

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Rodney Miles Kernan

Case No.: FEC 16-635

TO: Rodney Miles Kernan
P.O. Box 458
Cocoa, FL 32923

Kelly Ingram
3231 Biscayne Drive
Merritt Island, FL 32953

NOTICE OF HEARING (CONSENT ORDER)

A hearing will be held in this case before the Florida Elections Commission on, **August 16, 2017 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
August 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.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

v.

**Agency Case No.: FEC 16-635
F.O. No.: FOFEC**

**Rodney Miles Kernan,
Respondent.**

CONSENT FINAL ORDER

Respondent, Rodney Miles Kernan, 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 October 28, 2016, a complaint was filed with the Commission alleging that Respondent violated Florida's election laws.
2. On May 31, 2017, the Commission entered an Order of Probable Cause finding there was probable cause to charge the Respondent with 1 count of violating Section 106.19(1)(a), Florida Statutes.
3. Respondent has expressed a desire to enter into negotiations directed toward reaching a consent agreement.
4. Respondent and staff stipulate to the following facts:
 - a. Respondent was a candidate for County Court Judge, Group 2, in the 2016 election.

b. Respondent accepted a contribution in excess of the limits prescribed by Section 106.08, Florida Statutes.

c. Respondent returned the excessive contribution, which exceeded the contribution limits by \$500, to the donor 24 days after having accepted it.

CONCLUSIONS OF LAW

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

6. The Commission staff and the Respondent stipulate that staff can prove the facts in paragraph four above by clear and convincing evidence 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 freely and voluntarily.

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

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

10. Respondent voluntarily waives the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal this 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 pay all fees and costs associated with enforcement.

12. Payment of the civil penalty by cashier's check, or money order, good for at least

120 days, or attorney trust account check, is a condition precedent to the Commission's consideration of this Consent Order.

PENALTY

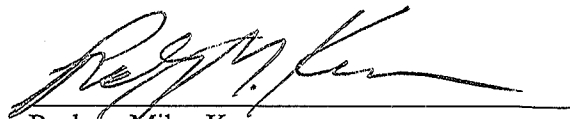
WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent violated Section 106.19(1)(a), Florida Statutes, on one occasion, and imposes a civil penalty in the amount of \$200.

Therefore, it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of **\$200**, inclusive of fees and costs. The civil penalty shall be paid cashier's check or money order, good for at least 120 days, or attorney trust account check. The civil penalty shall be 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 Consent Order on

June 8, 2017.



Rodney Miles Kernan
P.O. Box 458
Cocoa, FL 32923

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

June 14, 2017.

Cole H. Kekelis

Cole H. Kekelis
Assistant General Counsel
Florida Elections Commission
107 West Gaines Street
The Collins Building, Suite 224
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held
on _____, in Tallahassee, Florida.

M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Cole H. Kekelis, Assistant General Counsel
Rodney Miles Kernan, Respondent
Kelly Ingram, Complainant



POSTAL MONEY ORDER

Serial Number

19614287136

Year, Month, Day
2017-06-08

Post Office
329330

U.S. Dollars and Cents

\$200.00

Amount

Two Hundred Dollars and 00/100 *****

Pay to

Florida Elections Commission

Clerk 09

Address

107 W Gaines St, Tallahassee, FL 32399

Memo

16-635

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SEE REVERSE WARNING • NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS

FILED

17 MAY 31 AM 11:25

STATE OF FLORIDA
ELECTIONS COMMISSION

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

Florida Elections Commission,
Petitioner,

Case No.: FEC 16-635

v.

Rodney Miles Kernan,
Respondent.

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on May 17, 2017, in Tallahassee, Florida.

On April 6, 2017, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. 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 May 6, 2015, Rodney Miles Kernan violated Section 106.19(1)(a), Florida Statutes, when he accepted a contribution in excess of the limits prescribed by Section 106.08, Florida Statutes.

The Commission finds that there is **no probable cause** to charge Respondent with violating Sections 106.1439(1), and 106.19(1)(c), Florida Statutes.

DONE AND ORDERED by the Florida Elections Commission on May 17, 2017.



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Cole H. Kekelis, Assistant General Counsel
Rodney Miles Kernan, Respondent
Kelly Ingram, 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.

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: **Rodney Miles Kernan**

Case No.: **FEC 16-635**

TO: Rodney Miles Kernan
P.O. Box 458
Cocoa, FL 32923

Kelly Ingram
3231 Biscayne Drive
Merritt Island, FL 32953

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **May 17, 2017 at 10:30 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.

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Amy McKeever Toman
Executive Director
Florida Elections Commission
May 1, 2017

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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: Rodney Miles Kernan

Case No.: FEC 16-635

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 **Section 106.19(1)(a), Florida Statutes**, and **no probable cause** to charge Respondent with violating **Section 106.1439(1)**, and **106.19(1)(c), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on March 17, 2017, the following facts and law support this staff recommendation:

1. On October 28, 2016, the Florida Elections Commission (“Commission”) received a sworn complaint alleging that Rodney Miles Kernan (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent was a 2016 candidate for County Court Judge, Group 2. An Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form (“DS-DE 9”) appointing Respondent as his own treasurer was filed with the Brevard County Supervisor of Elections’ office on March 5, 2015. (ROI Exhibit 1)¹

3. By letter dated February 16, 2017, the Executive Director notified Respondent that Commission staff would investigate the following statutory provision:

Section 106.1439(1), Florida Statutes: Respondent, a 2016 candidate for County Court Judge, Group 2, failed to include an accurate disclaimer in an electioneering communication, as alleged in the complaint.

Section 106.19(1)(a), Florida Statutes: Respondent, a 2016 candidate for County Court Judge, Group 2, accepted one or more contributions in excess of the limits prescribed by Section 106.08, Florida Statutes, as alleged in the complaint.

Section 106.19(1)(c), Florida Statutes: Respondent, a 2016 candidate for County Court Judge, Group 2, may have falsely reported or deliberately failed to include information in one or more campaign reports, as alleged in the complaint.

¹ The Report of Investigation is referred to herein as “ROI.”

4. On March 5, 2015, Respondent filed a Statement of Candidate form (“DS-DE 84”) with the Brevard County Supervisor of Elections’ office in which he asserted that he had been provided access to read and understand the requirements of Chapter 106, Florida Statutes. (ROI Exhibit 15)

5. In an email dated March 6, 2015, the Brevard County Supervisor of Elections’ office notified Respondent that they had processed the forms he submitted to announce his candidacy. The email referenced attached documents, including the *Election Laws* and the *Campaign Treasurer Handbook*. The email warned Respondent that, “It is important for you to review this material and become familiar with the Candidate Handbook and Chapter 106 of the Election Laws. These important documents are also available on the Florida Division of Elections website...” (Attachment A)

6. In an affidavit dated March 15, 2017, Respondent attested that he possessed a copy of and had read Chapter 106, Florida Statutes, and the *Candidate and Campaign Treasurer Handbook*. (ROI Exhibit 9, page 2)

Section 106.19(1)(a), Florida Statutes:

7. Complainant alleged that Respondent accepted an excessive contribution from Rodney M. Kernan, LLC.² Complainant noted that two contributions from Rodney M. Kernan, LLC, with a cumulative total of \$1,500.00 were reported in Respondent’s 2015 M4 and 2015 M5 campaign treasurer’s reports.

8. According to Respondent’s 2015 M4 Report, he accepted a contribution in the amount of \$500.00 from Rodney M. Kernan, LLC on April 7, 2015. (ROI Exhibit 10)

9. According to Respondent’s 2015 M5 Report, he accepted a contribution in the amount of \$1,000.00 from Rodney M. Kernan, LLC, on May 6, 2015. (ROI Exhibit 11)

10. In response to the complaint, Respondent acknowledged acceptance of the two contributions from his law firm. Respondent asserted that, “After writing a first check of \$500.00, I inadvertently wrote the second check for \$1000.00 by mistake.” Respondent added that once he realized the error, he corrected the error within the same reporting period by writing a check back to Rodney M. Kernan, LLC. (ROI Exhibit 6)

11. According to Respondent’s 2015 M5 Report, an expenditure in the amount of \$500.00 was made to Rodney M. Kernan, LLC, “to correct over contribution by error” on May 30, 2015, which was 24 days after the contribution was received by Respondent.³ (ROI Exhibit 12)

² Rodney M. Kernan, LLC, was described as a “law firm” on Respondent’s campaign treasurer’s reports. In his response to the complaint, Respondent asserted that he is the sole attorney for that entity. (ROI Exhibit 6 and Exhibit 10)

³ Rule 2B-1.003(2)(q), F.A.C, designates Section 106.19(1)(a), F.S., as a minor violation if the excessive contribution is returned to the donor within 14 days of receipt. The amount of the fine imposed if the contribution is returned within 14 days of receipt is \$200.

12. Section 106.19(1)(a), Florida Statutes, prohibits a candidate from accepting a contribution in excess of the limits prescribed by Section 106.08, Florida Statutes.

13. Section 106.08(1)(a)2., Florida Statutes, prohibits a person from contributing in excess of \$1,000.00 to a candidate for county court judge. This limit on contributions is referenced at page 24 of the *Candidate and Campaign Treasurer Handbook*. (Attachment B)

14. Based on the information above, Respondent has not disputed the fact that he accepted a contribution in excess of the limits prescribed by Section 106.08(1)(a)2., Florida Statutes, and did not return it to the donor until 24 days had elapsed.

Sections 106.1439(1), and 106.19(1)(c), Florida Statutes:

15. Complainant alleged that Respondent misrepresented that a mailer was paid for by an electioneering communication organization (“ECO”) rather than himself by including a false disclaimer on the mailer attributing it to an ECO.

16. Complainant provided a copy of the electioneering communication at issue in this complaint. On one side, it states, “KELLY INGRAM ARRESTED,”⁴ followed by a disclaimer, which reads, “Paid electioneering communication paid for by Brevard Citizens for Qualified Candidates 274 East Eau Gallie Causeway #255 Indian Harbour Beach, FL 32937.” An indicium near the address indicates that All Service Graphics, Inc., may have been responsible for the publication and distribution of the mailer. (ROI Exhibit 2)

17. Complainant noted that the campaign treasurer’s reports for the ECO, Brevard Citizens for Qualified Candidates (“BCQC”), did not list any expenditures to All Service Graphics, Inc. The investigation reviewed BCQC’s campaign finance activity and did not find any reported expenditures to All Service Graphics, Inc.. (ROI Exhibit 4)

18. Complainant alleged that the mailer was distributed at the end of August 2016, and noted that Respondent’s 2016 P7 Report included an expenditure of \$10,839.27 to All Service Graphics, Inc., on August 24, 2016. The investigation confirmed that Respondent’s 2016 P7 Report did include that expenditure. (ROI Exhibit 5)

19. Respondent did not dispute that he made expenditures to All Service Graphics, Inc., for his campaign material⁵, but Respondent denied that he paid for the subject electioneering communication. In response to the complaint, Respondent stated, “The fact that I use All Service Graphics (ASG) for my printing and mailing does not align or connect me with the ECO.” In an affidavit dated March 15, 2017, Respondent attested that he is not and has never been an officer of BCQC, that he did not make a monetary contribution to BCQC and did not pay for the mailer at issue. (ROI Exhibit 6 and Exhibit 9)

⁴ Kelly Ingram was an opponent of Respondent in the election campaign and is the Complainant in this case.

⁵ The investigation found that Respondent made numerous other expenditures to All Service Graphics, Inc., during his campaign for purposes such as “Walking Cards,” “Postcards,” “Printed Petition Forms,” “Letterhead,” and “Mailing Services & Postage.” (Attachment C)

20. The investigation obtained records from All Service Graphics, Inc., relating to the mailer at issue. An invoice dated August 24, 2016, revealed that BCQC was billed \$4,947.22 for printing, mailing services, and postage of the mailer. In addition, check #98 was issued in the amount of \$4,947.22, made payable to "All Services Graphics," from the account of "Brevard Citizens for Qualified Candidates." The check appears to have been signed by Gregory Schwendeman.⁶ (ROI Exhibit 7).

21. In a telephonic interview, Gregory Schwendeman stated that BCQC paid for the mailer at issue. Mr. Schwendeman explained that he "screwed up" the reporting of information online with the local supervisor of elections' office. Mr. Schwendeman stated that Respondent did not give any money toward the cost of the mailer, did not pay for the mailer, and was never involved with the ECO.

22. Mr. Schwendeman provided a copy of BCQC's bank statement for the month of August 2016, when the mailer was published and distributed. The bank statement shows that the ECO had funds in the account to cover the cost of the mailer at issue. (ROI Exhibit 8)

23. Section 106.1439(1), Florida Statutes, requires electioneering communications to prominently state the specified disclaimer indicating who paid for the communication.

24. Section 106.19(1)(c), Florida Statutes, prohibits a candidate from falsely reporting or deliberately failing to include any information required by Chapter 106, Florida Statutes.

25. "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).

