

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Daniel Sohn

Case No.: FEC 17-309

TO: Daniel Sohn
c/o 3001 Cover Drive
Dania Beach, FL 33312

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

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **November 14, 2018 at 1:30 pm, or as soon thereafter as the parties can be heard**, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399.**

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

If you are the Respondent, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard.

If you are the Complainant, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

If you are an Appellant, and you have requested a hearing, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Ann Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Eric M. Lipman

General Counsel for Executive Director
Florida Elections Commission
October 29, 2018

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

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106.265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld.

If this is a hearing to consider a **consent order before a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed and become public. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the case will remain confidential, unless confidentiality has been waived.

If this is a hearing to consider a **consent order after a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the Respondent will be entitled to another hearing to determine if the Respondent committed the violation(s) alleged.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However, the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, *he must provide the Commission with written proof of his financial resources* at the hearing. A financial affidavit form is available from the Commission Clerk.

FILED
18 AUG 29 PM 2:05
STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 17-309

v.

**Daniel Sohn,
Respondent.**

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 14, 2018, in Tallahassee, Florida.

On July 9, 2018, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation:

Count 1:

On or about August 10, 2017, Respondent violated Section 106.19(1)(c), Florida Statutes, when Respondent deliberately failed include information on his 2017 M7 Report required to be reported by Chapter 106, Florida Statutes, when he failed to file a 2017 M7 Report.

The Commission also finds there is no probable cause to charge Respondent with violating Section 106.07(7), Florida Statutes.

DONE AND ORDERED by the Florida Elections Commission on August 14, 2018.



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Daniel Sohn, Respondent
Division of Elections, Complainant

NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by consent order where you and Commission staff agree to resolve the violation(s) and agree to the amount of the fine. The consent order is then presented to the Commission for its approval. To discuss a consent order, contact the FEC attorney identified in the Order of Probable Cause.

Second, you may request an informal hearing held before the Commission, if you do not dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to make written or oral arguments to the Commission concerning the legal issues related to the violation(s) and the potential fine. At the request of Respondent, the Commission will consider and determine willfulness at an informal hearing. Otherwise, live witness testimony is unnecessary.

Third, you may request a formal hearing held before an administrative law judge in the Division of Administrative Hearings (DOAH), if you dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to present evidence relevant to the violation(s) listed in this order, to cross-examine opposing witnesses, to impeach any witness, and to rebut the evidence presented against you.

If you do not elect to resolve the case by consent order or request a formal hearing at the DOAH or an informal hearing before the Commission within 30 days of the date this Order of Probable Cause is filed with the Commission, the case will be sent to the Commission for a formal or informal hearing, depending on whether the facts are in dispute. The date this order was filed appears in the upper right-hand corner of the first page of the order.

To request a hearing, please send a written request to the Commission Clerk, Donna Ann Malphurs. The address of the Commission Clerk is 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-1050. The telephone number is (850) 922-4539. The Clerk will provide you with a copy of Chapter 28-106, *Florida Administrative Code*, and other applicable rules upon request. No mediation is available.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Daniel Sohn

Case No.: FEC 17-309

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.19(1)(c), Florida Statutes**, and **no probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on June 15, 2018, the following facts and law support this staff recommendation.

1. On October 6, 2017, the Florida Elections Commission ("Commission") received a referral from the Division of Elections ("Division") alleging Daniel Sohn ("Respondent") violated Chapter 106, Florida Statutes.

2. Respondent was a candidate for Commissioner of Agriculture in the 2018 election. Respondent withdrew his candidacy on August 22, 2017. (Attachment A)

3. Respondent's initial Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form ("DS-DE 9") was filed with the Division on April 19, 2017. Respondent filed a second DS-DE 9 on August 22, 2017. (ROI Exhibit 1)¹

4. By letter dated November 20, 2017, the Executive Director notified Respondent that Commission staff would investigate the following alleged violations:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent may have failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the following reporting period:

- 2017 M7

¹ The Report of Investigation shall be referred to herein as "ROI."

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, when he failed to file a report on the prescribed reporting date for the following reporting period:

- 2017 M7

5. By letter dated April 20, 2017, Kristi Reid Bronson, Division of Elections, Chief, Bureau of Election Records, notified Respondent that his name had been placed on the 2018 active candidate list. The letter advised Respondent that all candidates who file reports with the Division are required to use the electronic filing system ("EFS") and provided Respondent with a user identification number and initial password to access the EFS. (ROI Exhibit 2, page 1)²

6. Ms. Bronson's April 20, 2017 letter further advised Respondent that all the Division's publications and reporting forms were available on the Division's website and directed Respondent to print a copy of Chapters 104 and 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook*, and the *Calendar of Reporting Dates*. (ROI Exhibit 2, page 3)

7. Respondent's 2017 M7 Report covering the dates of July 1, 2017, through July 31, 2017, was due on August 10, 2017. However, Respondent failed to file a 2017 M7 Report or notice of no reportable activity for the 2017 M7 reporting period. (ROI Exhibit 7 and Attachment B)

