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**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Phillip Russo

**Case No.: FEC 10-290
F.O. No.: FOFEC 11-011W**

CONSENT FINAL ORDER

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

FINDINGS OF FACT

1. On October 10, 2010, a complaint was filed with the Commission alleging that the Respondent violated Florida election laws.
2. The Respondent has expressed a desire to enter into negotiations to resolve the issues in this case.
3. The Respondent and the staff jointly stipulate to the following facts:
 - A. The website, www.orlandoteaparty.com, does not contain a proper political website.
 - B. The website, www.orlandoteaparty.com, is a political website owned by Floridian Unite, Inc.¹
 - C. The Respondent is not an officer or director of Floridian Unite, Inc., and does not have ownership or control of the website, www.orlandoteaparty.com, or its content, including the posting of any disclaimers required by law.

¹ Floridian Unite, Inc.'s only officer is Lisa M. Feroli, who is the President.

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.

ORDER

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

7. The Respondent shall bear his own attorney fees and costs that are in any way associated with this case.

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

9. The Respondent voluntarily waives the right to any further proceedings regarding any issue arising out of the complaint filed in this case.

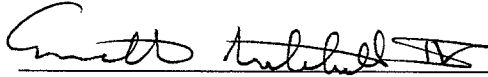
10. If the Commission does not receive the signed Consent Order within 7 days of the date Respondent or his attorney received this order, the staff withdraws this offer of settlement and will proceed with the case.

WHEREFORE, based upon the foregoing facts and conclusions of law, it is hereby

ORDERED that the complaint against Respondent is **DISMISSED**.

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

January 25, 2011.



Phillip Russo

by and through

Emmett Mitchell, IV

Florida Bar Number 0976687

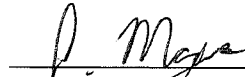
Coates Law Firm, PL

115 East Park Avenue, Suite 1

Tallahassee, Florida 32301

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

January 25th, 2011.



Joshua B. Moyer

Assistant General Counsel

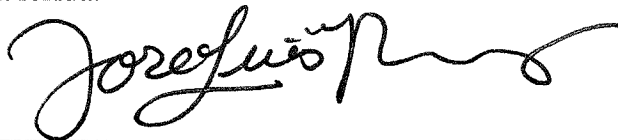
Florida Elections Commission

107 W. Gaines Streets

Collins Building, Suite 224

Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held on February 8 & 9, 2011, in Tallahassee, Florida.



Jose Luis Rodriguez, Vice-Chair

Acting Interim Chair

Florida Elections Commission

Copies furnished to:

Joshua B. Moyer, Assistant General Counsel

Emmett Mitchell, IV, Attorney for Respondent