STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Phillip J. Brutus			Case No.: FEC 16-588	
1		/		
TO:	Phillip J. Brutus		Division of Elections	
	4000 North State Road 7, Ste. 214		500 S Bronough Street, Room 316	
	Lauderdale Lakes, FL 33319		Tallahassee, FL 32399	

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, August 16, 2017 at 8:30 am, or as soon thereafter as the parties can be heard, at the following location: Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Amy McKeever Toman

Executive Director Florida Elections Commission August 1, 2017

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

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

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

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

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

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

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

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STATE OF FLORIDA
ELECTIONS COMMISSION

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STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

Florida Elections Commission, Petitioner,

Case No.: FEC 16-588

Phillip J. Brutus, Respondent.

v.

ORDER OF PROBABLE CAUSE

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

On March 8, 2017, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

Count 1:

On or about October 7, 2016, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when Respondent failed to file an addendum to his 2016 P7 Report within seven days of receiving notice from the filing officer that his 2016 P7 Report was incomplete.

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

M. Scott Thomas, Chairman Florida Elections Commission

Copies furnished to: Eric M. Lipman, General Counsel Phillip J. Brutus, 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 <u>consent order</u> where you and Commission staff agree to resolve the violation(s)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 <u>informal hearing</u> held before the Commission, if you <u>do not</u> 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 <u>formal hearing</u> 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: Phillip J. Brutus Case No.: FEC 16-588

TO: Phillip J. Brutus

4000 North State Road 7, Ste. 214 Lauderdale Lakes, FL 33319 Division of Elections 500 S Bronough Street, Room 316 Tallahassee, FL 32399

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, May 17, 2017 at 10:30 am, or as soon thereafter as the parties can be heard, at the following location: Augustus B. Turnbull Conference Center, 555 West Pensacola Street, Room 214, Tallahassee, Florida 32301

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

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See further instructions on the reverse side.

Amy McKeever Toman

Executive Director Florida Elections Commission May 1, 2017 Please refer to the information below for further instructions related to your particular hearing:

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

STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Phillip J. Brutus	Case No.:	FEC 16-588
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STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.07(2)(b)1.**, **Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on February 21, 2017, the following facts and law support this staff recommendation:

- 1. On October 18, 2016, the Florida Elections Commission ("Commission") received a referral from the Division of Elections ("Division") alleging Phillip J. Brutus ("Respondent") violated Chapter 106, Florida Statutes.
- 2. Respondent was a candidate for the Florida Senate, District 38, in the 2016 election. Respondent's Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form ("DS-DE 9") was filed with the Division on February 9, 2016. Respondent appointed himself as his campaign treasurer. (ROI Exhibit 2)¹
- 3. By letter dated January 23, 2017, the Executive Director notified Respondent that Commission staff would investigate the following alleged violation:

Section 106.07(2)(b)1., Florida Statutes: Respondent, a 2016 candidate for the office of State Senate, acting as his own treasurer, failed to timely make necessary amendments to the 2016 P7 campaign treasurer's report, as alleged in the complaint.

4. By letter dated February 10, 2016, Kristi Reid Bronson, Division of Elections, Chief, Bureau of Election Records, notified Respondent that the Division had received his DS-DE 9 and that Respondent's name had been placed on the 2016 active candidate list. The letter also contained a security envelope with Respondent's confidential PIN number to access the Division's electronic filing system. (ROI Exhibit 3, page 1)

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

- 5. Ms. Bronson's February 10, 2016 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 3, page 3)
- 6. The 2016 P7 Report covering the dates of August 13, 2016, through August 25, 2016, was due on August 26, 2016. Respondent timely filed his 2016 P7 Report, however, it was incomplete. (Attachments A and B)
- 7. On August 30, 2016, the Division sent notification to Respondent that his 2016 P7 Report was incomplete and Respondent had seven days from receipt of the notice to correct the errors on the attached Error Report and file an amended 2016 P7 Report. The letter also stated that if the information was reported accurately, Respondent should provide a written explanation to the Division addressing the issues noted in the Error Report. (ROI Exhibit 4)²
- 8. On September 12, 2016, the Division sent notification to Respondent that his 2016 P7 Report was incomplete and Respondent had seven days from receipt of the notice to correct the errors on the attached Error Report and file an amended 2016 P7 Report. (ROI Exhibit 5)
- 9. On September 27, 2016, the Division sent a "Final Notice" to Respondent notifying him that his 2016 P7 Report remained incomplete and Respondent had seven days from receipt of the notice to correct the errors on the attached Error Report and file an amended 2016 P7 Report. The letter also stated that if the information was reported accurately, Respondent should provide a written explanation to the Division addressing the issues noted in the Error Report. The September 27, 2016 letter was confirmed delivered on September 30, 2016. (ROI Exhibit 6)
- 10. On December 27, 2016, Respondent filed an amended 2016 P7 Report correcting the errors identified by the Division. (ROI Exhibits 7 and 8)
- 11. Based upon the information above, it appears Respondent failed to file an amended 2016 P7 Report correcting the errors on his 2016 P7 Report within seven days of receiving notification from the Division that the report was incomplete.
- 12. "Probable Cause" is defined as a reasonable grounds of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. Schmitt v. State, 590 So.2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. Department of Highway Safety and Motor Vehicles v. Favino, 667 So.2d 305, 309 (Fla. 1st DCA 1995).

Section 106.07(2)(b)1., Fla. Stat. does not require a campaign treasurer to provide a written explanation to the Division addressing the issues noted in an Error Report if the information was reported accurately.