26. The facts set forth above show that Respondent was a 2016 candidate for County Court Judge, Group 2. Although BCQC did not disclose an expenditure in August 2016 to All Service Graphics, Inc., the investigation found records of such an expenditure. Mr. Schwendeman confirmed that BCQC paid for the mailer at issue and asserted that Respondent did not pay for it. Respondent also asserted that he did not pay for the mailer at issue, and the investigation found that Respondent made expenditures to All Service Graphics, Inc., on numerous occasions for a variety of reasons during his campaign. There is insufficient evidence to reasonably conclude that Respondent paid for the electioneering communication at issue. Therefore, it cannot reasonably be concluded that Respondent failed to include a proper and accurate disclaimer on the electioneering communication or that Respondent falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, relative to

⁶ Gregory Schwendeman signed BCQC's Electioneering Communication Organization Statement of Organization form ("DS-DE 103") as "Top-ranking Principal Officer of Organization." The DS-DE 103 was filed on July 19, 2016, with the Brevard County Supervisor of Elections' office. (Attachment D)

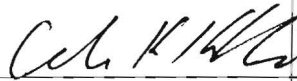
the electioneering communication. However, the investigation also found and Respondent admitted that he accepted an excessive contribution to his campaign. Although he refunded the excessive contribution, Respondent did not do so for 24 days.

Based upon these facts and circumstances, I recommend that the Commission find no probable cause to charge Respondent with violating Sections 106.1439(1), and 106.19(1)(c), Florida Statutes, and find probable cause to charge Respondent with violating the following:

Count 1:

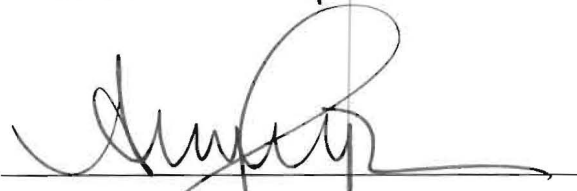
On or about May 6, 2015, Rodney Miles Kernan violated Section 106.19(1)(a), Florida Statutes, when he accepted a contribution in excess of the limits prescribed by Section 106.08, Florida Statutes.

Respectfully submitted on April 6, 2017,



Cole H. Kekelis
Assistant General Counsel

I reviewed this Staff Recommendation this 6th day of April 2017.



Amy McKeever Toman
Executive Director

Michele Nemschick

From: Tim Bobanic
Sent: Wednesday, February 22, 2017 9:27 AM
To: Michele Nemschick
Subject: FW: Your 2016 Candidacy and Financial Reporting Log-In Information
Attachments: 2015 Reporting Dates.pdf; How to File Financial Reports Online.pdf; 2014.Candidate-and-Campaign-Treasurer-Handbook.pdf; 2014_Candidate_Petition_Handbook.pdf; 2014_election-laws.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Tim Bobanic

Chief Deputy – Information Systems
Brevard County Supervisor of Elections
(321) 633-2175 - Direct
(321) 633-2130 - Fax
tbobanic@votebrevard.com

From: Candidate
Sent: Friday, March 6, 2015 2:57 PM
To: rod kernan@hotmail.com
Subject: Your 2016 Candidacy and Financial Reporting Log-In Information

Mr. Kernan,

Thank you for visiting our office to announce your candidacy. I have processed the forms you submitted to announce your candidacy and your first Campaign Finance Report will be due on 04/10/2015.

Since you filed during the M3 reporting period you are required to file an M3 report by 04/10/2015. Please file your campaign finance reports electronically through the Campaign Financial Reporting System located at http://www.voterfocus.com/ws/WScand/candidate_pb.php?county=brevard. When you log in, you will see a list of reporting dates for 2015. Below is your assigned ID number, password, and PIN number. *Please note, your pin number is the equivalent of your hard copy signature on the electronic report.*

ID #: 581
Password: RkCJ20305
Candidate/Chairman's PIN #: 7155
Treasurer's PIN #: 2583

In addition, I have attached some helpful documents: *How to File Financial Reports Online, the Campaign Treasurer Handbook*, and the *2014 Election Laws*. It is important for you review this material and become familiar with the Candidate Handbook and Chapter 106 of the Election Laws. These important documents are also available on the Florida Division of Elections website at <http://election.dos.state.fl.us/>, under "Forms & Publications" section.

ATTACHMENT 1 A page 1 of 2

If you intend to qualify by petition, please visit the Division's website to obtain a current copy of the candidate petition form. For more information regarding the petition collection and verification process, please refer to our website and the attached Candidate Petition Handbook provided by the Division of Elections. Candidates are highly encouraged to submit petitions to our office for verification at their earliest convenience if they intend to qualify via the petition method.

Lastly, please confirm what information you would like to display on our website on the "Announced and Qualified candidates" tab. You may wish to also include: your address, a contact phone number, email or website in addition to your name. Once you inform me of what you would like to include on the website, I can forward that information on to our IT department who will update the website with your information.

I look forward to working with you during your candidacy!

Tim Bobanic

Chief Deputy – Information Systems
Brevard County Supervisor of Elections
(321) 633-2175 - Direct
(321) 633-2130 - Fax
tbobanic@votebrevard.com

reported on campaign treasurer's reports to include the full name and address of each person who gave a cash contribution during the reporting period, together with the amount and date of such cash contribution.

(Sections 106.07(4) and 106.09, F.S., and Division of Elections Opinion 90-15.)

Debit and Credit Card Contributions

A candidate may accept contributions via a credit card or debit card. These contributions are categorized as a "check" for reporting purposes.

(Division of Elections Opinions 94-02 and 00-03)

Contribution Limits for Candidates

IMPORTANT: Except for political parties or affiliated party committees, no person or political committee may make contributions in excess of: (1) \$3,000 to a candidate for statewide office or for retention as a justice of the Supreme Court. Candidates for the offices of Governor and Lieutenant Governor on the same ticket are considered a single candidate for the purpose of this section; (2) \$1,000 to a candidate for retention as a judge of a district court of appeal; a candidate for legislative office; a candidate for multicounty office; a candidate for county-wide office or in any election conducted on less than a countywide basis; or a candidate for county court judge or circuit judge. The primary and general elections are separate elections. (See *Glossary for the definition of "person."*)

(Section 106.08(1)(a) F.S.)

These limits do not apply to contributions made by a state or county executive committee of a political party or affiliated party committee regulated by Chapter 103, F.S., or to amounts contributed by a candidate to his own campaign. The contribution limits do not apply to individuals seeking election to a political party executive committee because they are not "candidates."

A candidate may **not**:

- Accept contributions until Form DS-DE 9, Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates, is filed with the filing officer;
- Accept a contribution in excess of the above limits from any one person per election, provided the candidate is an opposed candidate and the contribution is received within the timeframe applicable to each election;
- Accept contributions from family members in excess of the above limits per election;
- Accept contributions from a county executive committee of a political party whose contributions in the aggregate exceed \$50,000, or from the national or state executive committees of a political party, including any subordinate committee of such political party or affiliated party committees, who contributions in the aggregate exceed \$50,000. Polling services, research services, cost for campaign staff, professional consulting services, and

Candidate: Rodney Miles Kernan
Office: County Court Judge, Group 2

Report Date: M5
(5/1/2015 - 5/31/2015)

Campaign Treasurer's Report - Itemized Contributions					
Seq# Date	Contributor	Entity	Occupation Amend	Cont. Type	Amount
1 5/6/2015	Rodney M. Kernan, LLC P.O. Box 458 Cocoa, FL 32923	Business	Law Firm	Check	\$1,000.00
2 5/20/2015	Rodney Kernan 3764 Sunward Dr. Merritt Island, FL 32953	Candidate to Themselves	Attorney	Loan	\$1,000.00
Total Contributions					\$2,000.00

Campaign Treasurer's Report - In-Kind Contributions						
Seq# Date	Contributor	Entity	Occupation Amend	In-Kind	Description	Amount
Total In-Kind Contributions						\$0.00

Campaign Treasurer's Report - Itemized Expenditures					
Seq# Date	Vendor	Purpose	Exp. Type Amend		Amount
1 5/7/2015	ArtLab, LLC 1728 Agora Cir., SE, Unit C Palm Bay, FL 32909	T Shirts	Monetary		\$557.85
2 5/20/2015	All Service Graphics, Inc. 1020 W. Eau Gallie Blvd., Ste. 1 Melbourne, F 32935	Walking Cards	Monetary		\$798.75
3 5/29/2015	Go Daddy 14455 N. Hayden Rd., Ste. 219 Scottsdale, AZ 85260	Web Hosting	Monetary		\$95.76
4 5/30/2015	Rodney M. Kernan, LLC P.O. Box 458 Cocoa, FL 32923	To correct over contribution by error	Refund		\$500.00
Total Expenditures					\$1,952.36

Campaign Treasurer's Report - Fund Transfers					
Seq# Date	Institution	Transfer Type	Nature of Account Amend		Amount

Campaign Treasurer's Report - Distributions					
Seq# Date	Vendor	Purpose	Expenditure Related Amend	Exp.	Amount

* Petty cash expenditures are realized when the funds are withdrawn for petty cash. Therefore, the referenced item is not included in the total.

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Candidate: Rodney Miles Kernan
Office: County Court Judge, Group 2

Report Date: M6
(6/1/2015 - 6/30/2015)

Campaign Treasurer's Report - Itemized Contributions					
Seq# Date	Contributor	Entity	Occupation Amend	Cont. Type	Amount
Total Contributions					\$0.00

Campaign Treasurer's Report - In-Kind Contributions					
Seq# Date	Contributor	Entity	Occupation Amend	In-Kind	Description
Total In-Kind Contributions					\$0.00

Campaign Treasurer's Report - Itemized Expenditures				
Seq# Date	Vendor	Purpose	Exp. Type Amend	Amount
1 6/11/2015	All Service Graphics, Inc. 1020 W. Eau Gallie Blvd., Ste. 1 Melbourne, F 32935	Postcards	Monetary	\$106.50
Total Expenditures				\$106.50

Campaign Treasurer's Report - Fund Transfers				
Seq# Date	Institution	Transfer Type	Nature of Account Amend	Amount

Campaign Treasurer's Report - Distributions				
Seq# Date	Vendor	Purpose	Expenditure Related Amend	Exp. Amount

* Petty cash expenditures are realized when the funds are withdrawn for petty cash. Therefore, the referenced item is not included in the total.

ATTACHMENT C *page 2 of 7*

Candidate: Rodney Miles Kernan
Office: County Court Judge, Group 2

Report Date: M1
 (1/1/2016 - 1/31/2016)

Campaign Treasurer's Report - Itemized Contributions					
Seq# Date	Contributor	Entity	Occupation Amend	Cont. Type	Amount
1 1/27/2016	Rodney Kernan P.O. Box 458 Cocoa, FL 32923	Candidate to Themselves	Attorney	Loan	\$5,000.00
Total Contributions					\$5,000.00

Campaign Treasurer's Report - In-Kind Contributions					
Seq# Date	Contributor	Entity	Occupation Amend	In-Kind Description	Amount
Total In-Kind Contributions					\$0.00

Campaign Treasurer's Report - Itemized Expenditures					
Seq# Date	Vendor	Purpose	Exp. Type Amend	Amount	
1 1/27/2016	Melbourne Main St 1908 Municipal Ln. Melbourne, FL 32901	Campaign Tent Placement	Monetary	\$40.00	
2 1/28/2016	All Service Graphics, Inc. 1020 W. Eau Gallie Blvd., Ste. 1 Melbourne, F 32935	Printed Petition Forms	Monetary	\$186.38	
Total Expenditures					\$226.38

Campaign Treasurer's Report - Fund Transfers					
Seq# Date	Institution	Transfer Type	Nature of Account Amend	Amount	

Campaign Treasurer's Report - Distributions					
Seq# Date	Vendor	Purpose	Expenditure Related Amend	Exp. Amount	

* Petty cash expenditures are realized when the funds are withdrawn for petty cash. Therefore, the referenced item is not included in the total.

ATTACHMENT C *Page 3 of 7*

Candidate: Rodney Miles Kernan

Office: County Court Judge, Group 2

Report Date: M3
(3/1/2016 - 3/31/2016)

Campaign Treasurer's Report - Itemized Contributions					
Seq# Date	Contributor	Entity	Occupation Amend	Cont. Type	Amount
Total Contributions					\$0.00

Campaign Treasurer's Report - In-Kind Contributions					
Seq# Date	Contributor	Entity	Occupation Amend	In-Kind Description	Amount
Total In-Kind Contributions					\$0.00

Campaign Treasurer's Report - Itemized Expenditures					
Seq# Date	Vendor	Purpose	Exp. Type Amend		Amount
1 3/1/2016	Space Coast Motor Officers Inc P.O. Box 238391 Cocoa, FL 32923	Campaign Tent Space for Event	Monetary		\$50.00
2 3/1/2016	ArtLab, LLC 1728 Agora Cir., SE, Unit C Palm Bay, FL 32909	Campaign T Shirts	Monetary		\$293.30
3 3/4/2016	Supervisor of Elections 2725 Judge Fran Jamieson Way, Bld C Viera, FL 32940	Petition Account	Monetary		\$100.00
4 3/7/2016	Southern Tape & Lable 1107 Peachtree St. Cocoa, FL 32922	Campaign Signs	Monetary		\$159.75
5 3/7/2016	AACCC P.O. Box 27 Cocoa, FL 32923	Campaign Tent Space	Monetary		\$35.00
6 3/14/2016	All Service Graphics, Inc. 1020 W. Eau Gallie Blvd., Ste. 1 Melbourne, F 32935	Letterhead	Monetary		\$190.64
7 3/17/2016	Annie Jones 907 Covina Way Melbourne, FL 32901	Petition Gathering	Monetary		\$114.00
8 3/21/2016	A Better Copy/Applied Graphics 102 E New Haven Avenue Melbourne, FL 32901	Name Tags	Monetary		\$26.52
Total Expenditures					\$969.21

Campaign Treasurer's Report - Fund Transfers					
Seq# Date	Institution	Transfer Type	Nature of Account Amend		Amount

Campaign Treasurer's Report - Distributions					
Seq# Date	Vendor	Purpose	Expenditure Related Exp. Amend		Amount

* Petty cash expenditures are realized when the funds are withdrawn for petty cash. Therefore, the referenced item is not included in the total.

