

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Darline B. Riggs

Case No.: FEC 18-261

TO: Benedict P. Kuehne, Esquire
Kuehne Davis Law PA
100 SE 2nd Street, Suite 3105
Miami, FL 33131-2154

Ronald G. Meyer, Esquire
Meyer, Brooks, Blohm & Hearn, P.A.
131 North Gadsden Street
Tallahassee, FL 32301

NOTICE OF HEARING (OTHER MOTIONS: REVIEW PETITION FOR ATTORNEY'S FEES AND COSTS)

A hearing will be held in this case before the Florida Elections Commission on, **December 1, 2020 at 8:30 AM 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**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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.

Tim Vaccaro

Executive Director
Florida Elections Commission
November 9, 2019

Please refer to the information below for further instructions related to your particular hearing:

This **Motion or Petition for Attorney's Fees** will be conducted pursuant to Section 106.265(6), Florida Statutes, and Chapter 28 and Commission Rule 2B-1.0045, Florida Administrative Code. The Commission will determine whether the petition contains sufficient facts to support a claim for costs and attorney's fees and, if so, the Commission will order a hearing involving disputed issues of material fact (formal hearing) before the Commission, a Commissioner or Commissioners designated by the Commission, or the Division of Administrative Hearings.

If the Commission determines that there are not sufficient facts to support a claim, the motion or petition will be denied or dismissed.

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: **Darline B. Riggs**

Case No.: **FEC 18-261**

TO: Benedict P. Kuehne, Esquire
Kuehne Davis Law P.A.
100 SE 2nd Street, Suite 3550
Miami, FL 33131-2154

Ronald G. Meyer, Esquire
Meyer, Brooks, Blohm and Hearn, P.A.
131 North Gadsden Street
Tallahassee, FL 32301

NOTICE OF CANCELLATION OF HEARING
(OTHER MOTIONS: REVIEW PETITION FOR ATTORNEY'S FEES AND COSTS)

You are hereby notified that the previously scheduled hearing for **March 24-25, 2020 is cancelled**. It is anticipated that your case will be heard at the next regularly scheduled meeting, which is currently set for May 2020. A Notice of Hearing will be mailed approximately 14 days prior to the hearing date indicating the exact date, time, and location.

Tim Vaccaro

Executive Director
Florida Elections Commission
March 12, 2020

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: Darline B. Riggs

Case No.: FEC 18-261

TO: Benedict P. Kuehne, Esquire
Kuehne Davis Law P.A.
100 SE 2nd Street, Suite 3550
Miami, FL 33131-2154

Ronald G. Meyer, Esquire
Meyer, Brooks, Blohm and Hearn, P.A.
131 North Gadsden Street
Tallahassee, FL 32301

NOTICE OF HEARING (OTHER MOTIONS: REVIEW PETITION FOR ATTORNEY'S FEES AND COSTS)

A hearing will be held in this case before the Florida Elections Commission on, **March 24, 2020 at 1:00 p.m., or as soon thereafter as the parties can be heard**, at the following location: **House Office Building, 404 South Monroe Street, Room 28-H, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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:

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.

Tim Vaccaro

Executive Director
Florida Elections Commission
March 9, 2019



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539 · Facsimile: (850) 921-0783
FEC@myfloridalegal.com · www.fec.state.fl.us



February 28, 2020

Benedict P. Kuehne
Kuehne Davis Law P.A.
100 SE 2nd Street, Suite 3550
Miami, FL 33131-2154

RE: Case No.: FEC 18-261; Respondent: Darline B. Riggs

Dear Mr. Kuehne:

The Florida Elections Commission received a notice of appearance from Ronald G. Meyer and his response to your Petition for Attorney's Fees and Costs in this case. A copy of Mr. Meyer's notice and response is enclosed for your review.

If you have any questions, please contact the Florida Elections Commission at fec@myfloridalegal.com.

Sincerely,

Donna Ann Malphurs

Agency Clerk

/dam

Enclosure: Notice of Appearance and Response to Petition for Fees
cc: Ronald G. Meyer, Attorney for Complainant (w/out encl.)

MEYER, BROOKS, BLOHM AND HEARN, P.A.
ATTORNEYS AT LAW

131 NORTH GADSDEN STREET
TALLAHASSEE, FLORIDA 32301
www.meyerbrookslaw.com
850/878-5212

RONALD G. MEYER
THOMAS W. BROOKS, RETIRED
JENNIFER S. BLOHM
LYNN C. HEARN
ADAM W. WOOD

ALEX VILLALOBOS
OF COUNSEL

MAILING ADDRESS:
POST OFFICE BOX 1547
TALLAHASSEE, FLORIDA 32302

FAX: 850/656-6750
EMAIL: rmeyer@meyerbrookslaw.com

LYNN T. THOMAS, FRP
PARALEGAL

REC'D: FL ELECTIONS COM
11 MAR '20 AM 10:37

February 28, 2020

Chair and Members
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-4539

Re: Case No.: FEC 18-261 – Alexandra P. Davis – Response to Request for Award of Attorney Fees

Dear Commissioners:

The above-referenced request for attorney's fees does not state a *prima facie* case for making an award. Accordingly, the request should be denied.

Overview

First, Rule 2B-1.0045, *Florida Administrative Code*, requires that a petition seeking an award of attorney fees "shall state with particularity the facts and grounds that demonstrate that the respondent is entitled to an award of costs and attorney's fees from the complainant." (underlining added for emphasis). The request before the Commission wholly fails to meet such pleading requirement.

Second, the Commission should make an award of attorney's fees only in the most egregious of circumstances since, otherwise, penalizing a person for bringing forward suspected violations of the Florida Election Code, will have a chilling effect upon the willingness of citizens to seek review by the Commission of suspected violations.

In the case before you, a review of the facts demonstrates that Ms. Davis, believing in good faith that election law violations were occurring, filed a complaint with the Commission to which the Respondent replied with a suggestion of legal insufficiency. The Executive Director determined that the complaint was legally insufficient and therefore dismissed it. That was the end. Ms. Davis did not attempt to supplement the complaint nor did she seek to challenge the dismissal. That was the sum and substance of what occurred.

Argument

The Petition before the Commission, to be sure, is filled with conclusions and innuendo ascribing improper motivations on the part of the Complainant in filing the complaint. What is missing, however, are allegations of ultimate facts giving rise to such conclusions and innuendo. The absence of clearly plead facts renders the Petition facially deficient and dictates its dismissal.

The Petition wholly omits any facts which support the inference that the complaint was filed “for the primary purpose of advancing the complainant’s political candidacy” or that the complaint was motivated by a “malicious intent to injure” the Respondent. The Petition’s conclusion that the Complainant “actively sought to publicize the false allegations” is unsupported by any allegation of ultimate fact to establish such publicizing of the complaint or that any of the allegations were, indeed, false; they were not.

In fact, the one page statement of the allegations supporting the complaint stated only what the Complainant observed and concluded with the statement that “[o]verall I do believe there have been violations of FS 104 and FS 106. With my limited knowledge the violations are possibly FS 104.31(a); FS 104.31(2); FS 106.143.” While the statement of allegations may have been, as found by the Executive Director, legally insufficient to state a violation of law, there is nothing which can be said to be malicious in such allegations or the manner in which the Complainant brought them to the attention of this Commission.

Moreover, the Petition does not allege ultimate facts supportive of the claim that the Complainant “actively sought to publicize” any allegations. In fact, there are no facts alleged because no such facts exist. That is, believing that the complaint was confidential, the Complainant did not share it with anyone, let alone actively seek to publicize it. The Respondent simply making such an assertion without stating with particularity any fact to support it, renders the Petition deficient.

Importantly, in the instant matter, the allegations made in the complaint are not false or defamatory. Rather, the Complainant truthfully alleged the facts which she and another person witnessed. That those facts may not sustain a finding of an election law violation is immaterial to the determination of whether the Respondent is entitled to fees. The point is that the facts raised in the complaint are true and the Complainant merely stated her belief, albeit erroneous, that the facts demonstrated election law violations.

In *Linda Yates v. Kathy Shure*, FEC Case No.: FEC 16-362, a complaint was dismissed for legal insufficiency. There a petition seeking an award of attorney fees made by the Respondent was denied by the Commission which determined that as long as no false allegations material to a violation are present, there is not a basis for an award of fees (relying upon *Hadeed v. State of Florida, Commission on Ethics*, 208 So. 3d 782 at 785 holding that “so long as the allegations are

Chair and Members
Florida Elections Commission
February 28, 2020
Page Two

true and material, costs and fees are not recoverable”).

Finally, without the allegation of any ultimate facts to support an award of fees, and in the absence of any untrue statements made in the complaint, the Respondent next plucks a \$10,000 number out of the air and asks this Commission to reward her for her attorney simply having written a letter urging legal insufficiency.

The Petition does not state a *prima facie* entitlement to an award of attorney's fees and therefore must be dismissed.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'RGM', with a horizontal line extending from the end of the signature.

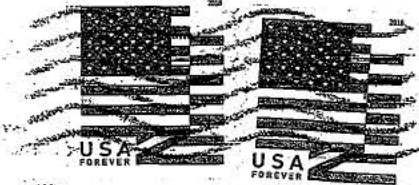
Ronald G. Meyer

RGM/ltt

**MEYER, BROOKS, BLOHM
AND HEARN, P.A.**
ATTORNEYS AT LAW
POST OFFICE BOX 1547
TALLAHASSEE, FLORIDA 32302

TALLAHASSEE FL 323

29 FEB 2020 PM 3 L



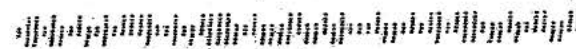
RECEIVED

2020 MAR 11 A 9:35

STATE OF FLORIDA
ELECTIONS COMMISSION

Chair and Members
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-4539

32399-654999



Donna Malphurs

From: Ronald Meyer <rmeyer@meyerbrookslaw.com>
Sent: Friday, February 28, 2020 10:23 AM
To: Timothy Vaccaro
Cc: Donna Malphurs
Subject: FEC Case No. 18-261 - Alexandra Davis Response to Petition for Attorney Fee Award
Attachments: Davis - Response to Petition for Attorney Fees.pdf

Dear Mr. Vaccaro,

Attached please find Ms. Davis' opposition to the petition for an award of attorney fees in the above-referenced matter. We would appreciate it if you would include it in the information presented to Commission members in advance of the meeting.

Sincerely yours,

Ron

Ronald G. Meyer, Esquire
Meyer, Brooks, Blohm and Hearn, P.A.
Post Office Box 1547 (32302)
131 North Gadsden Street
Tallahassee, FL 32301
www.meyerbrookslaw.com
(850) 878-5212
(850) 656-6750 - Facsimile

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The information contained in this transmission is legally privileged and confidential, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you receive this communication in error, please notify us immediately by calling us toll free at (888) 848-5212 and then deleting the message. Thank you.

MEYER, BROOKS, BLOHM AND HEARN, P.A.
ATTORNEYS AT LAW

131 NORTH GADSDEN STREET
TALLAHASSEE, FLORIDA 32301
www.meyerbrookslaw.com
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RONALD G. MEYER
THOMAS W. BROOKS, RETIRED
JENNIFER S. BLOHM
LYNN C. HEARN
ADAM W. WOOD

MAILING ADDRESS:
POST OFFICE BOX 1547
TALLAHASSEE, FLORIDA 32302

FAX: 850/656-6750
EMAIL: rmeyer@meyerbrookslaw.com

LYNN T. THOMAS, FRP
PARALEGAL

ALEX VILLALOBOS
OF COUNSEL

February 28, 2020

Chair and Members
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-4539

Re: Case No.: FEC 18-261 – Alexandra P. Davis – Response to Request for Award of Attorney Fees

Dear Commissioners:

The above-referenced request for attorney's fees does not state a *prima facie* case for making an award. Accordingly, the request should be denied.

Overview

First, Rule 2B-1.0045, *Florida Administrative Code*, requires that a petition seeking an award of attorney fees "shall state with particularity the facts and grounds that demonstrate that the respondent is entitled to an award of costs and attorney's fees from the complainant." (underlining added for emphasis). The request before the Commission wholly fails to meet such pleading requirement.

Second, the Commission should make an award of attorney's fees only in the most egregious of circumstances since, otherwise, penalizing a person for bringing forward suspected violations of the Florida Election Code, will have a chilling effect upon the willingness of citizens to seek review by the Commission of suspected violations.

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Chair and Members
Florida Elections Commission
February 28, 2020
Page Two

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The Petition wholly omits any facts which support the inference that the complaint was filed "for the primary purpose of advancing the complainant's political candidacy" or that the complaint was motivated by a "malicious intent to injure" the Respondent. The Petition's conclusion that the Complainant "actively sought to publicize the false allegations" is unsupported by any allegation of ultimate fact to establish such publicizing of the complaint or that any of the allegations were, indeed, false; they were not.

In fact, the one page statement of the allegations supporting the complaint stated only what the Complainant observed and concluded with the statement that "[o]verall I do believe there have been violations of FS 104 and FS 106. With my limited knowledge the violations are possibly FS 104.31(a); FS 104.31(2); FS 106.143." While the statement of allegations may have been, as found by the Executive Director, legally insufficient to state a violation of law, there is nothing which can be said to be malicious in such allegations or the manner in which the Complainant brought them to the attention of this Commission.

Moreover, the Petition does not allege ultimate facts supportive of the claim that the Complainant "actively sought to publicize" any allegations. In fact, there are no facts alleged because no such facts exist. That is, believing that the complaint was confidential, the Complainant did not share it with anyone, let alone actively seek to publicize it. The Respondent simply making such an assertion without stating with particularity any fact to support it, renders the Petition deficient.

Importantly, in the instant matter, the allegations made in the complaint are not false or defamatory. Rather, the Complainant truthfully alleged the facts which she and another person witnessed. That those facts may not sustain a finding of an election law violation is immaterial to the determination of whether the Respondent is entitled to fees. The point is that the facts raised in the complaint are true and the Complainant merely stated her belief, albeit erroneous, that the facts demonstrated election law violations.

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Chair and Members
Florida Elections Commission
February 28, 2020
Page Two

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Finally, without the allegation of any ultimate facts to support an award of fees, and in the absence of any untrue statements made in the complaint, the Respondent next plucks a \$10,000 number out of the air and asks this Commission to reward her for her attorney simply having written a letter urging legal insufficiency.

The Petition does not state a *prima facie* entitlement to an award of attorney's fees and therefore must be dismissed.

Sincerely yours,



Ronald G. Meyer

RGM/ltt

Donna Malphurs

From: Ronald Meyer <rmeyer@meyerbrookslaw.com>
Sent: Wednesday, February 5, 2020 12:01 PM
To: Timothy Vaccaro
Cc: Donna Malphurs; Benedict P Kuehne
Subject: Notice of Appearance - Case No.: FEC 18-261 - Alexandra P. Davis
Attachments: Vaccaro - Alexandra P. Davis - Notice of Appearance.pdf

Dear Mr. Vaccaro,

Please see my attached notice of appearance in the above-referenced matter on behalf of Alexandra P. Davis.

With kind personal regards, I am

Sincerely yours,

Ron

Ronald G. Meyer, Esquire
Meyer, Brooks, Blohm and Hearn, P.A.
Post Office Box 1547 (32302)
131 North Gadsden Street
Tallahassee, FL 32301
www.meyerbrookslaw.com
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MEYER, BROOKS, BLOHM AND HEARN, P.A.
ATTORNEYS AT LAW

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RONALD G. MEYER
THOMAS W. BROOKS**
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EMAIL: rmeyer@meyerbrookslaw.com

*Board Certified in Labor and Employment Law
*Certified Circuit Mediator

LYNN T. THOMAS, FRP
PARALEGAL

ALEX VILLALOBOS
OF COUNSEL

February 5, 2020

VIA E-Mail: Tim.Vaccaro@myfloridalegal.com

Mr. Tim Vaccaro, Executive Director
Florida Elections Commission
107 West Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399

Re: Notice of Appearance – Case No. FEC 18-261 – Alexandra P. Davis

Dear Mr. Vaccaro:

This correspondence is to notify you that our office represents Alexandra P. Davis against whom a claim for an award of attorney's fees has been made in the above-referenced matter.

Please furnish the undersigned with further information relating to the Commission's treatment of this matter. I am aware that the question of whether a prima facie case for reimbursement of such fees will be considered by the Commission at its March 24-25, 2020 meeting.

We do not believe that a prima facie case for a fee award has been presented and will provide the Commission with our more fully stated position in a separate submission.

Thank you, in advance, for your cooperation.

Sincerely,



Ronald G. Meyer

RGM/ltt

cc: Ms. Alexandra P. Davis
Benedict P. Kuehne, Esquire
Ms. Donna Malphurs, Clerk FEC via email



Date Produced: 12/02/2019

Florida Elections Commission:

The following is the delivery information for Certified Mail™/RRE item number 9214 8969 0099 9790 1631 1490 66. Our records indicate that this item was delivered on 11/26/2019 at 10:44 a.m. in HOLLYWOOD, FL 33027. The scanned image of the recipient information is provided below.

Signature of Recipient :

A handwritten signature in black ink, appearing to be "ALB HANSEN, DAN".

ALB HANSEN, DAN

Address of Recipient :

3149 SW 133RD AVE
MIRAMAR, FL 33027-3913

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 18-261 pet for fees to C



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
www.fec.state.fl.us; fec@myfloridalegal.com

November 21, 2019

CERTIFIED MAIL # 92148969009997901631149066

Alexandra P. Davis
3149 SW 133rd Avenue
Miramar, FL 33027

RE: Case No.: FEC 18-261; Respondent: Darline B. Riggs

Dear Ms. Davis:

The Florida Elections Commission received a Petition for Attorney's fees and costs in this case. Pursuant to Rule 2B-1.0045, Florida Administrative Code, a copy of the Petition is enclosed for your review.

At its next regularly scheduled meeting, **currently set for March 24-25, 2020, in Tallahassee, Florida**, the Commission will review the Petition and determine whether it states "a prima facie case for costs and attorney's fees." A notice of hearing indicating the exact date and time will be mailed to the address on file approximately 14 days before the meeting date.

If you have any questions concerning the Petition, please contact the Florida Elections Commission at fec@myfloridalegal.com.