- 13. The above facts show Respondent was a candidate for the Florida Senate, District 38, in the 2016 election. Respondent's 2016 P7 Report was timely filed, however, it was incomplete. On August 30, 2016, September 12, 2016, and September 27, 2016, the Division sent a letter notifying Respondent that his 2016 P7 Report was incomplete and that he had seven days from receipt of the notification to correct the errors and file an amended 2016 P7 Report. The Division's September 27, 2016 notification was confirmed delivered on September 30, 2016.
- 14. The above facts also show that Respondent did not correct the errors and file an amended 2016 P7 Report within seven days of receiving notification from the filing officer that his 2016 P7 Report was incomplete.

Based upon these facts and circumstances, I recommend that the Commission find probable cause to charge Respondent with the following:

Count 1:

On or about October 7, 2016, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when Respondent failed to file an addendum to his 2016 P7 Report within seven days of receiving notice from the filing officer that his 2016 P7 Report was incomplete.

Respectfully submitted March ______, 2017,

Eric M. Lipman General Counsel

I reviewed this Staff Recommendation this the day of March 2017.

Amy McKeever Toman Executive Director

Calendar of Reporting Dates

for 2016 Candidates registered with the Division of Elections

Cover Period	Report Code	Due Date
12/01/15 - 12/31/15	2015 M12	01/11/16
01/01/16 - 01/31/16	2016 M1	02/10/16
02/01/16 - 02/29/16	2016 M2	03/10/16
03/01/16 - 03/31/16	2016 M3	04/11/16
04/01/16 - 04/30/16	2016 M4	05/10/16
05/01/16 - 05/31/16	2016 M5	06/10/16
06/01/16 - 06/24/16	2016 P1	07/01/16
06/25/16 - 07/08/16	2016 P2	07/15/16
07/09/16 - 07/22/16	2016 P3	07/29/16
07/23/16 - 07/29/16	2016 P4	08/05/16
07/30/16 - 08/05/16	2016 P5	08/12/16
08/06/16 - 08/12/16	2016 P6	08/19/16
08/13/16 - 08/25/16	2016 P7	08/26/16
08/26/16 - 09/02/16	2016 G1	09/09/16
09/03/16 - 09/16/16	2016 G2	09/23/16
09/17/16 - 09/30/16	2016 G3	10/07/16
10/01/16 - 10/07/16	2016 G4	10/14/16
10/08/16 - 10/14/16	2016 G5	10/21/16
10/15/16 - 10/21/16	2016 G6	10/28/16
10/22/16 - 11/03/16	2016 G7	11/04/16

Termination Reports

Cover Period	Report Code	<u>Due Date</u>					
After May Qualifying	TR	08/04/16					
After June Qualifying	TR	09/22/16					
Primary Election.	TR	11/28/16					
General Election	TR	02/06/17					





Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup Candidate Name: Phillip J. Brutus Account: 65237 Name: Fine Days. Amount Amount Election Date Due Type Date Filed Status Appealed Assessed Paid Late Fined 2016 Election • 2/6/2017 TR 2/6/2017 Acct: 65237 11/4/2016 G7 11/5/2016 FEC 1 \$500.00 \$500.00 \$0.00 10/28/2016 G6 10/28/2016 Type: Candidate 10/21/2016 G5 10/18/2016 Search Reset 10/14/2016 G4 10/14/2016 10/7/2016 G3 10/7/2016 9/23/2016 G2 9/24/2016 FEC \$50.00 \$50.00 \$0.00 9/9/2016 G1 9/9/2016 8/26/2016 P7 8/26/2016 8/19/2016 P6 8/19/2016 P5 8/5/2016 8/12/2016 8/5/2016 P4 8/11/2016 APP 6 \$62.50 \$62.50 \$0.00 APP \$212.50 \$212.50 \$0.00 7/29/2016 P3 7/30/2016 0 P3 7/30/2016 CLO 1 \$0.00 \$0.00 \$0.00 7/29/2016 7/15/2016 P2 7/15/2016 7/1/2016 P1 7/1/2016 6/10/2016 M5 6/1/2016 5/10/2016 M4 5/10/2016 4/11/2016 M3 4/11/2016 3/10/2016 M2 3/10/2016

ATTACHMENT B

FLORIDA ELECTIONS COMMISSION REPORT OF INVESTIGATION

Case No.: FEC 16-588

Respondent: Phillip J. BrutusCounsel for Respondent: n/a

Complainant: Division of Elections

Counsel for Complainant: n/a

On October 18, 2016, the Florida Elections Commission ("Commission") received a sworn complaint alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statute:

Section 106.07(2)(b)1, Florida Statutes, failure of the treasurer of a candidate to file an addendum to an incomplete report after receiving notice from the filing officer.

I. Preliminary Information:

- 1. Respondent was a candidate for State Senator, District 38. He was defeated in the 2016 general election.
 - 2. Complainant is the Division of Elections (DOE).
- 3. Respondent's filing officer is Kristi Reid-Bronson, Chief, Bureau of Election Records.

II. Alleged Violation of Section 106.07(2)(b)1, Florida Statutes:

- 4. I investigated whether Respondent violated this section of the election laws by not filing an addendum to the 2016 P7 Report, after receiving notice that it was incomplete.
- 5. A DOE staff representative, Kristi Reid-Bronson, submitted a sworn affidavit dated October 14, 2016 regarding Respondent's failure to file an addendum to the 2016 P7 Report. To view a copy of the October 14, 2016 sworn affidavit, refer to exhibit 1.
- 6. On February 9, 2016, Respondent filed his original Appointment of Campaign Treasurer and Designation of Campaign Depository form (DS-DE 9) with his filing officer. Respondent appointed himself as his own campaign treasurer. To view a copy of Respondent's DS-DE 9 form, refer to exhibit 2.
- 7. On February 10, 2016, Complainant mailed Respondent a letter acknowledging receipt of the DS-DE 9 form and informing him that his name had been placed on the 2016 active candidate list. To view a copy of the February 10, 2016 acknowledgement letter, refer to exhibit 3.