ATTACHMENT C page 4 of 7

Candidate: Rodney Miles Kernan
Office: County Court Judge, Group 2

Report Date: P1
(6/1/2016 - 6/24/2016)

Campaign Treasurer's Report - Itemized Contributions					
Seq# Date	Contributor	Entity	Occupation Amend	Cont. Type	Amount
1 6/2/2016	Gregory Nicosia 92 S.W. 15th Ct. Boca Raton, FL 33486	Individual	Attorney	Check	\$20.00
2 6/22/2016	James N. Nance, P.A. P.O. Box 361817 Melbourne, FL 32936	Business	Law Firm	Check	\$250.00
Total Contributions					\$270.00

Campaign Treasurer's Report - In-Kind Contributions					
Seq# Date	Contributor	Entity	Occupation Amend	In-Kind Description	Amount
Total In-Kind Contributions					\$0.00

Campaign Treasurer's Report - Itemized Expenditures					
Seq# Date	Vendor	Purpose	Exp. Type Amend	Amount	
1 6/6/2016	Space Coast Tiger Bay Club P.O. Box 372262 Satellite Beach, FL 32937	Hob Nob Exhibition Event Table and Tickets	Monetary	\$550.00	
2 6/8/2016	All Service Graphics, Inc. 1020 W. Eau Gallie Blvd., Ste. 1 Melbourne, F 32935	Walking Cards	Monetary	\$1,065.00	
3 6/13/2016	Brevard County Bar 2627 W Eau Gallie Blvd. Melbourne, FL 32935	Mailing Lables	Monetary	\$120.00	
4 6/14/2016	Southern Tape & Lable 1107 Peachtree St. Cocoa, FL 32922	Campaign Signs	Monetary	\$1,242.21	
5 6/20/2016	City of Cocoa 434 Delannoy Ave., Suite 203 Cocoa, FL 32922	July 4th Tent Location	Monetary	\$132.50	
Total Expenditures					\$3,109.71

Campaign Treasurer's Report - Fund Transfers					
Seq# Date	Institution	Transfer Type	Nature of Account Amend	Amount	

Campaign Treasurer's Report - Distributions					
Seq# Date	Vendor	Purpose	Expenditure Related Exp. Amend	Amount	

* Petty cash expenditures are realized when the funds are withdrawn for petty cash. Therefore, the referenced Item is not included in the total.

ATTACHMENT C page 5 of 7

Candidate: Rodney Miles Kernan
Office: County Court Judge, Group 2

Report Date: P5
 (7/30/2016 - 8/5/2016)

Campaign Treasurer's Report - Itemized Contributions					
Seq# Date	Contributor	Entity	Occupation Amend	Cont. Type	Amount
1 8/3/2016	Shara Sterling 3764 Sunward Dr. Merritt Island, FL 32953	Individual	Attorney	Check	\$1,000.00
2 8/3/2016	Shane Smith, P.A. 4800 Dairy Rd., Suite 104 Melbourne, FL 32904	Business	Law Firm	Check	\$500.00
3 8/5/2016	Julian S Edelschick 190 Country Club Dr. Melbourne, FL 32940	Individual	Doctor	Check	\$100.00
4 8/5/2016	Dale A Young ***Protected***	Individual	Investigator	Check	\$100.00
5 8/5/2016	Rhonda Henderson, LLC 3270 Suntree Blvd., Ste. 1103 Melbourne, FL 32940	Business	Law Firm	Check	\$100.00
6 8/5/2016	Stephen E Wolverton 109 Deleon Rd. Cocoa Beach, FL 32931	Individual	Attorney	Check	\$500.00
7 8/5/2016	Justin B. Welsberg, PA 901 S Federal Hwy Ste 300 Ft. Lauderdale, FL 33316	Business	Law Firm	Check	\$250.00
8 8/5/2016	Arthur W. Niergarth Jr. P.A. 2285 W Eau Gallie Blvd. Melbourne, FL 32935	Business	Law Firm	Check	\$500.00
Total Contributions					\$3,050.00

Campaign Treasurer's Report - In-Kind Contributions					
Seq# Date	Contributor	Entity	Occupation Amend	In-Kind Description	Amount
8 8/2/2016	Rodney Kernan P.O. Box 458 Cocoa, FL 32923	Candidate to Themselves	Attorney	Invitation Flyers	\$18.37
Total In-Kind Contributions					\$18.37

Campaign Treasurer's Report - Itemized Expenditures					
Seq# Date	Vendor	Purpose	Exp. Type Amend	Amount	
1 8/1/2016	All Service Graphics, Inc. 1020 W. Eau Gallie Blvd., Ste. 1 Melbourne, FL 32935	Printed Materials	Monetary	\$4,260.00	
2 8/1/2016	All Service Graphics, Inc. 1020 W. Eau Gallie Blvd., Ste. 1 Melbourne, FL 32935	Mailing Services & Postage	Monetary	\$12,802.49	
3 8/2/2016	USPS 333 Crockett Blvd. Merritt Island, FL 32953	Postage	Monetary	\$470.00	
4 8/2/2016	USPS 333 Crockett Blvd. Merritt Island, FL 32953	Postage	Monetary	\$564.00	
5 8/2/2016	Office Depot 550 E. Merritt Island Cswy. Merritt Island, FL 32953	Labels & Supplies	Monetary	\$46.05	
6		Digital Billboard Ad	Monetary		

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Candidate: Rodney Miles Kernan
Office: County Court Judge, Group 2

Report Date: P7
(8/13/2016 - 8/25/2016)

Campaign Treasurer's Report - Itemized Contributions					
Seq# Date	Contributor	Entity	Occupation Amend	Cont. Type	Amount
1 8/22/2016	LifeForce Chiropractic, Inc. 5560 Babcock St. NE Palm Bay, FL 32907	Business	MedicalOffice	Check	\$250.00
2 8/22/2016	Titusville Chiro & Injury Cent 119 S. Park Ave. Titusville, FL 32796	Business	MedicalOffice	Check	\$500.00
3 8/22/2016	David Heinish DC PA 1209 Admiralty Blvd. Rockledge, FL 32955	Business	MedicalOffice	Check	\$250.00
4 8/22/2016	B Greenwald Medical PA 8929 SE Bridge Rd. Hobe Sound, FL 33455	Business	MedicalOffice	Check	\$250.00
5 8/22/2016	Aurora Chiropractic Clinic 1571 Aurora Rd. Melbourne, FL 32935	Business	MedicalOffice	Check	\$250.00
6 8/22/2016	Joseph W Slattery III 527 Island Ct Indian Harbor Beach, FL 32937	Individual	Doctor	Check	\$1,000.00
7 8/22/2016	Michael D Peacock 1616 Pine St. Melbourne, FL 32901	Individual	Attorney	Check	\$250.00
8 8/22/2016	Cynthialynn C Kenemuth 140 Warsteiner Way Apt 203 Melbourne Beach, FL 32951	Individual	MedicalOfficeAdmin	Check	\$250.00
9 8/22/2016	Derrick R Connell 25 Pinehill Dr Indialantic, FL 32903	Individual	Attorney	Check	\$500.00
Total Contributions					\$3,500.00

Campaign Treasurer's Report - In-Kind Contributions					
Seq# Date	Contributor	Entity	Occupation Amend	In-Kind Description	Amount
Total In-Kind Contributions					\$0.00

Campaign Treasurer's Report - Itemized Expenditures					
Seq# Date	Vendor	Purpose	Exp. Type Amend	Amount	
1 8/24/2016	All Service Graphics, Inc. 1020 W Eau Gallie Blvd, Ste. I Melbourne, FL 32935	Mallers & Postage	Monetary	\$10,839.27	
2 8/19/2016	USPS 6105 N Wickham Rd. Melbourne, FL 32940	Postage	Monetary	\$517.00	
3 8/25/2016	Florida Today 1 Gannett Plaza Ave. Melbourne, FL 32940	Florida Today Ad	Monetary	\$1,402.50	
4 8/15/2016	Office Depot 550 E Merritt Island Causeway Merritt Island, FL 32952	Flyers	Monetary	\$150.70	
Total Expenditures				\$12,909.47	

ATTACHMENT C page 7 of 7

**ELECTIONEERING
COMMUNICATIONS ORGANIZATION**

COPY

STATEMENT OF ORGANIZATION

(PLEASE TYPE)

OFFICE USE ONLY

1. Full Name of Organization		Brevard Citizens for Qualified Candidates	Telephone	321.243.5008
Mailing Address (include city, state and zip code)				
274 E. EAU GALLE BLVD # 255, INDIAN HARBOR BEACH				
Street Address (Include city, state and zip code)				
SAME FL 32937				
2. Affiliated or Connected Organizations				
Name of Affiliated or Connected Organization		Mailing Address		Relationship
n/a		n/a		n/a
3. Area, Scope and Jurisdiction of the Organization				
County elections in and for Brevard County, Florida				
4. Identify by Name, Address & Position, the Custodian of Books & Accounts for the Organization				
Full Name		Mailing Address	Street Address	Title or Position
Gregory J. Schwendeman		274 E. EAU GALLE BLVD #255 INDIAN HARBOR BEACH, FL 32937		Custodian of Books
5. This Organization was formed (check applicable box): (Calendar quarters end the last day of March, June, September, and December.)				
<input checked="" type="checkbox"/> As a newly created organization during the current calendar quarter.				
<input type="checkbox"/> From an organization existing prior to the current calendar quarter.				

6. List By Name, Mailing and Street Address, & Position, Other Principal Officers, including the treasurer and deputy treasurer, if any. Include the top-ranking officer's (e.g., chairperson) name and information.

Full Name	Mailing Address	Street Address	Title or Position
n/a	n/a	n/a	n/a

COPY

7. In the Event of Dissolution, What Disposition will be Made of the Residual Funds?
Charitable donation.

8. List All Banks, Safety Deposit Boxes, or Other Depositories Used by this Organization for Electioneering Communications

Name of Bank or Depository	Mailing Address
Chase - not yet opened.	

9. List All Reports Required to be Filed by this Organization with Federal Officials, & the Names, Addresses, & Positions of Such Officials, If Any

Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address

STATE OF FLORIDA COUNTY BREVARD

I, GREGORY SCHWENDEMAN, certify that the information in this Statement of

Organization is complete, true, and correct.

X [Signature]
Signature of Top-ranking Principal Officer of Organization

15 July 16
Date

**FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 16-635**

Respondent: Rodney Miles Kernan

Complainant: Kelly Ingram

On October 28, 2016, the Florida Elections Commission (“Commission”) received a sworn complaint alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statutes:

Section 106.1439(1), Florida Statutes, failure of a person making an expenditure for an electioneering communication to mark prominently the electioneering communication with the required disclaimer;

Section 106.19(1)(a), Florida Statutes, prohibiting a person or organization from accepting a contribution in excess of the legal limits; 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, Rodney Miles Kernan, was a candidate for County Court Judge, Group 2. In the primary election held on August 30, 2016, Respondent secured 33.91% of the vote to finish first among four candidates, including Complainant; however, he was defeated by Complainant in the general election held on November 8, 2016.

2. On March 5, 2015, Respondent’s “APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES” form (DS-DE 9) was filed with the Brevard County Supervisor of Elections’ office. Respondent appointed himself to serve as his campaign treasurer. To review a copy of Respondent’s DS-DE 9 form, refer to Exhibit 1.

3. Complainant, Kelly Ingram, was Respondent’s opponent in the primary and general election; she was elected to office on November 8, 2016.

II. Alleged Violation of Section 106.1439(1), Florida Statutes:

4. I investigated whether Respondent violated this section of the election laws by

failing to mark prominently an electioneering communication with the required disclaimer.

5. Complainant alleged that Respondent misrepresented that a mailer was from an electioneering communication organization (ECO) rather than himself.

6. Complainant offered as part of her complaint a copy of an electioneering communication. One side includes a heading that reads, "KELLY INGRAM ARRESTED," followed by the address, which reads, "Paid electioneering communication paid for by Brevard Citizens for Qualified Candidates 274 East Eau Gallie Causeway #255 Indian Harbour Beach, FL 32937." An indicia near the address indicates that All Service Graphics may have been responsible for the publication and distribution of the mailer. To review a copy of the mailer, refer to Exhibit 2.

7. Complainant noted that the campaign reports of the ECO, Brevard Citizens for Qualified Candidates¹ (BCQC), does not list any expenditures to All Service Graphics. As part of her complaint, Complainant offered a printout from the Brevard County Supervisor of Elections website. The printout listed six reports² that had been filed with the supervisor of elections office by BCQC. The printout shows contributions totaling \$1,000.00; no monetary expenditures or in-kind contributions were reported. To review the printout included with the complaint, refer to Exhibit 3.

8. Commission staff reviewed the Brevard County Supervisor of Elections' website and found that BCQC filed a number of other campaign reports following the 2016 G1 report. BCQC filed waivers for the 2016 G2 through the 2016 G6 reporting periods. The first expenditures reported by BCQC transpired during the 2016 G7 reporting period³. The 2016 M11 reporting period, the reporting period following the 2016 G7 reporting period, disclosed one contribution in the amount of \$1,000.00 and two expenditures totaling \$2,000.00⁴. A waiver was filed for the 2016 M12 reporting period. To review the campaign finance activity relative to BCQC, refer to Exhibit 4.

