

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: Howard Fein

Case No.: FEC 16-856

TO: Howard Fein
2461 SE Sapelo Avenue
Port St. Lucie, FL 34952

St. Lucie County Supervisor of Elections
4132 Okeechobee Road
Ft. Pierce, FL 34947

NOTICE OF HEARING (AUTOMATIC FINE)

A hearing will be held in this case before the Florida Elections Commission on, **May 17, 2017 at 8:30 am, or as soon thereafter as the parties can be heard**, at the following location: **Augustus B. Turnbull Conference Center, 555 West Pensacola Street, Room 214, Tallahassee, Florida 32301**

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
May 1, 2017

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.

**FLORIDA ELECTIONS COMMISSION
CASE REPORT**

Case Number: FEC-16-856

NAME: **HOWARD FEIN**

DATE APPEAL RECEIVED: 11/22/16

DATE REPORT DUE: 11/4/16 (2016 G7)

DATE OF ELECTRONIC RECEIPT: 11/5/16

DATE FILING OFFICER RECEIVED REPORT: 11/5/16

NUMBER OF DAYS LATE: 1

AMOUNT OF FINE: \$500.00

FINE BASED ON: (X) NUMBER OF DAYS (..) 25% OF RECEIPTS (..) 25% OF EXPENDITURES

TOTAL RECEIPTS FOR REPORTING PERIOD: \$180.00

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$4,205.43

DATE FIRST NOTIFICATION SENT: 11/7/16

CANDIDATE <input checked="" type="checkbox"/>	STATE <input type="checkbox"/>
PC <input type="checkbox"/>	DISTRICT <input type="checkbox"/>
CCE <input type="checkbox"/>	COUNTY <input checked="" type="checkbox"/>
POLITICAL PARTY <input type="checkbox"/>	CITY <input type="checkbox"/>

SUMMARY: Howard Fein was a candidate for County Commissioner, District 3 in the 2016 elections. Mr. Michael Loeb was his treasurer.

Mr. Fein is appealing the fine claiming that unusual circumstances existed that caused the untimely filing of the 2016 G7 Report. According to Mr. Fein, "I was accessing the online system of St. Lucie County for the Candidate Reporting Financial System on November 4th and the software had a warning showing that I still had two days to file this report. I thought that the report needed to be filed on the 4th but since the "system" was showing that I had two more days to file, I was not concerned. I had already filled in all of the information but since it was telling me I had two more days, then I figured I might have more information to file so I would wait two more days. The next day I got a call from Judith Durogene from the St. Lucie SOE asking why I did not file and I relayed my story to her. She suggested I go check the system and file it. I was campaigning and meeting voters but I stopped everything and went home to file it. Sure enough, I was surprised to see that it said I was late! What I have since figured out is while I was on the "system" the night of the fourth, I had not logged out since Wednesday the 2nd of November. The night of the fourth I logged out before going to bed so I had not logged in on the fourth. As an Engineer trained in software design, I can rationalize that this is a "bug" in the software. Their software only checks the date for the moment someone logs in and never checks it again until that person logs back on. If you log in and keep the program open in your browser for multiple days, you can still access the program but the log information never changes and the warning you get can be incorrect."

- The 2016 G7 Report covers the time period from 10/22/16 through 11/3/16.
- Respondent reported receiving his last contribution during this reporting period on 10/31/16.
- In a 4/20/17 telephone interview with Ms. Judith Durogene, Filing Officer, I was advised that the computer system would have also included the actual date the report was due along with the countdown. Ex: 2 days remaining until the 2016 G7 Report is due on 11/4/16.

PRIOR CASES: Appellant has been involved in one prior FEC investigation. FEC #16-855 will also be heard during the May Commission meeting.

November 22, 2016

State of Florida Election's Committee
107 West Gaines Street Suite 224, Collins Building Tallahassee, FL 32399-1050.

