT
STATEMENT

BALANCE ACTIVITY HISTORY					
DATE	BALANCE	COLLECTED BALANCE	DATE	BALANCE	COLLECTED BALANCE
03/12	8,689.98	6,039.98	03/20	3,245.32	3,245.32
03/13	8,489.98	8,489.98	03/21	3,207.32	3,207.32
03/14	5,989.98	5,989.98	03/31	2,957.32	2,957.32

MEMBER FDIC

EXHIBIT 4 pg. 2 of 2

SUNTRUST

ACCOUNT
STATEMENT

QUESTIONS? PLEASE CALL
1-800-786-8787

ACCOUNT SUMMARY		
ACCOUNT TYPE	ACCOUNT NUMBER	STATEMENT PERIOD
PRIMARY BUSINESS CHECKING	[REDACTED]	04/01/2014 - 04/30/2014

CHECK		AMOUNT	DATE	CHECKS		CHECK	AMOUNT	DATE
NUMBER			PAID			NUMBER		PAID
1041		500.00	04/03			*1043	1,270.69	04/15

BALANCE ACTIVITY HISTORY					
DATE	BALANCE	COLLECTED	DATE	BALANCE	COLLECTED
		BALANCE			BALANCE
04/01	2,957.32	2,957.32	04/15	1,186.63	1,186.63
04/03	2,457.32	2,457.32			

EXHIBIT 4 pg. 3 of 12

SUNTRUST BANK
PO BOX 305183
NASHVILLE TN 37230-5183



PAGE 1 OF 1
36/E00/0175/0/ 40
[REDACTED]
05/31/2014

ACCOUNT
STATEMENT

MICHAEL J PERAGINE
CAMPAIGN ACCOUNT
277 SEDONA WAY
PALM BEACH GARDENS FL 33418

QUESTIONS? PLEASE CALL
1-800-786-8787

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ACCOUNT TYPE: PRIMARY BUSINESS CHECKING
ACCOUNT NUMBER: [REDACTED]
STATEMENT PERIOD: 05/01/2014 - 05/31/2014

DESCRIPTION	AMOUNT	DESCRIPTION	AMOUNT
BEGINNING BALANCE	\$1,186.63	AVERAGE BALANCE	\$1,006.51
DEPOSITS/CREDITS	\$2,000.00	AVERAGE COLLECTED BALANCE	\$1,006.51
CHECKS	\$2,889.90	NUMBER OF DAYS IN STATEMENT PERIOD	31
WITHDRAWALS/DEBITS	\$12.00		
ENDING BALANCE	\$284.73		

DATE	AMOUNT	SERIAL #	DEPOSITS/CREDITS	DATE	AMOUNT	SERIAL #
05/29	2,000.00		DEPOSIT			

DEPOSITS/CREDITS: 1
TOTAL ITEMS DEPOSITED: 0

CHECK NUMBER	AMOUNT	DATE	CHECK NUMBER	AMOUNT	DATE
1044	2,750.00	05/28	1045	139.90	05/28

CHECKS: 2

DATE	AMOUNT	SERIAL #	WITHDRAWALS/DEBITS
05/30	12.00		MAINTENANCE FEE

WITHDRAWALS/DEBITS: 1

DATE	BALANCE	COLLECTED BALANCE	DATE	BALANCE	COLLECTED BALANCE
05/01	1,186.63	1,186.63	05/29	296.73	296.73
05/28	-1,703.27	-1,703.27	05/30	284.73	284.73

MEMBER FDIC

EXHIBIT 4 pg. 4 of 12

SUNTRUST

06/30/2014

MICHAEL J PERAGINE
CAMPAIGN ACCOUNT
277 SEDONA WAY
PAIM BEACH GARDENS FI 33418

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STATEMENT PERIOD

06/01/2014 - 06/30/2014

			WITHDRAWALS/DEBITS
DATE	AMOUNT	SERIAL #	DESCRIPTION
06/30	12.00		MAINTENANCE FEE

BALANCE ACTIVITY HISTORY					
DATE	BALANCE	COLLECTED	DATE	BALANCE	COLLECTED
		BALANCE			BALANCE
06/01	284.73	284.73	06/30	272.73	272.73

MEMBER FDIC

EXHIBIT 4 pg. 5 of 12.

STSC
SUBPOENA SERVICES
FL-ORLANDO-7136

COPY REFERENCE: 20150617000320 SS
06/18/15 10:53:45 3 WEB JOBT50618105203
0074139141 20140312 07
180.20 000000

63-215-631 1033

MICHAEL J. PERAGINE CAMPAIGN ACCOUNT

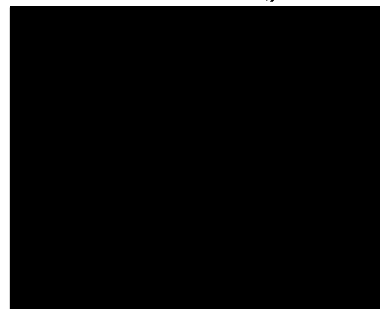
03-10-14

Pay to the order of ASAP G-m Fix \$180.20

One Hundred Eighty dollars

SUNTRUST ACH/RT 081000104

Mr. Peragine



PAY TO THE ORDER OF
WACHOVIA BANK, N.A.

EXHIBIT 4 pg. 6 of 12

STSC
SUBPOENA SERVICES
FL-ORLANDO-7136

COPY REFERENCE: 20150617000320 SS
06/18/15 10:53:45 5 WEB JOBT50618105203
0078034691 20140320 07
2744.66 000000

63-213-631

1036

MICHAEL J. PERAGINE CAMPAIGN ACCOUNT



03-16-14
date

Pay to the order of Anita Cadore \$2,744.66
Two Thousand Seven Hundred Forty Four Dollars + 67.120



ACH RT 061000104

for Reimbursements *M. Peragine*

Velocity Community CU
BOFD RT: 267083271
03/19/2014 02:07:44 (-04:00) PM
Account: [REDACTED]
Item: 24923706625

Anita M. Cadore

EXHIBIT 4 pg. 7 of 12

Capture Date	Sequence Number	Check Number	Amount	Posting Date	Posting Account
03/31/2014	77122969	1040	250.00	20140331	

69-215-621

1040

MICHAEL J. PERAGINE CAMPAIGN ACCOUNT

Check One-Stop
Payment System03-28-14
date

Pay to the order of - Lori Dinges \$250.00
Two Hundred Fifty Exactly dollars



SUNTRUST

ACH RT 051000104

Velocity Community CU

BOFD RT: 267083274

03/28/2014:05:13:27 (-04:00) PM

Account

Item: 813597731249

EXHIBIT 4 pg. 8 of 12

STSC
SUBPOENA SERVICES
FL-ORLANDO-7136


COPY REFERENCE: 20150617000320 SS
06/18/15 10:53:45 7 WEB JOBT50618105203
0030126956 20140403 07
500.00 000000

63-215-631 1041

MICHAEL J. PERAGINE CAMPAIGN ACCOUNT

04.03.14
date

Pay to the order of Michael J. Peragine \$500.00
Five Hundred & No/100 dollars

 SUNTRUST ACHRT081000104
Make Payment for Peragine

[Redacted]

ENDORSE HERE
m. peragine

DO NOT WRITE STAMP OR SIGN DELINQUENT LINE
IN ANY OF THE FOLLOWING AREAS

NO NO SIGNATURE

[Redacted]

150

Don't forget to sign your name in the box
provided below the signature line.
Signature Line
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sign in the box provided below the signature line.
* If you are a SunTrust customer, you must
sign in the box provided below the signature line.
* If you are a SunTrust customer, you must
sign in the box provided below the signature line.