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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". To view a copy of the February 10, 2016 acknowledgement letter, refer to exhibit 3.

17. On February 9, 2016, Respondent filed his Statement of Candidate for State Senate, District 38 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 9.

Respectfully submitted on February 21, 2017.

Cedric Oliver

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Investigation Specialist

Current address of Respondent

The Honorable Phillip J. Brutus 4000 North State Road, Suite 214 Lauderdale Lakes, Fl 33319

Current address of Complainant

Division of Elections 500 South Bronough Street, Room 316 Tallahassee, Fl 32399

Name and Address of Filing Officer:

Ms. Kristi Reid-Bronson Bureau of Election Records Chief 500 South Bronough Street, Room 316 Tallahassee, Fl 32399

Copy furnished to: Mr. David Flagg, Investigations Manager





REPORT OF INVESTIGATION Phillip J. Brutus -- FEC 16-588

LIST OF EXHIBITS					
Exhibits #s Description of Exhibits					
Exhibit 1	Sworn affidavit from Kristi Reid-Bronson				
Exhibit 2	Respondent's DS-DE 9 form				
Exhibit 3	Acknowledgement Letter				
Exhibit 4	August 30, 2016 failure-to-amend letter				
Exhibit 5	September 12, 2016 failure-to-amend letter				
Exhibit 6	September 27, 2016 Final Notice failure-to-amend letter				
Exhibit 7	Respondent's filing history/2016 P7 Queued-Transaction Report				
Exhibit 8	Email from Kristi Reid-Bronson				
Exhibit 9	Statement of Candidate				



AFFIDAVIT

STATE OF FLORIDA

County of Leon

Kristi Reid Bronson, 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. Representative Phillip J. Brutus (65237) is a 2016 candidate for the office of State Senate.
- 5. On February 9, 2016, Representative Brutus filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division. He appointed himself as treasurer. (See attached documents and acknowledgment letter.)
- 6. On August 30, 2016, the Division mailed Representative Bruce notification that the 2016 P7 campaign treasurer's report was incomplete. (See attached letter.)
- 7. On September 12, 2016, the Division mailed Representative Brutus notification that the 2016 P7 campaign treasurer's report was incomplete. (See attached letter.)
- 8. On September 27, 2016, the Division mailed Representative Brutus final notification with delivery confirmation that the 2016 P7 campaign treasurer's report was incomplete. (See attached letter and delivery confirmation.)

EXHIBIT 1(142)





9. As of October 14, 2016, the 2016 P7 campaign treasurer's report remains incomplete.

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

Signature of Affiant

Swørn to (or affirmed) and subscribed before me this 14th day of October, 2016.

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public **Personally Known**

STACY L. BAGLEY
Commission # FF 985825
Expires April 25, 2020
Bonded Thru Troy Fain Insurance 800-385-7019

EXHIBIT (2 of 2)



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

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

(PLEASE PRINT OR TYPE)



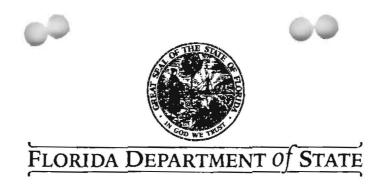
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THASIBH OF DUENTIONS

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NOTE: This form must be on file with the qualifying officer before opening the campaign account.									OFFICE	USE	ONL
1. CHECK APPROPRIATE	BOX(ES	S):									
✓ Initial Filing of Form	Re	filing to Change:	: 🔲 Т	reasu	rer/Deputy		Deposito	ory 🔲	Office		Par
2. Name of Candidate (in	this orde	r: First, Middle, L	ast)		_Address (in ode)	cluc	le post offi	ce box or st	reet, city,	state,	zip
Phillip J. Brutus						ayne	e Bouleva	ard			
4. Telephone	5. E-ma	il address			uite 800						
(305) 790-1038	(305) 790-1038 phillipbrutus@gmail.com North Miami, Florida 33181										
6. Office sought (include district, circuit, group number) 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 part	tisan off	ice, check block	and fil	l in na	ame of party	as	applicable	: My inter	nt is to rui	n as a	
☐ Write-In ☐ No	Party Affi	liation 🔀	Demo	ocrati	С		_	Parl	ty can	didate.	u .
9. I have appointed the fo	llowing	person to act as	s my	X	Campaign 1	rea:	surer	Deputy	Treasure	r	
10. Name of Treasurer or D	Deputy Tr	reasurer					-				
Phillip J. Brutus											
11. Mailing Address								12. Telepi	none		
12550 Biscayne Boule	/ard							(305)	790-10	38	
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February 4			X				very				
Date	Date EXHIBIT Signature of Carnesian Treasurer or Deputy Treasurer										



RICK SCOTT Governor **KEN DETZNER**Secretary of State

February 10, 2016

The Honorable Phillip J. Brutus 12550 Biscayne Boulevard, Suite 800 North Miami, Florida 33181

Dear Representative Brutus:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Senator, which was placed on file in our office on February 09, 2016. Your name has been placed on the 2016 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on March 10, 2016. The report will cover the period of February 1-29, 2016 (M2). 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

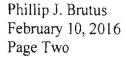
Below is the web address to access the EFS and your user identification number. The enclosed sealed envelope contains your initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. You, your campaign treasurer, and deputy 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: 65237

EXHIBIT 3 (1043)





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.