RE: Howard Fein
2461 se sapelo ave, port st lucie, fl 34952

Subject: Campaign Finance Report Fine Dismissal for Late Filing on the 4th of November – G7

To whom it may concern,

I was accessing the online system of St Lucie County for the Candidate Reporting Financial System on November 4th and the software had a warning showing that I still had two days to file this report. I thought that the report needed to be filed on the 4th but since the "system" was showing that I had two more days to file, I was not concerned. I had already filled in all of the information but since it was telling me I had two more days, then I figured I might have more information to file so I would wait two more days.

The next day I got a call from Judith Durogene from the St. Lucie SOE asking why I did not file and I relayed my story to her. She suggested I go check the system and file it. I was campaigning and meeting voters but I stopped everything and went home to file it. Sure enough, I was surprised to see that it said I was late! What I have since figured out is while I was on the "system" the night of the fourth, I had not logged out since Wednesday the 2nd of November. The night of the fourth I logged out before going to bed so I had not logged in on the fourth. As an Engineer trained in software design, I can rationalize that this is a "bug" in the software. Their software only checks the date for the moment someone logs in and never checks it again until that person logs back in. If you log in and keep the program open in your browser for multiple days, you can still access the program but the log information never changes and the warning you get can be incorrect. I can't reproduce the "warning" that it gives because no report is due right now and of course, I didn't think anything was wrong until later. It was clearly telling me that I had two more days to file this report. I respectfully request that this was an honest mistake and ask for you to dismiss this fine.

I have included a screen shot from a login access report by the SOE.

Thank you for handling this matter.

Howard Fein

Ps. I'd like to add that St Lucie County is lucky to have such dedicated, efficient and professional people like Judith Durogene working for them.

Judith Durogene

No
v 5

to me

Mr. Fein,

Per your request, please see below for the log of your history in the Candidate Reporting System. The last date shown is 11/2/16. Thank you.

Date	Time	Time Zone	Action	Report Details
10-29-2016	12:46 AM	(Eastern)	RPTCreate	06/25/2016-07/08/2016 - #1133554
10-29-2016	12:46 AM	(Eastern)	PINassn	#1133554 Report PINed('CAND' 'TRES')
10-29-2016	12:46 AM	(Eastern)	PDFGen	Report (#1133554) begin generation
10-29-2016	12:46 AM	(Eastern)	RptSub	Report (#1133554) submitted
11-01-2016	2:31 PM	(Eastern)	LogIn	Success
11-01-2016	2:42 PM	(Eastern)	Stat(upd)	10/08/2016-10/14/2016
11-01-2016	2:42 PM	(Eastern)	RPTCreate	10/08/2016-10/14/2016 - #1133793
11-01-2016	2:43 PM	(Eastern)	PINassn	#1133793 Report PINed('CAND' 'TRES')
11-01-2016	2:43 PM	(Eastern)	PDFGen	Report (#1133793) begin generation
11-01-2016	2:43 PM	(Eastern)	RptSub	Report (#1133793) submitted
11-01-2016	2:49 PM	(Eastern)	Stat(upd)	09/17/2016-09/30/2016
11-01-2016	2:49 PM	(Eastern)	RPTCreate	09/17/2016-09/30/2016 - #1133795
11-01-2016	2:49 PM	(Eastern)	PINassn	#1133795 Report PINed('CAND' 'TRES')
11-01-2016	2:49 PM	(Eastern)	PDFGen	Report (#1133795) begin generation
11-01-2016	2:49 PM	(Eastern)	RptSub	Report (#1133795) submitted
11-01-2016	2:56 PM	(Eastern)	Stat(upd)	06/25/2016-07/08/2016
11-01-2016	2:56 PM	(Eastern)	RPTCreate	06/25/2016-07/08/2016 - #1133797
11-01-2016	2:56 PM	(Eastern)	PINassn	#1133797 Report PINed('CAND' 'TRES')
11-01-2016	2:56 PM	(Eastern)	PDFGen	Report (#1133797) begin generation
11-01-2016	2:56 PM	(Eastern)	RptSub	Report (#1133797) submitted
11-01-2016	3:10 PM	(Eastern)	Stat(upd)	06/01/2016-06/24/2016
11-01-2016	3:11 PM	(Eastern)	Stat(upd)	06/01/2016-06/24/2016
11-01-2016	3:11 PM	(Eastern)	RPTCreate	06/01/2016-06/24/2016 - #1133801
11-01-2016	3:11 PM	(Eastern)	PINassn	#1133801 Report PINed('CAND' 'TRES')
11-01-2016	3:11 PM	(Eastern)	PDFGen	Report (#1133801) begin generation
11-01-2016	3:11 PM	(Eastern)	RptSub	Report (#1133801) submitted
11-02-2016	10:11 PM	(Eastern)	LogIn	Success