9. Furthermore, Complainant noted that Respondent's campaign reports disclosed an expenditure to All Service Graphics⁵ on August 24, 2016, in the amount of \$10,839.27. According to Complainant, the mailer was delivered to registered voters on or about August 27, 2016. To review a copy of Respondent's campaign report depicting the expenditure, refer to

¹ BCQC filed its ECO Statement of Organization with the Brevard County Supervisor of Elections' office on July 19, 2016. The area, scope and jurisdiction is listed as, "County elections in and for Brevard County, Florida." Gregory Schwendeman signed the form as the top-ranking principal officer of the organization.

² Beginning with the 2016 P3, covering the reporting period of 07/08 – 07/22/16 through the 2016 G1, covering the reporting period of 08/26 – 09/02/16.

³ The three expenditures totaled \$910.00. The expenditures were to Southern Tape & Label for the purpose of "campaign signs" in the amount of \$210.00. The other two expenditures were to Jan Taylor for "sign holding" in the amount of \$350.00 each.

⁴ The two expenditures totaled \$2,000.00. The expenditures were to Horizon Broadcasting for the purpose of "radio ads" in the amount of \$1,000.00 and to Iheartmedia, also for the purpose of "radio ads" in the amount of \$1,000.00.

⁵ Respondent's campaign reports disclose a number of other expenditures to All Service Graphics for the purposes such as "walking cards," "postage," "letterhead," and "printed petition forms."

Exhibit 5.

10. In a telephone interview, Complainant was asked about the mailer at issue and her knowledge regarding Respondent being a “leader” with BCQC. Complainant stated that a couple, whom she knows, received the mailer at their house and called her to tell her about it. She said that to her recollection the couple received the mailer on or about August 27, 2016. When asked about Respondent and him being a “leader” with BCQC, Complainant said that she was basing it on two things. Complainant reported that it is common knowledge in the area that Respondent and Greg Schwendeman are “close friends.” She also reported that a commercial aired on a local television station that was paid for by BCQC but the commercial was “voiced” by Respondent. She added that Respondent also produced mailers very similar to mailers distributed by BCQC.

11. In a response to the complaint, Respondent “unequivocally” denies Complainant’s allegation and added that Complainant “without any evidence, other than sheer speculation, has made this allegation.” Respondent stated, “The fact that I use All Service Graphics (ASG) for my printing and mailing does not align or connect me with the ECO.” To review Respondent’s response to the complaint, refer to Exhibit 6.

12. In a telephone interview, Respondent denied that he was responsible for the mailer at issue and that Complainant was speculating. Respondent explained that Complainant’s speculation is based on the fact that he utilized the same printing vendor, All Service Graphics, as did BCQC. Respondent stated that he did not give any money to BCQC nor did he assist with paying for the mailer at issue. According to Respondent, Greg Schwendeman, through BCQC’s account, paid for the mailer. Respondent added that Mr. Schwendeman “messed-up” when it came to reporting the information electronically with the supervisor of elections’ office.

13. Records were secured from the vendor, All Service Graphics, relative to the mailer at issue. A copy of an invoice, dated August 24, 2016, reveals that BCQC was billed a total \$4,947.22 for printing, mailing services and postage. In addition, check #98 was issued in the amount of \$4,947.22 from the account of “Brevard Citizens for Qualified Candidates.” The check appears to have been signed by Greg Schwendeman. To review a copy of the invoice and the check, refer to Exhibit 7.

14. In a telephone interview, Greg Schwendeman stated that his ECO paid for the mailer at issue. Mr. Schwendeman explained that he “screwed-up” the reporting of information on-line with the supervisor of elections’ office. He added that he had problems in his attempts to upload and report information. He further added that he intends to contact Michele⁶ with the supervisor of elections’ office and have her assist him in making sure everything is reported so that he can eventually “shut down” the ECO.

15. As part of the telephone interview, Mr. Schwendeman was asked about Respondent and whether he contributed any money to the ECO for the purpose of assisting in paying for the mailer. Mr. Schwendeman reported that Respondent did not give any money towards to the cost of the mailer nor did he pay for the mailer. During the telephone interview,

⁶ Michele Nemschick

Mr. Schwendeman offered to provide copies of the ECO's bank statements as evidence that the committee had the funds to pay for the mailer.

16. Mr. Schwendeman provided copies of the committee's monthly bank statements beginning with the month of August 2016—when the mailer was published and distributed. The bank statement shows that the committee had funds in the account to cover the costs of the mailer at issue. To review a copy of the August bank statement, refer to Exhibit 8.

17. In a telephone interview, Michele Nemschick⁷ stated that the campaign reports filed with her office are current and that no changes have been made to any of the campaign reports⁸. She added that currently the campaign reports indicate that the ECO has more in expenditures than it had received in contributions. She further added that she has made Mr. Schwendeman aware of the situation but that she has not heard back from him. When asked, Ms. Nemschick stated that she could not recall any specific issues she encountered when helping Mr. Schwendeman other than his father was ill at a time when one of the campaign reports was due and on another occasion their office extended a deadline for filing campaign reports due to a "hurricane event."

18. In a questionnaire-affidavit, Respondent attested that he is not currently or has never been named as an officer with BCQC nor did he ever make a monetary contribution to the committee. Additionally, he attested that he did not financially fund the mailer at issue.

19. Respondent attested in the questionnaire-affidavit that he has known Mr. Schwendeman for approximately seven years mostly as an acquaintance. He described his relationship with Mr. Schwendeman as a friend but that they do not socialize outside of seeing each other in court. To review the questionnaire-affidavit, refer to Exhibit 9.

20. No record was found to indicate that Respondent has previously violated this section of the election laws.

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

21. I investigated whether Respondent violated this section of the election laws by accepting an excessive contribution.

22. Complainant alleged that Respondent accepted an excessive contribution from Rodney M. Kernan, LLC. Complainant noted that the contributions were reported in campaign reports for April and May 2015.

23. As per paragraph one, Respondent was a candidate in the primary election held on August 30, 2016.

24. Respondent's 2015 M4 campaign report was filed with the Brevard County

⁷ Candidate administrator with the Brevard County Supervisor of Elections office.

⁸ In an e-mail, Ms. Nemschick advised that Mr. Schwendeman had begun amendments to the 2016 P7 and 2016 G6 campaign reports; however, neither of the campaign reports were submitted to the supervisor of elections office.

Supervisor of Elections' office on May 8, 2015. Table 1 below is reflective of how the contribution was reported. To review the itemized-contributions page depicting the \$500 contribution, refer to Exhibit 10.

TABLE 1: RESPONDENT'S 2015 M4 CTR – ITEMIZED CONTRIBUTIONS						
Date	Full Name Street Address & City, State, Zip Code	Contributor		Contribution Type	In-Kind Description	Amount
Sequence #		Type	Occupation			
4/7/2015 1	Rodney M. Kernan, LLC, P.O. Box 458 Cocoa, FL 32923	B	law firm	CH		\$500.00

25. Respondent's 2015 M5 campaign report was filed with the Brevard County Supervisor of Elections' office on June 9, 2015. Table 2 below is reflective of how the contribution was reported. To review the itemized-contributions page depicting the \$1000.00 contribution, refer to Exhibit 11.

TABLE 2: RESPONDENT'S 2015 M5 CTR – ITEMIZED CONTRIBUTIONS						
Date	Full Name Street Address & City, State, Zip Code	Contributor		Contribution Type	In-Kind Description	Amount
Sequence #		Type	Occupation			
5/6/2015 1	Rodney M. Kernan, LLC, P.O. Box 458 Cocoa, FL 32923	B	law firm	CH		\$1,000.00

26. In his response, Respondent acknowledged the acceptance of the second contribution from his law firm on May 6, 2015. Respondent stated, "After writing a first check of \$500.00, I inadvertently wrote the second check for \$1000.00 by mistake." Respondent added that once he realized the error, "I immediately within the same reporting period, corrected the error by writing a check back to Rodney M. Kernan, LLC." Additionally, Respondent stated that he is the only one listed to receive funds from Rodney M. Kernan, LLC as the sole attorney for the entity. To review Respondent's response to the complaint, refer to Exhibit 6.

27. The itemized-expenditures page from Respondent's 2015 M5 campaign report discloses the returning of the excessive amount of the contribution. As per paragraph 25, the 2015 M5 campaign report was filed with the Brevard County Supervisor of Elections' office on June 9, 2015⁹. Table 3 below is reflective of how the expenditure was reported. To review the

⁹ Complainant swore out her complaint on October 19, 2016.

itemized-expenditures page disclosing the excessive portion of the contribution, refer to Exhibit 12.

TABLE 3: RESPONDENT'S 2015 M5 CTR – ITEMIZED EXPENDITURES				
Date	Full Name, Street Address & City, State, Zip Code	Purpose	Expenditure Type	Amount
Sequence #				
5/30/2015 4	Rodney M. Kernan, LLC P.O. Box 458 Cocoa, FL 32923	to correct over contribution by error	RE	\$500.00

28. In a questionnaire-affidavit, Respondent was asked about any campaign procedures he had in place to help ensure that his campaign operated in compliance of Section 106.19(1)(a), Florida Statutes. Respondent attested that he kept separate folders with copies of any and all contributions which included names and addresses of contributors.

29. In addition, Respondent attested, “As for my Rodney M. Kernan, LLC account, I am the only recipient of that account. However, after depositing the \$1000 check, I realized that I had previously written a check for \$500.00 and immediately corrected the overage by writing Rodney M. Kernan, LLC a check for \$500.00 prior the next reporting period.” Respondent added that the “overage” happened at the beginning of his campaign as he was establishing safeguards. To review Respondent’s response to the questionnaire-affidavit, refer to Exhibit 9.

30. As part of his response to the questionnaire-affidavit, Respondent provided a copy of the check issued as a refund. Check #0993 was issued to Rodney M. Kernan LLC in the amount of \$500.00 for “Refund correcting Contribution Deposit.” The check was dated as having been written on May 30, 2015. To review a copy of the check, refer to Exhibit 13.

31. No record was found to indicate that Respondent has previously violated this section of the election laws.

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

32. I investigated whether Respondent violated this section of the election laws by falsely reporting information.

33. As to Complainant’s concern, refer to paragraph five.

34. To review information pertaining to the mailer, refer to paragraphs 6 through 19.

35. No record was found to indicate that Respondent has previously violated this section of the election laws.

V. FEC History:

36. Respondent has no prior history with the Florida Elections Commission.

Conclusion:

37. On March 17, 2017, I interviewed Respondent for the purpose of providing him with a brief overview of the case and to afford him an opportunity for questions or comments. After having reviewed the case with him and when asked, Respondent said that he had nothing else to add to the case at this time.

38. In an affidavit, Brevard County Supervisor of Elections Lori Scott attested that Respondent's 2016 campaign was his first campaign for elective office in her jurisdiction. Ms. Scott further attested that Respondent was provided with a copy of Chapter 106, Florida Statutes, as well as the *Candidate and Campaign Treasurer Handbook*. To review the supervisor of elections affidavit, refer to Exhibit 14.

39. In a questionnaire-affidavit, Respondent attested in 2012, he announced as a candidate for Brevard Clerk of the Court but he later withdrew prior to qualifying. Respondent further attested that he does possess and has read Chapter 106, Florida Statutes as well as the *Candidate and Campaign Treasurer Handbook*. Respondent was asked what action had he taken to determine his responsibilities under Florida's election laws. He stated, "As required, I read Chapter 106, Florida Statutes and the Code of Judicial Conduct within 10 days of announcing my candidacy. In addition I attended a seminar in Orlando regarding the Florida Code of Judicial Conduct, Canon 7 Rules and have read any updates." To review Respondent's response to the questionnaire-affidavit, refer to Exhibit 9.

40. Respondent executed a Statement of Candidate form indicating that he had been provided access to read and understand the requirements of Chapter 106, Florida Statutes; the form is dated as having been signed March 5, 2015. To review the Statement of Candidate form, refer to Exhibit 15.

Respectfully submitted on March 17, 2017.