8. On August 11, 2017, the Division sent Respondent notification that he had not filed a 2017 M7 Report or notice that no reportable activity occurred during the 2017 M7 reporting period, whichever was applicable. (ROI Exhibit 3)

9. On September 7, 2017, the Division sent Respondent notification that he had not filed a 2017 M7 Report or notice that no reportable activity occurred during the 2017 M7 reporting period, whichever was applicable. (ROI Exhibit 4)

10. On September 18, 2017, the Division sent a letter to Respondent marked "Final Notice." The notification stated that the Division had not yet received Respondent's 2017 M7 Report or notice that no reportable activity occurred during the 2017 M7 reporting period, whichever was applicable. The Division's September 18, 2017 letter was confirmed delivered on September 20, 2017. (ROI Exhibit 5)

11. Investigator Spore subpoenaed copies of Respondent's campaign account records from BankUnited. Respondent's campaign account records show that Respondent had reportable financial activity during the 2017 M7 reporting period. (ROI Exhibit 6, page 1)

² Kristi Reid Bronson is now known as Kristi Reid Willis.

12. Because Respondent had financial activity during the 2017 M7 reporting period, Respondent was not required to file a notice of no reportable activity with the filing officer. However, Respondent was required to file a 2017 M7 Report listing his campaign's financial transactions during the 2017 M7 reporting period, which he failed to do. As of June 15, 2018, Respondent has failed to file a 2017 M7 Report. (ROI Exhibit 7, page 1)

13. During the investigation, Respondent told Investigator Spore that he was very sick in 2017 and had to undergo six months of treatment for a medical condition. Respondent also stated that he wanted to clear up any issues remaining from his campaign. (Attachment C, Phone Log Entries 1 and 3)

14. Based on the information above, it appears Respondent was not required to notify the filing officer on the prescribed due date for the 2017 M7 Report that no report would be filed because he had not received funds, made contributions, or expended reportable funds during the 2017 M7 reporting period. It also appears that Respondent may have deliberately failed to include information required to be reported by Chapter 106 when he failed to file a 2017 M7 Report.

15. "Probable Cause" is defined as a reasonable ground of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. *Schmitt v. State*, 590 So.2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v. Favino*, 667 So.2d 305, 309 (Fla. 1st DCA 1995).

16. The above facts show Respondent was a candidate for Commissioner of Agriculture in the 2018 election. Respondent withdrew his candidacy on August 22, 2017. Respondent's 2017 M7 Report covering the dates of July 1, 2017, through July 31, 2017, was due on August 10, 2017. However, Respondent failed to file a 2017 M7 Report or notice that no reportable activity occurred during the 2017 M7 reporting period.

17. Respondent's campaign bank account records show that Respondent had reportable financial activity during the 2017 M7 reporting period. Therefore, while Respondent was not required to file a notice of no reportable activity for the 2017 M7 reporting period, Respondent was required to file a 2017 M7 Report listing the campaign's financial transactions, during the 2017 M7 reporting period, which he failed to do. As of June 15, 2018, Respondent has failed to file a 2017 M7 Report.

Based on the foregoing, I recommend the Commission find probable cause to charge Respondent with the following violation:

Count 1:

On or about August 10, 2017, Respondent violated Section 106.19(1)(c), Florida Statutes, when Respondent deliberately failed include information on his 2017 M7 Report required to be reported by Chapter 106, Florida Statutes, when he failed to file a 2017 M7 Report.

I further recommend the Commission find no probable cause to charge Respondent with violating Section 106.07(7), Florida Statutes.

Respectfully submitted on ^{July} ~~June~~ 9, 2018.



Eric M. Lipman
General Counsel

I have reviewed this Staff Recommendation on the ^{July} ~~9th~~ 11th day of ~~June~~ July 2018.



Amy McKeever Toman
Executive Director

RECEIVED
DEPARTMENT OF STATE

8/13/17

17 AUG 22 AM 10:14

DIVISION OF ELECTIONS
TALLAHASSEE, FL

Daniel Sohn Campaign
790 Okeechobee Blvd.
Suite #4-616
West Palm Beach, FL 33411



Florida Department of State
Attention: Florida Division of Elections
500 South Bronough Street
Tallahassee, FL 32399

Dear Secretary Detzner:

In May, I publicly announced that I would no longer be seeking the 2018 Democratic nomination for Florida Commissioner of Agriculture due to unforeseen personal health issues. This is the official withdrawal of my candidacy for Florida Commissioner of Agriculture, 2018.

To expedite the closure of the campaign, I am submitting all required documents for termination. Should the Division of Elections require my attention in the future, contact me using the information on the included treasurer's designation form.

I wish all candidates seeking the Office of Commissioner of Agriculture and Consumer Services my best wishes and trust that the individual elected will serve the people of this great state by taking a strong stance towards the protection of Florida's consumers and environment.

Warmest Regards,

Daniel H. Sohn

ATTACHMENT A, page 1



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

August 22, 2017

Daniel Sohn (69766)
7750 Okeechobee Boulevard
Suite #4-616
West Palm Beach, Florida 33411

Dear Mr. Sohn:

This will acknowledge receipt of the letter informing us of your withdrawal as a 2018 candidate for the office of Commissioner of Agriculture. This information was placed on file in our office on August 22, 2017.