Sincerely,

Donna Ann Malphurs

Agency Clerk

/dam

Enclosure: Petition for Fees and Costs
cc: Benedict P. Kuehne, Attorney for Respondent

KUEHNE DAVIS LAW
PROFESSIONAL ASSOCIATION

BENEDICT P. KUEHNE*+
SUSAN DMITROVSKY
MICHAEL T. DAVIS*
*Board Certified Appellate Law
+Board Certified Criminal Trials
#Board Certified Criminal
Appeals

MIAMI TOWER, SUITE 3550
100 S.E. 2nd Street
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Tel: 305.789.5989
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ben.kuehne@kuehnelaw.com
susand@kuehnelaw.com
mdavis@kuehnelaw.com

BROWARD COUNTY OFFICE

1926 Harrison Street
Hollywood, Fl. 33020

REPLY TO: Miami

October 24, 2019

Donna Ann Malphurs, Agency Clerk
Florida Elections Commission
107 West Gaines Street, Suite 224
Tallahassee, FL 32399-1050
fec@myfloridalegal.com

Re: **Darline B. Riggs**
FEC Case No. 18-261
Request for Recovery of Fees and Costs

Dear Clerk Malphurs:

Pursuant to Rule 2B-1.0045, Florida Administrative Code, Ms. Riggs, through her counsel, requests an award of attorney's fees and costs for her successful defense of the referenced complaint that was dismissed for legal insufficiency. The complaint was not only legally insufficient but also frivolous and intentionally filed for the primary purpose of advancing the complainant's political candidacy and harassing then-Commissioner Darline Riggs in the course and scope of her duties as a public official. As a result of the complaint, Ms. Riggs was obligated to expend significant legal fees and time in establishing her defense. The complaint was motivated by the complainant's malicious intent to injure the reputation of then-Commissioner Riggs. Therefore, an award of attorney's fees and costs in Ms. Riggs's favor is reasonable and necessary.

In connection with the filing of the legally insufficient complaint, the complainant actively sought to publicize the false allegations to the community in a purposeful effort to demonize and harm then-Commissioner Riggs in both her official capacity and personal/occupational endeavors. Ms. Riggs' legal fees and costs should be assessed against the complainant because the complainant's actions were not undertaken in good faith and were not based on any reasonable belief in the legitimacy of the complaint.

A. The Complaint Was Both Legally Insufficient and Contained Knowing Falsities.

As set out in Ms. Riggs' response to the complaint, all of which is incorporated herein, the complaint was legally insufficient and included false information known to the complainant to be false. The documents appended to the complaint were not campaign materials, but were official City materials authorized by the City in furtherance of City responsibilities. The complainant's assertion that Ms. Riggs attempted to mislead the public and improperly utilize City resources was a blatant lie that served to unfairly and falsely present then-Commissioner Riggs as corrupt.

B. The Complainant Acted Knowingly and Maliciously.

Clear proof that the complainant acted knowingly and maliciously in furtherance of her own political and personal ambitions at the expense of Ms. Riggs' reputation is evident from the fact that the complainant pursued this meritless action in the course and furtherance of her own political campaign for the seat occupied by then-Commissioner Riggs. The complainant swore to the truth of a complaint that was substantially false and not based on her personal knowledge or information.

For instance, then-Commissioner Riggs never used campaign staff to circulate official City publications. The complainant referred to undisclosed persons as supposed "proof" of her false allegations, but provided no corroboration or support for her unfounded accusations.

C. Complainant, as a then-Candidate, Knew Florida Elections Law and Was Aware of her False Statements in the Complaint.

The materials to which the complainant referred were City information leaflets that have no electioneering information contained thereon, and were known or should have been known by the complainant as not containing "political advertisements" or "electioneering communications" as defined in §106.011(8) & (15). On their face, the documents did not "expressly advocate" for the election or defeat of a person or an issue, and therefore are not political advertisements. The documents did not depict a "clearly identified candidate for office without expressly advocating the election or defeat of a candidate" and were not circulated within "30 days before a primary or special primary election or 60 days before any other election for the office sought by the candidate ..."

As a political candidate, the complainant knew or was reasonably aware of Florida's Elections Laws. Indeed, the complainant acknowledged as a candidate that she had received and understood Florida's Campaign Laws, including the provisions of Chapter 106, Florida Statutes.

The complainant knew or reasonably should have known that the photo of then-Commissioner Riggs with a City logo posted on a storefront was not an actionable campaign violation. Nothing about the complainant's description of the poster even suggests the

existence of a political advertisement. The attachments the complainant included with the complaint do not identify any campaign-related information.

The complainant knew and reasonably should have known that the complaint did not state a violation of §106.113 prohibiting political expenditures by local governments, because the City promotional and informational materials submitted by the complainant were neither political advertisements nor electioneering communications. As is plain from the face of the materials, the announcements were purely “factual” in nature and did not involve any effort to promote a political candidacy.

The complaint falsely alleged a violation of § 104.31, Florida Statutes (2017), prohibiting municipal officers and public officials from engaging in political activities by the use of official authority. The complainant knew full well there was no factual or legal support for the allegation because neither then-Commissioner Riggs nor any public official was shown to have utilized any government authority or resources for political purposes. The complainant’s attempt to portray then-Commissioner Riggs as corrupt was a purposeful effort to mislead the community into believing that then-Commissioner Riggs’ community education efforts were improper and done for personal profit. This attack was motivated by one goal: to hurt Ms. Riggs’ reelection chances to the advancement of the complainant’s own candidacy.

The complainant’s attempts to denigrate Ms. Riggs’ for her longstanding practice of engaging in constituent outreach was a desperate effort to falsely accuse then-Commissioner Riggs of using City resources for a personal benefit. *Ad hominem* attacks like these should not be allowed in the course of political campaigning. When it

is done knowingly by an opposing candidate, both law and fairness demand the imposition of sanctions.

D. Conclusion.


The complaint was a spurious attack done with malice by an opposing political candidate with the intention of harming then-Commissioner Riggs' personal and community reputation. Then-Commissioner Riggs did not act contrary to Florida's campaign laws, as the complainant well knew. The complainant acted in bad faith to enhance her own campaign by disseminating knowingly false and malicious charges that she then publicized on the campaign trail. The results, unfortunately, elevated the complainant's candidacy such that she was elected to office. The Commission should be especially vigilant when a political opponent misuses the Florida Elections Commission's process to do unfair damage to an opponent. This case demands the imposition of sanctions in the form of an award of attorney's fees and costs of not less than \$10,000.00 as reasonable and appropriate under the circumstances.

Respectfully submitted,

Benedict P. Kuehne

BENEDICT P. KUEHNE



Re: FEC 18-261 - Motion for Fees and Costs 
Florida Elections Commission to: Florida Elections Commission
Sent by: Donna Malphurs
Cc: "Benedict P. Kuehne", Mehgean.Willoughby

11/04/2019 11:42 AM

Dear Mr. Kuehne,

It was a pleasure speaking with you this morning! As we discussed, your petition for fees and costs in this matter will be heard at the Commission's March 24-25, 2020 meeting in Tallahassee. A notice of hearing with the exact date and time will be mailed approximately 14 days prior to the meeting.

Sincerely,

Donna Ann Malphurs
Agency Clerk

Florida Elections Commission Dear Mr. Kuehne, Thank you for sub...

10/30/2019 04:43:25 PM

From: Florida Elections Commission/OAG
To: "Benedict P. Kuehne" <ben.kuehne@kuehnelaw.com>
Cc: "Donna Malphurs" <Donna.Malphurs@myfloridalegal.com>, "Florida Elections Commission" <fec@myfloridalegal.com>
Date: 10/30/2019 04:43 PM
Subject: Re: FEC 18-261 - Motion for Fees and Costs
Sent by: Mehgean Willoughby

Dear Mr. Kuehne,

Thank you for submitting your petition for fees. We anticipate hearing your petition for fees and costs at the Commission's November 19-20, 2019 meeting. A notice of hearing confirming the exact date and time will be mailed to you approximately 14 days prior to the hearing date. If you have any questions, please let me know.


Kind regards,

Mehgean Willoughby
Chief of Staff

"Benedict P. Kuehne" Ms. Malphurs, attached is a letter request for...

10/24/2019 06:18:09 PM



Re: FEC 18-261 - Motion for Fees and Costs 
Florida Elections Commission to: Benedict P. Kuehne
Sent by: Mehgean Willoughby
Cc: "Donna Malphurs", "Florida Elections Commission"

10/30/2019 04:43 PM

Dear Mr. Kuehne,

Thank you for submitting your petition for fees. We anticipate hearing your petition for fees and costs at the Commission's November 19-20, 2019 meeting. A notice of hearing confirming the exact date and time will be mailed to you approximately 14 days prior to the hearing date. If you have any questions, please let me know.

Kind regards,

Mehgean Willoughby
Chief of Staff

"Benedict P. Kuehne" Ms. Malphurs, attached is a letter request for... 10/24/2019 06:18:09 PM

From: "Benedict P. Kuehne" <ben.kuehne@kuehnelaw.com>
To: "Donna Malphurs" <Donna.Malphurs@myfloridalegal.com>, "Florida Elections Commission" <fec@myfloridalegal.com>
Date: 10/24/2019 06:18 PM
Subject: FEC 18-261 - Motion for Fees and Costs

Ms. Malphurs, attached is a letter request for fees and costs.

Benedict P Kuehne
Kuehne Davis Law, PA
100 SE 2 Street, Suite 3550
Miami, FL 33131
Tel: 305.789.5989
Fax: 305.789.5987
Cell: 786.543.8352
Ben.kuehne@kuehnelaw.com
https://urldefense.proofpoint.com/v2/url?u=http-3A__www.kuehnelaw.com&d=DwIFAg&c=VW5JLWXJaVcapeXcL_6RHSzucizvbTRh72MnzyhvSvo&r=EUCXySwWh_J_FdJXZRvBNf-_uJfkQjLY6pr84Eh6P90&m=WBh8t1K7STNoBR0s_NcYUAookOo-UCnyRDKpfeLotcQ&s=TYBuPanYBibKB2HvQB5LrqhoimwYZXUHEub6dEG2DdA&e=



BPK Letter to FEC re Attorney's Fees and Costs.10-24-2019.pdf



FEC 18-261 - Motion for Fees and Costs

Benedict P. Kuehne to: Donna Malphurs, Florida Elections
Commission

10/24/2019 06:18 PM

History: This message has been forwarded.

1 attachment



BPK Letter to FEC re Attorney's Fees and Costs.10-24-2019.pdf

Ms. Malphurs, attached is a letter request for fees and costs.

Benedict P Kuehne
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Ben.kuehne@kuehnelaw.com

https://urldefense.proofpoint.com/v2/url?u=http-3A__www.kuehnelaw.com&d=DwIFAg&c=VW5JLWXJaVcapeXcL_6RHSzucizvbTRh72MnzyhvSvo&r=EUcXySwWh_J_FdJXZRvBNf-_uJfkQjLY6pr84Eh6P90&m=WBh8t1K7STNoBR0s_NcYUAookOo-UCnyRDKpfeLotcQ&s=TYBuPanyYBibKB2HvQB5LrqhoimwYZXUHEub6dEG2DdA&e=

KUEHNE DAVIS LAW
PROFESSIONAL ASSOCIATION

BENEDICT P. KUEHNE*+
SUSAN DMITROVSKY
MICHAEL T. DAVIS*
*Board Certified Appellate Law
+Board Certified Criminal Trials
#Board Certified Criminal
Appeals

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susand@kuehnelaw.com
mdavis@kuehnelaw.com

BROWARD COUNTY OFFICE

1926 Harrison Street
Hollywood, FL 33020

REPLY TO: Miami

October 24, 2019

Donna Ann Malphurs, Agency Clerk
Florida Elections Commission
107 West Gaines Street, Suite 224
Tallahassee, FL 32399-1050
fec@myfloridalegal.com

Re: **Darline B. Riggs**
FEC Case No. 18-261
Request for Recovery of Fees and Costs

Dear Clerk Malphurs:

Pursuant to Rule 2B-1.0045, Florida Administrative Code, Ms. Riggs, through her counsel, requests an award of attorney's fees and costs for her successful defense of the referenced complaint that was dismissed for legal insufficiency. The complaint was not only legally insufficient but also frivolous and intentionally filed for the primary purpose of advancing the complainant's political candidacy and harassing then-Commissioner Darline Riggs in the course and scope of her duties as a public official. As a result of the complaint, Ms. Riggs was obligated to expend significant legal fees and time in establishing her defense. The complaint was motivated by the complainant's malicious intent to injure the reputation of then-Commissioner Riggs. Therefore, an award of attorney's fees and costs in Ms. Riggs's favor is reasonable and necessary.

In connection with the filing of the legally insufficient complaint, the complainant actively sought to publicize the false allegations to the community in a purposeful effort to demonize and harm then-Commissioner Riggs in both her official capacity and personal/occupational endeavors. Ms. Riggs' legal fees and costs should be assessed against the complainant because the complainant's actions were not undertaken in good faith and were not based on any reasonable belief in the legitimacy of the complaint.

A. The Complaint Was Both Legally Insufficient and Contained Knowing Falsities.

As set out in Ms. Riggs' response to the complaint, all of which is incorporated herein, the complaint was legally insufficient and included false information known to the complainant to be false. The documents appended to the complaint were not campaign materials, but were official City materials authorized by the City in furtherance of City responsibilities. The complainant's assertion that Ms. Riggs attempted to mislead the public and improperly utilize City resources was a blatant lie that served to unfairly and falsely present then-Commissioner Riggs as corrupt.

B. The Complainant Acted Knowingly and Maliciously.

Clear proof that the complainant acted knowingly and maliciously in furtherance of her own political and personal ambitions at the expense of Ms. Riggs' reputation is evident from the fact that the complainant pursued this meritless action in the course and furtherance of her own political campaign for the seat occupied by then-Commissioner Riggs. The complainant swore to the truth of a complaint that was substantially false and not based on her personal knowledge or information.

For instance, then-Commissioner Riggs never used campaign staff to circulate official City publications. The complainant referred to undisclosed persons as supposed "proof" of her false allegations, but provided no corroboration or support for her unfounded accusations.

C. Complainant, as a then-Candidate, Knew Florida Elections Law and Was Aware of her False Statements in the Complaint.

The materials to which the complainant referred were City information leaflets that have no electioneering information contained thereon, and were known or should have been known by the complainant as not containing "political advertisements" or "electioneering communications" as defined in §106.011(8) & (15). On their face, the documents did not "expressly advocate" for the election or defeat of a person or an issue, and therefore are not political advertisements. The documents did not depict a "clearly identified candidate for office without expressly advocating the election or defeat of a candidate" and were not circulated within "30 days before a primary or special primary election or 60 days before any other election for the office sought by the candidate ..."

As a political candidate, the complainant knew or was reasonably aware of Florida's Elections Laws. Indeed, the complainant acknowledged as a candidate that she had received and understood Florida's Campaign Laws, including the provisions of Chapter 106, Florida Statutes.

The complainant knew or reasonably should have known that the photo of then-Commissioner Riggs with a City logo posted on a storefront was not an actionable campaign violation. Nothing about the complainant's description of the poster even suggests the

existence of a political advertisement. The attachments the complainant included with the complaint do not identify any campaign-related information.

The complainant knew and reasonably should have known that the complaint did not state a violation of §106.113 prohibiting political expenditures by local governments, because the City promotional and informational materials submitted by the complainant were neither political advertisements nor electioneering communications. As is plain from the face of the materials, the announcements were purely "factual" in nature and did not involve any effort to promote a political candidacy.

The complaint falsely alleged a violation of § 104.31, Florida Statutes (2017), prohibiting municipal officers and public officials from engaging in political activities by the use of official authority. The complainant knew full well there was no factual or legal support for the allegation because neither then-Commissioner Riggs nor any public official was shown to have utilized any government authority or resources for political purposes. The complainant's attempt to portray then-Commissioner Riggs as corrupt was a purposeful effort to mislead the community into believing that then-Commissioner Riggs' community education efforts were improper and done for personal profit. This attack was motivated by one goal: to hurt Ms. Riggs' reelection chances to the advancement of the complainant's own candidacy.

The complainant's attempts to denigrate Ms. Riggs' for her longstanding practice of engaging in constituent outreach was a desperate effort to falsely accuse then-Commissioner Riggs of using City resources for a personal benefit. *Ad hominem* attacks like these should not be allowed in the course of political campaigning. When it

is done knowingly by an opposing candidate, both law and fairness demand the imposition of sanctions.

D. Conclusion.

The complaint was a spurious attack done with malice by an opposing political candidate with the intention of harming then-Commissioner Riggs' personal and community reputation. Then-Commissioner Riggs did not act contrary to Florida's campaign laws, as the complainant well knew. The complainant acted in bad faith to enhance her own campaign by disseminating knowingly false and malicious charges that she then publicized on the campaign trail. The results, unfortunately, elevated the complainant's candidacy such that she was elected to office. The Commission should be especially vigilant when a political opponent misuses the Florida Elections Commission's process to do unfair damage to an opponent. This case demands the imposition of sanctions in the form of an award of attorney's fees and costs of not less than \$10,000.00 as reasonable and appropriate under the circumstances.

Respectfully submitted,

Benedict P. Kuehne

BENEDICT P. KUEHNE



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539 · Facsimile: (850) 921-0783
FEC@myfloridalegal.com · www.fec.state.fl.us



October 14, 2019

Benedict P. Kuehne
Kuehne Davis Law, P.A.
100 SE 2nd Street, Ste. 3550
Miami, FL 33131-2154

RE: Case No.: 18-261; Respondent: Darline B. Riggs

Dear Mr. Kuehne:

On September 20, 2019, the Florida Elections Commission notified Alexandra P. Davis that the complaint she filed on September 4, 2018 was legally insufficient. Since the Commission did not receive any additional information that corrected the stated grounds of legal insufficiency, this case is now closed.

In your October 2nd email you requested an award of attorney's fees and costs pursuant to Rule 2B-1.0045, Florida Administrative Code. However, in order to claim costs and attorney's fees, under this rule, you are required to file your petition for attorney's fees and costs with the Commission Clerk *no later than 30 days following disposition of the complaint*. Please feel free to file your petition by the close of business on November 14, 2019.

If you have any questions, please contact us at fec@myfloridalegal.com or at the number listed above.

Sincerely,

Donna Ann Malphurs

Donna Ann Malphurs
Agency Clerk

DM/med



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



September 20, 2019

Alexandra P. Davis
3149 SW 133 Avenue
Miramar, FL 33027

RE: Case No.: FEC 18-261; Respondent: Darline B. Riggs

Dear Ms. Davis:

The Florida Elections Commission has received your complaint alleging violation of Florida's election laws.

The complaint essentially alleged that Respondent used her official authority or influence to interfere with an election or nomination for office; participated in a campaign for elective office while on duty as a public employee; and distributed campaign literature without proper disclaimers.

Complainant alleged that on the day of the August 28, 2018 primary election, she observed two women at two different polling locations distributing literature related to Respondent, who was a candidate for re-election to the City of Miramar Commission, Seat 4, in the upcoming March 12, 2019 municipal election. Complainant alleged the women approached voters, distributed the cards, and requested they vote for Respondent on March 12, 2019.

Complainant did not identify either of the women at issue. She provided photographs that appear to show two women at two different locations. One of the women is clearly holding cards picturing Respondent, but the other woman is merely shown walking through a parking lot near an apparent polling place holding something that cannot be identified. Neither woman is shown distributing the literature to electors, and the image of the woman holding cards picturing Respondent does not show her near a polling place.

Complainant named a witness who allegedly saw a "paid campaign worker" for Respondent distribute the cards to voters and ask for their vote. However, Complainant does not have personal information or information other than hearsay about the alleged campaign worker, and Respondent denied any paid campaign staff or volunteers were at any polling place on August 28, 2018.