* FEDERAL RESERVE BOARD OF GOVERNORS REG. CC

EXHIBIT 4 pg. 9 of 12

STSC
SUBPOENA SERVICES
FL-ORLANDO-7136

COPY REFERENCE: 20150617000320 SS
06/18/15 10:53:46 8 WEB JOBT50618105203
0075091468 20140415 07
1270.69 000000

63-215-631 1043

MICHAEL J PERAGINE CAMPAIGN ACCOUNT

04-09-14
date

Pay to the order of Budget Printing \$1270.69
Twelve Hundred Seventy + 69/100 dollars

SUNTRUST ACH RT 051000104

unleashed

ENDORSE HERE

PAY TO THE ORDER OF

DE

EXHIBIT 4 pg. 10 of 12

Capture Date	Sequence Number	Check Number	Amount	Posting Date	Posting Account
05/28/2014	78259949	1044	2750.00	20140528	

63-215-631 1044

MICHAEL J. PERAGINE CAMPAIGN ACCOUNT

85-19-14

Pay to the order of Bill Peragine \$2750.00

Twenty Seven hundred Fifty dollars

SUNTRUST ACHRT 081000104

Peragine

ENDORSE HERE

EXHIBIT 4 pg. 11 of 12

STSC
SUBPOENA SERVICES
FL-ORLANDO-7136

COPY REFERENCE: 20150617000320 SS
06/18/15 10:53:46 9 WEB JOBT50618105203
0076178082 20140528 07
139.90 000000

③ # 28079 M2 63-215-631 1045
MICHAEL J. PERAGINE CAMPAIGN ACCOUNT
05.22.14
Pay to the order of Comcast Spectra \$139.90
One hundred thirty-nine dollars
SUNTRUST ACH RT 081000104
Advertising
Gm Peragine

CR PAYEE ACCT
LACK END GTD
BANK OF AMERICA

G-3129 33

EXHIBIT 4pg. 12 of 12



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street,
Suite 224 Collins Building
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783

December 22, 2014

CERTIFIED MAIL 70051820000798071531

Michael J. Peragine
277 Sedona Way
Palm Beach Gardens, FL 33410

RE: Case No.: FEC 14-173, Respondent: Michael J. Peragine

Dear Mr. Peragine:

On July 8, 2014, the Florida Elections Commission attempted to notify you of a complaint that was filed against you. However, our notice was returned to us "unclaimed." Therefore, enclosed is a copy of our previous correspondence and the complaint for your review and action.

If you have any questions, please contact us at fec@myfloridalegal.com or at the number listed above.

Sincerely,

/s/ Donna Ann Malphurs

Agency Clerk

/dam

Enclosure: Letter dated July 9, 2014 and Complaint w/attachments

EXHIBIT 5 pg. 1 of 5

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[Customer Service >](#)

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Tracking Number: 70051820000798071531

Product & Tracking Information

Available Actions

Postal Product:

Features:
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
December 24, 2014 1:24 pm	Delivered	PALM BEACH GARDENS, FL 33418

Your item was delivered at 1:24 pm on December 24, 2014 in PALM BEACH GARDENS, FL 33418

December 24, 2014 12:39 am	Departed USPS Facility	WEST PALM BEACH, FL 33416
December 23, 2014 8:08 pm	Arrived at USPS Facility	WEST PALM BEACH, FL 33416
December 22, 2014 7:43 pm	Departed USPS Facility	TALLAHASSEE, FL 32301
December 22, 2014 7:26 pm	Arrived at USPS Facility	TALLAHASSEE, FL 32301

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Tracking (or receipt) number

70051820000798071531

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[No FEAR Act EEO Data](#)



FLORIDA ELECTIONS COMMISSION

**107 W. Gaines Street,
Suite 224 Collins Building
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783**

July 9, 2014

CERTIFIED MAIL 70051820000798048151

Michael J. Peragine
277 Sedona Way
Palm Beach Gardens, FL 33410

RE: Case No.: FEC 14-173, Respondent: Michael J. Peragine

Dear Mr. Peragine:

On July 8, 2014, the Florida Elections Commission received the enclosed complaint alleging that you violated Florida's election laws. Section 106 25(2), Florida Statutes states:

The respondent shall have 14 days *after receipt* of the complaint to file an initial response, and the executive director may not determine the legal sufficiency of the complaint during that time period.

If you choose to file a response to the complaint, please send it to my attention at the address listed above. To ensure that I receive your response in a timely manner, you may also want to send it via e-mail to my attention, at fec@myfloridalegal.com. You will be notified by letter whether the complaint is determined legally sufficient.

Please note that all documents related to this matter will be mailed to the above address unless you notify us of a new address.

Under section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you, the Respondent, unless you waive confidentiality in writing.

EXHIBIT 5 pg. 3 of 5

The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her.

Sincerely,

A handwritten signature in cursive script, appearing to read "Erin Riley".

Erin Riley
Deputy Agency Clerk

IP/enr

Enclosure: Complaint w/attachments

EXHIBIT 5 pg. 4 of 5

EXHIBIT 5 pg. 5 of 5



FLORIDA ELECTIONS COMMISSION
107 West Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-1050

Rev. [Signature]
2014 AUG 14 A 9:32
STATE ELECTIONS
ELECTIONS



7005 1820 0007 9804 8151

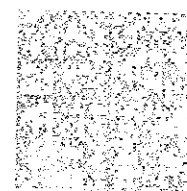
Michael J. Peragine
277 Sedona Way
Palm Beach Gardens, FL 33410

NIKE

334104008-1N

08/09/14

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
RETURN TO SENDER



0101170525133
\$07.60
07/09/14
Actual Price \$7.00
US POSTAGE

LN
07/11/14



FLORIDA ELECTIONS COMMISSION

**107 W. Gaines Street,
Suite 224 Collins Building
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783**

March 27, 2015

Michael J. Peragine
277 Sedona Way
Palm Beach Gardens, FL 33410

RE: Case No.: FEC 14-173; Respondent: Michael J. Peragine

Dear Mr. Peragine:

On July 8, 2014, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more legally sufficient allegations. The Commission staff will investigate the following alleged violations:

Section 106.141(1), Florida Statutes: Michael J Peragine, 2014 candidate for Palm Beach City Council, Group 3, failed to timely file his 2014 Termination Report reflecting the disposition of all remaining campaign funds, as alleged in the complaint.

Sections 106.19(1)(c), Florida Statutes: Michael J Peragine, 2014 candidate for Palm Beach City Council, Group 3, falsely reported or deliberately failed to include information required by Chapter 106, as alleged in the complaint

You may respond to the allegations above by filing a notarized statement providing any information regarding the facts and circumstances surrounding the allegations. Your response will be included as an attachment to the investigator's report.

When we conclude the investigation, a copy of the Report of Investigation will be mailed to you at the above address. You may file a response to the report within 14 days from the date the report is mailed to you. Based on the results of the investigation, legal staff will make a written recommendation to the Commission on whether there is probable cause to believe you have violated Chapter 104 or 106, Florida Statutes. A copy of the Staff Recommendation will be mailed to you and you may file a response within 14 days from the date the recommendation is mailed to you. Your timely filed response(s) will be considered by the Commission when determining probable cause.

EXHIBIT 6 pg. 1 of 2

The Commission will then hold a hearing to determine whether there is probable cause to believe you have violated Chapters 104 or 106, Florida Statutes. You and the complainant will receive a notice of hearing at least 14 days before the hearing. The notice of hearing will indicate the location, date, and time of your hearing. You will have the opportunity to make a brief oral statement to the Commission, but you will not be permitted to testify or call others to testify, or introduce any documentary or other evidence.

At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement.

The Report of Investigation, Staff Recommendation, and Notice of Hearing will be mailed to the above address as this letter. Therefore, if your address changes, you must notify this office of your new address. Otherwise, you may not receive these important documents. Failure to receive the documents will not delay the probable cause hearing.

Under section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you unless you waive confidentiality in writing. The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her.

If you have any questions or need additional information, please contact **Tracie Aulet**, the investigator assigned to this case.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/enr

EXHIBIT 6 pg 2 of 2



FLORIDA ELECTIONS COMMISSION

**The Collins Building
107 West Gaines Street, Suite 224
Tallahassee, Florida 32399-1050
(850) 922-4539**

May 21, 2015

Mr. Michael J. Peragine
277 Sedona Way
Palm Beach Gardens, FL 33410

RE: Case No.: FEC 14-173

Dear Mr. Peragine:

The Florida Elections Commission needs additional information concerning the complaint filed against you with the Commission. Therefore, please complete the attached questionnaire, have it notarized, and return it to me at your earliest convenience but not later than June 4, 2015.

