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15 MAR 20 AM 2:27

STATE OF FLORIDA
ELECTIONS COMMISSION

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: Kathryn D. Weston /

Case No.: FEC 14-210

F.O. No.: FOPEC 15-025 W

CONSENT FINAL ORDER

Respondent, Kathryn D Weston, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order:

FINDINGS OF FACT

1. On July 29, 2014, a complaint was filed with the Commission alleging that Respondent violated Florida's election laws.

2. Respondent expressed a desire to enter into negotiations directed toward reaching a consent agreement.

3. Respondent and the staff stipulate to the following facts:

a. Respondent was a candidate for the office of Circuit Judge, Seventh Judicial Circuit, Group 20, in the 2014 election.

b. During her campaign, Respondent paid for, and displayed, political advertisement lawn signs, and large political advertisement signs that were placed on the side of major roads or highways.

c. The political advertisement disclaimer on both signs was not

prominent.

d. The word "for" in between Respondent's name and the office sought was so small that it could almost not be seen.

CONCLUSIONS OF LAW

4. The Commission has jurisdiction over the parties to and subject matter of this cause, pursuant to Section 106.26, Florida Statutes.

5. Section 106.25(4)(i)3., Florida Statutes, allows the Commission to approve a consent agreement with a Respondent prior to the Commission finding probable cause that a violation of the election laws occurred. The consent agreement has the same force and effect as a consent agreement reached after the Commission finds probable cause.

6. The Commission staff and Respondent stipulate staff could prove the facts in paragraph 3 by the required burden of proof, and to the Commission's ability to impose a civil penalty in this case.

ORDER

7. The Respondent and the staff of the Commission have entered into this Consent Order voluntarily and upon advice of counsel.

8. The parties shall each bear its own attorney's fees and costs that are in any way associated with this case.

9. The Commission will consider the Consent Order at its next available meeting.

10. The Respondent voluntarily waives the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal the Consent Order.

11. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. Respondent expressly waives any venue privileges and agrees that if enforcement of

this Consent Order is necessary, venue shall be in Leon County, Florida, and Respondent shall be responsible for all fees and costs associated with enforcement.

12. If the Commission does not receive the signed Consent Order by close of business on January 14, 2015, the staff will withdraw this offer of settlement and will proceed with the case.

13. Payment of the civil penalty by cashier's check, money order, good for at least 120 days, or attorney trust account check is a condition precedent to the Commission's consideration of the Consent Order.

PENALTY


WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated Sections 106.143(1)(a) and 106.143(6), Florida Statutes and imposes a civil penalty of \$325 for the violations.

Therefore it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$325, inclusive of fees and costs. The civil penalty shall be paid by cashier's check, money order, good for at least 120 days, or attorney trust account check. The civil penalty should be made payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

Respondent hereby agrees and consents to the terms of this Order on

January 13, 2015.


Kathryn D. Weston
88 North Saint Andrews Drive
Ormond Beach, Florida 32174

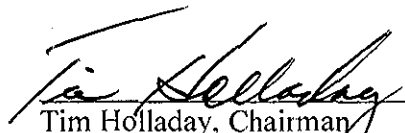
Commission staff hereby agrees and consents to the terms of this Consent Order on

January 14, 2015.



Eric M. Lipman
General Counsel
Florida Elections Commission
107 West Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held on February 24 & 25, 2015, in Tallahassee, Florida.



Tim Holladay, Chairman
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Kathryn D. Weston, Respondent
Charles M. Gilmore, Complainant



POSTAL MONEY ORDER

Serial Number
22237400002

Year, Month, Day Post Office U.S. Dollars and Cents
2015-01-13 321151 \$ 325.00

Amount
THREE HUNDRED TWENTY FIVE DOLLARS & 00/100

Pay to **Florida Elections Comm.**

Clerk

Address **107 W Gaines Street
Collins Bldg, Ste 224**

From **Kathryn Weston**

0030

Memo **Tallahassee, FL 32399**

Address **88 N St Andrews Dr
Ormond Beach FL 32074**

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