Complainant provided a larger image of the card one woman was holding. It invites residents to contact Commissioner Riggs and provides her contact information. The city logo is on the card. Complainant also provided a photograph of what appears to be the same outreach image and text displayed in the window of a street-side shop, which Complainant stated that Respondent rented. The images and text contain no reference to her candidacy or the upcoming election, and there is

Alexandra P. Davis
September 20, 2019
Page 2
FEC 18-261

no appeal to take an action relative to any election. In fact, the card and window display do not discuss any local issues or communicate anything other than inviting residents to contact Respondent, presumably as a demonstration of interest in their opinions.

In response to the complaint, Respondent identified the card at issue as part of her outreach materials as Commissioner, which she indicated were distributed year round along with other outreach materials.

Respondent was not a candidate in the August 28, 2018 primary election. The materials that were allegedly distributed and the window display were not political advertisements because they did not contain express advocacy. They were not electioneering communications as they merely invited residents to contact Respondent.

Based upon the foregoing, Complainant did not provide evidence that Respondent used her official authority or influence to interfere with an election or nomination for office in violation of Section 104.31(1)(a), Florida Statutes. Likewise, Complainant provided no evidence that Respondent, as an employee of the city, participated in a political campaign for elective office while on duty, in violation of Section 104.31(2), Florida Statutes. Complainant did not provide evidence that Respondent violated the disclaimer requirements of Section 106.143, Florida Statutes, as she did not distribute or display political advertisements or electioneering communications.

For these reasons, I find the complaint to be Legally Insufficient.

If you have additional information to correct the stated ground(s) of insufficiency, please submit it within 14 days of the date of this letter. If no additional information is received, correcting the stated grounds of insufficiency, this case will be closed. Enclosed is the form for submitting additional information. Should you submit an additional statement containing facts, your statement must contain your notarized signature. Any additional facts submitted to the Commission must be based on either personal information or information other than hearsay.

If you have any questions concerning the complaint, please contact us at fec@myfloridalegal.com.

Sincerely,



Tim Vaccaro
Executive Director

TV/med

Enclosure: Additional Complaint Information Form 2

cc: Benedict P. Kuehne, Attorney for Respondent w/out Enclosure

FLORIDA ELECTIONS COMMISSION
107 West Gaines Street, Suite 224,
Tallahassee, FL 32399-1050

ADDITIONAL COMPLAINT INFORMATION

Case Number: FEC 18-261

Pursuant to Rule 2B-1.0025, Florida Administrative Code, if you have additional information to correct the ground(s) of legal insufficiency stated in the attached letter, please explain in a concise narrative statement. Attach the statement and any relevant documentation to this form:

STATE OF FLORIDA
COUNTY OF _____

I swear or affirm that the information in the attached statement is true and correct to the best of my knowledge.

Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this _____ day of _____, 20_____.

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.



FEC 18-261 - Response

Benedict P. Kuehne

to:

fec@myfloridalegal.com

10/02/2018 03:10 AM

Cc:

"Eric Lipman (eric.lipman@myfloridalegal.com)"

Hide Details

From: "Benedict P. Kuehne" <ben.kuehne@kuehnelaw.com>

To: "fec@myfloridalegal.com" <fec@myfloridalegal.com>

Cc: "Eric Lipman (eric.lipman@myfloridalegal.com)" <eric.lipman@myfloridalegal.com>

1 Attachment



BPK Response to Complaint.10-1-2018.pdf

October 2, 2018

Eric Lipman, General Counsel
 Florida Elections Commission
 107 West Gaines Street, Suite 224
 Tallahassee, FL 32399-1050
 fec@myfloridalegal.com

Re: Darline B. Riggs
 FEC Case No. 18-261
 Response to Complaint; Request for Finding of
 Legal Insufficiency; Request for Dismissal; and
 Request for Recovery of Fees and Costs

Dear Mr. Lipman:

Miramar City Commissioner Darline B. Riggs and I have had an opportunity to review the referenced Complaint filed by political candidate Alexandra P. Davis, who is seeking to be elected to the Miramar City Commission, Seat 4. That municipal election is scheduled for March 2019, more than six (6) months from now. Yet, the complainant falsely accused Commissioner Riggs of engaging in improper electioneering for the August 28, 2018 primary election, when neither Commissioner Riggs nor any Miramar Commission election is on the ballot.

First, the Complaint itself is frivolous and fails to satisfy requirements of legal sufficiency. For that reason, the Complaint should be dismissed as legally insufficient.

Second, independent of its legal insufficiency, the Complaint fails to set out an actionable violation of the cited Florida election statutes, §104.31(2) and §106.143, Florida Statutes. For that additional reason, the Complaint should be dismissed.

Third, because the Complaint was filed for the primary purpose of advancing the complainant's candidacy and harassing Commissioner Riggs in the course and scope of her duties as a public official, she has been obligated to expend significant legal fees in establishing her defense. The Complaint is motivated by the complainant's malicious intent to injure the reputation of Commissioner Riggs. Therefore, the Florida Elections

Commission should award attorney's fees and costs in Commissioner Riggs's favor pursuant to Rule 2B-1.0045, Florida Administrative Code. The complainant has actively sought, by this Complaint and its publication thereof to the community, to harm Commissioner Riggs in both her official capacity and her personal/occupational endeavors. Her legal fees and costs should be assessed against the complainant because the complainant's actions are not undertaken in good faith and are not based on any reasonable belief in the legitimacy of the Complaint.

A. Preliminary Response to Complaint.

1. Commissioner Riggs Denies the Allegations.

At the outset, Commissioner Riggs denies each and every allegation in the Complaint. She was never acting as a political candidate or engaging in campaign activity. She was at all times serving her community within the scope and in furtherance of her duties and responsibilities as an elected official in the City of Miramar. The documents appended to the Complaint are official City materials describing her community outreach, a practice she instituted from her very early days as an elected official. Commissioner Riggs' use of the City seal for official purposes to educate and inform the community was proper and authorized, and consistent with her ongoing community efforts to be a representative of all the people.

2. Complaint Is Not Based on Personal Knowledge.

The Complaint is not based on the complainant's personal knowledge, as required by §106.25(2), Florida Statutes (2017), and is thus legally insufficient.

Commissioner Riggs had no campaign staff or campaign volunteers at any polling place during the August 28, 2018 primary election or the early voting period. The complainant's observation of "two women ... passing out City of Miramar stationary [sic] with information on Miramar Commissioner and candidate for Miramar Commission seat 4 ..." was not based on any required personal knowledge on the part of the complainant, because no person passed out information as part of any electioneering activity on Commissioner Riggs' behalf.

Without any identification of the names of these "two women" or any other person, the complainant is engaged in mere speculation when she asserts the women were "paid" campaign staff members. No paid or unpaid campaign workers were involved in Commissioner Rigg's official duties when official City information was being distributed to City residents.

The complainant's allegation of information supposedly possessed by "Jaime Clemente" is not within the complainant's personal knowledge and cannot be used to support her complaint. That portion of the Complaint must likewise be dismissed.

Additionally, the assertion that "the paid campaign worker for Darline B Riggs" handed out City cards is also not based on the complainant's personal knowledge because she has no knowledge of whether any person was paid by any campaign.

3. No Political Advertisements or Electioneering Communications.

The materials to which the complainant refers are City information leaflets that have no electioneering information contained thereon, and cannot be considered "political advertisements" or "electioneering communications" as defined in §106.011(8) & (15). The documents do not "expressly advocate" for the election

or defeat of a person or an issue, and therefore are not political advertisements. The items do not depict a "clearly identified candidate for office without expressly advocating the election or defeat of a candidate" and were not circulated within "30 days before a primary or special primary election or 60 days before any other election for the office sought by the candidate ..." The Miramar municipal election occurs in March 2019, six months away.

Nor is the photo of Commissioner Riggs with a City logo posted on a storefront an actionable campaign violation. Nothing about the description of the poster invites any suggestion of a political advertisement. The attachments to the Complaint do not identify any campaign-related information.

The Complaint has not stated any violation of §106.113 prohibiting political expenditures by local governments, because the City promotional and informational materials at issue are neither political advertisements nor electioneering communications. As is plain from the face of the materials, the announcements were purely "factual" in nature and did not involve any effort to promote a political candidacy.

4. The Complaint Fails to State a Violation of §104.31 or §106.31, Florida Statutes.

Section 104.31, Florida Statutes (2017) prohibits municipal officers and public officials from engaging in political activities by use of official authority. Nothing in the Complaint makes out any such violation, because neither Commissioner Riggs nor any public official has been shown to have utilized any government authority or resources for political purposes. Commissioner Riggs is allowed to engage in community education and the dissemination of official information to the public more than six months before the Miramar elections. To preclude such resident and voter contact would result in the inability of Commissioner Riggs to discharge her responsibilities to her constituents. Nothing in the Complaint suggests otherwise.

Nor do the materials constitute political advertisements, and thus do not run afoul of §106.143.

Commissioner Riggs has a longstanding practice of engaging in constituent outreach, contacting residents, making herself known in the community as an official who will listen to residents, holding public meetings and workshops open to all, promoting the public health and welfare by sponsoring health fairs throughout the community, advocating for job creation, supporting school safety, and encouraging a community commitment to education, among her many Commission initiatives. She does this year-round, day in and day out. She is engaged with the community every single day, and does not just appear at election time. She is a responsive community leader who looks for ways to involve her community.

As a trained nurse and experienced healthcare worker, Commissioner Riggs uses her public position to advocate for a health care safety net. Especially during election seasons not involving the Miramar Commission, she fully understands and embraces her ability to reach the voting public to solicit their views and opinions, and make herself known as a leader willing to speak with residents. She gives out her Commission business card with her accessible phone number and email, and she responds to all inquiries. This is in keeping with her vision of attentive and responsive government. Efforts like these should be applauded, not condemned by a political candidate seeking publicity at the Commissioner's expense.

Should the Florida Elections Commission be interested, Commissioner Riggs has a wealth of materials, announcements, flyers, and information she widely distributes to the community throughout the entire year in her official capacity as a Miramar Commissioner. That is precisely the type of information about which the complainant is complaining, but which does not violate any election laws.

B. Conclusion.

The Complaint is legally insufficient and not based on personal information or non-hearsay sources. It is, to the contrary, a spurious attack maliciously done by a political candidate with the intention of harming Commissioner Riggs' personal and community reputation. Commissioner Riggs did not act contrary to Florida's campaign laws. She acted in good faith as an elected official in the discharge of her official duties and responsibilities. The Complaint should be dismissed, with costs and fees assessed against the complainant.

Respectfully submitted,

BENEDICT P. KUEHNE

Benedict P. Kuehne
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100 S.E. 2d Street, Suite 3550
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KUEHNE DAVIS LAW
PROFESSIONAL ASSOCIATION

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SUSAN DMITROVSKY
MICHAEL T. DAVIS

*Board Certified
Appellate Practice and
Criminal Trial Practice

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susand@kuehnelaw.com
mdavis@kuehnelaw.com

FORT LAUDERDALE OFFICE

1 W. Las Olas Blvd., Suite 500
Ft. Lauderdale, FL 33301

REPLY TO: Miami

October 2, 2018

Eric Lipman, General Counsel
Florida Elections Commission
107 West Gaines Street, Suite 224
Tallahassee, FL 32399-1050
fec@myfloridalegal.com

Re: *Darline B. Riggs*
FEC Case No. 18-261
Response to Complaint; Request for Finding of
Legal Insufficiency; Request for Dismissal; and
Request for Recovery of Fees and Costs

Dear Mr. Lipman:

Miramar City Commissioner Darline B. Riggs and I have had an opportunity to review the referenced Complaint filed by political candidate Alexandra P. Davis, who is seeking to be elected to the Miramar City Commission, Seat 4. That municipal election is scheduled for March 2019, more than six (6) months from now. Yet, the complainant falsely accused Commissioner Riggs of engaging in improper electioneering for the August 28, 2018 primary election, when neither Commissioner Riggs nor any Miramar Commission election is on the ballot.

First, the Complaint itself is frivolous and fails to satisfy requirements of legal sufficiency. For that reason, the Complaint should be dismissed as legally insufficient.

Second, independent of its legal insufficiency, the Complaint fails to set out an actionable violation of the cited Florida election statutes, §104.31(2) and §106.143, Florida Statutes. For that additional reason, the Complaint should be dismissed.

Third, because the Complaint was filed for the primary purpose of advancing the complainant's candidacy and harassing Commissioner Riggs in the course and scope of her duties as a public official, she has been obligated to expend significant legal fees in establishing her defense. The Complaint is motivated by the complainant's malicious intent to injure the reputation of Commissioner Riggs. Therefore, the Florida Elections Commission should award attorney's fees and costs in Commissioner Riggs's favor pursuant to Rule 2B-1.0045, Florida Administrative Code. The complainant has actively sought, by this Complaint and its publication thereof to the community, to harm Commissioner Riggs in both her official capacity and her personal/occupational endeavors. Her legal fees and costs should be assessed against the complainant because the complainant's actions are not undertaken in good faith and are not based on any reasonable belief in the legitimacy of the Complaint.

A. Preliminary Response to Complaint.

1. Commissioner Riggs Denies the Allegations.

At the outset, Commissioner Riggs denies each and every allegation in the Complaint. She was never acting as a political candidate or engaging in campaign activity. She was at all times serving her community within the scope and in furtherance of her duties and responsibilities as an elected official in the City of Miramar. The documents appended to the Complaint are official City materials describing her community outreach, a practice she instituted from her very early days as an elected official. Commissioner Riggs' use of the City seal for official purposes to educate and inform the community was proper

and authorized, and consistent with her ongoing community efforts to be a representative of all the people.

2. Complaint Is Not Based on Personal Knowledge.

The Complaint is not based on the complainant's personal knowledge, as required by §106.25(2), Florida Statutes (2017), and is thus legally insufficient.

Commissioner Riggs had no campaign staff or campaign volunteers at any polling place during the August 28, 2018 primary election or the early voting period. The complainant's observation of "two women ... passing out City of Miramar stationary [sic] with information on Miramar Commissioner and candidate for Miramar Commission seat 4 ..." was not based on any required personal knowledge on the part of the complainant, because no person passed out information as part of any electioneering activity on Commissioner Riggs' behalf.

Without any identification of the names of these "two women" or any other person, the complainant is engaged in mere speculation when she asserts the women were "paid" campaign staff members. No paid or unpaid campaign workers were involved in Commissioner Rigg's official duties when official City information was being distributed to City residents.

The complainant's allegation of information supposedly possessed by "Jaime Clemente" is not within the complainant's personal knowledge and cannot be used to support her complaint. That portion of the Complaint must likewise be dismissed.

Additionally, the assertion that "the paid campaign worker for Darline B Riggs" handed out City cards is also not based on the complainant's personal knowledge because she has no knowledge of whether any person was paid by any campaign.

3. No Political Advertisements or Electioneering Communications.

The materials to which the complainant refers are City information leaflets that have no electioneering information contained thereon, and cannot be considered “political advertisements” or “electioneering communications” as defined in §106.011(8) & (15). The documents do not “expressly advocate” for the election or defeat of a person or an issue, and therefore are not political advertisements. The items do not depict a “clearly identified candidate for office without expressly advocating the election or defeat of a candidate” and were not circulated within “30 days before a primary or special primary election or 60 days before any other election for the office sought by the candidate ...” The Miramar municipal election occurs in March 2019, six months away.

Nor is the photo of Commissioner Riggs with a City logo posted on a storefront an actionable campaign violation. Nothing about the description of the poster invites any suggestion of a political advertisement. The attachments to the Complaint do not identify any campaign-related information.

The Complaint has not stated any violation of §106.113 prohibiting political expenditures by local governments, because the City promotional and informational materials at issue are neither political advertisements nor electioneering communications. As is plain from the face of the materials, the announcements were purely “factual” in nature and did not involve any effort to promote a political candidacy.

4. The Complaint Fails to State a Violation of §104.31 or §106.31, Florida Statutes.

Section 104.31, Florida Statutes (2017) prohibits municipal officers and public officials from engaging in political activities by use of official

authority. Nothing in the Complaint makes out any such violation, because neither Commissioner Riggs nor any public official has been shown to have utilized any government authority or resources for political purposes. Commissioner Riggs is allowed to engage in community education and the dissemination of official information to the public more than six months before the Miramar elections. To preclude such resident and voter contact would result in the inability of Commissioner Riggs to discharge her responsibilities to her constituents. Nothing in the Complaint suggests otherwise.

Nor do the materials constitute political advertisements, and thus do not run afoul of §106.143.

Commissioner Riggs has a longstanding practice of engaging in constituent outreach, contacting residents, making herself known in the community as an official who will listen to residents, holding public meetings and workshops open to all, promoting the public health and welfare by sponsoring health fairs throughout the community, advocating for job creation, supporting school safety, and encouraging a community commitment to education, among her many Commission initiatives. She does this year-round, day in and day out. She is engaged with the community every single day, and does not just appear at election time. She is a responsive community leader who looks for ways to involve her community.

As a trained nurse and experienced healthcare worker, Commissioner Riggs uses her public position to advocate for a health care safety net. Especially during election seasons not involving the Miramar Commission, she fully understands and embraces her ability to reach the voting public to solicit their views and opinions, and make herself known as a leader willing to speak with residents. She gives out her Commission business card with her accessible phone number and email, and she responds to all inquiries. This is in keeping with her vision of attentive and responsive government. Efforts like these should be applauded, not

condemned by a political candidate seeking publicity at the Commissioner's expense.

Should the Florida Elections Commission be interested, Commissioner Riggs has a wealth of materials, announcements, flyers, and information she widely distributes to the community throughout the entire year in her official capacity as a Miramar Commissioner. That is precisely the type of information about which the complainant is complaining, but which does not violate any election laws.

B. Conclusion.

The Complaint is legally insufficient and not based on personal information or non-hearsay sources. It is, to the contrary, a spurious attack maliciously done by a political candidate with the intention of harming Commissioner Riggs' personal and community reputation. Commissioner Riggs did not act contrary to Florida's campaign laws. She acted in good faith as an elected official in the discharge of her official duties and responsibilities. The Complaint should be dismissed, with costs and fees assessed against the complainant.

Respectfully submitted,

Benedict P. Kuehne

BENEDICT P. KUEHNE



FEC 18-261
Benedict P. Kuehne
to:
fec@myfloridalegal.com
09/21/2018 04:29 PM
Hide Details
From: "Benedict P. Kuehne" <ben.kuehne@kuehnelaw.com>
To: "fec@myfloridalegal.com" <fec@myfloridalegal.com>

1 Attachment



BPK Letter of Representation re FEC 18-261.9-21-2018.pdf

September 21, 2018
Eric Lipman, General Counsel
Florida Elections Commission
107 West Gaines Street, Suite 224
Tallahassee, FL 32399-1050
fec@myfloridalegal.com

Re: Darline B. Riggs
FEC Case No. 18-261
Letter of Representation
Request for Case File

Dear Mr. Lipman:

My law firm is providing representation to the subject of the referenced complaint, Darline B. Riggs. Please direct all communications concerning any matter involving my client to my attention.