Pursuant to Section 106.141, Florida Statutes, all candidates must, within 90 days of withdrawing their candidacy, dispose of all funds on deposit in the campaign account. You are required to file a 90-day termination report no later than **November 20, 2017**. You are not required to close the campaign prior to the due date; however, you must have written checks disposing of all surplus funds by this date.

You may file your report in the Electronic Filing System (EFS) at any time prior to the deadline once you have disposed of all funds. In order to file your termination report prior to the due date, you will need to change the cover period, which has been defaulted to an ending period of November 20, 2017, in the EFS (see attached example).

If you have any questions, please contact this office at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

KRW/ejr

Attachment

Division of Elections
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6240 • 850.245.6260 (Fax) dos.myflorida.com/elections/

ATTACHMENT A, page 2

FLORIDA
DIVISION OF
ELECTIONS

2017 Calendar of Reporting Dates

Candidates, Political Committees and
Electioneering Communications Organizations
registered with the Division of Elections

<u>Cover Period</u>	<u>Report Code</u>	<u>Due Date</u>
01/01/17 – 01/31/17	2017 M1	02/10/17
02/01/17 – 02/28/17	2017 M2	03/10/17
03/01/17 – 03/31/17	2017 M3	04/10/17
04/01/17 – 04/30/17	2017 M4	05/10/17
05/01/17 – 05/31/17	2017 M5	06/12/17
01/01/2016 – 12/31/2016	2016 MUC* (PC Only)	06/30/17
06/01/17 – 06/30/17	2017 M6	07/10/17
07/01/17 – 07/31/17	2017 M7	08/10/17
08/01/17 – 08/31/17	2017 M8	09/11/17
09/01/17 – 09/30/17	2017 M9	10/10/17
10/01/17 – 10/31/17	2017 M10	11/13/17
11/01/17 – 11/30/17	2017 M11	12/11/17
12/01/17 – 12/31/17	2017 M12	1/10/18

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

ATTACHMENT B

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 17-309**

Respondent: Daniel Sohn

Complainant: Division of Elections

1. **Date and time:** 01/17/18- 2:58 PM

Name: Call to Respondent

Phone #: 954-243-4705

Summary: I called and reached a voicemail box for Respondent, and left a message, asking him to return my call. He returned my call immediately. Respondent, and he stated that during the 2016 campaign for Dania Beach City Commission, he had gotten sick. During that time, his campaign treasurer quit, and he is not even sure what happened with his campaign reports. He stated he has been made aware that there was a fine connected with one of the reports that was left unpaid, and he stated he was planning to pay this, now that it has come to his attention. He stated that he was very sick during his 2017 campaign for Commissioner of Agriculture, and had to undergo 6 months of radiation and chemotherapy. He stated that he has completed this treatment, and has just returned to the workforce with a new position. He stated he would be interested in settling the 6 cases that are currently open, if it is possible, or doing whatever needs to be done in order to clear up the discrepancies. He stated he does not have much money right now, but he cannot come to Tallahassee for a commission meeting, as he is still not physically well.

Memo to File? No

Entered by: S. Spore

2. **Date and time:** 05/03/18- 10:22 AM

Name: Call to Respondent

Phone #: 954-243-4705

Summary: I called Respondent and reached a generic voicemail message. I left a message, asking him to return my call.

Memo to File? No

Entered by: S. Spore

3. **Date and time:** 05/23/18- 4:22 PM

Name: Call to Respondent

Phone #: 954-243-4705

Summary: I called Respondent, and he stated that he asked me to call him tomorrow any time after 9:00 AM, as he could not speak at the moment. He stated that he would like to clear up any issues that are ongoing with his 2017 candidacy for Commissioner of Agriculture.

Memo to File? No

Entered by: S. Spore

4. **Date and time:** 05/24/18- 10:05 AM

Name: Call to Respondent

Phone #: 954-243-4705

ATTACHMENT C, page 1

Summary: I called Respondent as he had requested, however, my phone call went immediately to a voicemail box. I left a message, asking him to return my call.

Memo to File? No

Entered by: S. Spore

5. **Date and time:** 05/29/18- 2:07 PM

Name: Call to Respondent

Phone #: 954-243-4705

Summary: I called and immediately reached a voicemail box. I left a message, asking for a return call.

Memo to File? No

Entered by: S. Spore

6. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

7. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

8. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

9. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

10. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

ATTACHMENT C, page 2

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 17-309

Respondent: Daniel Sohn

Complainant: Division of Elections

On October 6, 2017, the Florida Elections Commission (“Commission”) received a referral from the Division of Elections alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statutes:

Section 106.07(7), Florida Statutes, failing to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the reporting period; and

Section 106.19(1)(c), Florida Statutes, falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes.

I. Preliminary Information:

1. Respondent was a 2018 candidate for the office of Commissioner of Agriculture. He withdrew his candidacy from the 2018 election on August 22, 2017. Respondent previously ran for Dania Beach City Commission in 2014 and 2016, however, he did not complete the candidate-qualifying process in either race.