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.

Phillip J. Brutus February 10, 2016 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/jq

Enclosures

EXHIBIT 3(3af3)

Florida Department of State - Division of Elections

Error Report

Candidate: Phillip J. Brutus Office: STS

Report: 2016 P7 (11) **Covering Period:** 8/13/16 - 8/25/16 **Account:** 65237

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(penditures										
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and Transfers

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FLORIDA DEPARTMENT OF STATE

Ken Detzner Secretary of State

DIVISION OF ELECTIONS

Second Notice

September 12, 2016

Phillip J. Brutus 12550 Biscayne Boulevard Suite 800 North Miami, FL 33181

Re: CAN 65237

Dear Representative Brutus:

On August 30, 2016, you were advised that one or more of your campaign treasurer's reports were incomplete and that you had 7 days to provide the requested information.

The Division's electronic filing system indicates that the required information has not been provided. Pursuant to Section 106.22, Florida Statutes, the Division is required to notify the Florida Elections Commission of the failure to provide information required by Chapter 106. Accordingly, if the information requested in our prior notice is not received within 7 days of receipt of this letter, we will refer this matter to the Commission. A second copy of the error report is attached for your convenience.

Sincerely,

Kristi Reid Bronson, Chief Bureau of Election Records

Attachment

Florida Department of State - Division of Elections

Error Report

Office: STS Candidate: Phillip J. Brutus Report: 2016 P7 (11)Covering Period: 8/13/16 - 8/25/16 Account: 65237 ntributions <u>Address</u> City/State/Zip Expenditure Purpose Type Amount Date Name Amend X \$0.00 *The Transaction Date Is Either Before Or After The Report Coverage Period *Invalid Expenditure Type *Amount is Zero *No Value Provided For Last Name Field *No Address Was Provided *No City Was Provided In The Address *No State Was Provied In The Address *Missing Expenditure Purpose Х \$0.00 *The Transaction Date Is Either Before Or After The Report Coverage Period *Invalid Expenditure Type *Amount is Zero *No Value Provided For Last Name Field *No Address Was Provided *No City Was Provided In The Address *No State Was Provied In The Address

and Transfers

*Missing Expenditure Purpose

ther Distribution



FLORIDA DEPARTMENT OF STATE

Ken Detzner

Secretary of State

DIVISION OF ELECTIONS

FINAL NOTICE

Delivery Confirmation:

USPS TRACKING # & CUSTOMER RECEIPT

9114 9014 9645 0630 6767 20 For Tracking or Inquiries go to USPS.com or call 1-800-222-1811.

September 27, 2016

Phillip J. Brutus 12550 Biscayne Boulevard Suite 800 North Miami, FL 33181

Re: CAN 65237

Dear Representative Brutus:

You have previously been advised that one or more campaign treasurer's reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this letter to correct errors or provide missing information. If the information has been reported accurately, you must provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that if you fail to comply with this request, the Division will forward this matter to the Florida Elections Commission for further action. Section 106.265(1), Florida Statutes, authorizes the Florida Elections Commission to impose civil penalties of up to \$1,000 per violation.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Bronson

Chief, Bureau of Election Records

Attachment

EXHIBIT 6(1043)

Florida Department of State - Division of Elections

Error Report

Candidate: Phillip J. Brutus Office: STS **Report**: 2016 P7 (11)**Covering Period:** 8/13/16 - 8/25/16 Account: 65237

Contributions

Ex

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Fund Transfers

Other Distributions





English Customer Service Register / Sign In

ALERT: The Postal Service is monitoring the progress of Hurricane Matthew. Check for updates on which service areas may be affected. Read More.

■USPS.COM^{*}

USPS Tracking®

Still Have Questions? Browse our FAQs >

Available Actions

Text Updates

Email Updates



Get Easy Tracking Updates > Sign up for My USPS.

Tracking Number: 9114901496450630676720

Updated Delivery Day: Friday, September 30, 2016

Product & Tracking Information

Postal Product:

Features:

USPS Tracking[®]

DATE & TIME

STATUS OF ITEM

LOCATION

September 30, 2016, 1:17

Delivered, In/At Mailbox

MIAMI, FL 33181

Your item was delivered in or at the mailbox at 1:17 pm on September 30, 2016 in MIAML FL 33181