[Return to Candidate List](#)

Judith Durogene
Candidate & Purchasing Coordinator for
Gertrude Walker, Supervisor of Elections
St. Lucie County
4132 Okeechobee Rd.
Ft. Pierce, FL 34947
Phone: (772) 462-1504
email: jdurogene@slcelections.com
website: www.slcelections.com



Howard Fein - Dismissal of fine for Candidate Financial Report G7

Howie Fine

to:

Fec

11/22/2016 02:40 PM

Cc:

Judith Durogene

Hide Details

From: Howie Fine <hmfein@gmail.com>

To: Fec@myfloridalegal.com

Cc: Judith Durogene <jdurogene@slcelections.com>

1 Attachment



Fein-howard-financial-report-fine-dismissal-request-2.pdf

I am requesting dismissal of a \$500 fine for filing the G7 report one day late on the 5th. Please see attachment for further details. Thank you.

Howard Fein
772-202-8675

ps. Please respond that you have received this at the State.

Judith Durogene

From: Judith Durogene
Sent: Tuesday, November 22, 2016 11:30 AM
To: 'Howie Fine'
Cc: Annie Clark-Mobley; Gertrude Walker
Subject: G7 Reporting Period Late Fine Notice - Reminder

Mr. Fein,

Per your request, this is a reminder that the Campaign Financial Report for the reporting period of October 22, 2016 to November 3, 2016 was due on November 4, 2016 but was not submitted until November 5, 2016 and as a result you owe a late fine penalty of \$500.00. We sent a certified letter to you regarding this matter on November 7th and our records indicate that it was delivered on November 12th. Have a good day.

Judith Durogene

*Candidate & Purchasing Coordinator for
Gertrude Walker, Supervisor of Elections*

St. Lucie County

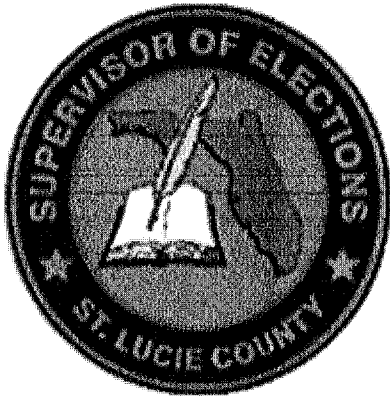
4132 Okeechobee Rd.

Ft. Pierce, FL 34947

Phone: (772) 462-1504

email: jdurogene@slcelections.com

website: www.slcelections.com

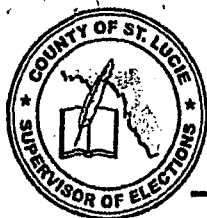


2011 - 2014



This response is provided for reference only and does not constitute legal advice or representation. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult a private attorney before drawing any legal conclusions or relying upon the information provided.

Please note: Florida has a very broad public records law. Written communications to or from state officials regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.



Gertrude Walker
Supervisor of Elections
St. Lucie County

4132 Okeechobee Road • Fort Pierce, FL 34947-5412 • (772) 462-1500 • Fax (772) 462-1439

Notice of Campaign Finance Report Late Filing – Payment Due

November 7, 2016

Howard Fein
643 SE Ron Rico Terrace
Port St Lucie, FL 34983

Dear Mr. Fein,

Please be advised that the Campaign Financial Report for the reporting period of October 22, 2016 to November 3, 2016 was due on November 4, 2016 but was not submitted until November 5, 2016 and as a result you owe a late fine penalty of \$500.00. The Supervisor of Elections is required to assess the penalty for late reports and have no discretion in the amount imposed and can not authorize an extension to the deadline.