2. Complainant is the Division of Elections.

3. Respondent’s filing officer is Kristi Willis, Chief, Bureau of Election Records.

II. Alleged Violation of Section 106.07(7), Florida Statutes:

4. I investigated whether Respondent violated this section of the election laws by not notifying the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the 2017 M7 reporting period.

5. On April 19, 2017, Respondent filed the Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9 form) with the Division¹. Respondent appointed

¹ On July 21, 2017, Mr. Wells resigned as campaign treasurer to Respondent’s campaign. Respondent filed an updated DS-DE 9 form on August 22, 2017 appointing himself as treasurer.

William Wells as his campaign treasurer. To review the DS-DE 9 form, refer to Exhibit 1.

6. On April 20, 2017, Complainant mailed Respondent a letter acknowledging receipt of the DS-DE 9 form and informing him that his name had been placed on the 2018 active candidate list. To review the April 20, 2017 acknowledgment letter, refer to Exhibit 2.

7. The 2017 M7 campaign treasurer's report was due on August 10, 2017. On August 11, 2017, the Division mailed Respondent notification that the 2017 M7 treasurer's report had not been filed. To review a copy of the August 11, 2017 notification, refer to Exhibit 3.

8. On September 7, 2017, the Division mailed Respondent a second notification that the 2017 M7 treasurer's report had not been filed. To review a copy of the September 7, 2017 notification, refer to Exhibit 4.

9. On September 18, 2017, the Division mailed Respondent final notification with delivery confirmation that the 2017 M7 treasurer's report had not been filed. To review the September 18, 2017 final notification with delivery confirmation, refer to Exhibit 5.

10. On February 23, 2018, Respondent's campaign account records were received as a result of a subpoena to BankUnited, Respondent's campaign depository listed on his most recent DS-DE 9 form filed on April 19, 2017; Exhibit 1. A review of these records reflects there were two service charges made on the account during the 2017 M7 reporting period. To review the campaign bank account records, refer to Exhibit 6.

2017 M7 REPORT: JULY 1, 2017 THROUGH JULY 31, 2017		
Date	Name	Withdrawal
STARTING BALANCE ON 7/1/17		\$1.19
07/11/17	Vantiv eCommerce Funds Distribution.	\$0.50
07/31/17	Service Charge	\$0.69
TOTAL		\$0.00

11. A review of Respondent's filing history indicates there were three reporting periods before the 2017 M7 reporting period. Of the 3 previous reporting periods, the 2017 M4 campaign treasurer's report was filed one day late, the 2017 M5 campaign treasurer's report was filed 29 days late, and a notice-of-no-activity was filed one day late, for the 2017 M6 reporting period. To review Respondent's filing history, refer to Exhibit 7.

12. As of the date of this report, there is no record that Respondent has filed a 2017 M7 campaign treasurer's report.

13. There is no record that Respondent has previously violated this section of the election laws.

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

14. I investigated whether Respondent violated this section of the election laws by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes.

15. As previously discussed in paragraphs 7 through 9, the Division mailed Respondent notifications on August 11, 2017, September 7, 2017, and September 18, 2017 that the 2017 M7 campaign treasurer's report had not been filed.

16. As previously discussed in paragraph 10, Respondent's campaign bank account records were received as a result from a subpoena to BankUnited. The bank account records reflect two charges to the account, totaling \$1.19.

17. As previously discussed in paragraph 11, there is no record that Respondent has filed a 2017 M7 campaign treasurer's report.

18. There is no record that Respondent has previously violated this section of the election laws.

IV. FEC History:

19. Respondent has had no prior history.

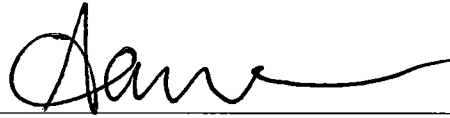
Conclusion:

20. Respondent was offered an opportunity to make comments regarding the findings of this investigation, however, he did not return telephone calls. I am unable to ascertain whether he has read Chapter 106, Florida Statutes, and/o the *Candidate and Campaign Treasurer Handbook*.

21. In the April 20, 2017 acknowledgment letter, Respondent was informed that all of the Division's publications were available online at the Division's website. In the letter, Respondent was admonished as follows: **It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapters 104 and 106, Florida Statutes, *Candidate and Campaign Treasurer Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code: Exhibit 2.**

22. On April 19, 2017, Respondent filed his Statement of Candidate for Commissioner of Agriculture acknowledging that he had been provided access to read and understand the requirements of Chapter, 106 Florida Statutes. To view a copy of the Statement of Candidate, refer to Exhibit 8.

Respectfully submitted on June 15, 2018.