September 29, 2016, 3:04

Arrived at Post Office

MIAMI, FL 33181

September 29, 2016, 8:35

Arrived at USPS Facility

MIAMI. FL 33181

September 29, 2016 . 5:21

Departed USPS Facility

OPA LOCKA, FL 33054

September 28, 2016, 9:20

Arrived at USPS Facility

OPA LOCKA, FL 33054

September 27, 2016, 9:50

Arrived at USPS Facility

TALLAHASSEE, FL 32301

Track Another Package

Tracking (or receipt) number

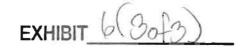
Track It

Manage Incoming Packages

Track all your packages from a dashboard No tracking numbers necessary

Sign up for My USPS >









Account: 65237

STS 038 Phillip J. Brutus

Rpt Seq: 11

ProcessDescription	Status	Submitter	Created	LastUpdate
Create Pending Report	Processing Complete	65237	8/26/2016 7:55:59 PM	8/26/2016 7:55:59 PM
File Pending Report	Processing Complete	65237	8/26/2016 8:09:25 PM	8/26/2016 8:09:25 PM
Review Filed Report	Processing Complete	ejrowlette	8/29/2016 4:07:18 PM	8/29/2016 4:07:18 PM
Review Filed Report	Processing Complete	65237	9/24/2016 7:18:21 AM	9/24/2016 7:18:21 AM
Review Filed Report	Processing Complete	65237	9/24/2016 7:19:29 AM	9/24/2016 7:19:29 AM
Review Filed Report	Processing Complete	njtaylor	11/2/2016 3:06:16 PM	11/2/2016 3:06:16 PM
Amend Filed Report	Processing Complete	65237	12/27/2016 6:39:30 PM	12/27/2016 6:39:30 PM
Recalc Pending Report Total	Processing Complete	65237	12/27/2016 6:40:21 PM	12/27/2016 6:40:21 PM
Recalc Pending Report Total	Processing Complete	65237	12/27/2016 6:40:45 PM	12/27/2016 6:40:45 PM
Review Pending Report	Processing Complete	65237	12/27/2016 6:40:57 PM	12/27/2016 6:40:57 PM
File Pending Report	Processing Complete	65237	12/27/2016 6:41:33 PM	12/27/2016 6:41:33 PM





RE: Acct #65237 Bronson, Kristi R.

to:

Cedric Oliver

02/20/2017 01:08 PM

Hide Details

From: "Bronson, Kristi R." < Kristi.Bronson@DOS.MyFlorida.com>

To: Cedric Oliver < Cedric.Oliver@myfloridalegal.com >

Cedric - yes

Joel – send transaction report to Cedric.

Regards,

Kristi Reid Bronson, Chief Division of Elections, Bureau of Election Records (850) 245-6240

This response is provided for reference only and does not constitute legal advice or representation. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult a private attorney before drawing any legal conclusions or relying upon the information provided. Please note: Florida has a very broad public records law. Written communications to or from state officials regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

From: Cedric Oliver [mailto:Cedric.Oliver@myfloridalegal.com]

Sent: Friday, February 17, 2017 7:55 AM

To: Bronson, Kristi R. Subject: Acct #65237

Hey Kristi! Has the 2016 P7 Report been amended at this time? Is it considered correct and complete? Can I please have a copy of the queued transaction report for this report as well? Thank you!!

The Department of State is committed to excellence. Please take our <u>Customer Satisfaction Survey</u>.





STATEMENT OF CANDIDATE

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

DEPARTMENT OF STATE

2016 FEB -9 PM 1: 38

DIVISION OF SEED FIONS TAL AHASSEE, FL

١,	P	hi	lli	o E	3r	uti	JS
			_				

candidate for the office of State Senate District 38

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

Ignature of Candidate

2/4/16

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).

EXHIBIT____9

X



FLORIDA ELECTIONS COMMISSION

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

January 23, 2017

Phillip J. Brutus 170 Northwest 139 Street Miami, FL 33168

RE: Case No.: FEC 16-588; Respondent: Phillip J. Brutus

Dear Mr. Brutus:

On October 18, 2016, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more legally sufficient allegations. The Commission staff will investigate the following alleged violation:

Section 106.07(2)(b)1., Florida Statutes: Respondent, a 2016 candidate for the office of State Senate, acting as his own treasurer, failed to timely make necessary amendments to the 2016 P7 campaign treasurer's report, as alleged in the complaint.

You may respond to the allegation above by filing a notarized statement providing any information regarding the facts and circumstances surrounding the allegation. Your response will be included as an attachment to the investigator's report.

When we conclude the investigation, a copy of the Report of Investigation will be mailed to you at the above address. You may file a response to the report within 14 days from the date the report is mailed to you. Based on the results of the investigation, legal staff will make a written recommendation to the Commission on whether there is probable cause to believe you have violated Chapter 104 or 106, Florida Statutes. A copy of the Staff Recommendation will be mailed to you and you may file a response within 14 days from the date the recommendation is mailed to you. Your timely filed response(s) will be considered by the Commission when determining probable cause.

The Commission will then hold a hearing to determine whether there is probable cause to believe you have violated Chapters 104 or 106, Florida Statutes. You and the complainant will receive a notice of hearing at least 14 days before the hearing. The notice of hearing will indicate the location, date, and time of your hearing. You will have the opportunity to make a brief oral

statement to the Commission, but you will not be permitted to testify or call others to testify, or introduce any documentary or other evidence.

At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement.

The Report of Investigation, Staff Recommendation, and Notice of Hearing will be mailed to the above address as this letter. Therefore, if your address changes, you must notify this office of your new address. Otherwise, you may not receive these important documents. Failure to receive the documents will not delay the probable cause hearing.

Under section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are <u>confidential</u> until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you unless you waive confidentiality in writing. The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her.

If you have any questions or need additional information, please contact Cedric Oliver, the investigator assigned to this case.

Sincerely.

Amy McKeeyer Toman

Executive Director

AMT/enr

DIVISION OF ELECTIONS FEC NOTICE FORM

TIECEIVED

7016 GET 18 P 3 29

CTUTE OF EL COIDA

To FEC from Division of Elections

Name:

Phillip J. Brutus

Account Number:

65237

Candidate:

Phillip J. Brutus

Treasurer:

Phillip J. Brutus

Person Named/Notified: Phillip J. Brutus

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to sections 106.22(7) and 106.25, Florida Statutes. An apparent violation of Chapter 106, F.S., has occurred based upon a failure to file addendums after notice as required by section 106.07(2)(b)1., Florida Statutes, for the following report(s):

2016 P7

Sent By: Kristi Reid Bronson

Date:

October 14, 2016 KRB

ejr

AFFIDAVIT

STATE OF FLORIDA

County of Leon

Kristi Reid Bronson, 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. Representative Phillip J. Brutus (65237) is a 2016 candidate for the office of State Senate.
- 5. On February 9, 2016, Representative Brutus filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division. He appointed himself as treasurer. (See attached documents and acknowledgment letter.)
- 6. On August 30, 2016, the Division mailed Representative Bruce notification that the 2016 P7 campaign treasurer's report was incomplete. (See attached letter.)
- 7. On September 12, 2016, the Division mailed Representative Brutus notification that the 2016 P7 campaign treasurer's report was incomplete. (See attached letter.)
- 8. On September 27, 2016, the Division mailed Representative Brutus final notification with delivery confirmation that the 2016 P7 campaign treasurer's report was incomplete. (See attached letter and delivery confirmation.)