Please see the following excerpt from Florida Statutes 106.702 (7)(a) which provides additional detail regarding late filing. We have also included the Calculation of Late Fines worksheet for your review.

“A reporting individual who fails to file a report on the designated due date is subject to a fine, and such fine shall be paid only from personal funds of the reporting individual. The fine shall be \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater.....”

In addition, please see the excerpt listed below from Florida Statutes 106.702 (7)(c) for information on the appeals process:

“A reporting individual may appeal or dispute the fine, based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date, and may request and is entitled to a hearing before the Florida Elections Commission, which has the authority to waive the fine in whole or in part. The Florida Elections Commission must consider the mitigating and aggravating circumstances contained in s. 106.265(2) when determining the amount of a fine, if any, to be waived. Any such request shall be made within 20 days after receipt of the notice of payment due. In such case, the reporting individual must, within 20 days after receipt of the notice, notify the supervisor in writing of his or her intention to bring the matter before the commission.”

Please remit the penalty fee of \$500.00 addressed to the Supervisor of Elections from your personal account within 20 days of the receipt of this notice. If you have any questions, please contact Judith Durogene, Candidate Coordinator at 772-462-1504. Thank you and have a wonderful day.

Sincerely,


Gertrude Walker

250 NW Country Club Drive • Port St. Lucie, Florida 34986 • (772) 871-5410 • Fax (772) 871-5323
1664 SE Walton Road • Port St. Lucie, Florida 34952 • (772) 337-5623 • Fax (772) 337-5626
www.slcelections.com • e-mail: elections@slcelections.com

Calculation of Fine for Late Campaign Treasurer's Report

DE Reference Guide 0013 (eff. 12/2014)

These guidelines are for reference only. They are not to be construed as legal advice or representation. For any particular set of facts or circumstances, refer to the applicable state, federal law, and case law, and/or consult a private attorney before drawing any legal conclusions or relying upon this information.

WHAT IS A FILING OFFICER'S DUTIES REGARDING FINES?

- Notify immediately, as applicable, the candidate, chair of the political committee, the electioneering communication organization, or chair of the political party executive committee that the candidate, committee or organization has failed to file a campaign finance report by the applicable due date and that a fine is being assessed for each late day. (See Sections 106.07(8)(b), 106.0703(7)(b), and 106.29(3)(b), F.S.)
- Determine the late fine amount and notify the applicable person or entity.
 - The fine is due to the filing officer within 20 days after receipt of the notice of payment, unless an appeal is made to the Florida Elections Commission.
- Has no authority to waive the fine regardless of the reason -- only the Florida Elections Commission has that authority.
- Must report to the Florida Elections Commission any repeated late filings, the failure to file a report after notice, and a failure to pay the fine.

HOW IS THE TYPE OF REPORT, ENTITY, AND FINE RATE DETERMINED?

- Candidate, political committee (PC), or electioneering communication organization (ECO)
 - Reports due immediately preceding an election: \$500 for each day late.
 - Termination reports: \$50 for each day late (Only candidates file "termination" reports. PCs and ECOs file their final activity in the next regularly scheduled report after the PC/ECO notice of termination is filed with the filing officer).
 - All other reports: \$50 for the first 3 days, \$500 each day thereafter.
- State executive committees and affiliated party committees
 - Reports due immediately preceding an election: \$10,000 for each day late.
 - All other reports: \$1,000 for each day late.
- County Executive Committees
 - Reports due immediately preceding an election: \$500 for each day late.
 - All other reports: \$50 for each date late.

HOW IS THE NUMBER OF "LATE" DAYS CALCULATED? (SEE DE 91-07 AND EXAMPLES ON NEXT PAGE)

- The first late day *begins* on the day after the campaign treasurer's report is due.
- The number of days late includes *weekends and holidays*.
- The last late day *ends* on (and includes) the earliest of the date:
 - The filing officer receives the report
 - The report is postmarked
 - A certificate shows mailed
 - An established courier company's receipt shows received, or
 - An electronic filing system shows received.

