

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Traditional Values

Case No.: FEC 17-257

TO: Traditional Values
Doug Kaplan, Chair
910 Belle Avenue, Suite 1180
Winter Springs, FL 32708

Division of Elections
500 S Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (AUTOMATIC FINE)

A hearing will be held in this case before the Florida Elections Commission on, **November 28, 2017 at 8:30 am, or as soon thereafter as the parties can be heard**, at the following location: **412 Knott Building, Pat Thomas Committee Room, 404 South Monroe Street, 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 13, 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-17-257

NAME: TRADITIONAL VALUES

DATE APPEAL RECEIVED: 11/21/16

DATE REPORT DUE: 10/29/16 (2016 D1)

DATE OF ELECTRONIC RECEIPT: 10/31/16

DATE FILING OFFICER RECEIVED REPORT: 10/31/16

NUMBER OF DAYS LATE: 2

AMOUNT OF FINE: \$100.00

FINE BASED ON: NUMBER OF DAYS 25% OF RECEIPTS 25% OF EXPENDITURES

TOTAL RECEIPTS FOR REPORTING PERIOD: \$0.00

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$15,000.00

DATE FIRST NOTIFICATION WAS SENT: 11/04/16

CANDIDATE []	STATE [X]
PC []	DISTRICT []
CCE []	COUNTY []
POLITICAL PARTY []	CITY []
ECO [X]	

SUMMARY: Traditional Values is an electioneering communications organization (ECO) registered with the State of Florida. The ECO's chair and treasurer is Doug Kaplan.

Mr. Kaplan is appealing the fine claiming that they were not aware that weekend filings existed. In addition, according to Mr. Kaplan, they downloaded the filing schedule for a political committee rather than an ECO and did not realize "that PAC and ECO filings differ."

- The 2016 D1 Report covers the time period of 10/22 – 10/28/16.
- The 2016 D1 Queued-Transactions Report reflects that this report was created on 10/31/16 at approximately 9:44 a.m. before being filed on 10/31/16 at approximately 9:46 a.m.
- On July 31, 2017, I spoke with Mr. Kaplan about the appeal of the fine relative to the 2016 D1 report. He said that the expenditure reported in the D1 report was to another ECO that he controls and he thought he had paid a fine for the other ECO relative to the same transaction.

PRIOR CASES: Two previous cases involving Respondent, FEC 16-852 & FEC 17-258, were closed since no fine was imposed for the late waiver reports.

TRADITIONAL VALUES RECEIVED
DEPARTMENT OF STATE

2016 NOV 21 PM 2:45

FLORIDA DIVISION OF ELECTIONS ECO 69299

November 16, 2016

Florida Elections Commission
107 West Gaines Street, Ste. 224
Tallahassee, FL 32399-0150
(850) 245-6240
divelections@dos.state.fl.us

Florida Division of Elections
R.A Gray Building, Room 316
500 South Bronough Street
Tallahassee, FL 32399-025011
(850) 245-6240
divelections@dos.state.fl.us

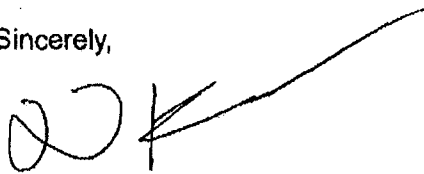
Dear Florida Elections Commission,

We recently received multiple notices regarding late / missing filings on our ECO from Oct 29 and Nov 5th. I am writing to appeal any fines that we potentially face regarding these 2 missed filing dates.

Both of these filings were waiver filings with no transactions associated with them. Secondly, both were Saturday filings which we were not aware that weekend filings existed. Lastly, our filing schedule we were using was downloaded from the Florida Election Commission website but we downloaded the PAC filing schedule. We did not realize that PAC and ECO filings differ.

In closing, our missed filings were immediately rectified upon receipt of the notice. We apologize profusely and are embarrassed by the occurrence of this. We have updated our internal procedures to ensure future compliance lapses do not occur. We ask to have any potential levied fines waived at this time as we have implemented new policies moving forward.

Sincerely,



Doug Kaplan, Treasurer



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

November 4, 2016

Doug Kaplan, Treasurer
Traditional Values
910 Belle Avenue, Suite 1180
Winter Springs, FL 32708-1912

ECO 69299.