9. As of October 14, 2016, the 2016 P7 campaign treasurer's report remains incomplete.

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

Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 14th day of October, 2016.

Signature of Clotary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public Personally Known

STACY L. BAGLEY
Commission # FF 985625
Expires April 25, 2020
Bended Turn Tray Fain Insurance 200-385-7019

APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES

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

(PLEASE PRINT OR TYPE)

HAND DELIVERE

RECRIVED DEPARTMENT OF STATE

2016 FEB -9 PM 1: 38

AVASSEE, FL

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Phillip J. Brutus				-		Bisc	ayne	Boule	evard				
4. Telephone	5. E-ma	il address		S	uite	800	•						
(305) 790-1038	phillipbi	rutus@gmail.c	itus@gmail.com North Miami, Florida 33181										
6. Office sought (include district, circuit, group number) 7. If a candidate for a <u>nonpartisan</u> office, che applicable: My intent is to run as a Write-In car													
8. If a candidate for a par	<u>tisan</u> offi	ce, check block	and fill	in na	ame (of par	ty as	applica	ble: A	dy inter	nt is to rur	as a	
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10. Name of Treasurer or I	Deputy Tr	easurer									-		
Phillip J. Brutus													
11. Mailing Address									12.	Telepi	none		
12550 Biscayne Boule	vard								(3	305)	790-103	38	
13. City	14. C	ounty	15. St	ate		Zip Co	ode	17. E-	mail add	dress			
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STATEMENT OF CANDIDATE

(Section 106.023, F.S.)
(Please print or type)

OFFICE USE ONLY DEPARTMENT OF STATE 2016 FEB -9 PM 1: 38 DIVISION OF SECUTIONS TALLAHASSEC, FL

I, Phillip Brutus ,										
candidate for the office of State Senate District 38;										
have been provided access to read and understand the requirements of										
Chapter 106, Florida Statutes.										
X 2/4/16 Signature of Candidate 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).



Governor

KEN DETZNER
Secretary of State

February 10, 2016

The Honorable Phillip J. Brutus 12550 Biscayne Boulevard, Suite 800 North Miami, Florida 33181

Dear Representative Brutus:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Senator, which was placed on file in our office on February 09, 2016. Your name has been placed on the 2016 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on March 10, 2016. The report will cover the period of February 1-29, 2016 (M2). 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: 65237



Phillip J. Brutus February 10, 2016 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.

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.

Phillip J. Brutus February 10, 2016 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.

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Please let me know if you need additional information.

Sincerely,

Kristi Reid Bronson, Chief Bureau of Election Records

KRB/jq

Enclosures



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State
DIVISION OF ELECTIONS

August 30, 2016

Phillip J. Brutus 12550 Biscayne Boulevard Suite 800 North Miami, FL 33181

Re: CAN 65237

Dear Representative Brutus:

The Division of Elections has determined that one or more campaign reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this notice to file an amended report to correct errors or provide missing information. If the information has been reported accurately, provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that failure to supply this information within the time allowed may constitute a violation of Chapter 106, Florida Statutes.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Bronson

Chief, Bureau of Election Records

Florida Department of State - Division of Elections

Error Report

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FLORIDA DEPARTMENT OF STATE

Ken Detzner Secretary of State

DIVISION OF ELECTIONS

Second Notice

September 12, 2016

Phillip J. Brutus 12550 Biscayne Boulevard Suite 800 North Miami, FL 33181

Re: CAN 65237

Dear Representative Brutus:

On August 30, 2016, you were advised that one or more of your campaign treasurer's reports were incomplete and that you had 7 days to provide the requested information.

The Division's electronic filing system indicates that the required information has not been provided. Pursuant to Section 106.22, Florida Statutes, the Division is required to notify the Florida Elections Commission of the failure to provide information required by Chapter 106. Accordingly, if the information requested in our prior notice is not received within 7 days of receipt of this letter, we will refer this matter to the Commission. A second copy of the error report is attached for your convenience.

Sincerely,

Kristi Reid Bronson, Chief Bureau of Election Records

1/12/2016

Floride Department of State - Division of Elections

Page 1

Error Report

andidate:	Phillip J. Brutus			Office: STS							
Report:	2016 P7 (11)	Covering Period: 8/13	/16 - 8/25/16	Account: 65237							
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FLORIDA DEPARTMENT OF STATE

Ken Detzner Secretary of State

DIVISION OF ELECTIONS

FINAL NOTICE

Delivery Confirmation:

USPS TRACKING # & CUSTOMER RECEIPT

9114 9014 9645 0630 6767 20 For Tracking or Inquiries go to USPS.com or call 1-800-222-1811.