Section 106.26, Florida Statutes, provides the Commission with the power to subpoena witnesses and documents. However, your cooperation in responding to these questions will eliminate the need to subpoena you for deposition at this time.

Thank you for your cooperation in this matter. Please let me know if you have any questions. My extension number is 114.

Sincerely,

A handwritten signature in cursive script that reads "Tracie Aulet".

Tracie Aulet
Investigation Specialist

Enclosure: Affidavit of Background Information

EXHIBIT 7 pg. 1 of 4

AFFIDAVIT OF BACKGROUND INFORMATION
Case Number: FEC 14-173

STATE OF FLORIDA

County of _____

Michael J. Peragine, being duly sworn, says:

1. This affidavit is made upon my personal knowledge
2. I am of legal age and competent to testify to the matters stated herein. I am currently employed by _____ as _____
3. Have you ever run for public office? If so, please name the office(s) you ran for and the date(s) of the election(s) you ran in

4. Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name the candidate(s) you served as treasurer, the office(s) the candidate ran for, and the dates of the election(s).

5. Other than treasurer for Citizens for Ethical Leadership, have you ever held the office of chairperson, treasurer, board member, or other similar position for a political committee, committee of continuous existence or electioneering communications organization? If so, please list the names and addresses of the committees and dates when you held the position.

6. Have you ever prepared or signed a campaign treasurer's report? If so, please list the name of the candidate or committee whose report you prepared or signed.

EXHIBIT 7 pg. 2 of 4

7. What action have you taken to determine your responsibilities under Florida's election laws?

8. Do you possess a copy of Chapter 106, Florida Statutes? ☐ Yes ☐ No

9. If so, when did you first obtain it? _____

10. Have you read Chapter 106, Florida Statutes? ☐ Yes ☐ No

11. Do you possess a copy of Chapter 104, Florida Statutes? ☐ Yes ☐ No

12. If so, when did you first obtain it? _____

13. Have you read Chapter 104, Florida Statutes? ☐ Yes ☐ No

14. Do you possess a copy of the *Candidate and Campaign Treasurer Handbook*? ☐ Yes ☐ No

15. If so, when did you first obtain it? _____

16. Have you read the *Candidate and Campaign Treasurer Handbook*? ☐ Yes ☐ No

17. List any additional materials you received from the Palm Beach Gardens City Clerk.

18. Is there a reason you have not filed your 2014 Termination Report? Please explain:

EXHIBIT 7 pg. 3 of 4

I HEREBY SWEAR OR AFFIRM THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature of Affiant

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 2015

Signature of Notary Public - State of Florida
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known _____ or Produced Identification _____

Type of Identification Produced: _____

Case Investigator: ta

EXHIBIT 7 pg. 4 of 4

FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 14-173

Respondent: Michael J. Peragine

Complainant: Patricia Snider

1. **Date and time:** March 2, 2015 @ 8:22 a.m.
Name: Complainant
Phone #: (561)799-4100
Summary: I telephoned to speak with Respondent's filing officer in order to determine whether her office ever received a termination report from Respondent. Ms. Snider advised me that they have not received a termination report from Respondent
Memo to File? No
Entered by: dbf
2. **Date and time:** May 14, 2015; 12:33 p.m.
Name: Complainant
Phone #: 561-799-4122
Summary: I received a busy signal and could not leave a message.
Memo to File? No
Entered by: ta
3. **Date and time:** May 14, 2015; 12:35 p.m.
Name: Respondent
Phone #: 561-444-8158
Summary: There was no answer; I left a voicemail asking R to return my call. I was calling to discuss complaint
Memo to File? No
Entered by: ta
4. **Date and time:** May 14, 2015; 12:36 p.m.
Name: Respondent
Phone #: 561-691-8848
Summary: There was no answer; I left a voicemail asking R to return my call. I was calling to discuss complaint.
Memo to File? No
Entered by: ta
5. **Date and time:** May 14, 2015; 12:38 p.m.
Name: Complainant
Phone #: 561-799-4122
Summary: I introduced myself as the investigator assigned to investigate the complaint filed against R. I asked if R filed his termination report; C stated no. I stated I would be e-mailing her an affidavit of filing officer for her to complete. I asked if R had any activity or if it appeared there were surplus funds to be reported on his termination report. C stated

EXHIBIT 8 pg. 1 of 3

R had "quite a bit of activity" and that she would send me his all of his reports for the campaign. C provided her e-mail address as psnider@pbgfl.com.

Memo to File? No

Entered by: ta

6. **Date and time:** May 20, 2015; 3:16 p.m.
Name: Complainant
Phone #: called me; left voicemail
Summary: C asked that I return her call at 561-799-4122; C stated she needs clarification regarding item #4 on the affidavit of filing officer.
Memo to File? No
Entered by: ta
7. **Date and time:** May 21, 2015; 10:12 a.m.
Name: Complainant
Phone #: 561-799-4122
Summary: I acknowledged receipt of C voicemail and stated if she accepted any reports on a conditional basis and notified R that his reports needed to be amended then she should provide copies of those requests. C stated she hoped to have the affidavit returned to me before the 29th.
Memo to File? No
Entered by: ta
8. **Date and time:** May 21, 2015; 12:21 p.m.
Name: Respondent
Phone #: 561-342-1258
Summary: There was no answer; I left a voicemail asking R to return my call. I was calling to discuss complaint.
Memo to File? No
Entered by: ta
9. **Date and time:** June 8, 2015
Name: Respondent
Phone #: 561-342-1258
Summary: There was no answer; I left a voicemail asking R to return my call. I was calling to discuss complaint.
Memo to File? No
Entered by: ta
10. **Date and time:** June 29, 2015; 3:17 p.m.
Name: Respondent
Phone #: 561-342-1258
Summary: There was no answer; I left a voicemail asking R to return my call. I was calling to discuss complaint and ascertain whether R was going to return the affidavit.
Memo to File? No
Entered by: ta
11. **Date and time:** December 17, 2015; 2:19 p.m.

EXHIBIT 8 pg. 2 of 3

Name: Respondent

Phone #: 561-342-1258

Summary: There was no answer; I left a voicemail asking R to return my call. I was calling to offer R a final opportunity to discuss the complaint and investigation.

Memo to File? No

Entered by: ta

12 **Date and time:** December 17, 2015; 2:21 p.m.

Name: Complainant

Phone #: 561-799-4122

Summary: I was calling to ascertain whether R has ever filed his termination report; C stated he has not. C also informed me that R is now the chair for the Palm Beach Gardens political committee.

Memo to File? No

Entered by: ta

EXHIBIT 8 pg. 3 of 3

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

12-16-13P02:15 RCVD

I, Michael J. Peragine,
candidate for the office of City Council, Group #3;
have been provided access to read and understand the requirements of
Chapter 106, Florida Statutes.

Patricia Snider City Clerk
of the City of Palm Beach Gardens
do hereby certify that this is a true copy
as taken from the Official records of the
City of Palm Beach Gardens.

City Clerk: [Signature]
Date: 5-22-15

X [Signature]
Signature of Candidate

12-16-13
Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).

AFFIDAVIT OF FILING OFFICER

Case Number: FEC 14-173

1. Please provide certified copies of the listed items from the following candidate's campaign file: **Michael J. Peragine**.

Check	ITEM
X (Tab a)	Statement of Candidate form for 2014 campaign for Palm Beach Gardens City Council, Group 3.
X (Tab b)	Appointments of Treasurers and Designation of Campaign Depository form for 2014 campaign for Palm Beach Gardens City Council, Group 3.
X (Tab c)	Campaign treasurer's reports, waivers, and amendments for the 2014 campaign for Palm Beach Gardens City Council, Group 3.