HOW IS THE FINE CALCULATED?

- **STEP 1:** Calculate the fine based upon the Daily Method, i.e.,
 - Multiply the number of days late by the appropriate fine rate.
- **STEP 2:** Calculate the fine based upon the Percentage Method, i.e.,
 - Review expenditures and contributions in the report in question.
 - Multiple the *greater* of the two by 25% (i.e., by .25).
- **STEP 3:** Compare the fine amounts calculated using the Daily Method versus the Percentage Method.
- **STEP 4:** The amount of the fine will be the *lesser* of the two calculated amounts.

EXAMPLES

- #1 – Fine for Candidate – Report not due immediately preceding an election and not a termination report
 - Report was 4 days late
 - Expenditures = \$10,000; Contributions = \$20,000
 - Calculation of fine using daily method – 3 days x \$50 per day + 1 day at \$500 per day = \$650
 - Calculation of fine using percentage method - \$20,000 x 25% = \$5000
 - Fine to be imposed = \$650

- #2 – Fine for Candidate, Political Committee, Electioneering Communication Organization, or County Executive Committee - Report due immediately preceding an election
 - Report was 5 days late
 - Expenditures = \$40,000; Contributions = \$0
 - Calculation of fine using daily method – 5 days x \$500 per day = \$2,500
 - Calculation of fine using percentage method - \$40,000 x 25% = \$10,000
 - Fine to be imposed = \$2,500

- #3 – Fine for Candidate - Termination report
 - Report was 5 days late
 - Expenditures = \$10,000
 - Calculation of fine using daily method – 5 days x \$50 per day = \$250
 - Calculation of fine using percentage method - \$10,000 x 25% = \$2,500
 - Fine to be imposed = \$250

- #4 - Fine for County Executive Committee – Report not due immediately preceding an election
 - Report was 2 days late
 - Expenditures = \$10,000; Contributions = \$12,000
 - Calculation of fine using daily method – 2 days x \$50 per day = \$100
 - Calculation of fine using percentage method - \$12,000 x 25% = \$3,000
 - Fine to be imposed = \$100

- #5 – Fine for Political Committee or Electioneering Communication Organization – Report not due immediately preceding an election
 - Report was 10 days late
 - Expenditures = \$10,000; Contributions = \$12,000
 - Calculation of fine using daily method – 3 days x \$50 per day + 7 days x \$500 per day = \$3,650
 - Calculation of fine using percentage method - \$12,000 x 25% = \$3,000
 - Fine to be imposed = \$3,000

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Howard Fein
 Name
 (2) 643 SE Ron Rico Terrace
 Address (number and street)
Port St. Lucie, FL 34983
 City, State, Zip Code

OFFICE USE ONLY
ONLINE SUBMISSION
 [1135199]

Submitted on:
 11/5/2016 16:43:38 (eastern)

Check here if address has changed

(3) ID Number: 291

(4) Check appropriate box(es):

- Candidate Office Sought: County Commissioner, District 3
- Political Committee (PC)
- Electioneering Communications Org. (ECO) Check here if PC or ECO has disbanded
- Party Executive Committee (PTY) Check here if PTY has disbanded
- Independent Expenditure (IE) (also covers an individual making electioneering communications) Check here if no other IE or EC reports will be filed

(5) Report Identifiers

Cover Period: From 10 / 22 / 2016 To 11 / 3 / 2016 Report Type: G7

Original Amendment Special Election Report

(6) Contributions This Report

Cash & Checks \$, , 0 . 00

Loans \$, , 0 . 00

Total Monetary \$, , 0 . 00

In-Kind \$, , 180 . 00

(7) Expenditures This Report

Monetary Expenditures \$, 4 , 205 . 43

Transfers to Office Account \$, , 0 . 00

Total Monetary \$, 4 , 205 . 43

(8) Other Distributions
 \$, , 0 . 00

(9) TOTAL Monetary Contributions To Date
 \$, 25 , 130 . 50

(10) TOTAL Monetary Expenditures To Date
 \$, 22 , 681 . 93

(11) Certification

It is a first degree misdemeanor for any person to falsify a public record (ss. 839.13, F.S.)