September 27, 2016

Phillip J. Brutus 12550 Biscayne Boulevard Suite 800 North Miami, FL 33181

Re: CAN 65237

Dear Representative Brutus:

You have previously been advised that one or more campaign treasurer's reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this letter to correct errors or provide missing information. If the information has been reported accurately, you must provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that if you fail to comply with this request, the Division will forward this matter to the Florida Elections Commission for further action. Section 106.265(1), Florida Statutes, authorizes the Florida Elections Commission to impose civil penalties of up to \$1,000 per violation.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Bronson

Chief, Bureau of Election Records

9/27/2016

Florida Department of State - Division of Elections

Page 1

Office: STS Candidate: Phillip J. Brutus

Covering Period: 8/13/16 - 8/25/16 Report: 2016 P7 (11)Account: 65237

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English

Customer Service

USPS Mobile

Register / Sign In

ALERT. The Postal Service is monitoring the progress of Humcane Matthew. Check for updates on which service areas may be affected. Read More.

BUSPS.COM

USPS Tracking®

Still Have Questions? Browse our FAQs :

Available Actions

Text Updates

Email Updates



Get Easy Tracking Updates Sign up for My USPS.

Tracking Number: 9114901496450630676720

Updated Delivery Day: Friday, September 30, 2016

Product & Tracking Information

Postal Product:

Features:

USPS Tracking®

DATE & TIME

STATUS OF ITEM

LOCATION

September 30, 2018, 1:17

Delivered, In/At Mailbox

MIAMI, FL 33181

Your item was delivered in or at the mailbox at 1.17 pm on September 30, 2016 in MIAMI, FL 3.3181

September 29, 2016 . 3.04

Arrived at Post Office

MIAMI, FL 33181

September 29, 2016, 8:35

Arrived at USPS Facility

MIAMI, FL 33181

September 29, 2016, 5:21

Departed USPS Facility

OPA LOCKA, FL 33054

September 28, 2016, 9:20

Arrived at USPS Facility

OPA LOCKA, FL 33054

September 27, 2016, 9:50

Amved at USPS Facility

TALLAHASSEE, FL 32301

Track Another Package

Tracking (or receipt) number

Track !!

Manage Incoming Packages

Track all your packages from a dashboard No tracking numbers necessary

Sign up for My USPS



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Erin Riley Florida Elections Commission 107 W Galnes Street Suite 224 Tallahassee, FL 32399



FIRST-CLASS MAIL

Hasler 10/24/2016 US POSTAGE

\$04.879

ZIP 32301 011011648826

Phillip J. Brutus 170 Northwest 139 Street Miami, FL 33168-3168

2016 DEC 29 🗁 3: 45

RECEIVED

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326 SE 1

7212/24/16

RETURN TO SENDER UNCLAIMED UNABLE TO FORWARD

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DIVISION OF ELECTIONS FEC NOTICE FORM

RECEIVED

7016 OCT 18 P 3 29

STATE OF FLORIDA

To FEC from Division of Elections

Name:

Phillip J. Brutus

Account Number:

65237

Candidate:

Phillip J. Brutus

Treasurer:

Phillip J. Brutus

Person Named/Notified: Phillip J. Brutus

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to sections 106.22(7) and 106.25, Florida Statutes. An apparent violation of Chapter 106, F.S., has occurred based upon a failure to file addendums after notice as required by section 106.07(2)(b)1., Florida Statutes, for the following report(s):

2016 P7

Sent By:

Kristi Reid Bronson

Date:

October 14, 2016

AFFIDAVIT

STATE OF FLORIDA

County of Leon

Kristi Reid Bronson, 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. Representative Phillip J. Brutus (65237) is a 2016 candidate for the office of State Senate.
- 5. On February 9, 2016, Representative Brutus filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division. He appointed himself as treasurer. (See attached documents and acknowledgment letter.)
- 6. On August 30, 2016, the Division mailed Representative Bruce notification that the 2016 P7 campaign treasurer's report was incomplete. (See attached letter.)
- 7. On September 12, 2016, the Division mailed Representative Brutus notification that the 2016 P7 campaign treasurer's report was incomplete. (See attached letter.)
- 8. On September 27, 2016, the Division mailed Representative Brutus final notification with delivery confirmation that the 2016 P7 campaign treasurer's report was incomplete. (See attached letter and delivery confirmation.)

9. As of October 14, 2016, the 2016 P7 campaign treasurer's report remains incomplete.

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

Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 14th day of October, 2016.

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public **Personally Known**

STACY L. BAGLEY
Commission # FF 985625
Expires April 25, 2020
Bonded Thru Troy Fain Insurance 800-385-7019

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

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

(PLEASE PRINT OR TYPE)

HAND DELIVERE

RECRIVED DEPARTMENT OF STAIL

2016 FEB -9 PM 1: 38

TAL AMASSEE, FL

NOTE: This form must I officer before opening the							OFFIC	E USE	ONI			
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Phillip J. Brutus					code) 12550	Biscayn	e Boule	evard				
4. Telephone	5. E-ma	il address		11.0	Suite							
(305) 790-1038	phillipbi	rutus@gmail.d	com	ļ	North	Miami, F	lorida 3	33181				
6. Office sought (include of State Senate District 38			7. If a candapplica	ble:			a Write-					
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												
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9. I have appointed the fo	liowing	person to act as	s my	X	Cam	paign Trea	surer		Deputy	Treasur	er	
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12550 Biscayne Boulev	/ard							(3	305)	790-10	38	
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North Miami	Miam	i-Dade	Florida	da 33181 phillipbrutus@gmail.com								
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STATEMENT OF CANDIDATE

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY DEPART MONTHS STAIL

2016 FEB -9 PM 1:38

DIVISION OF ELECTIONS TALLAHASSEE, FL

I, Phillip Brutus	1											
candidate for the office of State Senate District 38												
have been provided access to read and understand the requirements of												
Chapter 106, Florida Statutes.												
X 2/4/16 Signature of Candidate Date												
Date 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).