EXHIBIT 10 pg. 1 of 8

X (Tab d)	<p>Addendum requests and proof of compliance for the 2014 campaign for Palm Beach Gardens City Council, Group 3.</p> <p><u>D (1)</u></p> <ul style="list-style-type: none"> March 5, 2014, 5:25 p m. Email reminder of the deadline to collect contributions is Thursday, March 6, 2014 at midnight and the Campaign Treasurer Report covering 2/22/14 to 3/6/14 is due Friday, March 7, 2014 by 5:00 p m <p><u>D (2)</u></p> <ul style="list-style-type: none"> March 7, 2014 4:55 p m. In person -- a member of the City Clerk's department (Ray Ellis, Deputy City Clerk) was asked to document the conversation between Michael Peragine, Anita Carbone and Patricia Snider, City Clerk On Friday March 7th, 2014 at approximately 4:55 pm, Michael Peragine along with his campaign treasurer Anita Carbone, showed up at City Hall with his campaign treasurer's report due by 5:00pm Michael put his report on the counter and pushed it in front of Patty, saying that it was incomplete due to a computer issue. He said that his saved file in his Drop Box account did not print out the expense portion of his report. (Drop Box is a free file storage sharing program that allows the owner to access their stored files from any computer, smart phone, tablet or Ipad). <p>Michael said he wanted to take the report back and bring in a completed report later, never saying when later actually was</p> <p>Patty replied, Michael, I have to accept this report since you brought it in and have presented it to me I will accept it conditionally since it is incomplete, missing all expenditure information. It is now 4:58 pm and I am stamping this incomplete report in. You can go and print out what is missing and mail it tonight before midnight and as long as it is postmarked by midnight tonight and you provide a receipt showing same, your report will be considered timely filed.</p> <p>Michael asked, Oh I can do that?</p> <p>Patty said yes and asked if that was his intention?</p> <p>Michael said yes</p> <p>Michael asked, do I have to turn in a complete set of forms or just the missing ones.</p> <p>Patty replied, you need to turn in the missing forms necessary to complete this treasurer's report, and it still has to be checked amendment</p> <p>Michael assured both Patty and I that he would mail the forms necessary to complete his report tonight, before midnight.</p> <p><u>D (3)</u></p> <ul style="list-style-type: none"> Incomplete M4 received Friday, March 7, 2014 4:58 p m. (attached) <p><u>D (4)</u></p> <ul style="list-style-type: none"> Amended M4 received Wednesday, April 2, 2014 3:54 p m. (attached) <p><u>D (5)</u></p> <p>April 2, 2014 1:33 p m Telephone conversation (witnessed and documented by Ray Ellis, Deputy City Clerk, City Clerk's Department), between Michael Peragine and Patricia Snider, City Clerk</p> <ul style="list-style-type: none"> 1:33 p m. Michael Peragine called about his incomplete report addendum not being received. He said he gave it to a postal worker driving a mail truck in his neighborhood shortly after 6pm on March 7th. He said he did not get a receipt since the postal worker assured him that it would be postmarked and go out that night <p>He stated that when he received the first certified letter from Patty he thought it was acknowledging receipt of his addendum and that he was all set.</p> <p>He said he received the 2nd certified letter (FEDEX on 3/21/14) and didn't understand what was going on since he said he mailed in his report</p> <p>He asked why the Post was involved and Patty said because they called and asked.</p> <p>He asked how much the fine was and Patty said that she would determine that and send him a letter after he turns in a completed report. He said that he took in additional donations and then changed the subject.</p>
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	<p>He said he could get an affidavit from the postal worker and asked if that would prevent the fine. Patty told him that he would have to appeal to the division of elections</p> <p>He said he would have to find the forms and have Anita sign them and he would try to be in by 5pm. He said he has learned to use Google instead of dropbox.</p> <p>Note: following this conversation with Michael Peragine, I received clarification and confirmation from the Division of Elections that an incomplete report is deemed timely filed, therefore, no fine would be imposed.</p> <p>D (6)</p> <ul style="list-style-type: none"> April 5, 2014 Palm Beach Post article.
X (Tab e)	Statements of financial interest (Form 1 and Form 6) for 2014 campaign for Palm Beach Gardens City Council, Group 3.
X (Tab f)	Copy of letter Acknowledging receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for 2014 campaign for Palm Beach Gardens City Council, Group 3. Acknowledgment/receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository is provided in the form of a date stamped copy of DS-DE 9 filed with the Filing Officer when a campaign account is opened and/or during qualifying. In addition, copies of all forms outlined in the qualifying packet and all subsequent reports filed with the Filing Officer are provided to the candidate for their records.
X (Tab g)	Calendar of Reporting Dates given to candidate, if any
X (Tab h)	Un-redacted copy of candidate qualifying fee check, or any other check from the campaign account made payable to the city clerk's office, if any
*	Candidate Qualifying Papers

2. Please check each item provided to the candidate or his or her staff, and list the date that the item was provided. **(If the item is published by the Division of Elections, it is unnecessary to provide a copy of the item. If your office published the item, please send a copy of the item with this affidavit.)**

Check	ITEM	DATE
X	Chapter 106, <i>Florida Statutes</i>	12/16/2013
X	Chapter 104, <i>Florida Statutes</i>	12/16/2013
X	Candidate Handbook <u>Please indicate Year</u> <u>2014</u>	12/16/2013
X	Political ad and disclaimer supplement	12/16/2013
X	Calendar of Election dates March municipal election date is included on Timeline provided during qualifying	12/16/2013

EXHIBIT 10 pg. 3 of 8

x	<p>Any other election related document, Please indicate the title of the related document: 2014 Candidate Handbook</p> <p><u>Tab 1 =</u></p> <ul style="list-style-type: none"> • PBG Candidate Introductory Letter • PBG Notice of Election • PBG Candidate Qualifying Checklist (2) • Division of Elections Election Qualifying Forms • PBG Qualifying Forms • Commission on Ethics Form 1 • Division of Elections Candidate Petition form <p><u>Tab 2 =</u></p> <ul style="list-style-type: none"> • Division of Elections Candidate and Campaign Treasurer Handbook <p><u>Tab 3 =</u></p> <ul style="list-style-type: none"> • PBG Chapter 26 Elections from the Code of Ordinances <p><u>Tab 4 =</u></p> <ul style="list-style-type: none"> • PBG Sign Code from the Land Development Regulations in the Code of Ordinances <p><u>Tab 5 =</u></p> <ul style="list-style-type: none"> • PBG Charter <p><u>Tab 6 =</u></p> <ul style="list-style-type: none"> • Division of Elections Compilation of The Election Laws <p><u>Tab 7 =</u></p> <ul style="list-style-type: none"> • Florida Statutes Chapters 97 through 106 and Chapter 119 <p><u>Tab 8 =</u></p> <ul style="list-style-type: none"> • Florida Commission on Ethics Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees 	12/16/2013
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3. Please list all other written materials provided to the candidate or his or her staff, the date of receipt, and a brief description of the written materials. Did you notify the candidate that the campaign handbook was available on the Division of Elections website?

Written Materials provided to the Candidate:

- 2014 Candidate Handbook (under Tab 2) received by candidate on December 16, 2013 at 10:41 a.m. (candidate checklist attached)

A

- 2014 Calendar of Reporting Dates contained in the March 11, 2014 Election Timetable – Candidate Copy (attached)

B

- On the qualifying packet, Michael Peragine selected “Yes” to attending the Logic & Accuracy (Election system & tabulation equipment test) conducted by the Palm Beach County Supervisor of Elections (SOE) originally scheduled for Friday, February 21, 2014 at 3:00 p.m. On Friday, February, 14, 2014 at 11:16 a.m. I emailed him the email from the SOE changing the date and time to Friday, February 28, 2014 at 10:00 a.m. (email attached)

C

- On the qualifying packet, Michael Peragine selected "Yes" to attending the Candidate Training Workshop conducted by the Palm Beach County Supervisor of Elections. At the time of qualifying, the date and time was to be determined by the SOE. On Friday, January 17, 2014 at 4:43 p.m., I sent Michael Peragine the list of upcoming Candidate Workshops offered by the SOE that contained the link for him to register. Michael Peragine acknowledged my email on Friday, January 17, 2014 at 4:45 p.m. (email attached)
- Candidate notified that the campaign handbook was available on the Division of Elections website:
- Yes

4. Please list all training seminars that were attended by the candidate, along with the date of attendance. If a staff member attended for the candidate, list his name and position. If available, please attach a copy of any attendance sheets from the seminar(s).