Samantha Spore
Investigation Specialist

Current address of Respondent

Mr. Daniel Sohn
7750 Okeechobee Blvd., Suite 4-616
West Palm Beach, FL 33411

Current address of Complainant

Division of Elections
500 South Bronough Street, Room 316
Tallahassee, FL 32399-0250

Name and Address of Filing Officer:

Ms. Kristi Willis, Chief
Bureau of Election Records
500 South Bronough Street, Room 316
Tallahassee, FL 32399-0250

Copy furnished to: Mr. David Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Daniel Sohn -- FEC 17-309

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	DS-DE 9 Forms
Exhibit 2	April 20, 2017 Acknowledgment Letter
Exhibit 3	August 11, 2017 Notification
Exhibit 4	September 7, 2017 Notification
Exhibit 5	September 18, 2017 Final Notification with Delivery Confirmation
Exhibit 6	Campaign Bank Account Records
Exhibit 7	Filing History
Exhibit 8	Statement of Candidate

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

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

(PLEASE PRINT OR TYPE)

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

RECEIVED
DEPARTMENT OF STATE
2017 APR 19 AM 9:42
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

Initial Filing of Form Re-filing to Change: Treasurer/Deputy Depository Office Party

2 Name of Candidate (in this order, First, Middle, Last)

Daniel Sohn

3 Address (include post office box or street, city, state, zip code)

7750 Okeechobee Blvd Ste
#4-616 West Palm Beach,
FL 33411

4 Telephone

5 E-mail address

6 Office sought (include district, circuit, group number)

Commissioner of Agriculture

7 If a candidate for a nonpartisan office, check if applicable:

My intent is to run as a Write-In candidate

8 If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a

Write-In No Party Affiliation Democratic Party candidate

9 I have appointed the following person to act as my Campaign Treasurer Deputy Treasurer

10 Name of Treasurer or Deputy Treasurer

William Wells

11. Mailing Address

76 4th St. N # 171

12 Telephone

(305) 898 0243

13. City

St. Petersburg

14. County

Hillsborough

15. State

FL

16. Zip Code

33704

17. E-mail address

WPNW@WilliamPeraWells.com

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

19 Name of Bank

Bank United

20. Address

2832 4th St. N.

21. City

St. Petersburg

22. County

Hillsborough

23 State

FL

24. Zip Code

33704

INDIVIDUALS OF FLORIDA: I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATE IN THERE ARE TRUE.

4/17/17

X *[Signature]*

Treasurer's Acceptance of Appointment

William Pera Wells

4/17/17

X *[Signature]*

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

(PLEASE PRINT OR TYPE)

RECEIVED
DEPARTMENT OF STATE
17 AUG 22 AM 10:14
DIVISION OF ELECTIONS
TALLAHASSEE, FL

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

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

Initial Filing of Form Re-filing to Change: Treasurer/Deputy Depository Office Party

2. Name of Candidate (in this order: First, Middle, Last)
Daniel Sohn

3. Address (include post office box or street, city, state, zip code)
7750 Okeechobee Blvd.
Suite #4-616
West Palm Beach, FL 33411

4. Telephone
()

5. E-mail address
daniel@danielforflorida.com

6. Office sought (include district, circuit, group number)
Commissioner of Agriculture

7. If a candidate for a nonpartisan office, check if applicable:
 My intent is to run as a Write-In candidate.

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a
 Write-In No Party Affiliation Democratic Party candidate.

9. I have appointed the following person to act as my Campaign Treasurer Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer
Daniel Sohn

11. Mailing Address
7750 Okeechobee Blvd. Suite #4-616

12. Telephone
()

13. City
West Palm Beach

14. County
Palm Beach

15. State
FL

16. Zip Code
33411

17. E-mail address
daniel@danielforflorida.com

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

19. Name of Bank
Bank United

20. Address
2832 4th St. N.

21. City
St. Petersburg

22. County
Hillsborough

23. State
Florida

24. Zip Code
33704

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

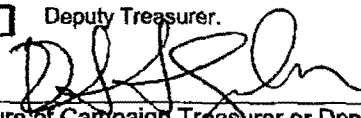
25. Date
8/13/2017

26. Signature of Candidate
 

27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)
I, Daniel Sohn, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

8/13/17
Date


Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 20, 2017

Daniel Sohn
7750 Okeechobee Boulevard, Suite #4-616
West Palm Beach, Florida 33411

Dear Mr. Sohn:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of Commissioner of Agriculture, which was placed on file in our office on April 19, 2017. Your name has been placed on the 2018 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **May 10, 2017**. The report will cover the period of April 1-30, 2017 (M4). All candidates who file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

Credentials and Sign-ons

Below is the web address to access the EFS and your user identification number. The enclosed sealed envelope contains your initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. You, your campaign treasurer, and deputy treasurers are responsible for protecting this password from disclosure and are responsible for all filings using these credentials, unless the Division is notified that your credentials have been compromised.

EFS Website Address: <https://efs.dos.state.fl.us>

Identification Number: 69766

Division of Elections
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6240 • 850.245.6260 (Fax) dos.myflorida.com/elections/

FLORIDA
DIVISION OF
ELECTIONS

EXHIBIT 2 page 1 of 3

Daniel Sohn
April 20, 2017
Page Two

Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update personal information. The enclosed sealed envelope contains confidential pin numbers for you. By copy of this letter, a confidential pin number to access the EFS was sent to your treasurer.

Each candidate is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event this password is forgotten or lost. When you enter the campaign account screen, there will be a drop down box where you pick a question (such as *What is your mother's maiden name?*) and supply an answer. All passwords and answers to questions are stored as encrypted data and cannot be viewed by Division staff and given out over the phone. Please notify the Division if your credentials have been compromised.