Dear Mr. Kaplan:

The campaign treasurer's report that was due on October 29, 2016, was filed on October 31, 2016. By law, you are automatically assessed a late fine of \$100.00.

You have 20 days from the receipt of this notice to either:

1. Pay the fine to the Florida Division of Elections (For a candidate only, a fine is not an allowable campaign expenditure and must be paid from personal funds) at:

*Florida Division of Elections
R.A. Gray Building, Room. 316
500 South Bronough Street
Tallahassee, Florida 32399-025011*

2. Appeal the fine to the Florida Elections Commission (See Rules 2B-1.005 and 2B-1.0055, Florida Administrative Code) at:

*Florida Elections Commission
107 West Gaines Street, Ste. 224
Tallahassee, Florida 32399-0150*

If you appeal, please send a copy also to the Florida Division of Elections so that you will not receive further notices from the Division about this matter.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

**FLORIDA DEPARTMENT OF STATE, DIVISION OF ELECTIONS
CAMPAIGN TREASURER'S REPORT SUMMARY**

(1) Traditional Values (2) 69299
Candidate, Committe or Party Name I.D. Number

(3) 910 Belle Avenue, Suite 1180 Winter Springs FL 32708-1912
Address (number and street) City State Zip Code
 Check box if address has changed since last report

(4) Check appropriate box(es):
 Candidate (office sought):
 Political Committee Check If PC has DISBANDED
 Committee of Continuous Existance Check If CCE has DISBANDED
 Party Executive Committee

(5) REPORT IDENTIFIERS

Cover Period: From 10/22/2016 To 10/28/2016 Report Type: D1
 Original Amendment Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$0.00
Loans	\$0.00
<i>Total Monetary</i>	\$0.00
In-Kind	\$0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$15,000.00
Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$15,000.00

(8) Other Distributions

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

Name of Treasurer Deputy Treasurer

X
Signature

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

Name of Candidate Chaiman (PC/PTY Only)

X
Signature

Name: Traditional Values

Report: 2016 D1

Period: 10/22/2016 to 10/28/2016

** Records in Filed Report **

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Purpose	Amount Amend
1 10/26/2016	VALUES USA FRIENDLY 910 BELLE AVENUE SUITE 1180 WINTER SPRINGS, FL 32708	ECC	CAMPAIGN PAYMENT	\$15,000.00

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

Name: Traditional Values

Report: 2016 D1

Period: 10/22/2016 to 10/28/2016

**** Records in Filed Report ****

Seq # Date	Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip	Contributor	Occupation	Amount Amend
		Type	In-Kind Description	

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED DISTRIBUTIONS

Name: Traditional Values

Report: 2016 D1

Period: 10/22/2016 to 10/28/2016

**** Records in Filed Report ****

Seq # Date	Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip	Recipient	Purpose	Amount
		Type	Related Expenditure	Amend

ID:

CAMPAIGN TREASURER'S REPORT -- ITEMIZED FUN TRANSFERS

Name: Traditional Values

Report: 2016 D1

Period: 10/22/2016 to 10/28/2016

**** Records in Filed Report ****

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Nature of Account	Amount Amend

Queued Items for 2016-D1

Account: 69299

Traditional Values

Rpt Seq: 16

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	69299	10/31/2016 9:44:57 AM	10/31/2016 9:44:57 AM
Review Pending Report	Processing Complete	69299	10/31/2016 9:46:10 AM	10/31/2016 9:46:10 AM
File Pending Report	Processing Complete	69299	10/31/2016 9:46:23 AM	10/31/2016 9:46:23 AM



[search](#) | [directory](#) | [contact us](#) | [411](#) | [subscribe](#) | [tour](#) | [help](#)

Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Name:

Electioneering Traditional Values
Comm Name:

Account: 69299

Election:

▾

Acct:

Type: ▾

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
7/10/2017	M6	7/7/2017						
6/12/2017	M5	6/10/2017						
5/10/2017	M4	5/9/2017						
4/10/2017	M3	4/6/2017						
3/11/2017	M2	3/9/2017						
2/10/2017	M1	2/8/2017						
1/10/2017	M12	1/5/2017						
12/12/2016	M11	12/12/2016						
11/7/2016	D10	11/15/2016	CLO	8	\$0.00		\$0.00	\$0.00
11/6/2016	D9	11/15/2016	CLO	9	\$0.00		\$0.00	\$0.00
11/5/2016	D8	11/15/2016	CLO	10	\$0.00		\$0.00	\$0.00
11/4/2016	D6	11/3/2016						
11/4/2016	G7	11/4/2016						
11/2/2016	D5	11/2/2016						
11/1/2016	D4	11/1/2016						
10/31/2016	D3	10/31/2016						
10/30/2016	D2	10/31/2016	NEN	1	\$0.00		\$0.00	\$0.00
10/29/2016	D1	10/31/2016	APP	2	\$100.00		\$100.00	\$0.00
10/28/2016	G6	10/31/2016	NEN	3	\$0.00		\$0.00	\$0.00
10/21/2016	G5	10/21/2016						
10/14/2016	G4	10/14/2016						
10/7/2016	G3	10/10/2016	NEN	3	\$0.00		\$0.00	\$0.00
9/30/2016	G2A	9/30/2016						
9/23/2016	G2	9/26/2016	CLO	3	\$0.00		\$0.00	\$0.00
9/16/2016	G1A	9/19/2016	CLO	3	\$0.00		\$0.00	\$0.00
9/9/2016	G1	9/9/2016						
9/2/2016	P7A	8/29/2016						
8/26/2016	P7	8/26/2016						
8/19/2016	P6	8/18/2016						
8/12/2016	P5	8/8/2016						
8/5/2016	P4	8/1/2016						
7/29/2016	P3	8/1/2016	CLO	3	\$0.00		\$0.00	\$0.00
7/22/2016	P2A	7/19/2016						

**2016 Calendar of Reporting Dates for
Electioneering Communications Organizations registered with the Division of Elections**

<u>Cover Period</u>	<u>Report Code</u>	<u>Due Date</u>
12/01/15 - 12/31/15	2015 M12	01/11/16
01/01/16 - 01/31/16	2016 M1	02/10/16
02/01/16 - 02/29/16	2016 M2	03/10/16
03/01/16 - 03/31/16	2016 M3	04/11/16
04/01/16 - 04/30/16	2016 M4	05/10/16
05/01/16 - 05/31/16	2016 M5	06/10/16

06/01/16 - 06/24/16	2016 P1	07/01/16
06/25/16 - 07/01/16	2016 P1A	07/08/16
07/02/16 - 07/08/16	2016 P2	07/15/16
07/09/16 - 07/15/16	2016 P2A	07/22/16
07/16/16 - 07/22/16	2016 P3	07/29/16
07/23/16 - 07/29/16	2016 P4	08/05/16
07/30/16 - 08/05/16	2016 P5	08/12/16
08/06/16 - 08/12/16	2016 P6	08/19/16
08/13/16 - 08/25/16	2016 P7	08/26/16
08/26/16	2016 P7A	09/02/16

08/27/16 - 09/02/16	2016 G1	09/09/16
09/03/16 - 09/09/16	2016 G1A	09/16/16
09/10/16 - 09/16/16	2016 G2	09/23/16
09/17/16 - 09/23/16	2016 G2A	09/30/16
09/24/16 - 09/30/16	2016 G3	10/07/16
10/01/16 - 10/07/16	2016 G4	10/14/16
10/08/16 - 10/14/16	2016 G5	10/21/16
10/15/16 - 10/21/16	2016 G6	10/28/16

10/22/16 - 10/28/16*	2016 D1*	10/29/16*
10/29/16*	2016 D2*	10/30/16*
10/30/16*	2016 D3*	10/31/16*
10/31/16*	2016 D4*	11/01/16*
11/01/16*	2016 D5*	11/02/16*
11/02/16*	2016 D6*	11/03/16*

10/22/16 - 11/03/16**	2016 G7**	11/04/16**
-----------------------	-----------	------------

11/04/16*	2016 D8*	11/05/16*
11/05/16*	2016 D9*	11/06/16*
11/06/16*	2016 D10*	11/07/16*

11/07/16 - 11/30/16**	2016 M11**	12/12/16**
12/01/16 - 12/31/16	2016 M12	01/10/17

* These reports need only contain information on all previously unreported contributions received as of the preceding day; however, expenditures can be reported if desired.

** If expenditures for 10/22/16 - 11/06/16 have already been reported during the daily reports, do not duplicate expenditures in this report.