As indicated in Item 3 above, Michael Peragine was notified of the Candidate Workshop dates and times along with a link to register. I verified with Amber Sacks, Palm Beach County Supervisor of Elections staff member and contact person for Candidate Information that Michael Peragine did not attend any of the Candidate Workshops offered on Wednesday, January 22, 2014, Wednesday, February 5, 2014, or Tuesday, February 18, 2018.

5. Please list the subjects covered during these seminars. If available, please provide a copy of the syllabus and outline for the seminar.

No material provided by the Supervisor of Elections.

6. Other than the contacts you submitted with your complaint regarding the 2014 Termination Report, please list any contacts with this candidate by you or your staff concerning a provision of Chapter 104, Section 105.071, or Chapter 106, *Florida Statutes*. Indicate whether the contact was in person, in writing, or by telephone and the subject matter of the contact. Also, provide copies of any documentation of the contact. Please provide a separate affidavit from any member of your staff who was in contact with this candidate or his or her staff, detailing the subject matter of the contact.

The following attachments are enclosed for your review:

A.

- January 17, 2014, 4:45 p.m. email reminder regarding Candidate Workshop

B.

- February 14, 2014, 11:16 a.m. email reminder regarding L&A Test as referenced in Item 3.

C.

- MAY 23, 2014, 11:43 a.m. email reminder that the termination report is due on Monday, June 9, 2014. Email delivery notification attached.
- May 23, 2014 Telephone record from 561-799-4122 to 561-342-1258 at 11:37 a.m. reminding Michael Peragine of termination report due. This call is also referenced in the June 10, 2014 letter to Michael Peragine from Patricia Snider, City Clerk
- June 10, 2014 letter sent certified/return receipt to Michael Peragine notifying him of his failure to file his termination report on the designated due date of Monday, June 9, 2014.

- June 5, 2014 telephone record from 561-342-1258 to 561-799-4120 as referenced in the June 10, 2014 letter to Michael Peragine from Patricia Snider, City Clerk.
- Proof of delivery of written notice to the mailing/street address on record for Mr. Peragine.
- Domestic Return Receipt and Certified Mail Receipt Article Number 70122920000189579192.
- The United States Postal Tracking information indicating the status of the item as delivered on June 12, 2014, at 12:24 p.m.

D

- July 17, 2014 letter to FEC regarding email from Michael Peragine.
- July 3, 2014, 5:02 p.m. email from Michael Peragine (#1).
- July 9, 2014 12:29 p.m. email response from Patricia Snider, City Clerk to Michael Peragine (#2).
- July 10, 2014 Palm Beach Post article (#3) Michael Peragine cites that his subdivision has been having mail delivery problems as the cause for the report having not been submitted on time. Contained in the same article, Michael Peragine stated that he mailed the termination report to the Clerk Tuesday which would have been June 10, 2014. The correction in the Palm Beach Post (#4 attached) then stated that Michael Peragine mailed it on June 8, 2014 which was a Sunday. Michael Peragine went on to state that he would show the City Clerk the postal receipt to prove it, however, Michael Peragine never produced that receipt.
- July 10, 2014 after reading the Palm Beach Post article, Kenthia White, Municipal Services Coordinator, City Clerk's Department was asked to contact the United States Postal Service located at 3330 Fairchild Gardens Avenue, PBG, FL. This branch is responsible for delivery to Michael Peragine's subdivision and documented the following:
 - On July 10, 2014 at approximately 10:15 a.m., I spoke to Denise Young, Supervisor at the Palm Beach Gardens Post Office regarding mail problems in Mirasol/Mirabella Ms. Young asked for the address and the name of the homeowner. I provided her with Mr. Michael Peragine at 277 Sedona Way. At the time of the conversation with Ms. Young, the contracted postal carrier for Mirasol/Mirabella, Mr. Jean Louissant was in her office. Ms. Young asked Mr. Louissant if there were any problems delivering mail to Michael Peragine's address. Mr. Louissant stated that he delivers mail to Michael Peragine on a daily basis and there have been no problems with Michael Peragine receiving the mail. He further assured me and Ms. Young the mail is being delivered without any issues. Ms. Young stated to me that she will monitor the delivery of the mail to Michael Peragine's address for one week to ensure the mail continues to be properly delivered.
- See 1 d (3) and 1 d (4)

7. Has Michael Peragine filed his 2014 Termination Report as of the date of this affidavit?

EXHIBIT 10 pg. 6 of 8

☐ Yes ☒ No

If yes, please provide a copy of the termination report as well as any amendments to the report.

8. Please list all late filings of campaign reports by the candidate. Also, provide copies of all correspondence with the candidate concerning the late filings.

Termination Report covering March 7, 2014 to June 9, 2014 due on June 9, 2014.

A.

- MAY 23, 2014, 11:43 a.m. email reminder that termination report is due on Monday, June 9, 2014 Email delivery notification also attached.
- May 23, 2014 Telephone record from 561-799-4122 to 561-342-1258 at 11:37 a.m. reminding Michael Peragine of termination report due. This call is also referenced in the June 10, 2014 letter to Michael Peragine from Patricia Snider, City Clerk.
- June 10, 2104 letter sent certified/return receipt to Michael Peragine notifying him of his failure to file his termination report on the designated due date of Monday, June 9, 2014.
- 06/05/2014 telephone record from 561-342-1258 to 561-799-4120 as referenced in the June 10, 2014 letter to Michael Peragine from Patricia Snider, City Clerk.
- Proof of delivery of written notice to the mailing/street address on record for Mr. Peragine.
- Domestic Return Receipt and Certified Mail Receipt Article Number 70122920000189579192.
- The United States Postal Tracking information indicating the status of the item as delivered on June 12, 2014, at 12:24 p.m.

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conversation with Ms. Young, the contracted postal carrier for Mirasol/Mirabella, Mr. Jean Louissant was in her office. Ms. Young asked Mr. Louissant if there were any problems delivering mail to Michael Peragine's address. Mr. Louissant stated that he delivers mail to Michael Peragine on a daily basis and there have been no problems with Michael Peragine receiving the mail. He further assured me and Ms. Young the mail is being delivered without any issues. Ms. Young stated to me that she will monitor the delivery of the mail to Michael Peragine's address for one week to ensure the mail continues to be properly delivered.

9. Please list all fines paid by the candidate and provide copies of all correspondence concerning the fines.

No fines imposed or paid. Termination report has not been received.

10. Please list each year the candidate ran for office, the office the candidate ran for, the dates of the elections, and the results of the elections.

Year Candidate Ran: 2014

Office Candidate ran for: Group 3

Date of Election: March 11, 2014

Results: Attached

Incumbent: Eric Jablin 3,618 – 51.07%

Opponent: Michael J. Peragine 3,467 – 48.93%

I SWEAR OR AFFIRM THAT THE INFORMATION CONTAINED IN THIS DOCUMENT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.



Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 27th day of

May, 2015

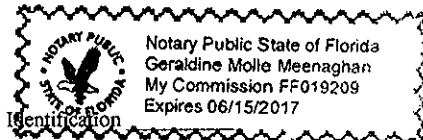


Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known + or Produced Identification

Type of Identification Produced: _____



Case Investigator: ta

EXHIBIT 10 pg. 8 of 8

DECEMBER 3, 2013

ALTERNATIVE METHOD OF QUALIFYING BEGINS AT 8:00 A.M. THE OATH IF APPLICABLE SHALL ALSO BE FILED (IF THE 1% FEE IS NOT BEING PAID). NUMBER OF PETITIONS IS BASED ON THE OFFICIAL RESULTS FROM OUR LAST ELECTION (Section 26-24 (c) 38,771 is the official number of registered voters as per the Supervisor of Elections office on March 15, 2013. AS PER SECTION 26.5 (C) THERE SHALL BE NO REFUND OF QUALIFYING FEE UPON THE WITHDRAWAL OF CANDIDACY FOR ANY REASON. Section 26-24 (e) candidate shall obtain the signatures of qualified electors equal to 1% of 38,771 = 388 plus additional 25% = 97 Total Number = 485

JANUARY 7, 2014

DEADLINE AT 12:00 NOON TO SUBMIT PETITIONS FOR VERIFICATION TO THE CITY CLERK. (1% OF 38,771 = 388 ADDITIONAL 25% = 97 TOTAL NUMBER = 485) (Section 26-24 (f) - 10 days prior to qualifying.)