Keith Smith
Investigation Specialist

Current address of Respondent

Rodney Miles Kernan
Post Office Box 458
Cocoa, Florida 32923

Current address of Complainant

The Honorable Kelly Ingram
3231 Biscayne Drive
Merritt Island, Florida 32953

Name and Address of Filing Officer:

The Honorable Lori Scott
Supervisor of Elections
2725 Judge Fran Jamieson Way, Building C
Melbourne, Florida 32940

Copy furnished to: David Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Rodney Miles Kernan -- FEC 16-635

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	DS-DE 9 form
Exhibit 2	Copy of mailer
Exhibit 3	Printout of six reports (BCQC)
Exhibit 4	Campaign Finance Activity & remaining campaign reports
Exhibit 5	Respondent's CTR re: \$10,839.27 expenditure to All Service
Exhibit 6	Respondent's response
Exhibit 7	Invoice/check
Exhibit 8	Bank statement from BCQC
Exhibit 9	Response to Q/A
Exhibit 10	Respondent's 2015 M4 CTR re: \$500 contribution
Exhibit 11	Respondent's 2015 M5 CTR re: \$1000 contribution
Exhibit 12	Respondent's 2015 M5 CTR re: returning \$500 contribution
Exhibit 13	Check returning excessive portion of contribution
Exhibit 14	Affidavit of Lori Scott (BCSOE)
Exhibit 15	Statement of Candidate form

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

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

(PLEASE PRINT OR TYPE)

COPY

15 MAR 5 PM 4:18

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)
Rodney Miles Kernan

3. Address (include post office box or street, city, state, zip code)
P.O. Box 458, Cocoa, FL 32923

4. Telephone
(321) 720-7948

5. E-mail address
rodkernan@gmail.com

6. Office sought (include district, circuit, group number)
Brevard County Court Judge, Group 2

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
Rodney Miles Kernan

11. Mailing Address
P.O. Box 458

12. Telephone
(321) 720-7948

13. City
Cocoa

14. County
Brevard

15. State
FL

16. Zip Code
32923

17. E-mail address
rodkernan@gmail.com

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

19. Name of Bank
Bank of America

20. Address
15 E. Merritt Island Causway

21. City
Merritt Island

22. County
Brevard

23. State
FL

24. Zip Code
32952

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

3/5/15

26. Signature of Candidate

Rodney Miles Kernan

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

I, Rodney Miles Kernan, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

3/5/15
Date

Rodney Miles Kernan
Signature of Campaign Treasurer or Deputy Treasurer

EXHIBIT

KELLY INGRAM ARRESTED

(182)

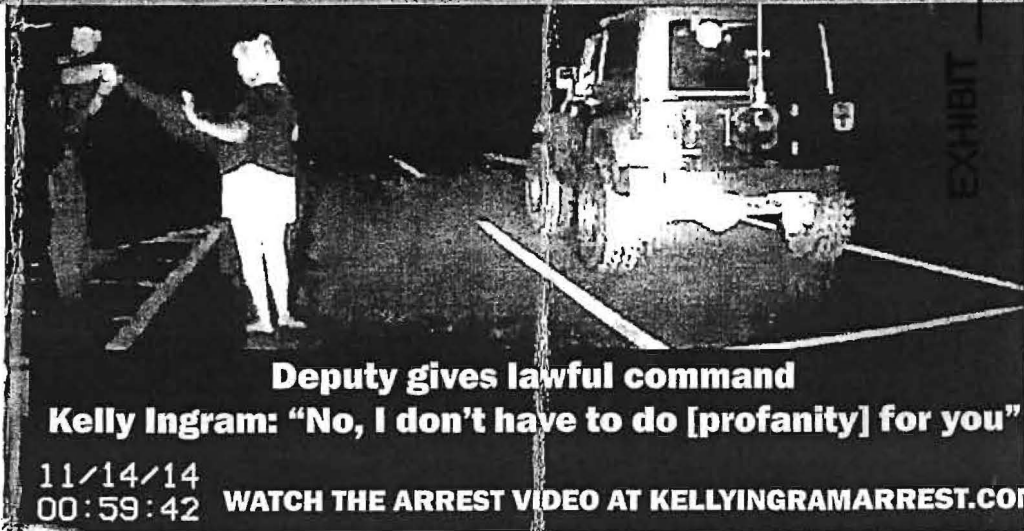
Paid electioneering communication paid for by
Brevard Citizens for Qualified Candidates
274 East Eau Gallie Causeway #255
Indian Harbour Beach, FL 32937

PRSRT STD
US POSTAGE
PAID
ALL SERVICE
GRAPHICS



*****AUTO**5-DIGIT 32937 0007 0364

Betty and Ronald Adams Or Current Resident
436 EAGLE DR
SATELLITE BEACH FL 32937-3710



EXHIBIT

Deputy gives lawful command
Kelly Ingram: "No, I don't have to do [profanity] for you"

11/14/14
00:59:42 WATCH THE ARREST VIDEO AT KELLYINGRAMARREST.COM

Exhibit 0

KELLY INGRAM WAS ARRESTED FOR BATTERY ON A LAW ENFORCEMENT OFFICER. ACROSS THE COUNTRY, POLICE OFFICERS ARE BEING DISRESPECTED BY PEOPLE LIKE KELLY INGRAM. NOW SHE'S RUNNING FOR JUDGE IN BREVARD COUNTY...

Brevard County Sheriff's Office

700 Park Avenue, Titusville, FL 32780-4095

Case Report 14356402

ARREST REPORT 11/14/2014

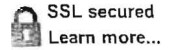
Upon my arrival I observed [BCSO] Deputy attempting to conduct a DUI investigation. As I watched, **Ms. Kelly Ingram (arrestee)** repeatedly yelled into [the] Deputy's face and moved her body very close to his in an attempt to interrupt or interfere with his criminal investigation. I gave several verbal commands for her to step away from [BCSO] Deputy so that he could continue his investigation. **Ms. Ingram** looked at me and said, "F*** you, I don't have to listen to you!" She then turned back to [BCSO] Deputy and approached him from behind. In an attempt to remove her...I placed my right hand on the defendant's left wrist and the defendant turned around and struck me with her right arm in the chest. I placed **Ms. Ingram** under arrest for Resisting an Officer without violence and Battery LEO. The defendant was then transported to the Brevard County Jail. This entire incident was captured by [BCSO] Deputy's patrol car camera.



KELLY INGRAM ARRESTED FOR BATTERY ON A LAW ENFORCEMENT OFFICER AND RESISTING ARREST

WATCH THE ARREST VIDEO AND READ THE OFFICER'S REPORT AT KELLYINGRAMARREST.COM YOU BE THE JUDGE

Search Party and Candidate Financial Reports



Committee : Brevard Citizens for Qualified Candidates

[Print This Information](#)

Available reports...

P3	7/29/2016
P4	8/5/2016
P5	8/12/2016
P6	8/19/2016
P7	8/26/2016
G1	9/9/2016

Contact Information:

274 East Eau Gallie Causeway
 #255
 Indian Harbour Beach, FL - 32937
gregoryslf@aol.com
 3212435008

[Go Back](#)

[List All Contributions and Expenditures](#)

[Export all transactions \(tab delimited - .csv\)](#)

The following financial reports are available:

Report	Monetary Contributions	In Kind	Expenditures & Distributions	View PDF
<u>P3</u> (7/9/2016 - 7/22/2016)	\$0.00	\$0.00	\$0.00	View Report (PDF)
<u>P4</u> (7/23/2016 - 7/29/2016)	\$0.00	\$0.00	\$0.00	View Report (PDF)
<u>P5</u> (7/30/2016 - 8/5/2016)	\$0.00	\$0.00	\$0.00	View Report (PDF)
<u>P6</u> (8/6/2016 - 8/12/2016)	\$0.00	\$0.00	\$0.00	View Report (PDF)
<u>P7</u> (8/13/2016 - 8/25/2016)	\$1,000.00	\$0.00	\$0.00	View Report (PDF)
<u>G1</u> (8/26/2016 - 9/2/2016)	\$0.00	\$0.00	\$0.00	View Report (PDF)

EXHIBIT 3

Committee: Brevard Citizens for Qualified Candidates

List All Contributions and Expenditures

 Show only financial reports (Hides bio)

Available reports...

P3 7/29/2016

P4 8/5/2016

P5 8/12/2016

P6 8/19/2016

P7 8/26/2016

G1 9/9/2016

G2 9/23/2016

G3 10/7/2016

G4 10/14/2016

G5 10/21/2016

G6 10/28/2016

G7 11/4/2016

M11 12/12/2016

M12 1/10/2017

M1 2/10/2017

Contact Information:

274 East Eau Gallie Causeway

255

Indian Harbour Beach, FL - 32937

gregoryslf@aol.com

3212435008

The following financial reports are available:

Report View Transactions	Monetary Contributions	In Kind Contributions	Expenditures and Distributions	Print Report
P3 (7/9/2016 - 7/22/2016)	\$0.00	\$0.00	\$0.00	
P4 (7/23/2016 - 7/29/2016)	\$0.00	\$0.00	\$0.00	
P5 (7/30/2016 - 8/5/2016)	\$0.00	\$0.00	\$0.00	
P6 (8/6/2016 - 8/12/2016)	\$0.00	\$0.00	\$0.00	
P7 (8/13/2016 - 8/25/2016)	\$1,000.00	\$0.00	\$0.00	
G1 (8/26/2016 - 9/2/2016)	\$0.00	\$0.00	\$0.00	
G2 (9/3/2016 - 9/16/2016)	\$0.00	\$0.00	\$0.00	
G3 (9/17/2016 - 9/30/2016)	\$0.00	\$0.00	\$0.00	
G4 (10/1/2016 - 10/7/2016)	\$0.00	\$0.00	\$0.00	
G5 (10/8/2016 - 10/14/2016)	\$0.00	\$0.00	\$0.00	
G6 (10/15/2016 - 10/21/2016)	\$0.00	\$0.00	\$0.00	
G7 (10/22/2016 - 11/3/2016)	\$0.00	\$0.00	\$910.00	
M11 (11/4/2016 - 11/30/2016)	\$1,000.00	\$0.00	\$2,000.00	
M12 (12/1/2016 - 12/31/2016)	\$0.00	\$0.00	\$0.00	
M1 (1/1/2017 - 1/31/2017)	\$0.00	\$0.00	\$0.00	

Candidate qualifying forms and miscellaneous documents

EXHIBIT 4 (1 of 3)

Committee: Brevard Citizens for Qualified Candidates

Office: Electioneering Communications Organization

Report Date: G7
(10/22/2016 - 11/3/2016)

Campaign Treasurer's Report - Itemized Contributions					
Seq# Date	Contributor	Entity	Occupation Amend	Cont. Type	Amount
Total Contributions					\$0.00

Campaign Treasurer's Report - In-Kind Contributions					
Seq# Date	Contributor	Entity	Occupation Amend	In-Kind Description	Amount
Total In-Kind Contributions					\$0.00

Campaign Treasurer's Report - Itemized Expenditures				
Seq# Date	Vendor	Purpose	Exp. Type Amend	Amount
1 10/28/2016	Southern Tape & Label 1107 Peachtree Street Cocoa, FL 32922	Campaign signs	Monetary	\$210.00
2 11/2/2016	Jan Taylor 3136 Kittles Street Mims, FL 32754	Sign Holding	Monetary	\$350.00
3 11/2/2016	Jan Taylor 3136 Kittles Street Mims, FL 32754	Sign Holding	Monetary	\$350.00
Total Expenditures				\$910.00

Campaign Treasurer's Report - Fund Transfers				
Seq# Date	Institution	Transfer Type	Nature of Account Amend	Amount

Campaign Treasurer's Report - Distributions				
Seq# Date	Vendor	Purpose	Expenditure Related Amend	Amount

* Petty cash expenditures are realized when the funds are withdrawn for petty cash. Therefore, the referenced item is not included in the total.

EXHIBIT 4 (2 of 3)

Committee: Brevard Citizens for Qualified Candidates

Office: Electioneering Communications Organization

Report Date: M11
(11/4/2016 - 11/30/2016)

Campaign Treasurer's Report - Itemized Contributions						
Seq# Date	Contributor	Entity	Occupation Amend	Cont. Type	Amount	
1 11/4/2016	John Guidry 320 N. Magnolia Avenue Suite B-1 Orlando, fl 32801	Individual	attorney	Check	\$1,000.00	
Total Contributions						\$1,000.00

Campaign Treasurer's Report - In-Kind Contributions						
Seq# Date	Contributor	Entity	Occupation Amend	In-Kind	Description	Amount
Total In-Kind Contributions						\$0.00

Campaign Treasurer's Report - Itemized Expenditures						
Seq# Date	Vendor	Purpose	Exp. Type Amend	Amount		
1 11/4/2016	Horizon Broadcasting 380 N. Wickham Road Suite 1 Melbourne, fl 32935	radio ads	Monetary	\$1,000.00		
2 11/4/2016	iheartmedia 1388 S. Babcock Street Melbourne, fl 32901	radio ads	Monetary	\$1,000.00		
Total Expenditures						\$2,000.00

Campaign Treasurer's Report - Fund Transfers						
Seq# Date	Institution	Transfer Type	Nature of Account Amend	Amount		

Campaign Treasurer's Report - Distributions						
Seq# Date	Vendor	Purpose	Expenditure Related Amend	Exp.	Amount	

* Petty cash expenditures are realized when the funds are withdrawn for petty cash. Therefore, the referenced item is not included in the total.

EXHIBIT 4 (3 of 3)

CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Rodney Miles Kernan

(2) I.D. Number 582

(3) Cover Period 8/13/2016 through 8/25/2016

(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
8/24/2016 //	All Service Graphics, Inc., 1020 W Eau Gallie Blvd, Ste. I Melbourne, FL 32935	mailers & postage	MO		\$10,839.27
1					
8/19/2016 //	USPS, 6105 N Wickham Rd. Melbourne, FL 32940	postage	MO		\$517.00
2					
8/25/2016 //	Florida Today, 1 Gannett Plaza Ave. Melbourne, FL 32940	florida today ad	MO		\$1,402.50
3					
8/15/2016 //	Office Depot, 550 E Merritt Island Causeway Merritt Island, FL 32952	flyers	MO		\$150.70
4					
//					
//					
//					
//					

Rodney M. Kernan

PO Box 458
Cocoa, FL 32923
321-720-7948

November 16, 2016

To: Erin Riley, Florida Elections Commission
107 W. Gaines St, Suite 224 Collins Building
Tallahassee, FL 32399
RE: Response to Complaint Case No.: FEC 16-635

RECEIVED
2016 NOV 21 A 10:50
STATE OF FLORIDA
ELECTIONS COMMISSION

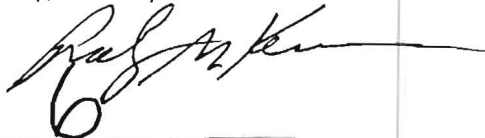
Dear Erin Riley:

This is in response to the Complaint filed by Kelly Ingram alleging violations of Florida election laws during the 2016 Campaign for County Court Judge Group 2 in Brevard County. In paragraph 3 of the Confidential Complaint Form FEC 002(Rev 05-05-14), It clearly states for the complainant to "Please list the provisions of the Florida Election Code that you believe the person named above may have violated."