Please provide the entirety of the referenced case file. An electronic copy is requested if available.

I will be filing a response to the complaint, and seek a 7-day extension of time for filing the response until September 28, 2018.

Respectfully submitted,

BENEDICT P. KUEHNE

Benedict P. Kuehne
Kuehne Davis Law, P.A.
100 S.E. 2d Street, Suite 3550
Miami, FL 33131-2154
305.789.5989 x7 Tel
305.789.5987 Fax
ben.kuehne@kuehnelaw.com
bkuehne@bellsouth.net
www.kuehnelaw.com

KUEHNE DAVIS LAW
PROFESSIONAL ASSOCIATION

BENEDICT P. KUEHNE*
SUSAN DMITROVSKY
MICHAEL T. DAVIS

*Board Certified
Appellate Practice and
Criminal Trial Practice

MIAMI TOWER, SUITE 3550
100 S.E. 2nd Street
MIAMI, FLORIDA 33131-2154
Telephone: 305.789.5989
Facsimile: 305.789.5987
ben.kuehne@kuehnelaw.com
susand@kuehnelaw.com
mdavis@kuehnelaw.com

FORT LAUDERDALE OFFICE

1 W. Las Olas Blvd., Suite 500
Ft. Lauderdale, FL 33301

REPLY TO: Miami

September 21, 2018

Eric Lipman, General Counsel
Florida Elections Commission
107 West Gaines Street, Suite 224
Tallahassee, FL 32399-1050
fec@myfloridalegal.com

Re: *Darline B. Riggs*
FEC Case No. 18-261
Letter of Representation
Request for Case File

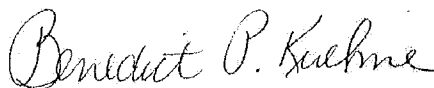
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Please provide the entirety of the referenced case file. An electronic copy is requested if available.

I will be filing a response to the complaint, and seek a 7-day extension of time for filing the response until September 28, 2018.

Respectfully submitted,



BENEDICT P. KUEHNE



Date Produced: 09/17/2018

Florida Elections Commission:

The following is the delivery information for Certified Mail™/RRE item number 9214 8969 0099 9790 1623 3635 24. Our records indicate that this item was delivered on 09/11/2018 at 04:09 p.m. in HOLLYWOOD, FL 33027. The scanned image of the recipient information is provided below.

Signature of Recipient :

A handwritten signature in black ink, appearing to be a stylized name with a large initial and a long horizontal stroke.

Address of Recipient :

A handwritten address in black ink, consisting of several lines of stylized characters and numbers, possibly representing a street address and zip code.

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 18-261 14 Day Ltr-Darline B.

9/30 CR



FLORIDA ELECTIONS COMMISSION

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

www.fec.state.fl.us; fec@myfloridalegal.com

September 7, 2018

CERTIFIED MAIL 9214 8969 0099 9790 1623 3635 24

Darline B. Riggs
5391 SW 130 Terrace
Miramar, FL 33027

RE: Case No.: FEC 18-261; Respondent: Darline B. Riggs

Dear Ms. Riggs:

On September 4, 2018, the Florida Elections Commission received the enclosed complaint alleging that you violated Florida's election laws. Section 106.25(2), Florida Statutes, states:

The respondent shall have 14 days *after receipt* of the complaint to file an initial response, and the executive director may not determine the legal sufficiency of the complaint during that time period.

If you choose to file a response to the complaint, please send it to my attention at the address listed above. To ensure that we receive your response in a timely manner, you may also want to send it via e-mail to my attention at fec@myfloridalegal.com. You will be notified by letter whether the complaint is determined to be legally sufficient.

Please note that all documents related to this matter will be mailed to the above address unless you notify us of a new address.

Pursuant to section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapter 104 or 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, the Respondent, unless you waive confidentiality in writing.

Darline B. Riggs
September 7, 2018
Page 2
FEC 18-261

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.

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website (www.fec.state.fl.us) or contact us via email at fec@myfloridalegal.com.

Sincerely,
Erin Riley
Deputy Agency Clerk

/enr
Enclosure: Complaint w/attachments

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

Certified Mail Fee 4 8969 0099 9790 1623 3635 24

Extra Services & Fees (check box, and use fee appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$3.45
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$1.50
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage \$0.00

Total Postage and Fees \$5.420

Sent To Darline B. Riggs
 5391 SW 130 Terrace
 Street, Apt. No., or PO Box No. Miramar, FL 33027
 City, State, Zip+4

Electronic Return Receipt Requested

Postmark Here

Code: 18-261; 14 Day Ltr

COMPLAINT

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 it is brought.

1. PERSON BRINGING COMPLAINT:

Name: Alexandra P. Davis Work Phone: (____) _____
Address: 3149 SW 133 Ave Home Phone: (954) 270 4601
City: Miramar County: Broward State: FL Zip Code: 33027

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

If you intend to name more than one individual or entity, please file multiple complaints. A person can be an individual, political committee, political party, electioneering communication organization, club, corporation, partnership, company, association, or other type of organization.

Name of individual or entity: Darline B. Riggs
Address: 5391 SW 130 Terrace Phone: (954) 684 8088
City: Miramar County: Broward State: FL Zip Code: 33027

If individual is a candidate, list the office or position sought: Miramar Commission Seat 4

Have you filed this complaint with the State Attorney's Office? (check one) Yes No

Are you alleging a violation of Section 104.271(2), F.S.? (check one) Yes No

Are you alleging a violation of Section 104.2715, F.S.? (check one) Yes No

3. ALLEGED VIOLATION(S):

Please attach a **concise** narrative statement in which you 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 provisions of Chapter 104 and Chapter 106, Florida Statutes. Please include the following items as part of your attached statement:

- The facts and actions that you believe support the violations you allege;
- The names/telephone numbers of persons whom you believe may be witnesses to the facts;
- A copy or picture of any political advertisement(s) you mention in your statement;
- A copy of each document you mention in your statement;
- An explanation of why you believe information you reference from websites is relevant; and
- Any other evidence supporting your allegations.

SEE REVERSE SIDE OF DOCUMENT FOR ADDITIONAL INFORMATION

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.

4. OATH:

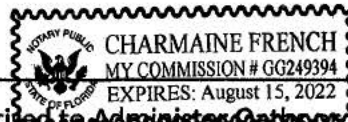
STATE OF FLORIDA
COUNTY OF Broward

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

[Signature]
Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 31 day of
August, 20 18

[Signature]
Signature of Officer Authorized to Administer Oaths or Notary Public



Charmaine French

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known _____ Or Produced Identification FLDL

Type of Identification Produced FLDL

5. IMPROPERLY COMPLETED COMPLAINT FORMS MAY BE RETURNED:

- You **MUST** submit this completed complaint form in order to file a complaint.
- You **MUST** complete **ALL FOUR** of the above sections of this form. **DO NOT** leave any blanks.
- You **MUST** submit the **ORIGINAL** complaint form. Copied/faxed/emailed forms are returned.
- Each complaint can only be filed against **ONE PERSON** or **ENTITY**. If you wish to file against multiple parties, you **MUST** submit a complaint form for each party you wish to file against.
- **DO NOT** submit multiple complaint forms with one set of attachments applying to multiple complaints. You **MUST** attach copies of attachments to each complaint to which they apply.
- **MAKE SURE** the alleged violation(s) of Chapters 104 or 106 occurred within the last 2 years.
- **MAKE SURE** your complaint is sworn and there is no defect to the notarization in Section 4.

Campaign Violation Complaint for Darline B Riggs

On August 28, 2018 primary election day, I was at two different polling stations where I observed two women, one at each location passing out City of Miramar stationary with information on Miramar Commissioner and candidate for Miramar Commission seat 4, Darline B Riggs.

Also I observed both women approaching voters and while passing out these cards asking people to vote March 12, 2019 for Commissioner Riggs.

One of the polling stations was New Renaissance Middle school located at 10701 Miramar Blvd, Miramar FL 33025 and the other was a polling station at the Vernon Hargray Youth Enrichment Center, 7000 Miramar Pkwy, Miramar FL 33025.

I have another witness (Jaime Clemente – tel: 305 367 1205) including myself who was at New Renaissance Middle School and heard plus saw the paid campaign worker for Darline B Riggs hand out the City cards to voters and ask them to vote for Darline Riggs on 3/12/2019.

On that same day I was driving by the Northeast corner of University Drive and Miramar Parkway and saw a store front with Darline Riggs' photo and City logo posted on the glass windows of the store front. I went back to her campaign expenditures and noticed that she had used campaign funds to pay for the rent of this facility.

Overall I do believe there have been violations of FS 104 and FS 106. With my limited knowledge the violations are possibly FS 104.31(a); FS 104.31(2); FS 106.143.

Please find enclosed photos and documents to help to further my case.

Truly,

Alexandra Davis (954) 270 4601 cell

Candidate Finance CF Elections CF Candidates CF Committees

March 12, 2019 Election

Darline Riggs - Expenditures

Report Summary

Show Legend

Date
Aug 01, 2018

Entity
Quick Stop
7957 Miramar Parkway
Miramar, FL 33023

Amount **Type**
\$2000.00 MON

Purpose
Rent

campaign office

Candidate Finance CF Elections CF Candidates CF Committees

The City of Miramar Town Center - 2300 Civic Center Place - Miramar Florida 33025. (954) 602-HELP

7967

IT'S ABOUT HAIR

Salon

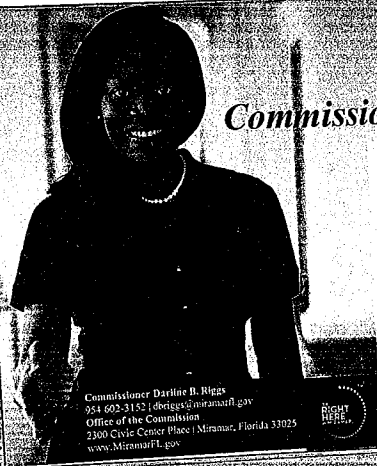
954-362-4215

Tuesday-Thursday
9:00 AM TO 5:00 PM

FRIDAY - SATURDAY
8:00 AM TO 7:00 PM

CLOSED SUNDAY MONDAY

Booth available
Call: 784-288-1288



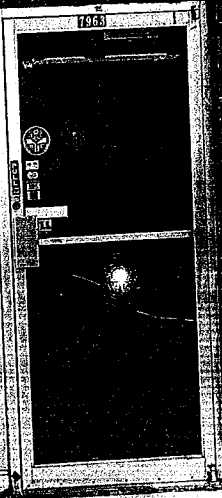
Commissioner Riggs

Commissioner Darline B. Riggs is
Reaching Out

Whether you are:
A Resident of the
Beautiful City of Miramar
or
A Business Owner
or
Have a vested interest in the fast
growing City of Miramar

Please know that I,
Darline B. Riggs,
Commissioner of the beautiful City of
Miramar am reaching out and looking
forward to hearing from you

Commissioner Darline B. Riggs
954-602-3152 darbriggs@miramarfl.gov
Office of the Commissioner
2300 Civic Center Place | Miramar, Florida 33025
www.MiramarFL.gov

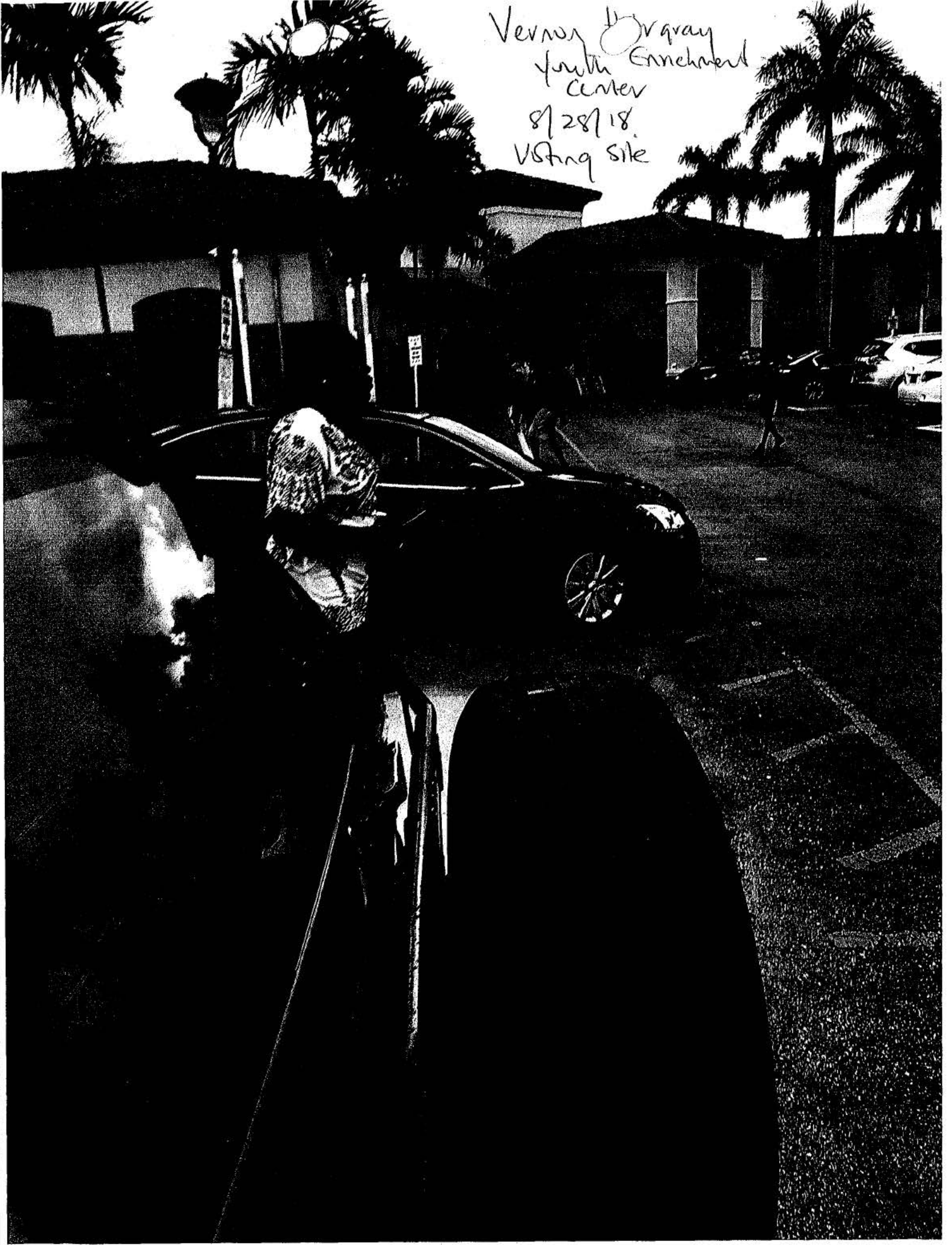


♿
PARKING BY
DISABLED
PERSONS
ONLY

♿
PARKING BY
DISABLED
PERSONS
ONLY

Campanan
office

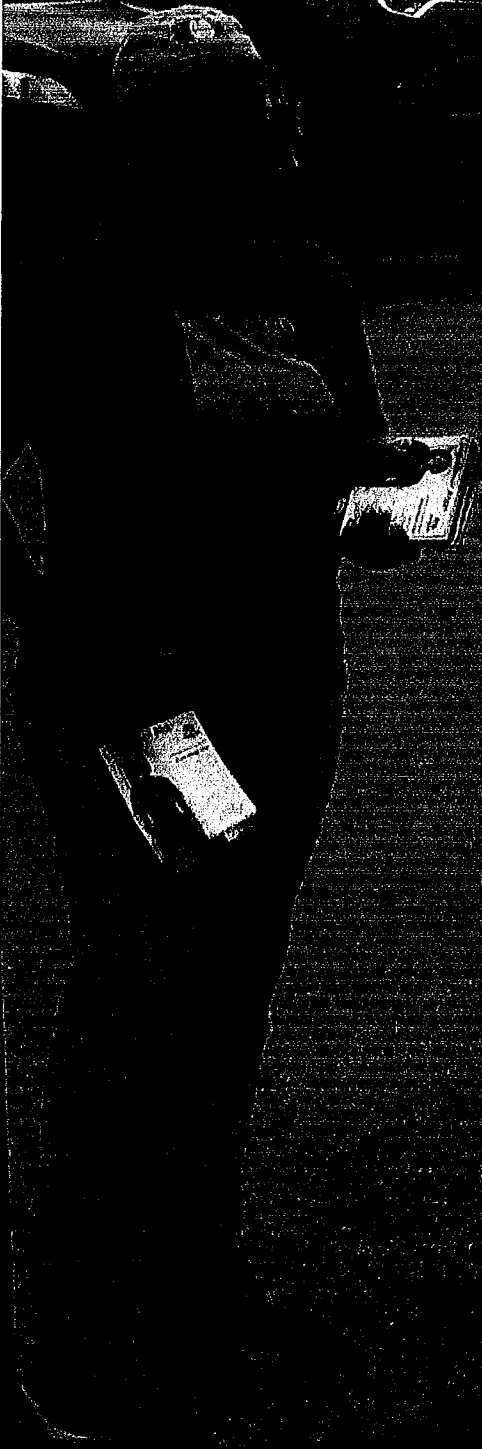
Vernon J. Gray
Youth Enrichment
Center
8728118
Voting Site





Next Renaissance
Market Street
12/1/19

12/1/19



Commissioner Riggs

City Card given out
at the polling
station

asking for votes

to vote for her in 3/12/19



Commissioner Darline B. Riggs is

Reaching Out

Whether you are:

A *Resident* of the
Beautiful City of Miramar

or

A *Business Owner*

or

Have a vested interest in the fast
growing City of Miramar

Please Know that I,

Darline B. Riggs,

Commissioner of the beautiful City of
Miramar am reaching out and looking
forward to hearing from you.

Commissioner Darline B. Riggs
954-602-3152 | dbriggs@miramarfl.gov
Office of the Commission
2300 Civic Center Place | Miramar, Florida 33025
www.MiramarFL.gov

**Ely's
Tires**
954-894-4048



HERITAGE FESTIVAL



RESAQUIENIA

VOTE MARCH 12TH 2019

MEET ALEXANDRA DAVIS

The 1st African American Mayor of Miami-Dade County

Almost thirty years ago, Alexandra Davis was elected Mayor of Miami-Dade County. She is the daughter of a nurse, a caregiver who always had her back to the community. Her long track record of activism and public works in the community led to the creation of many projects such as Miami's first public library, known as Caribbean, an annual Job Fair, a Youth Leadership Program as well as the continued recommitment of the Research and Innovation and the proposed Police Academy.

WWW.DMVEVENTS.COM

Commissioner Riggs

Commissioner Darline B. Riggs is Reaching Out!

Whether you are
 A Resident of the Beautiful City of Miami
 or
 A Business Owner
 or
 Have a vested interest in the fast growing City of Miami

Please know that I, **Darline B. Riggs**, Commissioner of the beautiful City of Miami am reaching out and looking forward to hearing from you!