JANUARY 17, 2014

QUALIFYING BEGINS AT 8:00 A.M. (Section 26-4(a) AS PER SECTION 26.5 (C) THERE SHALL BE NO REFUND OF QUALIFYING FEE UPON THE WITHDRAWAL OF CANDIDACY FOR ANY REASON.

JANUARY 31, 2014

QUALIFYING ENDS AT 4:30 P.M. (Section 26-4(a))

F.S. 101.131(2) candidate requesting to have poll watchers shall designate, in writing to the supervisors of elections, on a form prescribed by the division, before noon of the second Tuesday preceding the election. Clerk needs it prior since it's due to the SOE on February 25th.

FEBRUARY 21, 2014

LOGIC AND ACCURACY TEST 3:00 P.M. AT ELECTION TALLY CENTER LOCATED AT 7835 CENTRAL INDUSTRIAL DRIVE, RIVIERA BEACH, FL 33415

(Section 106) 5TH DAY PRIOR TO THE ELECTION.

MARCH 11, 2014

ELECTION DAY - POLLS OPEN FROM 7:00 A.M. TO 7:00 P.M.

MAY 1, 2014

(UNOPPOSED) TREASURER'S TERMINATION REPORT FOR UNOPPOSED CANDIDATES COVERING PERIOD MARCH 7, 2014 THRU MAY 1, 2014 DUE BY 5:00 P.M. (90 DAYS FROM END OF QUALIFYING)

JUNE 9, 2014

(OPPOSED) TREASURER'S TERMINATION REPORT FOR OPPOSED CANDIDATES COVERING PERIOD MARCH 07, 2014 THRU JUNE 09, 2014 DUE BY 5:00 P.M. (90 DAYS FROM DATE OF ELECTION)



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street,
Suite 224 Collins Building
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783

March 27, 2015

Michael J. Peragine
277 Sedona Way
Palm Beach Gardens, FL 33410

RE: Case No.: FEC 14-173; Respondent: Michael J. Peragine

Dear Mr. Peragine:

On July 8, 2014, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more legally sufficient allegations. The Commission staff will investigate the following alleged violations:

Section 106.141(1), Florida Statutes: Michael J. Peragine, 2014 candidate for Palm Beach City Council, Group 3, failed to timely file his 2014 Termination Report reflecting the disposition of all remaining campaign funds, as alleged in the complaint.

Sections 106.19(1)(c), Florida Statutes: Michael J. Peragine, 2014 candidate for Palm Beach City Council, Group 3, falsely reported or deliberately failed to include information required by Chapter 106, as alleged in the complaint.

You may respond to the allegations above by filing a notarized statement providing any information regarding the facts and circumstances surrounding the allegations. Your response will be included as an attachment to the investigator's report.

When we conclude the investigation, a copy of the Report of Investigation will be mailed to you at the above address. You may file a response to the report within 14 days from the date the report is mailed to you. Based on the results of the investigation, legal staff will make a written recommendation to the Commission on whether there is probable cause to believe you have violated Chapter 104 or 106, Florida Statutes. A copy of the Staff Recommendation will be mailed to you and you may file a response within 14 days from the date the recommendation is mailed to you. Your timely filed response(s) will be considered by the Commission when determining probable cause.

The Commission will then hold a hearing to determine whether there is probable cause to believe you have violated Chapters 104 or 106, Florida Statutes. You and the complainant will receive a notice of hearing at least 14 days before the hearing. The notice of hearing will indicate the location, date, and time of your hearing. You will have the opportunity to make a brief oral statement to the Commission, but you will not be permitted to testify or call others to testify, or introduce any documentary or other evidence.

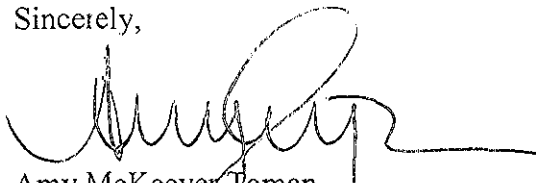
At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement.

The Report of Investigation, Staff Recommendation, and Notice of Hearing will be mailed to the above address as this letter. Therefore, if your address changes, you must notify this office of your new address. Otherwise, you may not receive these important documents. Failure to receive the documents will not delay the probable cause hearing.

Under section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you unless you waive confidentiality in writing. The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her.

If you have any questions or need additional information, please contact **Tracie Aulet**, the investigator assigned to this case.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amy McKeever Toman', with a long horizontal flourish extending to the right.

Amy McKeever Toman
Executive Director

AMT/enr



CITY OF PALM BEACH GARDENS

10500 N. MILITARY TRAIL PALM BEACH GARDENS, FLORIDA 33410-4698
www.pbgfl.com

RECEIVED

2014 JUL 22 A 10:00

STATE OF FLORIDA
ELECTIONS COMMISSION

July 17, 2014

Florida Elections Commission
Collins Building, Suite 224
107 West Gaines Street
Tallahassee, FL 32399-1050
Attn: Donna Malphurs/Agency Clerk

Re: Failure to File a Report after Notice
Sent via: USPS – Certified/Return Receipt

Dear Ms. Malphurs,

On Tuesday, July 1, 2014, at the direction of the Florida Elections Commission, I forwarded a re-signed copy of my Monday, June 23, 2014, letter to Mr. Peragine regarding his failure to file a report after notice. I also attached Form FEC 002 (Rev 05-05-14) and backup material referenced in the original letter.

Since that writing, I have received an email from Mr. Peragine (#1 attached) asking me to email him a filed copy (stamped) of his final report for his records. My response to Mr. Peragine (#2 attached) was that as of Tuesday, July 1, 2014, his report remained delinquent; therefore, I have filed a sworn complaint with the Florida Elections Commission.

On Wednesday, July 9, 2014, the local newspaper, *Palm Beach Post*, contacted me regarding the M4 report covering Saturday, February 22, 2014 to Thursday, March 6, 2014, which had been turned in incomplete. I informed the *Palm Beach Post* that Mr. Peragine would not be fined for this report since an incomplete report is deemed timely filed; however, he may be fined for failure to file his termination report which was due on Monday, June 9, 2014.

Although not accurately reported in the newspaper, after the article was published (#3 attached), the staff writer offered clarification in an email dated July 11, 2014 (#4 attached). In that email, Mr. Peragine informed the *Post* that he mailed his report on Sunday, June 8, 2014, and would show me the postal receipt.

As of this date, I have yet to receive either a receipt or termination report.

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia Snider".

Patricia Snider, CMC, City Clerk

Attachments

#1
Patty Snider

From: Michael J. Peragine [mjperagine@gmail.com]
Sent: Thursday, July 03, 2014 5:02 PM
To: Patty Snider
Subject: Filed Copy (stamped) of "Final Report"

Patty,

Please email me a filed copy (stamped) of my "Final Report" for my records.

Thank you,

Michael J. Peragine

Patty Snider

#2

From: Patty Snider
Sent: Wednesday, July 09, 2014 12:29 PM
To: 'Michael J. Peragine'
Subject: RE: Filed Copy (stamped) of "Final Report"
Attachments: 070914 response to email.pdf

Michael,

In response to your email below, please see the attached correspondence dated June 10, 2014, which was previously provided to you via USPS registered mail/return receipt. On July 1, 2014, since your termination report remained delinquent, I was left with no other option but to file a sworn complaint with the Florida Elections Commission regarding your failure to timely file your 2014 termination report. To date you have yet to file your termination report. Upon such filing I will determine the fine amount to be assessed and provide notice of same in accordance with state law.

Please govern yourself accordingly.