With respect to the allegation in paragraph 1 of the complaint, Mrs. Ingram does not specify which subsection of the Florida Election Code 106.08 that was allegedly violated. However, regarding the allegation that my campaign received more than the statutory limit of \$1000.00 from Rodney M. Kernan, LLC, there were two checks written. After writing a first check of \$500.00, I inadvertently wrote the second check for \$1000.00 by mistake. Once I realized the error, I immediately within the same reporting period, corrected the error by writing a check back to Rodney M. Kernan, LLC. In addition, I am the only one listed to receive funds from Rodney M. Kernan, LLC as the sole attorney for that entity.

With respect to the allegation in paragraph 2 of the Complaint, Mrs. Ingram doesn't even specify any section of the Florida Election Code that would indicate a violation. However, to answer her false allegation that I coordinated the activities of my campaign with an Electioneering Communication Organization (ECO), has been a leader in the ECO, and has publicly opposed an opponent through the guise of ECO (Brevard Citizens for Qualified Candidates), I unequivocally deny these allegations. Mrs. Ingram, without any evidence, other than sheer speculation, has made this allegation. The fact that I use All Service Graphics (ASG) for my printing and mailing does not align or connect me with the ECO. ASG is one of Brevard's largest printing services which many candidates and organizations use. Any of my printed campaign material distributed by ASG was clearly marked from my campaign and no other organization.

Sincerely, Rodney M. Kernan



EXHIBIT

All Service Graphics, Inc.
 1020 West Eau Gallie Blvd Ste I
 Melbourne, FL 32935

Invoice

Invoice #	21243
Date	8/24/2016
Job No:	21297
P.O. No.	
Rep	DG

Phone # 321-259-8957
 Fax # 321-255-2119

Bill To
Brevard citizens for Qualified Candidates

Ship To

RECEIVED
 FEB 28 A 10:12
 DEPARTMENT OF FLORIDA
 REGISTRATION

Qty	Description	Rate	Amount
10,100	Brevard Citizens Post Card	0.10	1,010.00T
10,098	Mailing Services & Postage	0.36	3,635.28T
Terms Due on receipt		Subtotal	\$4,645.28
		Sales Tax (6.5%)	\$301.94
Payments received after 30 days will be assessed a finance charge of 1.5% per month (18%) annual. For your convenience, ALL SERVICE GRAPHICS accepts Americian Express, Master Card, Vis and Discover Card.		Total	\$4,947.22
In the event a suit should be brought for Collections, the purchaser agrees to pay reasonable attorney's fees and court costs for making such a Collection.		Payments/Credits	\$0.00
		Balance Due	\$4,947.22

EXHIBIT 7 (1 of 2)

BREVARD CITIZENS FOR QUALIFIED
CANDIDATES

63-215/631

98

DATE 8.25.16

© SECURE WALLET OR DUPLICATE

PAY TO
THE ORDER OF

All Service Graphics

\$ 4947.²²
22

Four Thousand Nine Hundred Forty Seven

DOLLARS

Security Features
Included.
Details on Back.



ACH RT 061000104

MEMO

members

[Signature]

RP



SPECIALTY BLUE

EXHIBIT 7 (202)

SUNTRUST BANK
 PO BOX 305183
 NASHVILLE TN 37230-5183

Page 1 of 1
 367800/0175/0 /31
 [REDACTED]
 08/31/2016



Account Statement

BREVARD CITIZENS FOR QUALIFIED CANDI
 274 E. EAU GALLIE BLVD # 255
 SATELLITE BEACH FL 32937

Questions? Please call
 1-800-786-8787

LET'S MAKE FINANCIAL STRESS A THING OF THE PAST. WE'RE STARTING A MOVEMENT TO HELP AMERICANS MOVE TOWARD FINANCIAL CONFIDENCE. LET'S GET STARTED TODAY. JOIN THE MOVEMENT AT ONUP.COM.

Account Summary		Account Type		Account Number		Statement Period			
		PRIMARY BUSINESS CHECKING		[REDACTED]		08/18/2016 - 08/31/2016			
Description		Amount	Description		Amount				
Beginning Balance		\$0.00	Average Balance		\$2,819.76				
Deposits/Credits		\$8,000.00	Average Collected Balance		\$2,676.90				
Checks		\$6,067.22	Number of Days in Statement Period		14				
Withdrawals/Debits		\$0.00							
Ending Balance		\$1,932.78							
Deposits/ Credits	Date	Amount	Serial #	DEPOSIT	Date	Amount	Serial #	DEPOSIT	
	08/18	1,000.00			08/23	7,000.00			
Deposits/Credits: 2				Total Items Deposited: 3					
Checks	Check Number	Amount	Date Paid	Check Number	Amount	Date Paid	Check Number	Amount	Date Paid
	98	4,947.22	08/26	99	1,120.00	08/25			
Checks: 2									
Balance Activity History	Date	Balance	Collected Balance	Date	Balance	Collected Balance			
	08/18	1,000.00	1,000.00	08/25	6,880.00	6,880.00			
	08/23	8,000.00	6,000.00	08/26	1,932.78	1,932.78			
	08/24	8,000.00	8,000.00						

AFFIDAVIT OF BACKGROUND INFORMATION
Case Number: FEC 16-635

STATE OF FLORIDA
County of Brevard

Rodney Miles Kernan, 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: Partner with Kernan & Austin, LLC as Attorney.
3. Prior to your 2016 campaign, had 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.

Announced as a candidate for Brevard Clerk of Court in 2012 but withdrew prior to qualifying date.

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).

No, except for functioning as treasurer for my own candidacy, Rodney M. Kernan, November 2016.

5. Have you ever held the office of chairperson or treasurer for a political committee or an electioneering communications organization? If so, please list the names and addresses of the committees and dates when you held the position.

No.

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

As required, I read Chapter 106, Florida Statutes and the Code of Judicial Conduct within 10 days of announcing my candidacy. In addition I attended a seminar in Orlando regarding the Florida Code of Judicial Conduct, Cannon 7 Rules and have read any updates.

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

8. If so, when did you first obtain it? Within 10 days of announcing my candidacy.

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

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

11. If so, when did you first obtain it? Within 10 days of announcing my candidacy

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

13. A review of your campaign reports indicate that the campaign received a \$500 contribution from "Rodney M. Kernan, LLC" on April 7, 2015 and a \$1,000 contribution from "Rodney M. Kernan, LLC" on May 6, 2015, thereby accepting an excessive contribution in violation of Section 106.19(1)(a), FS. What, if any, campaign procedures did you have in place which would help ensure that your campaign operated in compliance of Section 106.19(1)(a), FS?

I kept separate monthly folders with copies of all and any contributions which included names and addresses of contributors. As for my Rodney M. Kernan, LLC account, I am the only recipient of that account. However, after depositing the \$1000.00 check, I realized that I had previously written a check for \$500.00 and immediately corrected the overage by writing Rodney M. Kernan, LLC a check for \$500.00 prior to the next reporting period. I also documented the error in my report and on the check. This overage happened at the beginning of the campaign as I was establishing safeguards.

14. According to your 2015 M5 campaign report, on May 30, 2015, you reported an expenditure in the amount of \$500 to "Rodney M. Kernan, LLC" for the purpose "to correct over contribution by error." For our review, please provide a copy of the check issued from the campaign account to repay Rodney M. Kernan, LLC. (Please note that Section 106.06(3), FS, requires a campaign treasurer of a candidate to keep records for a number of years equal to the term of office to which the candidate was seeking.)

Copy of check Provided with this affidavit.

15. According to Ms. Ingram (Complainant), you have been a "leader" with the ECO, Brevard Citizens for Qualified Candidates (BCQC). Are you currently, or have you ever been, named as an officer with BCQC? () Yes (X) No. If yes, please state your title and when you first began to serve in that capacity.

16. How long have you known Greg Schwendeman?

Approximately 7 years but mostly as an acquaintance until the last few years where we have spoken more frequently when I see him around the courthouse.

17. How would you describe your relationship with Mr. Schwendeman?

- Friend, but we do not socialize outside of seeing each other in court.**
- Acquaintance
- Business associate
- Other. Please explain _____

18. To your knowledge, what led Mr. Schwendeman to form BCQC?

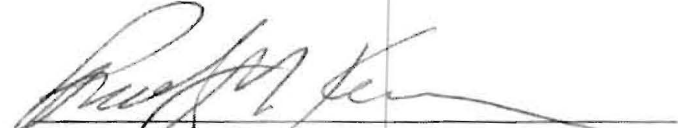
I would speculate that Mr. Schwendeman desired myself to prevail in the election. However, I know he certainly did not support nor did he want Mrs. Ingram to become elected based on her lack of experience, sense of entitlement and foul demeanor as displayed on video by her arrest in 2014.

19. Did you ever make a monetary contribution to BCQC? () Yes (X) No. If yes, please state the amount given.

20. According to Ms. Ingram, you "financially funded" the mailer that accompanied her complaint. Did you give any money to BCQC to pay for the mailer at issue?

NO

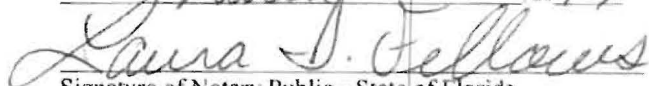
I HEREBY SWEAR OR AFFIRM THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



Signature of Affiant

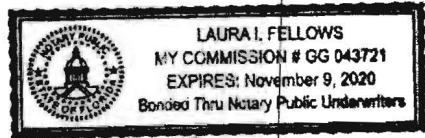
Sworn to (or affirmed) and subscribed before me this 15th day of

March 20 17



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: KS

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

(1) Name Rodney Miles Kernan (2) I.D. Number 582

4/1/2015 4/30/2015

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

(5) Date	(7) Full Name (Last, Suffix, First, Middle)	(8) Contributor		(9) Contribution	(10) In-kind	(11)	(12)
(6) Sequence Number	Street Address & City, State, Zip Code	Occupation		Type	Description	Amendment	Amount
		Type	Occupation				
4/7/2015 / /	Rodney M. Kernan, LLC, P.O. Box 458 Cocoa, FL 32923	B	law firm	CH			\$500.00
1							
/ /							
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EXHIBIT 10
SEE REVERSE FOR INSTRUCTIONS AND CODE VALUES

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name Rodney Miles Kernan (2) I.D. Number 582

5/1/2015 through 5/31/2015

(3) Cover Period 5/1/2015 / 5/31/2015 through 5/1/2015 / 5/31/2015 (4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor		(9) Contribution	(10) In-kind	(11) Amendment	(12) Amount
(6) Sequence Number		Type	Occupation	Type	Description		
5/6/2015 / / 1	Rodney M. Kernan, LLC, P.O. Box 458 Cocoa, FL 32923	B	law firm	CH			\$1,000.00
5/20/2015 / / 2	Kernan, Rodney 3764 Sunward Dr. Merritt Island, FL 32953	S	attorney	LO			\$1,000.00
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							

CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Rodney Miles Kernan

(2) I.D. Number 582

(3) Cover Period 5/1/2015 through 5/31/2015

(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
5/7/2015 //	ArtLab, LLC, 1728 Agora Cir., SE, Unit C Palm Bay, FL 32909	t shirts	MO		\$557.85
1					
5/20/2015 //	All Service Graphics, Inc., 1020 W. Eau Gallie Blvd., Ste. 1 Melbourne, F 32935	walking cards	MO		\$798.75
2					
5/29/2015 //	Go Daddy, 14455 N. Hayden Rd., Ste. 219 Scottsdale, AZ 85260	web hosting	MO		\$95.76
3					
5/30/2015 //	Rodney M. Kernan, LLC, P.O. Box 458 Cocoa, FL 32923	to correct over contribution by error	RE		\$500.00
4					
//					
//					
//					
//					

0993
63-4638 P
1034


DATE 5/30/15

PAY TO THE ORDER OF

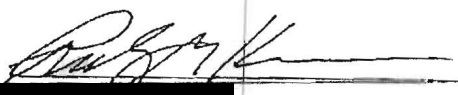
Rodney M. Kernan LLC
Five Hundred & ⁰⁰/₁₀₀

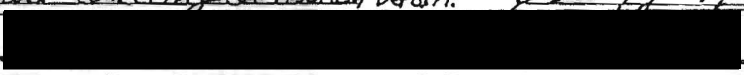
\$ 500.00

DOLLARS 

Bank of America 

FOR Reimburse
Refund correcting Contribution deposit.





PAY TO THE ORDER OF
BANK OF AMERICA
Meritt Island, FL 32952
FOR DEPOSIT ONLY
RODNEY M. KERNAN LLC



AFFIDAVIT OF FILING OFFICER
Case Number: FEC 16-635

RECEIVED

2017 MAR -3 P 2:04

STATE OF FLORIDA
 ELECTIONS COMMISSION

STATE OF FLORIDA
County of Brevard

Lori Scott, 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 Brevard County as Supervisor of Elections.
3. Please provide copies of the listed items from the following candidate's campaign file: Rodney M. Kernan.