Timely Filing

All reports filed must be completed and filed through the EFS not later than midnight of the due date. Reports not filed by midnight of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Electronic Receipts

The person submitting the report on the EFS will be issued an electronic receipt indicating and verifying the report was filed. Each campaign treasurer's report filed by means of the EFS is considered to be under oath by the candidate and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

Daniel Sohn
April 20, 2017
Page Three

Instructions and Assistance

An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports. The Division of Elections will also provide assistance to all users by contacting the EFS Help Desk at (850) 245-6280.

All of the Division's publications and reporting forms are available on the Division of Elections' website at <http://dos.myflorida.com/elections/>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapters 104 and 106, Florida Statutes, *Candidate and Campaign Treasurer Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,



Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/zjs

Enclosures

pc: William Wells, Treasurer



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

August 11, 2017

Daniel Sohn (69766)
7750 Okeechobee Blvd., Suite #4-616
West Palm Beach, Florida 33411

Dear Mr. Sohn:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The file date was August 10, 2017.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:
 - \$50 for the first 3 days late
 - \$500 per day for each day after the 3rd day late
 - If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Election Commission.

- If no reportable activity occurred for the report date(s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

EXHIBIT 3



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Second Notice

September 7, 2017

Daniel Sohn
7750 Okeechobee Boulevard
Suite #4-616
West Palm Beach, FL 33411-3411

CAN 69766

Dear Mr. Sohn:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was August 10, 2017.

We mailed, via regular mail, the first notice of the failure to file the above-mentioned report or notification to the address on file with our office on August 11, 2017.

The first notice which we provided to you specifically explained the automatic fine provisions in the law (s. 106.07(8)(b), Fla. Stat.) for failure to file a required report. Such fines are continuing to accrue for a late-filed report. Also, that notice explained that if no reportable activity occurred for the report date(s), you are still required to provide notification in writing that no reportable activity occurred. Our initial notice further indicated that, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

EXHIBIT

4



FLORIDA DEPARTMENT OF STATE
Ken Detzner
 Secretary of State
 DIVISION OF ELECTIONS

Final Notice

Delivery Confirmation:

USPS TRACKING # **9114 9014 9645 1102 5584 52**
 & CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com
 or call 1-800-222-1811.

September 18, 2017

Daniel Sohn
 7750 Okeechobee Boulevard
 Suite #4-616
 West Palm Beach, FL 33411-3411

CAN 69766

Dear Mr. Sohn:

A recent review of the Division's records show that the Division has not yet received the below-referenced campaign treasurer's report or the required notification that no reportable activity occurred, whichever is applicable, during the following cover period:

<u>Year</u>	<u>Report</u>	<u>Cover Period</u>
2017	M7	7/1/17 - 7/31/17

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Willis, Chief
 Bureau of Election Records

EXHIBIT 5 page 1 of 2

USPS Tracking® Results

FAQs > (<http://faq.usps.com/?articleId=220900>)

Track Another Package +

Remove X

Tracking Number: 9114901496451102558452



Delivered

Expected Delivery On: Wednesday, September 20, 2017 ⓘ

Product & Tracking Information

[See Available Actions](#)

Postal Product:

Features:

USPS Tracking®

DATE & TIME	STATUS OF ITEM	LOCATION
September 20, 2017, 10:40 am	Delivered, Front Desk/Reception	WEST PALM BEACH, FL 33411



Your item was delivered to the front desk or reception area at 10:40 am on September 20, 2017 in WEST PALM BEACH, FL 33411.

September 20, 2017, 9:39 am	Out for Delivery	WEST PALM BEACH, FL 33411
-----------------------------	------------------	---------------------------

September 20, 2017, 9:29 am	Sorting Complete	WEST PALM BEACH, FL 33411
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EXHIBIT 5 page 2 of 2

P.O. Box 521599 Miami, FL 33152-1599




>010001 7781782 0001 008229 10Z
 DANIEL SOHN FOR FLORIDA
 CAMPAIGN ACCOUNT
 WILLIAM P WELLS TREASURER
 7750 OKEECHOBEE BLVD STE #4-616
 WEST PALM BEACH FL 33411

Statement Date: July 31, 2017
 Account Number: *****1776

Customer Service Information

Client Care: 877-779-BANK (2265)
 Web Site: www.bankunited.com
 Bank Address: BankUnited
 P.O. Box 521599
 Miami, FL 33152-1599



Customer Message Center

REFER TO THE END OF THIS STATEMENT FOR AN IMPORTANT MESSAGE REGARDING POSSIBLE TRANSACTION PROCESSING DELAYS.

PRIMARY BUSINESS CHECKING Account [REDACTED]

Account Summary

Statement Balance as of 06/30/2017			\$1.19
Plus	0	Deposits and Other Credits	\$0.00
Less	1	Withdrawals, Checks, and Other Debits	\$0.50
Less		Service Charge	\$0.69
Plus		Interest Paid	\$0.00
Statement Balance as of 07/31/2017			\$0.00

Activity By Date

Date	Description	Withdrawals	Deposits	Balance
07/11/2017	Vantiv eCommerce Funds Disb 29499895374644 Daniel For Florida	\$0.50		\$0.69
07/31/2017	Service Charge	\$0.69		\$0.00

Balances by Date

Date	Balance	Date	Balance	Date	Balance
06/30	\$1.19	07/11	\$0.69	07/31	\$0.00

BankUnited, N.A.