I certify that I have examined this report and it is true, correct, and complete:

(Type name) _____
 Individual (only for IE or electioneering comm.) Treasurer Deputy Treasurer

X _____
 Signature

(Type name) _____
 Candidate Chairperson (only for PC and PTY)

X _____
 Signature

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name Howard Fein (2) I.D. Number 291

10/22/2016 through 11/3/2016

(3) Cover Period / / through / / (4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
10/31/2016 / /	Fein, Howard 643 S Ron Rico Ter psl, fl 34983	S	engineer	IK	portor williams campaign assistance		\$180.00
1							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							

CAMPAIGN TREASURER'S REPORT – ITEMIZED EXPENDITURES

(1) Name Howard Fein (2) I.D. Number 291
 10/22/2016 through 11/3/2016
 (3) Cover Period _____ through _____ (4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Purpose (add office sought if contribution to a candidate)	(9) Expenditure Type	(10) Amendment	(11) Amount
(6) Sequence Number					
10/25/2016 //	Automated Direct Mail, 3892 Prospect Ave Riviera Beach, Fl 33404	direct mail	MO		\$4,065.43
1					
10/28/2016 //	Lorenzo, martin 2501 t shirt way psl, fl 34952	t-shirts	MO		\$96.00
2					
10/31/2016 //	Lorenzo, Martin 2501 t shirt way psl, fl 34952	t-shirts	MO		\$44.00
3					
//					
//					
//					
//					
//					
//					

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 16-856**

Respondent: Howard Fein

Complainant: St. Lucie County SOE

1. **Date and time:** April 6, 2017 @ 8:05 am
Name: Getrude Walker/Judith Durogene—Filing Officer
Phone #: (772) 462-1504
Summary: I attempted telephone contact to determine the best method to send FO affidavit. I left a message to return my call.
Memo to File? No
Entered by: CKO

2. **Date and time:** April 6, 2017 @ 11:12 am
Name: Getrude Walker/Judith Durogene—Filing Officer
Phone #: (772) 462-1504/ (772) 462-1500
Summary: I had telephone contact to inquire about the best method to send affidavit to their attention and to confirm which report was untimely filed: the 2016 G4 or G3 Report. I spoke with Annie who advised me that Judith had a family emergency and wouldn't be in the office today. I was advised that Ms. Walker as currently busy. I was instructed to fax the FO affidavit to: elections@slcelections.com. Ms. Annie advised me that she would research Respondent's folder to determine which report was at issue and return my call. I thanked her for her assistance with this matter.
Memo to File? No
Entered by: CKO

3. **Date and time:** April 6, 2017 @ 11:40 am
Name: Annie Clark-Mobley—FO assistant
Phone #: (772) 462-1502
Summary: I had telephone contact from Annie per our earlier telephone interview. I was advised that Respondent's 2016 G4 Report was timely filed. I was informed that the 2016 G3 Report was filed 1 day late and should be the one that the FEC is addressing. I thanked her for her assistance with this matter.
Memo to File? No
Entered by: CKO

4. **Date and time:** April 20, 2017 @ 9:10 am
Name: Judith Durogene—Filing Officer
Phone #: (772) 462-1502
Summary: I had telephone contact to verify the excuse Appellant gave for his untimely filing. The FO advised me that all candidates are given several reminders prior to a report being due. These reminders consist of calls, emails, and face-to-face contacts. I inquired if the computer system could have informed Appellant that he had two remaining days left to file his report. The FO told me that the alert would have also included the actual date that the report was due, as well as the total day reminder: Ex: 2 days remaining until the 2016

G7 Report is due on 11/4/16. She also informed me that all candidates are advised about the schedule of reporting dates, and its availability online at the FO website.

Memo to File? No

Entered by: CKO