Check	ITEM
✓	The Statement of Candidate form. Both DS-DE 83 and DS-DE 84
✓	Appointments of Treasurers and Designation of Campaign Depository form.

4. Please check each item provided to the candidate or his staff, and list the date that the item was provided.

Check	ITEM	DATE
✓	Chapter 106, Florida Statutes	3/6/2015
	<i>Candidate and Campaign Treasurer Handbook</i> Please indicate Year. _____	
	Other: ¹	

5. Relative to Chapter 106, *Florida Statutes* and the *Candidate and Campaign Treasurer Handbook*, how are these publications provided to the candidate and/or his staff?

- Publications are given directly to the candidate and/or his staff.
Hard copies available upon request.
- Publications are available in the office, candidate and/or his staff are advised to pick-up the publications for themselves.

¹ Any local publications relative to the Election laws that may have been provided in lieu of the Candidate and Campaign Treasurer Handbook published by the Division of Elections. If your office published the item(s), please send a copy of the item(s) with the affidavit.

EXHIBIT 14 (104)

Candidate and/or his staff are advised to download copies of the publications from our website or the Division of Elections' website.

Other, please explain. Provided as email attachments.

6. Did your office offer any candidate workshops or training seminars prior to the primary and/or general election? Yes or No. If yes, please list all workshops/training seminars that were attended by the candidate and/or his staff, along with the date of attendance. If a staff member attended for the candidate, list his/her name and position. If available, please attach a copy of any attendance sheets from the workshops/training seminars and if available, please provide a copy of the syllabus and outline for the workshops/seminars.

Candidate did not attend the Candidate Workshop

7. Does your office have any record of Rodney M. Kernan having sought elective office within your jurisdiction prior to the 2016 election? Yes or No. If yes, please list the previous office(s) he ran for, the date(s) of the election(s), and the result(s) of the election(s).

8. Does your office have any record of Rodney M. Kernan having been named as a chairperson or campaign treasurer of a political committee or electioneering communication organization within your jurisdiction? Yes or No. If yes, please list the name(s) of the committees.

9. Did you or any member from your staff have any conversations with Rodney M. Kernan concerning a provision of Chapter 106, Florida Statutes, at any time during his 2016 campaign? Yes or No. If yes, please indicate whether the conversation was in person, in writing, or by telephone and the subject matter of the conversation. If applicable, please provide copies documenting the discussion.

See attached explanation.

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

EXHIBIT 14 (2 of 4)

Paul Scott

Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 28 day of
February, 20 17

Michele Nemschick

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Michele D. Nemschick

Personally Known or Produced Identification

Type of Identification Produced: _____

Case investigator: KS

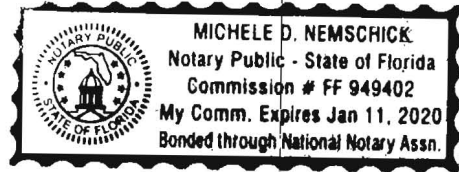


EXHIBIT 14 (3&4)



Reply To:

Government Center North
400 South Street 1F
Post Office Box 1119
Titusville, FL 32781-1119
Telephone 321 264-6740
Fax 321 264-6741

Viera Government Center
2725 Judge Fran Jamieson Way
Building C, Level 1
Post Office Box 410819
Melbourne, FL 32941-0819
Telephone 321 633-2124
Fax 321 633-2130

South Brevard
Service Complex
1515 Samo Road
Melbourne, FL 32935
Telephone 321 255-4455
Fax 321 255-4401

Palm Bay
Service Complex
450 Cogan Drive, SE
Palm Bay, FL 32909
Telephone 321 952-6328
Fax 321 952-6332

VOTER FRAUD HOTLINE
1-877-868-3737

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

Re: Case No.: FEC 16-635

9. Mr. Kernan was notified by email that his expenditures exceeded his contributions on his TRG termination report. After notification, Mr. Kernan called and made an appointment with the Candidate Coordinator to clarify the process for entering a refund – which was the error that resulted in the discrepancy.

Mr. Kernan was given a copy of the “*How to File Financial Reports Online*” handbook pages 44-46: “*How Do I Change or Delete and Item from an Original Report?*”

He subsequently submitted a reconciled TRG termination report.

EXHIBIT

14 (over)

wwwVoteBrevard.com

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

15 MAR 5 PM 4:13

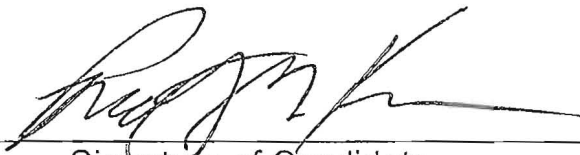
COPY

I, Rodney Miles Kernan,

candidate for the office of Brevard County Court Judge Group 2 ;

have been provided access to read and understand the requirements of
Chapter 106, Florida Statutes.

X



Signature of Candidate

3/5/15

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).



FLORIDA ELECTIONS COMMISSION

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

February 16, 2017

Rodney Miles Kernan
P.O. Box 458
Cocoa, FL 32923

RE: Case No.: FEC 16-635; Respondent: Rodney Miles Kernan

Dear Mr. Miles:

On October 28, 2016, 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 106.1439(1), Florida Statutes: Respondent, a 2016 candidate for County Court Judge, Group 2, failed to include an accurate disclaimer in an electioneering communication, as alleged in the complaint.

Section 106.19(1)(a), Florida Statutes: Respondent, a 2016 candidate for County Court Judge, Group 2, accepted one or more contributions in excess of the limits prescribed by Section 106.08, Florida Statutes, as alleged in the complaint.

Section 106.19(1)(c), Florida Statutes: Respondent, a 2016 candidate for County Court Judge, Group 2, may have falsely reported or deliberately failed to include information in one or more campaign reports, 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 **Keith Smith**, the investigator assigned to this case.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/enr

ER

Rodney M. Kernan

PO Box 458
Cocoa, FL 32923
321-720-7948

November 16, 2016

To: Erin Riley, Florida Elections Commission
107 W. Gaines St, Suite 224 Collins Building
Tallahassee, FL 32399
RE: Response to Complaint Case No.: FEC 16-635

RECEIVED
2016 NOV 21 A 10:50
STATE OF FLORIDA
ELECTIONS COMMISSION

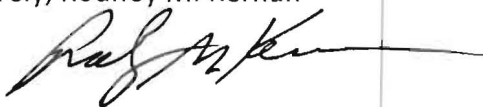
Dear Erin Riley:

This is in response to the Complaint filed by Kelly Ingram alleging violations of Florida election laws during the 2016 Campaign for County Court Judge Group 2 in Brevard County. In paragraph 3 of the Confidential Complaint Form FEC 002(Rev 05-05-14), it clearly states for the complainant to "Please list the provisions of the Florida Election Code that you believe the person named above may have violated."

With respect to the allegation in paragraph 1 of the complaint, Mrs. Ingram does not specify which subsection of the Florida Election Code 106.08 that was allegedly violated. However, regarding the allegation that my campaign received more than the statutory limit of \$1000.00 from Rodney M. Kernan, LLC, there were two checks written. After writing a first check of \$500.00, I inadvertently wrote the second check for \$1000.00 by mistake. Once I realized the error, I immediately within the same reporting period, corrected the error by writing a check back to Rodney M. Kernan, LLC. In addition, I am the only one listed to receive funds from Rodney M. Kernan, LLC as the sole attorney for that entity.

With respect to the allegation in paragraph 2 of the Complaint, Mrs. Ingram doesn't even specify any section of the Florida Election Code that would indicate a violation. However, to answer her false allegation that I coordinated the activities of my campaign with an Electioneering Communication Organization (ECO), has been a leader in the ECO, and has publicly opposed an opponent through the guise of ECO (Brevard Citizens for Qualified Candidates), I unequivocally deny these allegations. Mrs. Ingram, without any evidence, other than sheer speculation, has made this allegation. The fact that I use All Service Graphics (ASG) for my printing and mailing does not align or connect me with the ECO. ASG is one of Brevard's largest printing services which many candidates and organizations use. Any of my printed campaign material distributed by ASG was clearly marked from my campaign and no other organization.

Sincerely, Rodney M. Kernan





Re: Attn: Erin Riley, FEC 16-635
Rodney Kernan
to:
fec
11/17/2016 11:09 AM
Hide Details
From: Rodney Kernan <rodkernan@gmail.com>
To: fec@myfloridalegal.com

1 Attachment



Scanned Response to Complaint Case FEC 16-635.pdf

Dear Erin Riley, Pleas find attached my response to the Complaint. I mailed the original yesterday.

Kind Regards, Rod Kernan

Rodney M. Kernan

PO Box 458
Cocoa, FL 32923
321-720-7948

November 16, 2016

To: Erin Riley, Florida Elections Commission
107 W. Gaines St, Suite 224 Collins Building
Tallahassee, FL 32399
RE: Response to Complaint Case No.: FEC 16-635

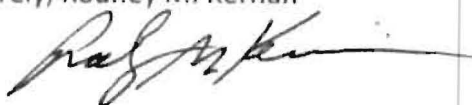
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Sincerely, Rodney M. Kernan



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

RECEIVED
2016 OCT 28 A 10:02

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: Kelly Ingram Work Phone: (321) 301-1020
Address: 2210 W. King Street Home Phone: (321) 449-0474
City: Cocoa County: Brevard State: FL Zip Code: 32926

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: Rodney Miles Kernan
Address: P.O. Box 458 Phone: (321) 720-7948
City: Cocoa County: Brevard State: FL Zip Code: 32923

If individual is a candidate, list the office or position sought: County Court Judge, Group 2

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 ATTACHED

Additional materials attached (check one)? Yes No

4. OATH

STATE OF FLORIDA
COUNTY OF Brevard

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

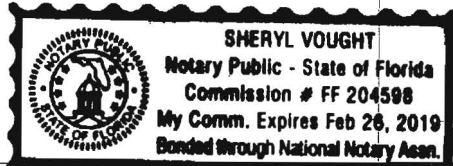
Kelly Long

Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 19th day of
October, 20 16

Sheryl Vought

Signature of Officer Authorized to Administer Oaths or Notary public.



(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.

It is requested that the below violations be investigated. The Florida Bar has reviewed these allegation

1. **Violation of Florida Statute 106.08** – Mr. Kernan accepted campaign donations in excess of the approved limit of \$1,000.00. On April 7, 2015, Mr. Kernan accepted a campaign contribution in the amount of \$500.00 from Rodney M. Kernan, LLC. On May 6, 2015, Mr. Kernan accepted another donation in the amount of \$1000.00 from Rodney M. Kernan, LLC. When combining the amount of the two contributions from the same contributor, it is a violation of Florida Statute 106.08. (See attached financial reports dated May 8, 2015 and June 9, 2015, Exhibits A & B).
2. **Violation** – Mr. Kernan has has coordinated the activities of his campaign with an Electioneering Communication Organization (ECO), has been a leader in the ECO, and he has publicly opposed an opponent through the guise of the ECO. The named and registered ECO is Brevard Citizens for Qualified Candidates.

Mr. Kernan orchestrated a negative communication publicly opposing a candidate in the same judicial race as he qualified under the guise of the ECO. The publication reads “Paid electioneering communication paid for by Brevard Citizens for Qualified Candidates.” (See attached copy of communication, Exhibit C). The financial reports for Brevard Citizens for Qualified Candidates does not list any expenditure to the distributor of the communication, All Service Graphics, nor does the financial report of the ECO list *any* expenditure (See Exhibit D). However, Mr. Kernan’s financial report dated August 26, 2016 lists an expenditure to the distributor of the communication, All Service Graphics, on August 24, 2016 in the amount of \$10,839.27 (See Exhibit E). This expenditure is consistent with the communication as the communication was delivered to registered voters on or about August 27, 2016. Mr. Kernan has coordinated this communication and financially funded the communication all under the name of the ECO. Additionally, he has misrepresented to the public and registered voters that the communication was from the ECO and not himself.

It is requested that the above violations be investigated and that the proper sanctions are imposed.

WITNESS LIST

DONALD GUST OR OTHER REPRESENTATIVE FROM ALL SERVICE GRAPHICS, INC.