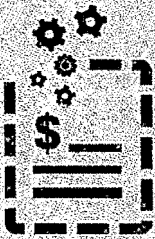
EXHIBIT 6 page 1 of 2

Statement Date: July 31, 2017

Account Number: [REDACTED]

Other Balances

Minimum Balance this Statement Period \$0.00



During this statement cycle we experienced some transaction processing delays which may have resulted in transactions posting to your account one business day later than when originally presented. Be advised that we have taken steps to assure that this delay did not negatively affect your account, including the crediting of any applicable accrued interest. Should you have any questions, please contact our Client Care Center at 1-877-779-2265.



search | directory | contact us | 411 | subscribe | tour | help

Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Daniel Sohn

Name: Sohn

Account: 69766

Election:

Acct: 69766

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
11/20/2017	TR		FEC	0	\$0.00		\$0.00	\$0.00
8/10/2017	M7		FEC	0	\$0.00		\$0.00	\$0.00
7/10/2017	M6	7/11/2017	CLO	1	\$0.00		\$0.00	\$0.00
6/12/2017	M5	7/11/2017	DFS	29	\$50.00		\$50.00	\$0.00
5/10/2017	M4	5/11/2017	DFS	1	\$50.00		\$50.00	\$0.00

EXHIBIT 7 page 1 of 2



Florida Department of State
Division of Elections

2018 General Election
Daniel Sohn (DEM)
Commissioner of Agriculture

Campaign Finance Activity

Note: The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections. About the Campaign Finance Data Base.

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
<input type="radio"/>	04/19/2017 - 04/30/2017	0.00	0.00	0.00	1.65	0.00	0.00
<input type="radio"/>	05/01/2017 - 05/31/2017	110.00	0.00	0.00	200.00	0.00	0.00
W	06/01/2017 - 06/30/2017	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	All Dates (Totals)	110.00	0.00	0.00	201.65	0.00	0.00

Note: (E) indicates that report was filed electronically

X Indicates that detail has not been released

W Indicates that a waiver was filed and **L** Indicates that a loan report was filed

Select Detail Type

Contributions ▼

Select Sort Order

Date(Ascending) ▼

Select Output Type

Display On Screen ▼

Submit Query Now

[Query the Campaign Finance Data Base](#)

[\[Department of State\]](#) [\[Division of Elections\]](#) [\[Candidates and Races\]](#) [\[Campaign Finance Information\]](#)

EXHIBIT 7 page 2 of 2

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

RECEIVED
DEPARTMENT OF STATE

2017 APR 19 AM 9:43

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

I, Daniel Sohn,

candidate for the office of Commissioner of Agriculture;

have been provided access to read and understand the requirements of

Chapter 106, Florida Statutes.

X 
Signature of Candidate

4/17/17
Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000. (ss 106.19(1)(c), 106.265(1), Florida Statutes).



FLORIDA ELECTIONS COMMISSION

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

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

November 20, 2017

Daniel H. Sohn
7750 Okeechobee Blvd.
Ste. 4-616
West Palm Beach, FL 33411

RE: Case No.: FEC 17-309; Respondent: Daniel H. Sohn

Dear Mr. Sohn:

On October 6, 2017, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more **legally sufficient allegations**. The Commission staff will investigate the following alleged violations:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent may have failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the following reporting period:

- 2017 M7

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, when he failed to file a report on the prescribed reporting date for the following reporting period:

- 2017 M7

When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will make a written recommendation (Staff Recommendation or SR) to the Commission as to whether there is probable cause to charge respondent with violating Chapters 104 or 106, Florida Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold

Daniel H. Sohn
November 20, 2017
Page 2
FEC 17-309

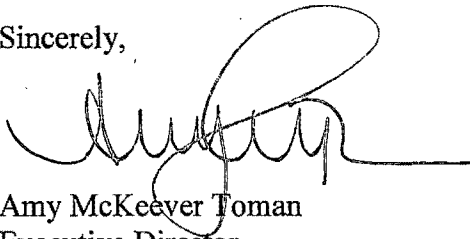
one or more hearings to determine whether the alleged violations occurred and, if so, the amount of the fine to be imposed. You and the complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

Please note that all documents related to this matter will be mailed to the above address unless you **notify us of a new address**. Also, please remember that complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are **confidential** until the Commission finds probable cause or no probable cause.

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website (www.fec.state.fl.us).

If you have additional questions, please contact **Samantha Spore**, the investigator assigned to this case at extension 110.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/enr

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

To FEC from Division of Elections

RECEIVED

2017 OCT -6 P 3:25

STATE OF FLORIDA
ELECTIONS COMMISSION

Name: Daniel Sohn
Account Number: 69766
Treasurer: Daniel Sohn

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to Sections 106.07(8)(d), 106.22(7) and 106.25, Florida Statutes. An apparent violation of Chapter 106, F.S., has occurred based upon the candidate's alleged failure to file a report after notice as required by section 106.07(8)(d), Florida Statutes, or failure to notify the filing officer on the prescribed reporting date that no report was to be filed as required by Section 106.07(7), Florida Statutes.