2016 Calendar of Reporting Dates for
Political Committees/Independent Expenditure-Only Organizations that file with the Division of Elections

Cover Period	Report Code	Due Date
12/01/15 - 12/31/15	2015 M12	01/11/16
01/01/16 - 01/31/16	2016 M1	02/10/16
02/01/16 - 02/29/16	2016 M2	03/10/16
03/01/16 - 03/31/16	2016 M3	04/11/16
04/01/16 - 04/30/16	2016 M4	05/10/16
05/01/16 - 05/31/16	2016 M5	06/10/16
01/01/15 - 12/31/15*	2015 MUC*	07/01/16
06/01/16 - 06/24/16	2016 P1	07/01/16
06/25/16 - 07/01/16	2016 P1A	07/08/16
07/02/16 - 07/08/16	2016 P2	07/15/16
07/09/16 - 07/15/16	2016 P2A	07/22/16
07/16/16 - 07/22/16	2016 P3	07/29/16
07/23/16 - 07/29/16	2016 P4	08/05/16
07/30/16 - 08/05/16	2016 P5	08/12/16
08/06/16 - 08/12/16	2016 P6	08/19/16
08/13/16 - 08/25/16	2016 P7	08/26/16
08/26/16	2016 P7A	09/02/16
08/27/16 - 09/02/16	2016 G1	09/09/16
09/03/16 - 09/09/16	2016 G1A	09/16/16
09/10/16 - 09/16/16	2016 G2	09/23/16
09/17/16 - 09/23/16	2016 G2A	09/30/16
09/24/16 - 09/30/16	2016 G3	10/07/16
10/01/16 - 10/07/16	2016 G4	10/14/16
10/08/16 - 10/14/16	2016 G5	10/21/16
10/15/16 - 10/21/16	2016 G6	10/28/16
10/22/16 - 10/28/16**	2016 D1**	10/29/16**
10/29/16**	2016 D2**	10/30/16**
10/30/16**	2016 D3**	10/31/16**
10/31/16**	2016 D4**	11/01/16**
11/01/16**	2016 D5**	11/02/16**
11/02/16**	2016 D6**	11/03/16**
10/22/16 - 11/03/16***	2016 G7***	11/04/16***
11/04/16 - 11/30/16	2016 M11	12/12/16
12/01/16 - 12/31/16	2016 M12	01/10/17

* If not reported as individual contributions when received, a political committee must report contributions that comprise multiple uniform contributions from the same person aggregating no more than \$250 per calendar year, collected by an organization that is the affiliated sponsor of the political committee. The report must list the name, address, and occupation of the person making the contribution; however, the occupation need not be listed if the aggregate contribution from the person is \$100 or less.

** These reports need only contain information on all previously unreported contributions received as of the preceding day; however, expenditures can be reported if desired.

*** If expenditures for 10/22/16 - 11/02/16 have already been reported during the daily reports, do not duplicate expenditures in this report.

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 17-257**

Respondent: Doug Kaplan

Complainant: Division

1. **Date and time:** 07/31/17 @ 10:57 a.m.

Name: Doug Kaplan – Chair/Treasurer

Phone #: 407-242-1870

Summary: I called Mr. Kaplan regarding the appeal of the automatic-fine concerning the ECO's 2016 D1 report. I explained to him that it appeared, based on his appeal letter, that there had been two reports he was appealing; however, the appeal for the 2016 D8 report was closed since no fine was imposed for the late waiver report. I reminded him that there was activity in the 2016 D1 report for which the fine amount is \$100 since the report was two days late. Mr. Kaplan questioned to whom the expenditure was made to in the 2016 D1 report. Having reviewed the itemized-expenditures page, I informed him the expenditure was made to "Friendly Values USA." Mr. Kaplan said that is the other ECO that he controls as chairman and treasurer and the expenditure was a transfer of funds from one ECO to the other. He added that he thought he had been fined for a late report involving Friendly Values USA and regarding the same transaction. He further added that to him it felt like he may be getting fined twice for the same transaction. Mr. Kaplan was advised that the automatic-fine case would eventually be presented before the members of the Elections Commission and he confirmed the mailing address as, 910 Belle Avenue-Suite 1180, Winter Springs, Florida 32708.

Memo to File? No

Entered by: KS

2. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

3. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

4. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No