Patricia Snider, CMC, City Clerk
City of Palm Beach Gardens
561-799-4122

-----Original Message-----

From: Michael J. Peragine [<mailto:mjperagine@gmail.com>]
Sent: Thursday, July 03, 2014 5:02 PM
To: Patty Snider
Subject: Filed Copy (stamped) of "Final Report"

Patty,

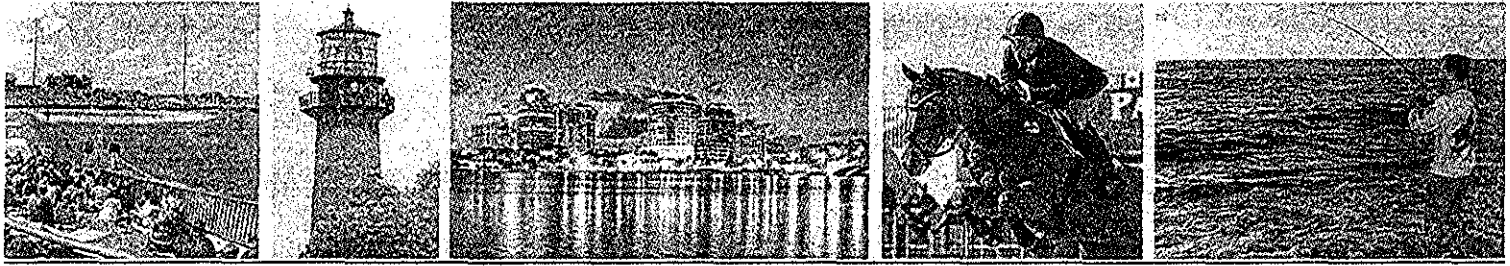
Please email me a filed copy (stamped) of my "Final Report" for my records.

Thank you,

Michael J. Peragine

COMMUNITY

#3



PALM BEACH GARDENS

Ex-council hopeful won't be fined

By Tony Doris
Palm Beach Post Staff Writer

Former city council candidate Michael Peragine, who faced a fine of at least \$650 for failing to submit a complete campaign finance report on time, filed an amended report and will not be fined, City Clerk Patty Snider said Wednesday.

But she said he might be fined for failing to file other paperwork known as a "termination report," the final accounting of contributions and expenses in his attempt to unseat incumbent Eric Jablin in March.

That report was due Wednesday and state law specifies a fine of \$50 for every day it is late. She said she filed a complaint with the Florida Elections Commission, which will investigate and advise her whether to levy that penalty.

Peragine said he mailed the termination report to the clerk Tuesday and that he will show her the

postal receipt to prove it. He said his subdivision, Mirabella at Mirasol, has been having mail delivery problems.

According to Snider, Peragine initially failed to submit a list of contributions and expenditures from Feb. 22 to March 6. It was due March 7, four days before the municipal election. He submitted an incomplete report at that time, listing only contributions and not expenditures, and did not respond to a letter the clerk sent March 21, requiring that the complete document be filed by March 28.

After she sent a second notice, he submitted an amended report April 2, she said. The elections commission advised her to consider that as being filed on time, she said.

Why? "We just kind of went round and round and I did not really get a straight answer," she said.



Peragine

Peragine, a political newcomer who is president of the Mirabella at Mirasol Homeowners Association, lost the Group 3 race against Jablin by 151 votes out of 7,085 cast. According to filings he submitted, he raised a record \$118,360.

Peragine continues to attend city council meetings and is leading a petition drive to place two referendum questions calling for council term limits on November ballots.

That issue is scheduled to come before the city council today. The council will vote on a resolution authorizing the county supervisor of elections to place the questions on the ballots if Peragine's political committee, Palm Beach Gardens Needs Term Limits, acquires the 3,781 signatures it needs.

The questions ask voters to limit council members to two three-year terms.

tdoris@pbpost.com
Twitter: @TonyDorisPBP

LAKE WORTH

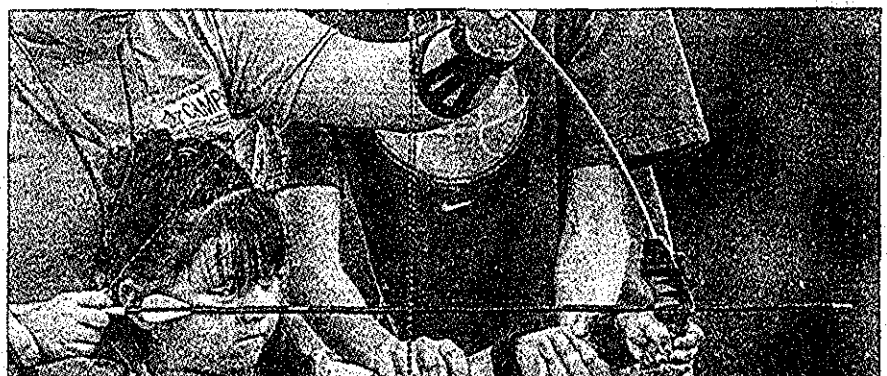
Kids get up-close view of law, officers

Florida Sheriffs Youth Ranches brings free weeklong camps to kids

By Patricia Potestades
Palm Beach Post Staff Writer

The community center at Lake Worth Village is seeing plenty of police activity this week. But for all the right reasons.

The community is one of 16 locations where the Florida Sher-



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#4

Saturday, July 12, 2014

Final edition | One dollar

CORRECTIONS & CLARIFICATIONS

Because of an editing error, The Palm Beach Post on Thursday had incorrect dates in a story about former Palm Beach Gardens City Council candidate Michael Peragine. A campaign report that he was accused of failing to file was due June 9, and Peragine said he mailed the report June 8. The error appeared on Page B3 of the Local & Business section.

14-173

Recd.
July 8, 2014
2P 9:54 AM

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION
 107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-1050
 Telephone Number: (850) 922-4539
www.fec.state.fl.us

CONFIDENTIAL COMPLAINT FORM

The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom the complaint is brought.

1. PERSON BRINGING COMPLAINT:

Name: Patricia Snider Work Phone: (561) 799-4122
 Address: 10500 North Military Trail Home Phone: ()
 City: Palm Beach Gardens County: Palm Beach State: FL Zip Code: 33410

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

A person can be an individual, political committee, committee of continuous existence, political party, electioneering communication organization, club, corporation, partnership, company, association, or any other type of organization. (If you intend to name more than one individual or entity, please file multiple complaints.)

Name of individual or entity: Michael J. Peragine
 Address: 277 Sedona Way Phone: (561) 444-8158 or 561-691-8848
 City: Palm Beach Gardens County: Palm Beach State: FL Zip Code: 33410

If individual is a candidate, list the office or position sought: City Council - Group 3

Have you filed this complaint with the State Attorney's Office? (check one) ☐ Yes ☒ No

3. ALLEGED VIOLATION(S):

Please list the provisions of The Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigate the following provisions: **Chapter 104, Chapter 106, and Section 105.071, Florida Statutes**. Also, please include:

- ✓ The facts and actions that you believe support the violations you allege,
- ✓ The names and telephone numbers of persons you believe may be witnesses to the facts,
- ✓ A copy or picture of the political advertisements you mention in your statement,
- ✓ A copy of the documents you mention in your statement, and
- ✓ Other evidence that supports your allegations.

See letter dated July 1, 2014 with attachments.

Additional materials attached (check one)? ☒ Yes ☐ No

4. OATH

STATE OF FLORIDA

COUNTY OF PALM BEACH

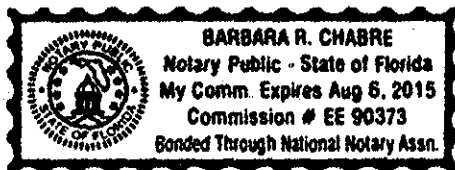
I swear or affirm, that the above information is true and correct to the best of my knowledge.

Recd
July 8, 2014
2p 9:54am

[Signature]
Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 1st day of
July, 2014

[Signature]
Signature of Officer Authorized to Administer Oaths or Notary public



Barbara R. Chabre
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known ☒ Or Produced Identification _____

Type of Identification Produced _____

Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.

000002



CITY OF PALM BEACH GARDENS
10500 N. MILITARY TRAIL PALM BEACH GARDENS, FLORIDA 33410-4698
www.pbgfl.com

RECEIVED

2014 JUL -8 A 9:54

STATE OF FLORIDA
ELECTIONS COMMISSION

July 1, 2014

Florida Elections Commission
107 West Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399-1050
Attn: Amy McKeever Toman, Executive Director

Re: Mr. Michael Peragine's Failure to File a Report after Notice
Sent via: USPS - Certified/Return Receipt

Dear Ms. Toman,

On June 30, 2014, I received your response regarding Mr. Peragine's failure to file his 2014 Termination Report.