1020 W. EAU GALLIE BLVD, SUITE 1

MELBOURNE, FL 32935

321.259.8957

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Rodney Miles Kernan
 Name
 (2) PO Box 458
 Address (number and street)
Cocoa, FL 32923
 City, State, Zip Code

OFFICE USE ONLY

[1087638]

Submitted on:
 5/8/2015 12:33:09 (eastern)

Check here if address has changed

(3) ID Number: 582

(4) Check appropriate box(es):

- Candidate Office Sought: County Court Judge, Group 2
- 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 4 / 1 / 2015 To 4 / 30 / 2015 Report Type: M4

Original Amendment Special Election Report

(6) Contributions This Report

Cash & Checks \$, , 500 . 00

Loans \$, , 0 . 00

Total Monetary \$, , 500 . 00

In-Kind \$, , 0 . 00

(7) Expenditures This Report

Monetary Expenditures \$, , 0 . 00

Transfers to Office Account \$, , 0 . 00

Total Monetary \$, , 0 . 00

(8) Other Distributions

\$, , 0 . 00

(9) TOTAL Monetary Contributions To Date

\$, , 500 . 00

(10) TOTAL Monetary Expenditures To Date

\$, , 0 . 00

(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

(Type name) _____

Candidate Chairperson (only for PC and PTY)

X _____
 Signature

X _____
 Signature

Exhibit A

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name Rodney Miles Kernan (2) I.D. Number 582

4/1/2015 through 4/30/2015

(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		(9) Contribution	(10) In-kind	(11) Amendment	(12) Amount
(6) Sequence Number		Type	Occupation	Type	Description		
4/7/2015 / / 1	Rodney M. Kernan, LLC, P.O. Box 458 Cocoa, FL 32923	B	law firm	CH			\$500.00
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							

CAMPAIGN TREASURER'S REPORT – ITEMIZED EXPENDITURES

(1) Name Rodney Miles Kernan

(2) I.D. Number 582

(3) Cover Period 4/1/2015 through 4/30/2015

(4) Page 1 of 0

(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
// /					
// /					
// /					
// /					
// /					
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CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Rodney Miles Kernan
 Name
 (2) PO Box 458
 Address (number and street)
Cocoa, FL 32923
 City, State, Zip Code

OFFICE USE ONLY	
[1088295]	
Submitted on:	
6/9/2015 17:49:04 (eastern)	

Check here if address has changed

(3) ID Number: 582

(4) Check appropriate box(es):

- Candidate Office Sought: County Court Judge, Group 2
- 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 5 / 1 / 2015 To 5 / 31 / 2015 Report Type: M5

Original Amendment Special Election Report

(6) Contributions This Report

Cash & Checks \$, 1 , 000 . 00

Loans \$, 1 , 000 . 00

Total Monetary \$, 2 , 000 . 00

In-Kind \$, , 0 . 00

(7) Expenditures This Report

Monetary Expenditures \$, 1 , 952 . 36

Transfers to Office Account \$, , 0 . 00

Total Monetary \$, 1 , 952 . 36

(8) Other Distributions

\$, , 0 . 00

(9) TOTAL Monetary Contributions To Date

\$, 2 , 500 . 00

(10) TOTAL Monetary Expenditures To Date

\$, 1 , 952 . 36

(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 Rodney Miles Kernan (2) I.D. Number 582

5/1/2015 through 5/31/2015

(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
5/6/2015 / / 1	Rodney M. Kernan, LLC, P.O. Box 458 Cocoa, FL 32923	B	Law firm	CH			\$1,000.00
5/20/2015 / / 2	Kernan, Rodney 3164 Sunward Dr. Merritt Island, FL 32953	S	attorney	LO			\$1,000.00
/ /							
/ /							
/ /							
/ /							
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/ /							
/ /							
/ /							

CAMPAIGN TREASURER'S REPORT – ITEMIZED EXPENDITURES

(1) Name Rodney Miles Kernan

(2) I.D. Number 582

(3) Cover Period 5/1/2015 through 5/31/2015

(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					
5/7/2015 //	ArtLab, LLC, 1728 Agora Cir., SE, Unit C Palm Bay, FL 32909	t shirts	MO		\$557.95
1					
5/20/2015 //	All Service Graphics, Inc., 1020 W. Eau Gallie Blvd., Ste. 1 Melbourne, F 32935	walking cards	MO		\$798.75
2					
5/29/2015 //	Go Daddy, 14455 N. Hayden Rd., Ste. 219 Scottsdale, AZ 85260	web hosting	MO		\$95.76
3					
5/30/2015 //	Rodney M. Kernan, LLC, P.O. Box 458 Cocoa, FL 32923	to correct over contribution by error	RE		\$500.00
4					
//					
//					
//					
//					
//					

KELLY INGRAM ARRESTED

Paid electioneering communication paid for by
Brevard Citizens for Qualified Candidates
274 East Eau Gallie Causeway #255
Indian Harbour Beach, FL 32937

PRSR STD
US POSTAGE
PAID
ALL SERVICE
GRAPHICS



*****AUTO**5-DIGIT 32937 0007 0364

Betty and Ronald Adams Or Current Resident
436 EAGLE DR
SATELLITE BEACH FL 32937-3710



Deputy gives lawful command

Kelly Ingram: "No, I don't have to do [profanity] for you"

11/14/14
00:59:42 WATCH THE ARREST VIDEO AT KELLYINGRAMARREST.COM

Exhibit C

KELLY INGRAM WAS ARRESTED FOR BATTERY ON A LAW ENFORCEMENT OFFICER. ACROSS THE COUNTRY, POLICE OFFICERS ARE BEING DISRESPECTED BY PEOPLE LIKE KELLY INGRAM. NOW SHE'S RUNNING FOR JUDGE IN BREVARD COUNTY...



KELLY INGRAM ARRESTED FOR BATTERY ON A LAW ENFORCEMENT OFFICER AND RESISTING ARREST

Brevard County Sheriff's Office

700 Park Avenue, Titusville, FL 32780-4095

Case Report 14356402

ARREST REPORT 11/14/2014

Upon my arrival I observed [BCSO] Deputy attempting to conduct a DUI investigation. As I watched, **Ms. Kelly Ingram (arrestee)** repeatedly yelled into [the] Deputy's face and moved her body very close to his in an attempt to interrupt or interfere with his criminal investigation. I gave several verbal commands for her to step away from [BCSO] Deputy so that he could continue his investigation. **Ms. Ingram** looked at me and said, "F*** you, I don't have to listen to you!" She then turned back to [BCSO] Deputy and approached him from behind. In an attempt to remove her...I placed my right hand on the defendant's left wrist and the defendant turned around and struck me with her right arm in the chest. I placed **Ms. Ingram** under arrest for Resisting an Officer without violence and Battery LEO. The defendant was then transported to the Brevard County Jail. This entire incident was captured by [BCSO] Deputy's patrol car camera.

WATCH THE ARREST VIDEO AND READ THE OFFICER'S REPORT AT KELLYINGRAMARREST.COM YOU BE THE JUDGE

Candidate : Brevard Citizens for Qualified Candidates Office : Electioneering Communications Organization

[Go Back](#)

Print This Information

Export these transactions (tab delimited - .csv)

Report Date : ALL

Campaign Treasurer's Report - Itemized Contributions

Seq Num	Date	Contributor	Contributor Type	Occupation	Contribution Type	Amend	Amount
1	8/15/2016	Citizens United for Liberty an 801 S. Broad Street Brooksville, FL 34601	Political Comm. (Federal or State)	Political Committee	Check		\$1,000.00
						Total Contributions	\$1,000.00

Campaign Treasurer's Report - In-Kind Contributions

Seq Num	Date	Contributor	Contributor Type	Occupation	In-Kind Description	Amend	Amount
No Activity This Period							
						Total In-Kind Contributions	\$0.00

Campaign Treasurer's Report - Itemized Expenditures

Seq Num	Date	Vendor	Purpose	Expenditure Type	Amend	Amount
No Activity This Period						
					Total Expenditures	\$0.00

Campaign Treasurer's Report - Fund Transfers

Seq Num	Date	Institution	Transfer Type	Nature of Account	Amend	Amount
No Activity This Period						

Campaign Treasurer's Report - Distributions

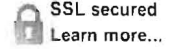
Seq Num	Date	Vendor	Purpose	Expenditure Related Exp	Amend	Amount
No Activity This Period						

* Petty cash expenditures are realized when the funds are withdrawn for petty cash. Therefore, the referenced item is not included in the total.

[Go Back](#)

Exhibit D

Search Party and Candidate Financial Reports



Committee : Brevard Citizens for Qualified Candidates

[Print This Information](#)

Available reports...

P3	7/29/2016
P4	8/5/2016
P5	8/12/2016
P6	8/19/2016
P7	8/26/2016
G1	9/9/2016

Contact Information:

274 East Eau Gallie Causeway
 #255
 Indian Harbour Beach, FL - 32937
gregorysf@aol.com
 3212435008

[Go Back](#)

[List All Contributions and Expenditures](#)

[Export all transactions \(tab delimited + .csv\)](#)

The following financial reports are available:

Report	Monetary Contributions	In Kind	Expenditures & Distributions	View PDF
P3 (7/9/2016 - 7/22/2016)	\$0.00	\$0.00	\$0.00	View Report (PDF)
P4 (7/23/2016 - 7/29/2016)	\$0.00	\$0.00	\$0.00	View Report (PDF)
P5 (7/30/2016 - 8/5/2016)	\$0.00	\$0.00	\$0.00	View Report (PDF)
P6 (8/6/2016 - 8/12/2016)	\$0.00	\$0.00	\$0.00	View Report (PDF)
P7 (8/13/2016 - 8/25/2016)	\$1,000.00	\$0.00	\$0.00	View Report (PDF)
G1 (8/26/2016 - 9/2/2016)	\$0.00	\$0.00	\$0.00	View Report (PDF)

- [Current Elections](#)
- [Term Expirations](#)
- [Ballot Information](#)
- [Election Information](#)
- [Election Maps](#)
- [Election Results](#)
- [Election Schedules](#)
- [Election Websites](#)
- [Election Results](#)
- [Election Results](#)

- Local Political Parties**
- List of Political Parties**
- Registered Committees**
- Search Party and Committee Financial Reports**

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Rodney Miles Kernan
 Name
 (2) PO Box 458
 Address (number and street)
Cocoa, FL 32923
 City, State, Zip Code

OFFICE USE ONLY

[1124105]

Submitted on:
 8/26/2016 20:48:27 (eastern)

Check here if address has changed

(3) ID Number: 582

(4) Check appropriate box(es):

- Candidate Office Sought: County Court Judge, Group 2
- 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 8 / 13 / 2016 To 8 / 25 / 2016 Report Type: P7

Original Amendment Special Election Report

(6) Contributions This Report

Cash & Checks \$, 3 , 500 . 00

Loans \$, , 0 . 00

Total Monetary \$, 3 , 500 . 00

In-Kind \$, , 0 . 00

(7) Expenditures This Report

Monetary Expenditures \$, 12 , 909 . 47

Transfers to Office Account \$, , 0 . 00

Total Monetary \$, 12 , 909 . 47

(8) Other Distributions

\$, , 0 . 00

(9) TOTAL Monetary Contributions To Date

\$, 54 , 880 . 00

(10) TOTAL Monetary Expenditures To Date

\$, 51 , 687 . 79

(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 Rodney Miles Kernan (2) I.D. Number 582

8/13/2016 through 8/25/2016

(3) Cover Period / / through / / (4) Page 1 of 2

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor		(9) Contribution	(10) In-kind	(11) Amendment	(12) Amount
(6) Sequence Number		Type	Occupation	Type	Description		
8/22/2016 / /	LifeForce Chiropractic, Inc., 5560 Babcock St. NE Palm Bay, FL 32907	B	medical office	CH			\$250.00
1							
8/22/2016 / /	Titusville Chiro & Injury Cent, 119 S. Park Ave. Titusville, FL 32796	B	medical office	CH			\$500.00
2							
8/22/2016 / /	David Heinish DC PA, 1209 Admiralty Blvd. Rockledge, FL 32955	B	medical office	CH			\$250.00
3							
8/22/2016 / /	B Greenwald Medical PA, 8929 SE Bridge Rd. Hobe Sound, FL 33455	B	medical office	CH			\$250.00
4							
8/22/2016 / /	Aurora Chiropractic Clinic, 1571 Aurora Rd. Melbourne, FL 32935	B	medical office	CH			\$250.00
5							
8/22/2016 / /	Slattery III, Joseph W 527 Island Ct Indian Harbor Beach, FL 32937	I	doctor	CH			\$1,000.00
6							
8/22/2016 / /	Peacock, Michael D 1616 Pine St. Melbourne, FL 32901	I	attorney	CH			\$250.00
7							
8/22/2016 / /	Kenemuth, Cynthialynn C 140 Warsteiner Way Apt 203 Melbourne Beach, FL 32951	I	medical office admin	CH			\$250.00
8							

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name Rodney Miles Kernan (2) I.D. Number 582

8/13/2016 through 8/25/2016
 (3) Cover Period / / through / / (4) Page 2 of 2

(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
8/22/2016 / /	Connell, Derrick R 25 Pinehill Dr Indialantic, FL 32903	I	attorney	CH			\$500.00
9							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							

CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Rodney Miles Kernan
 8/13/2016 through 8/25/2016

(2) I.D. Number 582
 (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					
8/24/2016 //	All Service Graphics, Inc., 1020 W Eau Gallie Blvd, Ste. 1 Melbourne, FL 32935	mailers & postage	MO		\$10,839.27
1					
8/19/2016 //	USPS, 6105 N Wickham Rd. Melbourne, FL 32940	postage	MO		\$517.00
2					
8/25/2016 //	Florida Today, 1 Gannett Plaza Ave. Melbourne, FL 32940	florida today ad	MO		\$1,402.50
3					
8/15/2016 //	Office Depot, 550 E Merritt Island Causeway Merritt Island, FL 32952	flyers	MO		\$150.70
4					
//					
//					
//					
//					

RECEIVED

2016 OCT 28 A 10:02

STATE OF FLORIDA

KELLY McCORMACK INGRAM, ESQUIRE
2210 West King Street
Cocoa FL 32926

\$1.780
US POSTAGE
FIRST-CLASS
FROM 32926
OCT 19 2016



062S0008788595

stamps.com



State of Florida
Florida Elections Commission
107 West Gaines Street, 224
Tallahassee FL 32399-1050