Darline B. Riggs
 Commissioner
 City of Miami
 3100 Biscayne Blvd
 Miami, Florida 33133

FedEx
Express

RECEIVED

2018 SEP -10 A 10:57

STATE OF FLORIDA
ELECTIONS COMMISSION

FL 865 1 10:30 A 4513 09/04

Align top of FedEx Express® shipping label here.

ORIGIN ID: FXEA (954) 270-4601
ALEXANDRA DAVIS
3149 SW 133 AVE
MIAMI, FL 33027
UNITED STATES US

SHIP DATE: 31AUS18
ACTWT: 0.20 LB
CAD: 006994136/SSFE1922

BILL CREDIT CARD

TO COLLINS BUILDING
FLORIDA ELECTIONS COMMISSION
107 W GAINES ST
STE 224
TALLAHASSEE FL 32399

(800) 922-4636

HELP

DEPT



FedEx
Express

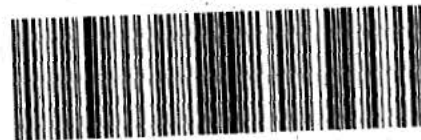


WED - 05 SEP 10:30A
MORNING 2DAY

TRK# 7825 7147 4513

SH TLHA

32399
FL-US TLH



Free

Align bottom of peel-and-stick airbill or pouch here.

FLORIDA ELECTIONS COMMISSION

REVIEW OF COMPLAINT FOR LEGAL SUFFICIENCY

~ PRELIMINARY INFORMATION ~

Date Received: 09/04/18

Reviewer: Cole

Case #: FEC 18-261

ORIGINAL
 AMENDED

Complainant: **Alexandra P. Davis**

Respondent: **Darline B. Riggs**

Complainant: Complainant was a candidate for the office of Miramar Commission, Seat 4, in the municipal election held on 03/12/19. She was elected to office.

Respondent: Respondent was the incumbent candidate for Miramar Commission, Seat 4. She was defeated by Complainant.

Background: Respondent is represented by Benedict P. Kuehne, Esq.

~ VIOLATIONS ~

Violations in complaint: §104.31(a), 104.31(2), 106.143

Violations for CMS: §104.31(1)(a), 104.31(2), 106.143(1)(a), 106.1439

~ COMPLAINT ISSUES ~

1. Respondent allegedly used her official authority or influence to interfere with an election or nomination of office and may have failed to include proper disclaimers on campaign materials.

~ REVIEW OF COMPLAINT ISSUES ~

1. The complaint primarily alleged that Respondent used her official authority or influence to interfere with an election or nomination for office. Complainant alleged that on the day of the 08/28/18 primary election, she observed two women at two different polling locations distributing literature relative to Respondent, who was a candidate for re-election to the Miramar Commission, Seat 4, in the upcoming municipal election held on 03/12/19. Complainant alleged the women approached voters, distributed the cards, and requested they vote for Respondent on 03/12/19.

Complainant did not identify either of the women at issue. She provided photographs that appear to show two women at two different locations. One of the women is clearly holding cards picturing Respondent, but the other woman is merely shown walking through a parking lot near an apparent polling place holding something that cannot be identified. Neither woman is shown distributing the literature to electors, and the image of the woman holding cards picturing Respondent does not show her near a polling place.

Complainant provided a larger image of the card one woman was holding. It invites residents to contact Commissioner Riggs and provides her contact information. The city logo is on the card. There is no reference to her candidacy or the upcoming election, and there is no appeal to take an action relative to any election. In fact, the card does not discuss any local issues or do anything other than invite residents to contact her, presumably as a demonstration of interest in their opinions.

In response to the complaint, Respondent identified the card at issue as part of her outreach materials as Commissioner, which she indicated are distributed year-round along with other outreach materials.

The materials that were allegedly distributed are not political advertisements because they do not contain express advocacy. They are not electioneering communications because they are outside the window for such communications relative to the election held on 03/12/19, having been allegedly distributed on 08/28/19. Respondent was not a candidate in the 08/28/18 primary election, so there is no allegation that she interfered with any candidacy or issue on the ballot for that election.

Complainant named a witness who allegedly saw a "paid campaign worker" for Respondent distribute the cards to voters and ask for their vote. However, Complainant does not have personal information or information other than hearsay about that alleged campaign worker, and Respondent denied any paid campaign staff or volunteers were at any polling place on 08/28/18.

Respondent's 2018 M8 report shows that she paid \$90 to a named individual for "community outreach" on 08/28/18. However, it is unclear from the report whether this was connected to the women referenced in the complaint, whether the outreach paid for on 08/28/18 took place on 08/28/18, or whether it was even related to the same kind of outreach or outreach materials. Even if it was, there does not appear to be evidence that Respondent used her official authority or influence to interfere with the 08/28/18 primary election, as she was not on that ballot. Contrary to the complaint allegations, the photographs do not depict anyone distributing materials to electors in proximity to polling places, so there does not appear to be any evidence suggesting improper vote solicitation prohibited by Section 102.031(4)(a), F.S.

Complainant referenced Section 104.31(2), F.S., but there is no evidence that Respondent, as an employee of the city, participated in a political campaign for elective office while on duty. Respondent appears to acknowledge that cards like the ones pictured were distributed as part of Respondent's ongoing outreach activities in her position as Commissioner. However, there is no evidence or allegation that she or other municipal employees were distributing such materials to further her campaign during working hours in potential violation of Sections 104.31(2) or 106.15(3), F.S.

Complainant also provided a photograph of what appears to be the same outreach image and text displayed in the window of what appears to be a street-side shop. Complainant noted that Respondent reported paying \$2,000 for "rent" to Quick Stop on 08/01/18. Complainant posited that this was a campaign office and that the \$2,000 expenditure reported was rent for that building. Respondent did not deny responsibility for the image on the shop window. However, as noted above, the image and text do not amount to a political advertisement or electioneering communication. Therefore, even if the building was used for campaign purposes, use of the city logo on such materials would not amount to a violation of Section 106.113(2), F.S., for improper use of municipal funds.

Further, no disclaimers were needed on the materials pictured in the complaint because they were neither political advertisements nor electioneering communications.