Governor

KEN DETZNERSecretary of State

February 10, 2016

The Honorable Phillip J. Brutus 12550 Biscayne Boulevard, Suite 800 North Miami, Florida 33181

Dear Representative Brutus:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Senator, which was placed on file in our office on February 09, 2016. Your name has been placed on the 2016 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **March 10, 2016**. The report will cover the period of February 1-29, 2016 (M2). 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: 65237



Phillip J. Brutus February 10, 2016 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.

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.

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Phillip J. Brutus February 10, 2016 Page Three

Instructions and Assistance

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Please let me know if you need additional information.

Sincerely,

Kristi Reid Bronson, Chief Bureau of Election Records

KRB/jq

Enclosures



FLORIDA DEPARTMENT OF STATE Ken Detzner Secretary of State

DIVISION OF ELECTIONS

August 30, 2016

Phillip J. Brutus 12550 Biscayne Boulevard Suite 800 North Miami, FL 33181

Re: CAN 65237

Dear Representative Brutus:

The Division of Elections has determined that one or more campaign reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this notice to file an amended report to correct errors or provide missing information. If the information has been reported accurately, provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that failure to supply this information within the time allowed may constitute a violation of Chapter 106, Florida Statutes.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Bronson

Chief, Bureau of Election Records

Florida Department of State - Division of Elections

Error Report

Office: STS Candidate: Phillip J. Brutus Account: 65237 Report: 2016 P7 (11)Covering Period: 8/13/16 - 8/25/16

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FLORIDA DEPARTMENT OF STATE

Ken Detzner Secretary of State

DIVISION OF ELECTIONS

Second Notice

September 12, 2016

Phillip J. Brutus 12550 Biscayne Boulevard Suite 800 North Miami, FL 33181

Re: CAN 65237

Dear Representative Brutus:

On August 30, 2016, you were advised that one or more of your campaign treasurer 's reports were incomplete and that you had 7 days to provide the requested information.

The Division's electronic filing system indicates that the required information has not been provided. Pursuant to Section 106.22, Florida Statutes, the Division is required to notify the Florida Elections Commission of the failure to provide information required by Chapter 106. Accordingly, if the information requested in our prior notice is not received within 7 days of receipt of this letter, we will refer this matter to the Commission. A second copy of the error report is attached for your convenience.

Sincerely,

Kristi Reid Bronson, Chief Bureau of Election Records

Florida Department of State - Division of Elections

Error Report

Candidate: Phillip J. Brutus Office: STS **Report: 2016 P7** (11)Covering Period: 8/13/16 - 8/25/16 Account: 65237 ntributions penditures City/State/Zip Address Type **Expenditure Purpose** Date Name Amount Amend X 2 \$0.00 *The Transaction Date Is Either Before Or After The Report Coverage Period *Invalid Expenditure Type *Amount is Zero *No Value Provided For Last Name Field *No Address Was Provided *No City Was Provided In The Address *No State Was Provied in The Address *Missing Expenditure Purpose 3 X \$0.00 *The Transaction Date Is Either Before Or After The Report Coverage Period *Invalid Expenditure Type *Amount is Zero *No Value Provided For Last Name Field *No Address Was Provided *No City Was Provided In The Address

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FLORIDA DEPARTMENT OF STATE

Ken Detzner Secretary of State

DIVISION OF ELECTIONS

FINAL NOTICE

Delivery Confirmation:

USPS TRACKING # & CUSTOMER RECEIPT

9114 9014 9645 0630 6767 20 For Tracking or Inquiries go to USPS.com or call 1-800-222-1811.

September 27, 2016

Phillip J. Brutus 12550 Biscayne Boulevard Suite 800 North Miami, FL 33181

Re: CAN 65237

Dear Representative Brutus:

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If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Bronson

Chief, Bureau of Election Records

Florida Department of State - Division of Elections

Error Report

Candidate: Phillip J. Brutus Office: STS

Report: 2016 P7 **Covering Period:** 8/13/16 - 8/25/16 Account: 65237 (11)

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		*No State Was Provied	d In The Address					
		*Missing Expenditure	Purpose					

Fund Transfers

Other Distributions

English

Customer Service

USPS Mobile

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ALERT: The Postal Service is monitoring the progress of Hurricane Matthew. Check for updates on which service areas may be affected. Read More.

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USPS Tracking®

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Available Actions

Text Updates

Email Updates



Get Easy Tracking Updates > Sign up for My USPS.

Tracking Number: 9114901496450630676720

Updated Delivery Day Friday, September 30, 2016

Product & Tracking Information

Postal Product:

USPS Tracking®

DATE & TIME

STATUS OF ITEM

LOCATION

September 30, 2016, 1:17

Delivered, In/At Mailbox

MIAMI, FL 33181

Your item was delivered in or af the mailbox at 1.17 pm on September 30, 2016 in MIAMI, FL 33181

September 29, 2016 . 3:04

Arrived at Post Office

MIAMI, FL 33181

September 29, 2016, 8.35

Arrived at USPS Facility

MIAMI, FL 33181

September 29, 2016, 5:21

Departed USPS Facility

OPA LOCKA, FL 33054

September 28, 2016, 9:20

Arrived at USPS Facility

OPA LOCKA, FL 33054

September 27, 2016, 9:50

Arrived at USPS Facility

TALLAHASSEE, FL 32301

Track Another Package

Tracking (or receipt) number

Truck It

Manage Incoming Packages

Track all your packages from a dashboard No tracking numbers necessary

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