The following report or notice is outstanding after notification:

2017 M7

Sent By: Kristi Reid Willis *KRW*
Date: October 5, 2017

ejr

AFFIDAVIT

STATE OF FLORIDA

County of Leon

Kristi Reid Willis, being duly sworn, says:

1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division). In that capacity, I oversee the Division's duties related to the filing of campaign finance reports.
2. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
3. I am of legal age and competent to testify to the matters stated herein.
4. Daniel Sohn (69766) was a 2018 candidate for the office of Commissioner of Agriculture.
5. On April 19, 2017, Mr. Sohn filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division. He appointed William Wells as treasurer.
6. On July 21, 2017, Mr. Wells resigned as Treasurer for Mr. Sohn's candidacy.
7. The 2017 M7 campaign treasurer's report was due on August 10, 2017. On August 11, 2017, the Division mailed Mr. Sohn notification that the 2017 M7 treasurer's report had not been filed.
8. On August 22, 2017, Mr. Sohn withdrew his candidacy from the 2018 election. He submitted an Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division appointing himself as treasurer.
9. On September 7, 2017, the Division mailed Mr. Sohn notification that the 2017 M7 treasurer's report had not been filed.
10. On September 18, 2017, the Division mailed Mr. Sohn final notification with delivery confirmation that the 2017 M7 treasurer's report had not been filed. (See attached letter and delivery confirmation.)
11. Mr. Sohn did not notify the Division of Elections prior to or on the prescribed reporting date for the 2017 M7 report that no report was to be filed.

12. As of October 5, 2017, Mr. Sohn has not filed the 2017 M7 report.

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

Kent Reed Willis

Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 5th day of October, 2017.

Stacy L Bagley

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known

RECEIVED

2017 OCT -6 PM 3:25

STATE OF FLORIDA
ELECTIONS COMMISSION





FLORIDA DEPARTMENT OF STATE

Ken Detzner

Secretary of State

DIVISION OF ELECTIONS

Final Notice

Delivery Confirmation:

USPS TRACKING #
& CUSTOMER
RECEIPT

9114 9014 9645 1102 5584 52

For Tracking or inquiries go to USPS.com
or call 1-800-222-1811.

September 18, 2017

Daniel Sohn
7750 Okeechobee Boulevard
Suite #4-616
West Palm Beach, FL 33411-3411

CAN 69766

Dear Mr. Sohn:

A recent review of the Division's records show that the Division has not yet received the below-referenced campaign treasurer's report or the required notification that no reportable activity occurred, whichever is applicable, during the following cover period:

<u>Year</u>	<u>Report</u>	<u>Cover Period</u>
2017	M7	7/1/17 - 7/31/17

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

USPS Tracking® Results

[FAQs > \(http://faq.usps.com/?articleId=220900\)](http://faq.usps.com/?articleId=220900)

[Track Another Package +](#)

[Remove X](#)

Tracking Number: 9114901496451102558452



Delivered

Expected Delivery On: Wednesday, September 20, 2017 ⓘ

Product & Tracking Information

[See Available Actions](#)

Postal Product:

Features:

USPS Tracking®

DATE & TIME

STATUS OF ITEM

LOCATION

September 20, 2017, 10:40
am

Delivered, Front
Desk/Reception

WEST PALM
BEACH, FL 33411



Your item was delivered to the front desk or reception area at 10:40 am on September 20, 2017 in WEST PALM BEACH, FL 33411.

September 20, 2017, 9:39
am

Out for Delivery

WEST PALM
BEACH, FL 33411

September 20, 2017, 9:29
am

Sorting Complete

WEST PALM
BEACH, FL 33411

HISTORY NOTES
Daniel Sohn - 69766

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
-----------	---------------	------------------	------------------------

54675	7/7/2017 2:46:00 PM	7/11/2017 12:14:25 PM	mcchellman
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Re CRFs, called and left message for T to call me 2:40 pm. I called him back 3:30. He was in a car and needed me to call him back at 4:30. I did and gave him the new PWD and the T and Can PINs.

7/11/17, 12:15 pm - Mr. Wells called back saying the paper he had written the credentials down on had gotten wet and requested the info again. After confirming his identity, I gave him the above-listed credentials again.

54046	5/11/2017 3:46:00 PM		dsbrown
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RE: Credential Request Form

Spoke to William Wells; gave him the candidate's PIN. He said they never received their credentials. He said the candidate was withdrawing from the race and is currently in the hospital.

54010	5/10/2017 12:44:00 PM		STBaker
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RE: Credential Request

Received credential request form from Treasurer, William Wells, requesting User ID, Password, and Pin. I called and gave Mr. Wells his Treasurer's pin and the other requested information. I advised him that I could not give him the Candidate's Pin, without authorization from the Candidate via the Credential request form. He stated that he would try to get in touch with the Candidate.