Legally Insufficient

~~~~ REVIEWER'S RECOMMENDATION AND COMMENTS ~~~~

I recommend the complaint is Legally Insufficient for the reasons set forth above.

## ELECTION RESULTS [#]

# March 12, 2019 Miramar election results

Posted: 2:31 PM, March 12, 2019

Updated: 2:31 PM, March 12, 2019

## Miramar Mayor

*100% of Precincts Reporting (25/25)*

| Selection      | Votes | Split |
|----------------|-------|-------|
| Wayne Messam ✓ | 5,738 | 85%   |
| Josue Larose   | 943   | 14%   |

## Miramar Commission Seat 4

*100% of Precincts Reporting (25/25)*

| Selection         | Votes | Split |
|-------------------|-------|-------|
| Alexandra Davis ✓ | 3,129 | 46%   |
| Darline Riggs     | 2,435 | 35%   |
| Leo Gilling       | 793   | 11%   |
| Barbara Ingram    | 330   | 4%    |

| Selection    | Votes | Split |
|--------------|-------|-------|
| Dennis Hinds | 88    | 1%    |

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# MARCH 12, 2019 ELECTION

## Qualified Candidates

The following is a list of candidates who have qualified to run for office in the March 12, 2019, City of Miramar Municipal Election.

General Election (4 years)

### COMMISSION SEAT #4

**Alexandra P. Davis**

3149 SW 133 Avenue

Miramar, FL 33027

Phone: 954-270-4601

Email

Campaign Treasurer's Reports

**Date Qualified: January 2, 2019**

**Leo Gilling**

2413 Main Street, #164

Miramar, FL 33025

Phone: 954-707-0773

Email

Campaign Treasurer's Reports

**Date Qualified: January 3, 2019**

**Dennis Hinds**

3345 SW 173 Way

Miramar, FL 33029

Phone: 954-266-9876

Email

Campaign Treasurer's Reports

**Date Qualified: January 9, 2019**

**Barbara Delores Ingram**

### MAYORAL SEAT #5

**Josue Larose**

3140 SW 120 Terrace

Miramar, FL 33025

Phone: 954-865-6813

Email

Campaign Treasurer's Reports

**Date Qualified: January 8, 2019**

**Wayne M. Messam (Incumbent)**

3600 Red Road, Suite 303

Miramar, FL 33025

Phone: 877-963-7726

Email

Campaign Treasurer's Reports

**Date Qualified: January 2, 2019**

Miramar, FL 33027

Phone: 754-242-3847

Email

Campaign Treasurer's Reports

**Date Qualified: January 8, 2019**

**Darline Bernot Riggs (*Incumbent*)**

5391 SW 130 Terrace

Miramar, FL 33027

Phone: 954-684-8088

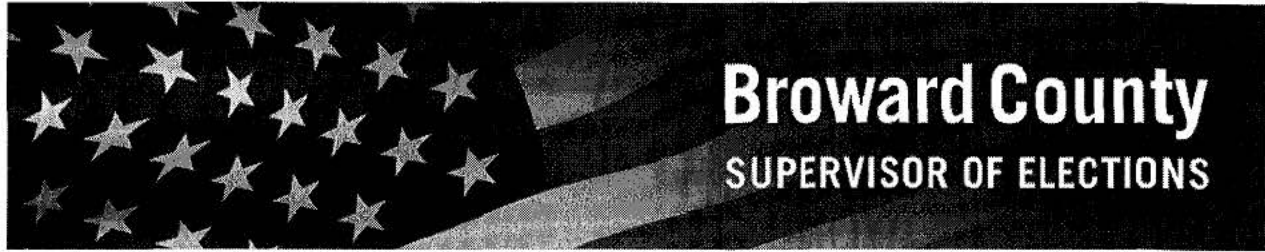
Email

Campaign Treasurer's Reports

**Date Qualified: January 8, 2019**

Select Language

Powered by Google Translate (<https://translate.google.com>)



## 2019 Municipal Election

**Election Date: 3/12/2019**

(Website last updated at: 06/05/2019 10:16:27 PM)

|                           |                |
|---------------------------|----------------|
| <b>Registered Voters:</b> | <b>438,829</b> |
| <b>Ballots Cast:</b>      | <b>41,626</b>  |
| <b>Voter Turnout:</b>     | <b>9.49%</b>   |

|                             |                            |
|-----------------------------|----------------------------|
| <b>Precincts Reporting:</b> | <b>217 / 217</b>           |
| <b>Election Day:</b>        | <b>Completely Reported</b> |
| <b>Vote By Mail:</b>        | <b>Completely Reported</b> |

EL 30 Precinct Report ([https://www.browardsoe.org/Portals/Broward/Documents/ENR\\_County\\_Mess/190312\\_March\\_Municipal/EL30.txt](https://www.browardsoe.org/Portals/Broward/Documents/ENR_County_Mess/190312_March_Municipal/EL30.txt))

EL 45 Summary Report ([https://www.browardsoe.org/Portals/Broward/Documents/ENR\\_County\\_Mess/190312\\_March\\_Municipal/EL45A.txt](https://www.browardsoe.org/Portals/Broward/Documents/ENR_County_Mess/190312_March_Municipal/EL45A.txt))

EL 52 Report ([https://www.browardsoe.org/Portals/Broward/Documents/ENR\\_County\\_Mess/190312\\_March\\_Municipal/EL52.txt](https://www.browardsoe.org/Portals/Broward/Documents/ENR_County_Mess/190312_March_Municipal/EL52.txt))

### Summary Results

Change View

**Vote Type View:**

Graphical

### ☆ City Commissioner District A Coconut Creek

**Participating Precincts Reporting:**

**Participating Precincts Reporting:**

25 / 25

| Choice          | Percent | Votes       |
|-----------------|---------|-------------|
| Josue Larose    | 13.95%  | 948         |
| Wayne M. Messam | 86.05%  | 5,848       |
|                 |         | <hr/> 6,796 |

☆ **City Commission Seat 4 Miramar****Participating Precincts Reporting:**

25 / 25

| Choice               | Percent | Votes       |
|----------------------|---------|-------------|
| Alexandra Davis      | 46.29%  | 3,190       |
| Leo Gilling          | 11.86%  | 817         |
| Dennis M. Hinds      | 1.28%   | 88          |
| Barbara Ingram       | 4.82%   | 332         |
| Darline Bernot Riggs | 35.76%  | 2,464       |
|                      |         | <hr/> 6,891 |

☆ **Commissioner District 4 Pembroke Park****Participating Precincts Reporting:**

2 / 2

| Choice                 | Percent | Votes     |
|------------------------|---------|-----------|
| Reynold Rey Dieuveille | 55.14%  | 134       |
| Francine Sutherland    | 44.86%  | 109       |
|                        |         | <hr/> 243 |

☆ **Fort Lauderdale Question 1 Bonds for Police and Public Safety****Participating Precincts Reporting:**

69 / 69

| Choice        | Percent | Votes        |
|---------------|---------|--------------|
| For bonds     | 63.53%  | 7,005        |
| Against bonds | 36.47%  | 4,022        |
|               |         | <hr/> 11,027 |

☆ **Fort Lauderdale Question 2 Bonds for Parks and Recreation**

**Candidate Finance    CF Elections    CF Candidates    CF Committees**

**Darline Riggs**

March 12, 2019 Election  
City Commission Seat 4

| Submitted          | Report<br>Period | Num | Contributions |         |        | Expenditures |            |
|--------------------|------------------|-----|---------------|---------|--------|--------------|------------|
|                    |                  |     | Monetary      | In-Kind | Loans  | Num          | Amount     |
| 06/11/2018         | <u>2018-M5</u>   | 1   | \$10,000.00   | \$0.00  | \$0.00 | 0            | \$0.00     |
| 07/11/2018         | <u>2018-M6</u>   | 0   | \$0.00        | \$0.00  | \$0.00 | 0            | \$0.00     |
| 08/04/2018         | <u>2018-M8</u>   | 0   | \$0.00        | \$0.00  | \$0.00 | 1            | \$2,000.00 |
| 08/04/2018         | <u>2018-M7</u>   | 0   | \$0.00        | \$0.00  | \$0.00 | 2            | \$1,375.00 |
| 09/03/2018         | <u>2018-M8 A</u> | 0   | \$0.00        | \$0.00  | \$0.00 | 2            | \$180.00   |
| Totals (5 reports) |                  |     | \$10,000.00   | \$0.00  | \$0.00 |              | \$3,555.00 |

- [Contributions as Excel \(CSV\)](#)
- [Expenditures as Excel \(CSV\)](#)
- [FundTransfers as Excel \(CSV\)](#)
- [Distributions as Excel \(CSV\)](#)

---

Candidate Finance    CF Elections    CF Candidates    CF Committees

The City of Miramar Town Center - 2300 Civic Center Place - Miramar Florida 33025. (954) 602-HELP

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

**OFFICE USE ONLY**

(1) Darline B. Riggs  
**Name**

(2) 5391 SW 130 Terrace  
**Address (number and street)**

Miramar, FL 33027

**City, State, Zip Code**

CHECK IF ADDRESS HAS CHANGED

(3) ID Number: \_\_\_\_\_

(4) Check appropriate box(es):

Candidate (office sought): \_\_\_\_\_ City Commission Seat 4

Political Committee

CHECK IF PC HAS DISBANDED

Committee of Continuous Existence

CHECK IF CCE HAS DISBANDED

Party Executive Committee

Electioneering Communication

CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED

**(5) REPORT IDENTIFIERS**

Cover Period: From 8 / 1 / 2018 To 8 / 31 / 2018 Report Type M8

Original  Amendment  Special Election Report  Independent Expenditure Report

**(6) CONTRIBUTIONS THIS REPORT**

Cash & Checks \$ 0.00

Loans \$ 0.00

Total Monetary \$ 0.00

In-Kind \$ 0.00

**(7) EXPENDITURES THIS REPORT**

Monetary Expenditures \$ 180.00

Transfers to Office Account \$ 0.00

Total Monetary \$ 180.00

**(8) Other Distributions**

\$ 0.00

**(9) TOTAL Monetary Contributions To Date**

\$ 10,000.00

**(10) TOTAL Monetary Expenditures To Date**

\$ 3,555.00

**(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 electioneering commun.)  Treasurer  Deputy Treasurer

**X**

Signature

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

(Type name)

Candidate  Chairperson (only for PC, PTY & electioneering commun. organization)

**X**

Signature

CFID: 450

## CAMPAIGN TREASURER'S REPORT – ITEMIZED EXPENDITURES

(1) Name Darline B. Riggs

(2) I.D. Number \_\_\_\_\_

(3) Cover Period 8 / 1 / 2018 through 8 / 31 / 2018

(4) Page 1 of 1

| (5)<br>Date               | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Purpose<br>(add office sought if<br>contribution to a<br>candidate) | (9)<br>Expenditure<br>Type | (10)<br>Amendment | (11)<br>Amount |
|---------------------------|------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|----------------------------|-------------------|----------------|
| (6)<br>Sequence<br>Number |                                                                                                |                                                                            |                            |                   |                |
| 8 / 28 / 18               | Sharon Belnavus<br>7963 Miramar Parkway<br>Miramar, FL 33025                                   | Community Outreach                                                         | MON                        | ADD               | \$.90.00       |
| 2                         |                                                                                                |                                                                            |                            |                   |                |
| 8 / 28 / 18               | Georgia Fyffe Fyffe<br>7963 Miramar Parkway<br>Miramar, FL 33025                               | Checks                                                                     | MON                        | ADD               | \$90.00        |
| 3                         |                                                                                                |                                                                            |                            |                   |                |
| // /                      |                                                                                                |                                                                            |                            |                   |                |
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**FLORIDA DEPARTMENT OF STATE DIVISION OF ELECTIONS  
CAMPAIGN TREASURER'S REPORT SUMMARY**

(1) Darline B. Riggs  
**Name**

(2) 5391 SW 130 Terrace  
**Address (number and street)**

Miramar, FL 33027

**City, State, Zip Code**

CHECK IF ADDRESS HAS CHANGED

**OFFICE USE ONLY**

(3) ID Number: \_\_\_\_\_

(4) **Check appropriate box(es):**

Candidate (office sought): \_\_\_\_\_ City Commission Seat 4

Political Committee

CHECK IF PC HAS DISBANDED

Committee of Continuous Existence

CHECK IF CCE HAS DISBANDED

Party Executive Committee

Electioneering Communication

CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED

**(5) REPORT IDENTIFIERS**

Cover Period: From 8 / 1 / 2018 To 8 / 31 / 2018 Report Type M8

Original  Amendment  Special Election Report  Independent Expenditure Report

**(6) CONTRIBUTIONS THIS REPORT**

Cash & Checks \$ 0.00

Loans \$ 0.00

Total Monetary \$ 0.00

In-Kind \$ 0.00

**(7) EXPENDITURES THIS REPORT**

Monetary Expenditures \$ 2,000.00

Transfers to Office Account \$ 0.00

Total Monetary \$ 2,000.00

**(8) Other Distributions**

\$ 0.00

**(9) TOTAL Monetary Contributions To Date**

\$ 10,000.00

**(10) TOTAL Monetary Expenditures To Date**

\$ 2,000.00

**(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 electioneering commun.)  Treasurer  Deputy Treasurer

**X** \_\_\_\_\_

Signature

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

(Type name) \_\_\_\_\_

Candidate  Chairperson (only for PC, PTY & electioneering commun. organization)

**X** \_\_\_\_\_

Signature

CFID: 444



## CAMPAIGN TREASURER'S REPORT – ITEMIZED EXPENDITURES

(1) Name Darline B. Riggs

(2) I.D. Number \_\_\_\_\_

(3) Cover Period 8 / 1 / 2018 through 8 / 31 / 2018

(4) Page 1 of 1

| (5)<br>Date               | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Purpose<br>(add office sought if<br>contribution to a<br>candidate) | (9)<br>Expenditure<br>Type | (10)<br>Amendment | (11)<br>Amount |
|---------------------------|------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|----------------------------|-------------------|----------------|
| (6)<br>Sequence<br>Number |                                                                                                |                                                                            |                            |                   |                |
| 8 / 1 / 18                | Quick Stop<br>7957 Miramar Parkway<br>Miramar, FL 33023                                        | Rent                                                                       | MON                        |                   | \$2,000.00     |
| 1                         |                                                                                                |                                                                            |                            |                   |                |
| ///                       |                                                                                                |                                                                            |                            |                   |                |
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**FLORIDA DEPARTMENT OF STATE DIVISION OF ELECTIONS  
CAMPAIGN TREASURER'S REPORT SUMMARY**

**OFFICE USE ONLY**

(1) Darline B. Riggs  
**Name**

(2) 5391 SW 130 Terrace  
**Address (number and street)**

Miramar, FL 33027

**City, State, Zip Code**

CHECK IF ADDRESS HAS CHANGED

(3) ID Number: \_\_\_\_\_

(4) **Check appropriate box(es):**

Candidate (office sought): \_\_\_\_\_ City Commission Seat 4

Political Committee

CHECK IF PC HAS DISBANDED

Committee of Continuous Existence

CHECK IF CCE HAS DISBANDED

Party Executive Committee

Electioneering Communication

CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED

**(5) REPORT IDENTIFIERS**

Cover Period: From 7 / 1 / 2018 To 7 / 31 / 2018 Report Type M7

Original     Amendment     Special Election Report     Independent Expenditure Report

**(6) CONTRIBUTIONS THIS REPORT**

Cash & Checks    \$ \_\_\_\_\_ 0.00

Loans    \$ \_\_\_\_\_ 0.00

Total Monetary    \$ \_\_\_\_\_ 0.00

In-Kind    \$ \_\_\_\_\_ 0.00

**(7) EXPENDITURES THIS REPORT**

Monetary Expenditures    \$ \_\_\_\_\_ 1,375.00

Transfers to Office Account    \$ \_\_\_\_\_ 0.00

Total Monetary    \$ \_\_\_\_\_ 1,375.00

(8) Other Distributions    \$ \_\_\_\_\_ 0.00

**(9) TOTAL Monetary Contributions To Date**

\$ \_\_\_\_\_ 10,000.00

**(10) TOTAL Monetary Expenditures To Date**

\$ \_\_\_\_\_ 1,375.00

**(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 electioneering commun.)     Treasurer     Deputy Treasurer

**X** \_\_\_\_\_  
Signature

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

(Type name) \_\_\_\_\_

Candidate     Chairperson (only for PC, PTY & electioneering commun. organization)

**X** \_\_\_\_\_  
Signature

CFID: 443

## CAMPAIGN TREASURER'S REPORT – ITEMIZED EXPENDITURES

(1) Name Darline B. Riggs

(2) I.D. Number \_\_\_\_\_

(3) Cover Period 7 / 1 / 2018 through 7 / 31 / 2018

(4) Page 1 of 1

| (5)<br>Date               | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Purpose<br>(add office sought if<br>contribution to a<br>candidate) | (9)<br>Expenditure<br>Type | (10)<br>Amendment | (11)<br>Amount |
|---------------------------|------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|----------------------------|-------------------|----------------|
| (6)<br>Sequence<br>Number |                                                                                                |                                                                            |                            |                   |                |
| 7 / 8 / 18                | Mervelyn McCaffrey<br>4403 Woodland Cir<br>Tamarac, FL 33319                                   | Assistant                                                                  | MON                        |                   | \$375.00       |
| 1                         |                                                                                                |                                                                            |                            |                   |                |
| 7 / 19 / 18               | Lordy Douzable<br>9227 SW 41st Street<br>Miramar, FL 33025                                     | Media                                                                      | MON                        |                   | \$1,000.00     |
| 1                         |                                                                                                |                                                                            |                            |                   |                |
| //                        |                                                                                                |                                                                            |                            |                   |                |
|                           |                                                                                                |                                                                            |                            |                   |                |
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|                           |                                                                                                |                                                                            |                            |                   |                |

# WAIVER OF REPORT

(Section 106.07(7), F.S.)

(PLEASE TYPE)

OFFICE USE ONLY

Darline B. Riggs

Candidate's Name (Last, Suffix, First, Middle)  
OR Political Committee, CCE or Party Name

Identification Number (Assigned by Division  
of Elections)

5391 SW 130 Terrace  
Address (Number and Street)

City Commission Seat 4  
Office Sought (Include District, Circuit or  
Group Number)

Miramar FL 33027  
City State Zip Code

- |                                               |                                                            |                                                                                                 |
|-----------------------------------------------|------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Candidate | <input type="checkbox"/> Committee of Continuous Existence | <input type="checkbox"/> Check box if address has changed since last report.                    |
| <input type="checkbox"/> Political Committee  | <input type="checkbox"/> Party Executive Committee         | <input type="checkbox"/> Check here if PC or CCE has DISBANDED and will no longer file reports. |

## TYPE OF REPORT (Check Appropriate Box)

### QUARTERLY REPORTS

- January  
 April  
 July  
 October

### PRIMARY ELECTION

- 32nd day prior  
 18th day prior  
 4th day prior

### GENERAL ELECTION

- 46th day prior  
 32nd day prior  
 18th day prior  
 4th day prior

TERMINATION REPORT

SPECIAL ELECTION

## NOTIFICATION OF NO ACTIVITY IN CAMPAIGN ACCOUNT FOR THE REPORTING PERIOD OF

6/1/2018 through 6/30/2018

**X**

Signature

Date

### SIGNATURES REQUIRED FOR:

#### Candidates

Candidate, Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

#### Political Committees

Chairman, Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

#### Committees of Continuous Existence

Treasurer (s. 106.04(4)(c), F.S.)

#### Party Executive Committees

Treasurer or Chairman (s. 106.29(2), F.S.)

In any reporting period when there has been no activity in the account (no funds expended or received) the filing of the required report is waived. However, the filing officer must be notified in writing on the prescribed reporting date that no report is being filed.

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

**OFFICE USE ONLY**

(1) Darline B. Riggs

**Name**

(2) 5391 SW 130 Terrace

**Address (number and street)**

Miramar, FL 33027

**City, State, Zip Code**

CHECK IF ADDRESS HAS CHANGED

(3) ID Number: \_\_\_\_\_

(4) Check appropriate box(es):

Candidate (office sought): \_\_\_\_\_ City Commission Seat 4

Political Committee

CHECK IF PC HAS DISBANDED

Committee of Continuous Existence

CHECK IF CCE HAS DISBANDED

Party Executive Committee

Electioneering Communication

CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED

**(5) REPORT IDENTIFIERS**

Cover Period: From 5 / 1 / 2018 To 5 / 31 / 2018 Report Type M5

Original     Amendment     Special Election Report     Independent Expenditure Report

**(6) CONTRIBUTIONS THIS REPORT**

Cash & Checks      \$ 10,000.00

Loans                      \$ 0.00

Total Monetary      \$ 10,000.00

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**

\$ 10,000.00

**(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 electioneering commun.)     Treasurer     Deputy Treasurer

**X**

Signature

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

(Type name)

Candidate                       Chairperson (only for PC, PTY & electioneering commun. organization)

**X**

Signature

CFID: 424

## CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

(1) Name Darline B. Riggs

(2) I.D. Number \_\_\_\_\_

(3) Cover Period 5 / 1 / 2018 through 5 / 31 / 2018

(4) Page 1 of 1

| (5)<br>Date               | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Contributor |                     | (9)<br>Contribution<br>Type | (10)<br>In-kind<br>Description | (11)<br>Amendment | (12)<br>Amount |
|---------------------------|------------------------------------------------------------------------------------------------|--------------------|---------------------|-----------------------------|--------------------------------|-------------------|----------------|
| (6)<br>Sequence<br>Number |                                                                                                | Type               | Occupation          |                             |                                |                   |                |
| 5 / 10 / 18               | Darline Bernot Riggs<br>5391 SW 130th Ter<br>Miramar, FL 33027                                 | S                  | Registered<br>Nurse | CHE                         |                                |                   | \$10,000.00    |
| 1                         |                                                                                                |                    |                     |                             |                                |                   |                |
| ///                       |                                                                                                |                    |                     |                             |                                |                   |                |
| ///                       |                                                                                                |                    |                     |                             |                                |                   |                |
| ///                       |                                                                                                |                    |                     |                             |                                |                   |                |
| ///                       |                                                                                                |                    |                     |                             |                                |                   |                |
| ///                       |                                                                                                |                    |                     |                             |                                |                   |                |
| ///                       |                                                                                                |                    |                     |                             |                                |                   |                |
| ///                       |                                                                                                |                    |                     |                             |                                |                   |                |
| ///                       |                                                                                                |                    |                     |                             |                                |                   |                |

## CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Darline B. Riggs

(2) I.D. Number \_\_\_\_\_

(3) Cover Period 5 / 1 / 2018 through 5 / 31 / 2018

(4) Page 1 of 1

| (5)<br>Date               | (7)<br>Full Name<br>(Last, Suffix, First, Middle)<br>Street Address &<br>City, State, Zip Code | (8)<br>Purpose<br>(add office sought if<br>contribution to a<br>candidate) | (9)<br>Expenditure<br>Type | (10)<br>Amendment | (11)<br>Amount |
|---------------------------|------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|----------------------------|-------------------|----------------|
| (6)<br>Sequence<br>Number |                                                                                                |                                                                            |                            |                   |                |
| 5 / 7 / 18<br><br>1       | SunTrust Bank<br>PO BOX 305183<br>NASHVILLE, FL 37230                                          | Checks                                                                     | PCS                        |                   | \$35.95        |
| / /                       |                                                                                                |                                                                            |                            |                   |                |
| / /                       |                                                                                                |                                                                            |                            |                   |                |
| / /                       |                                                                                                |                                                                            |                            |                   |                |
| / /                       |                                                                                                |                                                                            |                            |                   |                |
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| / /                       |                                                                                                |                                                                            |                            |                   |                |
| / /                       |                                                                                                |                                                                            |                            |                   |                |

## **COMMISSIONER DARLINE B. RIGGS**

### **Biography**

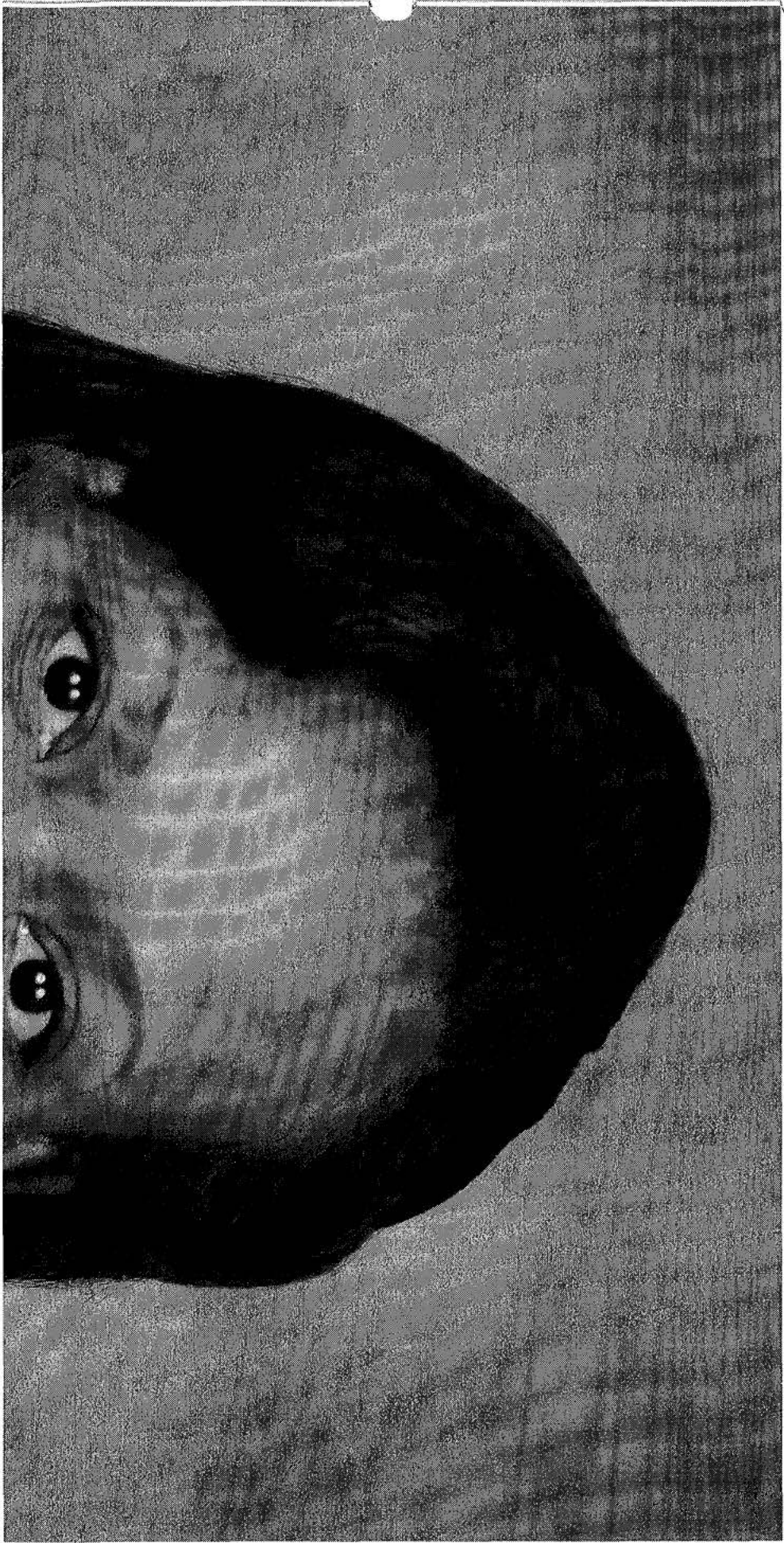
Darline B. Riggs was elected to the Miramar City Commission, Seat 4 on March 10, 2015. Darline B. Riggs was given up by her birth mother at 2 months old and adopted into a family of ten. At the age of 9, her family settled in Miramar where she has resided for the last twenty-nine years. A graduate of Miramar High, she went on to obtain her Associate of Science degree in nursing from Broward College, her Bachelor of Science in nursing and her Master of Science in nursing education from Florida Atlantic University.

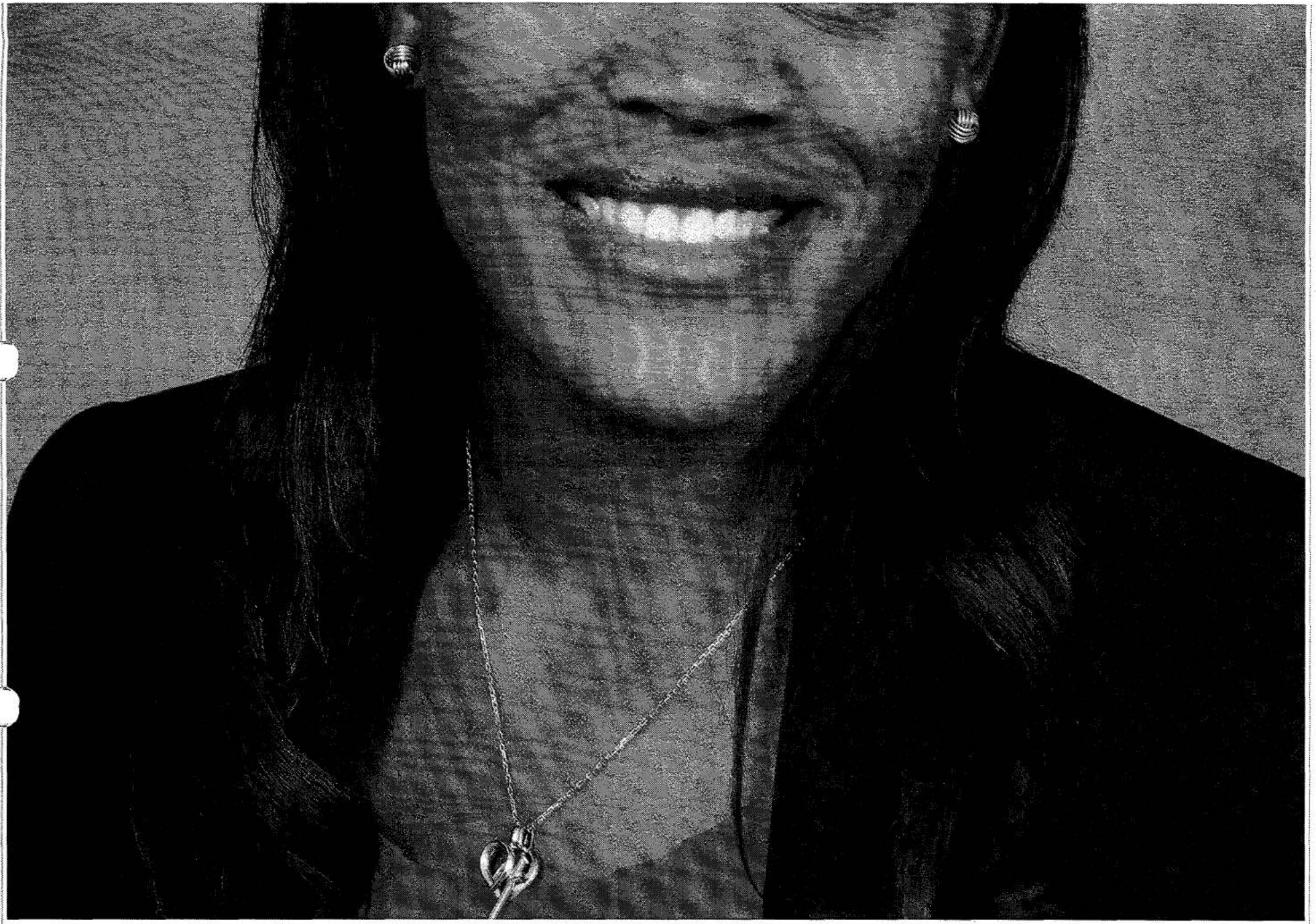
Commissioner Riggs is married to retired police officer Michael Riggs, a 30-year veteran of the Miramar Police Department and they have four children; sons Michael Jr., Gabriel, Daniel and daughter Michaela.

Commissioner Riggs believes that there is no greater gift than the gift of service; and it is this constant desire to serve that propelled her into public service.

As a wife, a mother, a teacher, and a 29-year resident of the city of Miramar, Commissioner Riggs is all too familiar with the issues we face today and what awaits us tomorrow. Whether it is making government more responsive to the residents, attracting and keeping businesses in the city, creating local jobs for local people, activities to keep our youth off the streets, programs to keep our seniors active in the sunset of their lives and providing the necessary resources for our first responders, Commissioner Riggs is well aware and is dedicated to making these issues her priorities. She is committed to Miramar.







**Contact Us**

**Commissioner Darline B. Riggs**

[Email](#)

Phone: 954-602-3152

**Office of the Commission**

2300 Civic Center Place

Miramar, Florida 33025

[Staff Directory](#)

**Sherry Abdin**

Ambassador

[Email](#)

Phone: 954-602-3141

## FAQs

- [What is the City Commission?](#)

[View All >](#)

# ELECTIONS

The Mayor and the City Commissioners are elected at-large, with the City Commission designated by seat numbers. Both the Mayor and the City Commission are elected for 4-year terms. Elections are every 2 years (odd number years) with staggered terms. The Mayor and 1 Commission seat are elected at 1 election and the remaining 3 Commissioners elected at the next election. Both the Mayor and the Commission may be re-elected subsequently.

The Mayor presides at meetings of the Commission, but shall have no administrative duties except as required to carry out the responsibilities herein. The Commission elects from among its members a Vice-Mayor. This election is done annually at the 1st regular Commission meeting in April. The Vice-Mayor shall act as Mayor during the absence or disability of the Mayor.

All elections shall be held in accordance with the provisions of the general election laws of the State of Florida, except as is otherwise provide by City Charter or by Ordinance. Procedures for becoming a candidate are found in our [City Charter \(PDF\)](#), Article VI beginning with Section 26.

## Upcoming Election

\*[View a list](#) of those who have filed the necessary items for the March 12, 2019 City of Miramar Municipal Election.

## Political Sign Regulations & Enforcement Summary

The [Political Sign Regulations and Enforcement \(PDF\)](#) summarizes the City of Miramar's Sign Code regulations relating to political signs. All interested parties should review the [Land Development Code, Chapter 10](#), for additional relevant information.

## Voter Registration & Information

Voter registration is handled through the Broward County Supervisor of Elections. Any inquires you may have, please visit their [website](#) or call them at 954-357-7050.

### Supervisor of Elections

115 S Andrews Avenue  
Room 102  
Ft. Lauderdale, FL 33301  
Phone: 954-357-7050

[Candidate Finance](#)   [CF Elections](#)   [CF Candidates](#)   [CF Committees](#)

# March 12, 2019 Election

## 3/12/2019

---

**Voter Registration Deadline:** 2/11/2019



**City**  
**Miramar**

**City Commission**  
City Commission Seat 4  
Mayor Seat 5

[Candidates](#)  
[Candidates](#)

---

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The City of Miramar Town Center - 2300 Civic Center Place - Miramar Florida 33025. (954) 602-HELP

[Candidate Finance](#)   [CF Elections](#)   [CF Candidates](#)   [CF Committees](#)

March 12, 2019 Election 03/12/2019  
City Commission Seat 4

---

Alexandra P. Davis

Leo Gilling

Dennis M. Hinds

Darline B. Riggs

*complainant*

*respondent*

---

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The City of Miramar Town Center - 2300 Civic Center Place - Miramar Florida 33025. (954) 802-HELP

**Candidate Finance    CF Elections    CF Candidates    CF Committees**


**March 12, 2019 Election 03/12/2019  
City Commission Seat 4**

*R*

**Name:** Darline B. Riggs

**Address:** 5391 SW 130 Terrace  
Miramar, FL 33027

**E-mail:** [darlineriggs@gmail.com](mailto:darlineriggs@gmail.com)

**Candidate's Report:** 

**Announced Date:** 5/7/2018

**Status:** Filed

[View finance reports submitted by this candidate.](#)

---

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**Candidate Finance**   **CF Elections**   **CF Candidates**   **CF Committees**

**March 12, 2019 Election 03/12/2019  
City Commission Seat 4**

**Name:** Alexandra P. Davis

**Address:** 3149 SW 133 Avenue  
Miramar, 33027

**E-mail:** [adavis8469@aol.com](mailto:adavis8469@aol.com)

**Candidate's Report:** 

**Announced Date:** 5/2/2018

**Status:** Filed

[View finance reports submitted by this candidate.](#)

---

**Candidate Finance**   **CF Elections**   **CF Candidates**   **CF Committees**

The City of Miramar Town Center - 2300 Civic Center Place - Miramar Florida 33025. (954) 602-HELP



**APPOINTMENT OF CAMPAIGN TREASURER  
AND DESIGNATION OF CAMPAIGN  
DEPOSITORY FOR CANDIDATES**  
(Section 106.021(1), F.S.)

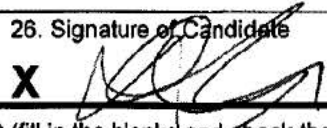
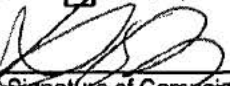
OFFICE OF THE CITY CLERK  
RECEIVED

2018 MAY -7 PM 12:51

(PLEASE PRINT OR TYPE)

**NOTE: This form must be on file with the qualifying officer before opening the campaign account.**

OFFICE USE ONLY

|                                                                                                                                                                                                                                                                                    |  |                                                                                                                                                                                |                                                                                                                                                               |                                         |                                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------------|
| <b>1. CHECK APPROPRIATE BOX(ES):</b>                                                                                                                                                                                                                                               |  |                                                                                                                                                                                |                                                                                                                                                               |                                         |                                                     |
| <input checked="" type="checkbox"/> Initial Filing of Form                                                                                                                                                                                                                         |  | Re-filing to Change: <input type="checkbox"/> Treasurer/Deputy <input type="checkbox"/> Depository <input type="checkbox"/> Office <input type="checkbox"/> Party              |                                                                                                                                                               |                                         |                                                     |
| <b>2. Name of Candidate</b> (in this order: First, Middle, Last)<br>Darline Bernot Riggs                                                                                                                                                                                           |  |                                                                                                                                                                                | <b>3. Address</b> (include post office box or street, city, state, zip code)<br>5391 SW 130th Ter.<br>Miramar FL, 33027                                       |                                         |                                                     |
| <b>4. Telephone</b><br>(954 ) 6848088                                                                                                                                                                                                                                              |  | <b>5. E-mail address</b><br>darlineriggs@gmail.com                                                                                                                             |                                                                                                                                                               |                                         |                                                     |
| <b>6. Office sought</b> (include district, circuit, group number)<br>Commissioner Seat 4                                                                                                                                                                                           |  |                                                                                                                                                                                | <b>7. If a candidate for a <u>nonpartisan</u> office, check if applicable:</b><br><input type="checkbox"/> My intent is to run as a Write-In candidate.       |                                         |                                                     |
| <b>8. If a candidate for a <u>partisan</u> office, check block and fill in name of party as applicable:</b> My intent is to run as a<br><input type="checkbox"/> Write-In <input checked="" type="checkbox"/> No Party Affiliation <input type="checkbox"/> _____ Party candidate. |  |                                                                                                                                                                                |                                                                                                                                                               |                                         |                                                     |
| <b>9. I have appointed the following person to act as my</b> <input checked="" type="checkbox"/> Campaign Treasurer <input type="checkbox"/> Deputy Treasurer                                                                                                                      |  |                                                                                                                                                                                |                                                                                                                                                               |                                         |                                                     |
| <b>10. Name of Treasurer or Deputy Treasurer</b><br>Darline B Riggs                                                                                                                                                                                                                |  |                                                                                                                                                                                |                                                                                                                                                               |                                         |                                                     |
| <b>11. Mailing Address</b><br>5391 SW 130th Ter.                                                                                                                                                                                                                                   |  |                                                                                                                                                                                |                                                                                                                                                               | <b>12. Telephone</b><br>( 954 ) 6848088 |                                                     |
| <b>13. City</b><br>Miramar                                                                                                                                                                                                                                                         |  | <b>14. County</b><br>Broward                                                                                                                                                   | <b>15. State</b><br>FL                                                                                                                                        | <b>16. Zip Code</b><br>33027            | <b>17. E-mail address</b><br>Darlineriggs@gmail.com |
| <b>18. I have designated the following bank as my</b> <input checked="" type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository                                                                                                                         |  |                                                                                                                                                                                |                                                                                                                                                               |                                         |                                                     |
| <b>19. Name of Bank</b><br>BB&T                                                                                                                                                                                                                                                    |  |                                                                                                                                                                                | <b>20. Address</b><br>10500 Miramar Parkway                                                                                                                   |                                         |                                                     |
| <b>21. City</b><br>Miramar                                                                                                                                                                                                                                                         |  | <b>22. County</b><br>Broward                                                                                                                                                   |                                                                                                                                                               | <b>23. State</b><br>FL                  | <b>24. Zip Code</b><br>33025                        |
| <b>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.</b>                                                                            |  |                                                                                                                                                                                |                                                                                                                                                               |                                         |                                                     |
| <b>25. Date</b><br>5/14/2018 5/7/18                                                                                                                                                                                                                                                |  |                                                                                                                                                                                | <b>26. Signature of Candidate</b><br><input checked="" type="checkbox"/>  |                                         |                                                     |
| <b>27. Treasurer's Acceptance of Appointment</b> (fill in the blanks and check the appropriate block)                                                                                                                                                                              |  |                                                                                                                                                                                |                                                                                                                                                               |                                         |                                                     |
| I, <u>Darline B Riggs</u> , do hereby accept the appointment<br>(Please Print or Type Name)                                                                                                                                                                                        |  |                                                                                                                                                                                |                                                                                                                                                               |                                         |                                                     |
| designated above as: <input checked="" type="checkbox"/> Campaign Treasurer <input type="checkbox"/> Deputy Treasurer.                                                                                                                                                             |  |                                                                                                                                                                                |                                                                                                                                                               |                                         |                                                     |
| <u>5/14/2018 5/7/18</u><br>Date                                                                                                                                                                                                                                                    |  | <input checked="" type="checkbox"/> <br>Signature of Campaign Treasurer or Deputy Treasurer |                                                                                                                                                               |                                         |                                                     |

**STATEMENT OF  
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

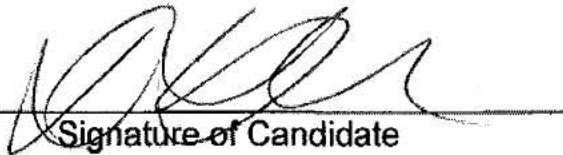
OFFICE USE ONLY  
OFFICE OF THE CITY CLERK  
RECEIVED

2018 MAY -7 PM 12: 52

I, Darline Bernot Riggs,  
candidate for the office of Commissioner Seat 4;

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

X

  
Signature of Candidate

5/7/18  
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).



Department of State / Division of Corporations / Search Records / Search

At the lower right-hand corner of Ely's handout are what appear to be a business logo and possibly a "motto" for the city:

1. "ELY'S TIMES" with a circled logo and phone number 954-894-4672
2. "IT'S RIGHT HERE IN MIRAMAR" with a trademark symbol and a dashed box around the text.

→ It is unclear whether Ely's Times is a sponsor of Surt's or ??

[Next List](#)

**Entity Name List**

| Corporate Name                                           | Document Number |          |
|----------------------------------------------------------|-----------------|----------|
| <a href="#">ELY STAR MOTORS, INC.</a>                    | P06000100083    |          |
| <a href="#">ELY'S TIRE INC</a>                           | P03000055240    |          |
| <a href="#">ELY'S TIRE INC.</a>                          | P99000109977    |          |
| <a href="#">ELY'S TIRE 2, INC</a>                        | P06000098877    |          |
| <a href="#">ELY'S TIRE BRAKE &amp; ALIGNMENT INC</a>     | P04000108340    |          |
| <a href="#">ELY'S TOBACCO, INC.</a>                      | P15000018677    |          |
| <a href="#">ELY'S TRANSPORTATION INC</a>                 | P13000044951    |          |
| <a href="#">ELY'S TRAVEL, INC.</a>                       | M11985          |          |
| <a href="#">ELY'S TRUCKING CORP</a>                      | P11000036032    |          |
| <a href="#">ELY'S UNISEX, INC.</a>                       | L68961          | INACT    |
| <a href="#">ELYSZE HELD, INC.</a>                        | P08000083536    | INACT/UA |
| <a href="#">ELYT APPAREL, LLC</a>                        | L18000211097    | Active   |
| <a href="#">ELYTE BUSINESS ALLIANCE, LLC</a>             | L13000027387    | Active   |
| <a href="#">ELYTE CUSTOM HOMES LLC</a>                   | L04000026701    | INACT    |