In accordance with paragraph three (3) of your letter, attached is my re-signed letter and Form FEC 002 (Rev 05-05-14) with my signature notarized to serve as a complaint in the above-referenced matter. I have also attached all referenced material originally contained in the June 23, 2014, letter. As of today, I still have not had any communication from Mr. Peragine.

Please contact Ray Ellis, Deputy City Clerk at (561) 799-4195 or rellis@pbgfl.com who is a witness to the facts in this complaint.

Thank you for your attention in this matter and please contact me if you need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia Snider".

Patricia Snider, CMC
City Clerk

Attachments



10500 N. MILITARY TRAIL PALM BEACH GARDENS, FLORIDA 33410-4698
www.pbgfl.com

June 23, 2014

Florida Elections Commission
Collins Building, Suite 224
107 West Gaines Street
Tallahassee, FL 32399-1050

FILED
2014 JUN 26 A 9 43

Re: Failure to File a Report after Notice
Sent via: USPS – Certified/Return Receipt

Dear Sir/Madam,

In accordance with Chapter 106, I am providing you with notification of Mr. Michael Peragine's failure to file a report after notice.

The following attachments are enclosed for your review:


- 1) Email reminder and email delivery notification dated May 23, 2014, 11:43 a.m.
- 2) Copy of the letter dated June 10, 2014, sent certified/return receipt to Mr. Peragine notifying him of his failure to file his termination report on the designated due date of Monday, June 9, 2014.
- 3) Proof of delivery of written notice to the mailing/street address on record for Mr. Peragine. Domestic Return Receipt and Certified Mail Receipt Article Number 70122920000189579192.
- 4) The United States Postal Tracking information indicating the status of the item as delivered on June 12, 2014, at 12:24 p.m.

Since two (2) weeks has passed without any communication from Mr. Peragine, I am unable to assess the appropriate fine amount. As of the date of this correspondence his fine totals \$700.00 and continues to accrue at \$50.00 per day.

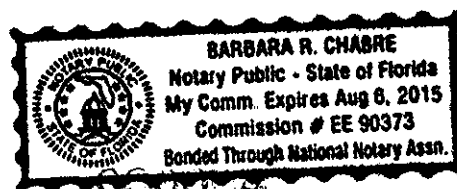
Accordingly, due to Mr. Peragine's continued failure to file his termination report, please advise what additional action(s) may be required of me in my capacity as Filing Officer.

Please let me know if you have any questions.

Sincerely,


Patricia Snider, CMC
City Clerk

 7-1-14





10500 N. MILITARY TRAIL PALM BEACH GARDENS, FLORIDA 33410-4698
www.pbgfl.com

June 23, 2014

Florida Elections Commission
Collins Building, Suite 224
107 West Gaines Street
Tallahassee, FL 32399-1050

Re: Failure to File a Report after Notice
Sent via: USPS – Certified/Return Receipt

Dear Sir/Madam,

In accordance with Chapter 106, I am providing you with notification of Mr. Michael Peragine's failure to file a report after notice.

The following attachments are enclosed for your review:

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- 3) Proof of delivery of written notice to the mailing/street address on record for Mr. Peragine. Domestic Return Receipt and Certified Mail Receipt Article Number 70122920000189579192.
- 4) The United States Postal Tracking information indicating the status of the item as delivered on June 12, 2014, at 12:24 p.m.

Since two (2) weeks has passed without any communication from Mr. Peragine, I am unable to assess the appropriate fine amount. As of the date of this correspondence his fine totals \$700.00 and continues to accrue at \$50.00 per day.

Accordingly, due to Mr. Peragine's continued failure to file his termination report, please advise what additional action(s) may be required of me in my capacity as Filing Officer.

Please let me know if you have any questions.

Sincerely,

Patricia Snider, CMC
City Clerk

1.

Patty Snider

From: Patty Snider
Sent: Friday, May 23, 2014 11:43 AM
To: 'mjperagine@gmail.com'
Cc: 'anitahcarbone@gmail.com'
Subject: Termination Report

Importance: High

Good morning Michael,

As per our telephone conversation this morning, this is a reminder that your Termination Report covering March 7, 2014 to June 9, 2014 is due to me by Monday, June 9, 2014 at 5:00 p.m..

Please confirm receipt of this email.

Thanks,

Michael J. Peragine
1000 N. 1st St.
Suite 100
Tulsa, OK 74103



P O B A C R E S

Patty Snider

From: Microsoft Exchange
To: 'anilahcarbone@gmail.com'; 'mjperagine@gmail.com'
Sent: Friday, May 23, 2014 11:43 AM
Subject: Relayed: Termination Report

Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:

Subject: Termination Report

2.



10500 N. MILITARY TRAIL PALM BEACH GARDENS, FLORIDA 33410-4698
www.pbgef.com

June 10, 2014

Mr. Michael J. Peragine
277 Sedona Way
Palm Beach Gardens, FL 33410

Sent via: USPS – Registered/Return Receipt

Dear Mr. Peragine,

In accordance with Chapter 106, F.S., I notified you on May 23, 2014 via telephone and email and via email to Anita Carbone, Deputy Treasurer, that your termination report covering March 7, 2014 to June 9, 2014 was due by Monday, June 9, 2014 at 5:00 p.m. (attached). I reminded you again on Thursday, June 5, 2014 via telephone.

As of today, the report has not been received, therefore, in accordance with Chapter 106 F.S., any candidate failing to file a report on the designated due date shall be subject to a fine as provided in this Chapter for submitting late termination reports.

All fines must be paid from the candidate's **personal funds**, not campaign funds.

Upon receipt of your report, I will determine the amount owed and notify you accordingly so you may submit your payment made payable to the City of Palm Beach Gardens.

Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due.

Please contact me if you have any questions.

Sincerely,

Patricia Snider, CMC, City Clerk

Cc: Florida Elections Commission
Anita Carbone, 11 Thurston Drive, Palm Beach Gardens, FL 33410

000010

3.

000011

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p>MR. Michael J. Peragine 277 Sedona Way Palm Beach Gardens, FL 33410</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>7012 2920 0001 8957 9192</p>			
<p>PS Form 3811, February 2004</p>		<p>Domestic Return Receipt 102595-02-M-1540</p>	

000012

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Office of the City Clerk
City of Palm Beach Gardens
10500 N. Military Trail
Palm Beach Gardens, FL 33410



000013

7012 2920 0001 8957 9192

U.S. Postal Service[™] CERTIFIED MAIL[™] RECEIPT (Domestic Mail Only, No Insurance Coverage Provided)	
For delivery information, visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Sent To: Michael Peggine Street, Apt. No.: 277 Sedona Way or PO Box No.: PBG, FL 33410 City, State, ZIP+4:	
PS Form 3800, August 2006 See Reverse for Instructions	

Postmark
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*Termination
Report
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Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047

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4.

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USPS Tracking™

**Customer Service**
Have questions? We're here to help.Tracking Number: **70122920000189579192**

Product & Tracking Information

Postal Product:

Features:
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
June 12, 2014, 12:24 pm	Delivered	PALM BEACH GARDENS, FL 33418
View Item Details		
June 12, 2014, 9:40 am	Out for Delivery	PALM BEACH GARDENS, FL 33410
June 12, 2014, 9:30 am	Sorting Complete	PALM BEACH GARDENS, FL 33410
June 12, 2014, 7:48 am	Arrival at Unit	PALM BEACH GARDENS, FL 33410
June 12, 2014, 12:11 am	Processed through USPS Sort Facility	WEST PALM BEACH, FL 33416
June 11, 2014, 9:15 pm	Processed through USPS Sort Facility	WEST PALM BEACH, FL 33416
June 11, 2014, 8:26 pm	Depart USPS Sort Facility	WEST PALM BEACH, FL 33416

Available Actions

[Track Item](#)[Email Updates](#)

Track Another Package

What's your tracking (or receipt) number?

[Track It](#)**LEGAL**[Privacy Policy](#) ›
[Terms of Use](#) ›
[FOIA](#)
[No FEAR Act EEO Data](#) ›**ON USPS.COM**[Government Services](#)
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