| <a href="#">ELYTE CUSTOM HOMES, INC.</a>                 | P02000069414    | INACT    |
| <a href="#">ELYTE DOMESTIC ENGINEERS, LLC</a>            | L13000058647    | INACT    |
| <a href="#">ELYTE LAUNDRY &amp; DRY CLEANERS INC THE</a> | 133265          | INACT    |
| <a href="#">ELYTE MARKETING LLC</a>                      | L17000112960    | INACT/UA |
| <a href="#">ELYTE MEDICAL CORP.</a>                      | P05000009761    | INACT    |
| <a href="#">ELYTE PHOTOGRAPHY, INC.</a>                  | P11000094428    | INACT    |

[Next List](#)

Entity Name Search



Department of State / Division of Corporations / Search Records / Detail By Document Number /

### Detail by Entity Name

Florida Profit Corporation  
ELY'S TIRE INC

*ELY'S TIRES*

**Filing Information**

**Document Number** P03000055240  
**FEI/EIN Number** 65-0966665  
**Date Filed** 05/19/2003  
**State** FL  
**Status** ACTIVE  
**Last Event** REINSTATEMENT  
**Event Date Filed** 10/29/2015

**Principal Address**

3920 SOUTH STATE ROAD 7  
MIRAMAR, FL 33023

**Mailing Address**

3920 SOUTH STATE ROAD 7  
MIRAMAR, FL 33023

**Registered Agent Name & Address**

The Firm Law Group, Inc.  
14100 Palmetto Frontage Rd., Ste 390  
Miami Lakes, FL 33016

Name Changed: 04/30/2018

Address Changed: 04/30/2018

**Officer/Director Detail**

**Name & Address**

Title P

DAMMOUS, ELIAS  
3720 S. STATE ROAD 7  
HOLLYWOOD, FL 33023

**Annual Reports**

| Report Year | Filed Date |
|-------------|------------|
| 2016        | 04/29/2016 |
| 2017        | 03/20/2017 |

2018

04/30/2018

**Document Images**

|                                                   |                                          |
|---------------------------------------------------|------------------------------------------|
| <a href="#">04/30/2018 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">03/20/2017 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">04/29/2016 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">10/29/2015 -- REINSTATEMENT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">04/30/2014 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">04/30/2013 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">04/30/2012 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
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| <a href="#">01/29/2010 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">03/23/2009 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">04/29/2008 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">07/11/2007 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">05/01/2006 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">04/29/2005 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">06/10/2004 -- ANNUAL REPORT</a>       | <a href="#">View image in PDF format</a> |
| <a href="#">07/07/2003 -- Off/Dir Resignation</a> | <a href="#">View image in PDF format</a> |
| <a href="#">05/19/2003 -- Domestic Profit</a>     | <a href="#">View image in PDF format</a> |

Florida Department of State, Division of Corporations



ely's tires miramar fl 33023



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### Ely's Tires - 10 Reviews - Tires - 3920 S State Rd 7, Miramar, FL ...

<https://www.yelp.com> › Automotive › Tires

Rating: 3.5 - 10 reviews

Miramar, FL 33023. Get Directions. Phone number (954) 894-4048 ... Photo of Ely's Tires - Miramar, FL, United States · Ely D. Photo of Ely's Tires - Miramar, FL, ...

### Elys Tires | OEM Rims | USED | PRE-OWNED

<https://elystires.com/>

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### Ely's Tires - Home | Facebook

<https://www.facebook.com> › Places › Miramar, Florida › Automotive Repair Shop

Rating: 4.7 - 38 votes

Ely's Tires, Miramar, FL. 1481 likes · 12 talking about this · 366 were here. We sell new and used tires for cars, trucks, motorcycles and more! We are...

### Ely's Tires 3920 S State Rd 7 Miramar, FL Tire Dealers - MapQuest

<https://www.mapquest.com/us/florida/elys-tires-4301073>

Rating: 7/10 - 11 reviews

Get directions, reviews and information for Ely's Tires in Miramar, FL. ... Ely's Tires. 3920 S State Rd 7, Miramar, FL 33023. (954) 894-4048. Claim this business.

### Ely's Tires 2 3207 S State Road 7, West Park, FL 33023 - YP.com

<https://www.yellowpages.com/west-park-fl/mip/elys-tires-2-3414541>

Rating: 5 - 1 review

Mar 23, 2015 - Get reviews, hours, directions, coupons and more for Ely's Tires 2 at 3207 S State Road 7, West Park, FL. Search for other Wheels in West Park ...

### Ely's Tire Inc 3920 S State Road 7, Miramar, FL 33023 - YP.com

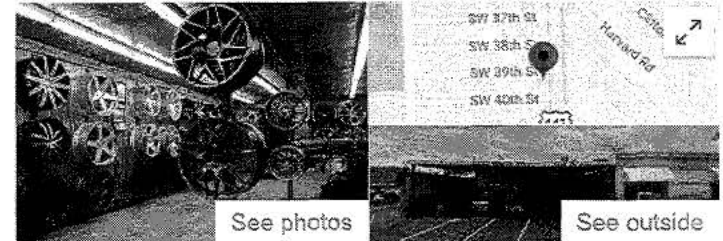
<https://www.yellowpages.com/miramar-fl/mip/elys-tire-inc-3090200>

Rating: 5 - 1 review

Mar 23, 2015 - Get reviews, hours, directions, coupons and more for Ely's Tire Inc at 3920 S State Road 7, Miramar, FL. Search for other Tire Dealers in ...

### Ely Tires Miramar FL, 33023 - Manta.com

<https://www.manta.com> › ... › Shopping › Auto and Home Supply Stores › Tire Shops



See photos

See outside

## Ely's Tires

Website

Directions

Save

4.4

217 Google reviews

Tire shop in Miramar, Florida

Address: 3920 South State Road 7, Miramar, FL 33023

Hours: Open · Closes 7:30PM

Phone: (954) 894-4048

Suggest an edit

### Questions & answers

Q: Best tire shop hands down

(4 answers)

See all questions (2)

Ask a question

### Reviews from the web

Facebook

4.7/5

38 votes

Yellow Pages

5/5

1 review

### Popular times

Wednesdays

11 AM: Usually a little busy

Get information, directions, products, services, phone numbers, and reviews on Ely Tires in Miramar, FL. Discover more Auto and Home Supply Stores ...

### Ely's Tire Inc on State Rd in Miramar, FL - 954-894-4048 | Tires ...

wholesale-tire-stores.cmac.ws/elys-tire-inc/11582/ ▾

Ely's Tire Inc, 3920 S State Rd 7, Miramar, FL 33023. Come to WHOLESALE-TIRE-STORES.CMAC.WS to get Ely's Tire Inc information, directions and ratings.

### Ely's Tire, Inc. | Better Business Bureau® Profile

https://www.bbb.org/us/fl/miramar/profile/business.../elys-tire-inc-0633-92007588 ▾

Business Forms and Systems in Miramar, FL. See BBB ... Are you the business owner of Ely's Tire, Inc.? Claim your ... 3920 S. State Rd 7, Miramar, FL 33023

### Ely's Tire Inc in Miramar, FL 33023 | Citysearch

www.citysearch.com ▸ West Park ▸ Tires ▾

Get info on Ely's Tire Inc. View ratings, photos, and more. Tires - Miramar, FL.33023.

### Searches related to ely's tires miramar fl 33023

- ely's tires 2
- ely's tires spring valley
- tire shop
- used tires near me
- tire shop near me
- family tire
- ely's tires online

1 2 3 4 5 6 7 8 9 10 Next

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Help Send feedback Privacy Terms

9a 12p 3p 6p 9p

### Plan your visit

People typically spend 20 min here

### Reviews

Write a review Add a photo



"Friendly staff, wonderful service and even the used tires are like new.."



"Amazing guest service, I'd easily say this company is a 5\* tire shop!"



"Cheap prices, quality work."

View all Google reviews

### People also search for

View 15+ more



Mr. Goma Tires  
Tire Shop



Value Tire & Alignment  
Tire Shop



Stoplight Tire and Auto Rep...  
Auto Repair Shop



Hubcap Heaven  
Hub Cap Supplier



Tire Station  
Tire Shop

Feedback



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### Search for Corporations, Limited Liability Companies, Limited Partnerships, and Trademarks by Name

Entity Name: It's Ri

#### Other Search Options

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- [Registered Agent Name](#)
- [Trademark Name](#)
- [Trademark Owner Name](#)
- [FEI/EIN](#)
- [Detail By Document Number](#)
- [Zip Code](#)
- [Street Address](#)

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→ This was in search of the logo on the Sun right-hand (lower) corner of R's handcut...

IT'S RIGHT HERE IN THE MARGINS

Florida Department of State, Div





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[Next List](#)

Entity Name Search

## Entity Name List

| Corporate Name                                            | Document Number | Status   |
|-----------------------------------------------------------|-----------------|----------|
| <a href="#">IT'S RIDICI, LLC</a>                          | M1500008101     | Active   |
| <a href="#">IT'S RIGHT AUTO REPAIR INC</a>                | P15000042378    | INACT    |
| <a href="#">IT'S RIGHT THERE LLC</a>                      | L14000126753    | INACT    |
| <a href="#">IT'S R MUSIQUE, INC.</a>                      | P01000101243    | INACT    |
| <a href="#">ITS ROCKET SCIENCE, INCORPORATED</a>          | P99000107007    | INACT    |
| <a href="#">ITSS, LLC</a>                                 | L15000169960    | INACT/UA |
| <a href="#">ITSS, INC.</a>                                | P00000070342    | INACT    |
| <a href="#">ITS SAFE AGING, LLC</a>                       | L05000123164    | INACT    |
| <a href="#">I T S SALES INC</a>                           | 311105          | NAME HS  |
| <a href="#">IT'S SAND, INC.</a>                           | P95000059918    | INACT    |
| <a href="#">ITS SCHMITT</a>                               | L05000079854    | INACT    |
| <a href="#">ITS SECURITY, LLC</a>                         | L09000003229    | INACT    |
| <a href="#">ITS SERVICES, INC.</a>                        | F09000002700    | INACT    |
| <a href="#">I.T.S SERVICES, LLC.</a>                      | L17000257846    | Active   |
| <a href="#">ITS SETTLEMENT AND MARKETING SERVICE CORP</a> | P06000074198    | INACT    |
| <a href="#">IT'S SEW CUSTOM, LLC</a>                      | L18000133720    | Active   |
| <a href="#">IT'S SEW PERFECT PROMOTIONS, LLC</a>          | L10000025083    | Active   |
| <a href="#">IT'S SEW SIMPLE, INC.</a>                     | P05000001472    | INACT    |
| <a href="#">IT'S SEW YOU, LLC</a>                         | L04000066677    | INACT    |
| <a href="#">IT'S SHINE TIME LLC</a>                       | L16000047590    | INACT    |

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Entity Name Search



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### Search Corporations, Limited Liability Companies, Limited Partnerships, and Trademarks by Name

Trademark Name: RIGHT HERE

#### Other Search Options

Search by:

- [Entity Name](#)
- [Officer/Registered Agent](#)
- [Registered Agent Name](#)
- [Trademark Name](#)
- [Trademark Owner Name](#)
- [FEI/EIN](#)
- [Detail By Document Number](#)
- [Zip Code](#)
- [Street Address](#)

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## Trademark Name List

| Trademark Name                                                       | Document Number | Status   |
|----------------------------------------------------------------------|-----------------|----------|
| <a href="#">THE RIGHT IDEA CAN CHANGE EVERYTHING</a>                 | T14000000090    | Active   |
| <a href="#">RIGHT NOW! RIGHT QUICK!</a>                              | T14279          | INACT    |
| <a href="#">RIGHT ON ABOUT READING</a>                               | T99000001488    | CROSS RF |
| <a href="#">RIGHT ON ABOUT READING</a>                               | T99000001550    | INACT    |
| <a href="#">RIGHT-ON CHROME PRODUCTS</a>                             | 916421          | INACT    |
| <a href="#">THE RIGHT PLACE TO BUY</a>                               | T05000000285    | CROSS RF |
| <a href="#">RIGHTSIDE</a>                                            | T01000000225    | INACT    |
| <a href="#">RIGHT STUFF</a>                                          | T06000001397    | InActive |
| <a href="#">THE RIGHT TEAM</a>                                       | T05000000694    | Active   |
| <a href="#">RIGHT TRACK, INC. &amp; DESIGN OF AN INDIVIDUAL</a>      | T09000000232    | Active   |
| <a href="#">GETTING ON THE RIGHT TRACK TO THE WORLD</a>              |                 |          |
| <a href="#">THE RIGHT TRAINING &amp; DESIGN OF THE LETTER "T" IS</a> |                 |          |
| <a href="#">LARGE AND CONTAINS A MALE AND FEMALE FIRING</a>          | T12000000599    | InActive |
| <a href="#">GUNS IN OPPOSITE DIRECTIONS</a>                          |                 |          |



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## Search Corporations, Limited Liability Companies, Limited Partnerships, and Trademarks by Name

Trademark Name: it's RIGHT HERE in MIRAMAR

### Other Search Options

Search by:

- [Entity Name](#)
- [Officer/Registered Agent](#)
- [Registered Agent Name](#)
- [Trademark Name](#)
- [Trademark Owner Name](#)
- [FE/EIN](#)
- [Detail By Document Number](#)
- [Zip Code](#)
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### Trademark Name List

| Trademark Name                                                                                                                                                                                             | Document Number | Status   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|----------|
| <u>IT'S SHOWTIME</u>                                                                                                                                                                                       | T08220          | INACT    |
| <u>IT'S SO GOOD GOURMET GROCER</u>                                                                                                                                                                         | 929494          | CROSS RF |
| <u>IT'S THE TASTE OF PARADISE &amp; DESIGN OF 2 GREEN PALM TREES EACH TREE HAS 5 LEAVES THE PALM TREES FORM THE SHAPE OF A COFFEE CUP IN THE MIDDLE HAS 3 COFFEE BEANS FLOWING FROM HALF CUP OF COFFEE</u> | T11000000700    | InActive |
| <u>IT'S TIME AMERICA DISCOVERS SPAIN</u>                                                                                                                                                                   | T13443          | INACT    |
| <u>IT'S TIME TO GET A LAWYER</u>                                                                                                                                                                           | T12000000071    | InActive |
| <u>IT'S UP TO US</u>                                                                                                                                                                                       | T04000001247    | CROSS RF |
| <u>"ITS WHAT'S INSIDE"</u>                                                                                                                                                                                 | T12000001217    | InActive |
| <u>ITS WHAT YOU CAN DO!</u>                                                                                                                                                                                | T08000000701    | CROSS RF |
| <u>IT'S WHAT YOU WEAR AND HOW YOU WEAR IT</u>                                                                                                                                                              | T05000001220    | CROSS RF |
| <u>IT'S WHOLESALE! LADIES' FACTORY OUTLET</u>                                                                                                                                                              | T13716          | INACT    |



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### Trademark Owner Name List

| Owner Name                                              | Trademark Name                                                                                                                                                                                  | Entity Number |
|---------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <a href="#">CITY OF MIRAMAR</a>                         | MIRAMAR...WE'RE AT THE CENTER OF EVERYTHING                                                                                                                                                     | T02000000081  |
| <a href="#">CITY OF NAPLES</a>                          | CITY OF NAPLES DIAMOND JUBILEE AND DESIGN OF OVAL SHAPE WITH "CITY OF NAPLES" AT THE TOP, "DIAMOND JUBILEE" AT THE BOTTOM, YEARS 1923 & 1998 ON THE SIDE, DESIGN OF PIER EXTENDING OVER GULF    | T98000000382  |
| <a href="#">CITY OF NETUNE BEACH, A MUNICIPAL CORP.</a> | KING NEPTUNE FESTIVAL & DESIGN OF A MAN IN A CONCH SHELL WITH SPERE, SURROUNDED BY THE SEA, WITH BIRDS, A DOLPHIN AND AN ISLAND IN THE BACKGROUND                                               | T15013        |
| <a href="#">CITY OF NORTH LAUDERDALE</a>                | "NORTH LAUDERDALE, FLORIDA BUILDING A FUTURE" IN A CIRCLE AROUND BUILDINGS IN THE CENTER OF THE CIRCLE.                                                                                         | T08000001041  |
| <a href="#">CITY OF NORTH LAUDERDALE</a>                | "NORTH LAUDERDALE, FLORIDA BUILDING A FUTURE" IN A CIRCLE AROUND BUILDINGS IN THE CENTER OF THE CIRCLE                                                                                          | T15000000092  |
| <a href="#">CITY OF NORTH LAUDERDALE</a>                | N LAUDERDALE A FUN CITY IN THE HEART OF BROWARD & DESIGN OF THE "N" IS IN FRONT OF A CIRCLE THAT APPEARS TO BE A RISING SUN, THE "L" WHICH BEGINS THE WORD "LAUDERDALE" IS A STYLIZED PALM TREE | T16000000721  |
| <a href="#">CITY OF NORTH LAUDERDALE, FLORIDA</a>       | RECREATION & DESIGN OF THE WORD "DRUGS" WRITTEN WITH & A SLASH THROUGH THE CIRCLE & SLOGAN: THE WINNING ALTERNATIVE                                                                             | T12040        |
| <a href="#">CITY OF NORTH MIAMI BEACH, FL</a>           | NMB & DESIGN OF THREE COLORED RECTANGES, ONE WITH CAPITAL N, ONE WITH CAPITAL M, ONE WITH CAPITAL B IN ORDER                                                                                    | T17000000679  |
| <a href="#">CITY OF NORTH MIAMI BEACH, FLORIDA</a>      | CITY ON THE RISE & DESIGN OF 90 WITH SUNBURST IN 9 & SEAL IN O, A TOP THREE RECTANGLES WITH N,M,B & BOTH ABOVE RIBBON WITH 1926-2016 A TOP OF "CITY ON THE RISE"                                | T17000000720  |



**DR. BRENDA C. SNIPES**  
BROWARD COUNTY SUPERVISOR OF ELECTIONS

**EARLY VOTING SCHEDULE  
PRIMARY ELECTION**

**AUGUST 18, 2018 – AUGUST 26, 2018**

**10:00 a.m. – 6:00 p.m. Daily (9 Days)**

SOE BRANCH OFFICE

**2018 EARLY VOTING SITES**

|                                                                                                                   |                                                                                                         |
|-------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| African-American Research Library<br>2650 Sistrunk Boulevard (NW 6 <sup>th</sup> St.)<br>Ft. Lauderdale, FL 33311 | Oveta McKeithen Recreational Complex<br>445 S.W. 2 <sup>nd</sup> Street<br>Deerfield Beach, FL 33441    |
| Coral Ridge Mall<br>(North or Northwest Entrance)<br>3200 N. Federal Highway<br>Ft. Lauderdale, FL 33306          | Parkland Recreation<br>and Enrichment Center<br>10559 Trails End<br>Parkland, FL 33076                  |
| Davie/Cooper City Branch Library<br>4600 SW 82 <sup>nd</sup> Avenue<br>Davie, FL 33328                            | SOE at E. Pat Larkins Community Center *<br>520 Martin Luther King Boulevard<br>Pompano Beach, FL 33060 |
| Emma Lou Olson Civic Center<br>1801 NE 6th St.<br>Pompano Beach, FL 33060                                         | SOE at Lauderhill Mall *<br>1519 NW 40 <sup>th</sup> Ave<br>Lauderhill, FL 33313                        |
| Ft. Lauderdale Branch Library/Art Serve<br>1350 E. Sunrise Boulevard Room 130<br>Ft. Lauderdale, FL 33304         | South Regional Library/BC<br>7300 Pines Boulevard<br>Pembroke Pines, FL 33024                           |
| Hallandale Beach Cultural Community Center<br>410 SE 3 <sup>rd</sup> Street<br>Hallandale Beach, FL 33009         | Southwest Regional Library<br>16835 Sheridan Street<br>Pembroke Pines, FL 33331                         |
| Hollywood Branch Library<br>2600 Hollywood Boulevard<br>Hollywood, FL 33020                                       | Sunrise Civic Center<br>10610 W. Oakland Park Blvd.<br>Sunrise, FL 33351                                |
| Miramar Branch Library<br>2050 Civic Center Place<br>Miramar, FL 33025                                            | Tamarac Branch Library<br>8701 W. Commercial Boulevard<br>Tamarac, FL 33321                             |
| North Regional Library/BC<br>1100 Coconut Creek Boulevard<br>Coconut Creek, FL 33066                              | West Regional Library<br>8601 W. Broward Boulevard<br>Plantation, FL 33324                              |
| Northwest Regional Library<br>3151 University Drive<br>Coral Springs, FL 33065                                    | Weston Branch Library<br>4205 Bonaventure Boulevard<br>Weston, FL 33332                                 |

Wilton Manors City Hall  
2020 Wilton Drive  
Wilton Manors, FL 33305



**DR. BRENDA C. SNIPES**  
BROWARD COUNTY SUPERVISOR OF ELECTIONS

**EARLY VOTING SITES ALSO SERVING AS  
DESIGNATED VOTE-BY-MAIL COLLECTION SITES  
(10 BALLOTS OR LESS)  
PRIMARY ELECTION**

**AUGUST 18, 2018 - AUGUST 26, 2018**

**10:00 a.m. :00 p.m. Daily (9 Day)**

**- SOE BRANCH OFFICE**

|                                                                                                                           |                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>African-American Research Library<br/>2650 Sistrunk Boulevard (NW 6<sup>th</sup> St.)<br/>Ft. Lauderdale, FL 33311</b> | <b>Northwest Regional Library<br/>3151 University Drive<br/>Coral Springs, FL 33065</b>                         |
| <b>Coral Ridge Mall<br/>(North or Northwest Entrance)<br/>3200 N. Federal Highway<br/>Ft. Lauderdale, FL 33306</b>        | <b>Oveta McKeithen<br/>Recreational Complex<br/>445 S.W. 2nd Street<br/>Deerfield Beach, FL 33441</b>           |
| <b>Emma Lou Olson Civic Center<br/>1801 NE 6th St.<br/>Pompano Beach, FL 33060</b>                                        | <b>SOE at E. Pat Larkins Community Center*<br/>520 Martin Luther King Boulevard<br/>Pompano Beach, FL 33060</b> |
| <b>Hollywood Branch Library<br/>2600 Hollywood Boulevard<br/>Hollywood, FL 33020</b>                                      | <b>South Regional Library/BC<br/>7300 Pines Boulevard<br/>Pembroke Pines, FL 33024</b>                          |
| <b>Miramar Branch Library<br/>2050 Civic Center Place<br/>Miramar, FL 33025</b>                                           | <b>Southwest Regional Library<br/>16835 Sheridan Street<br/>Pembroke Pines, FL 33331</b>                        |
| <b>North Regional Library/BC<br/>1100 Coconut Creek Boulevard<br/>Coconut Creek, FL 33066</b>                             | <b>Tamarac Branch Library<br/>8701 W. Commercial Boulevard<br/>Tamarac, FL 33321</b>                            |

Dropping off of 10 or more ballots must be done at the Supervisor of Elections Office downtown at 115 S. Andrews Avenue, Fort Lauderdale, or at the Voting Equipment Center (VEC) at 1501 N. State Road 7. Lauderhill Office is located at the back of the Lauderhill Mall.

## Quick Links

- [Register to Vote](#)
- [Voter Look up](#)
- [City of Miramar Map of Election Precincts \(PDF\)](#)
- [Voter Statistics](#)
- [All Forms from the State of Florida Division of Elections](#)
- [Candidate Finance Reporting Log In](#)

[View All >](#)



# Checklist for Identifying Technical Deficiencies in Complaints

## Rule 2B-1.0025

**\*\*If any of the following information is incorrect or missing upon receipt of a new complaint, DO NOT open a case in CMS. Instead, process in accordance with Rule 2B-1.0025.\*\***

- Complaint is filed on Form 1
- All information required by Form 1 is provided
- Only one Respondent is named
- Complainant's name is included (not "Anonymous")
- All exhibits and attachments referenced in the complaint are attached
- If multiple complaints are submitted, separate copies of exhibits and attachments are attached for EACH complaint
- Complaint includes an original signature
- Notary is proper:
  - Includes the **venue** stating the location of the notarization in the format, "State of Florida, County of ."
  - Includes an **oath or an acknowledgment**, evidenced by the words "sworn" or "acknowledged."
  - States that the signer **personally appeared** before the notary public at the time of the notarization.
  - Includes the exact **date** of the notarial act.
  - Includes the **name of the person** whose signature is being notarized.
  - Specifies the specific **type of identification** the notary public is relying upon in identifying the signer, either based on personal knowledge or satisfactory evidence (e.g., drivers license).
  - Includes the **notary's official signature**.
  - Includes the **notary's name**, typed, printed, or stamped below the signature.
  - Includes the **notary's official seal** affixed below or to either side of the notary's signature.

Alleging violation of Section 104.271(2), Florida Statutes

*N/A* Box was checked, but no allegation of this statute was made

Alleging violation of Section 104.2715, Florida Statutes

*N/A* Box was checked, but no allegation of this statute was made