

FILED

15 MAR 20 AM 2:28

STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Stephen P. Sather

Case No.: FEC 14-388

F.O. No.: FOFEC 15-040 W

CONSENT FINAL ORDER

Respondent, Stephen P. Sather, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order:

FINDINGS OF FACT

1. On October 23, 2014, a complaint was filed with the Commission alleging that Respondent violated Chapter 106, Florida Statutes
2. Respondent expressed a desire to enter into negotiations directed toward reaching a consent agreement.
3. Respondent and the staff stipulate to the following facts:
 - a. Respondent was a candidate for New Smyrna Beach City Commission, Zone 2, during the 2014 election cycle
 - b. Respondent served as his own Campaign Treasurer during the 2014 election cycle.
 - c. Respondent filed his 2014 G3 Report on October 3, 2014, and certified that the report was true, correct, and complete when it was not. Respondent misreported the total amount of "Contributions This Report" and "Expenditures This Report," on his 2014 G3 Report.
 - d. During the 2014 G1 reporting cycle, Respondent accepted three cash contributions that were in excess of the \$50 per campaign limit.

CONCLUSIONS OF LAW

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

5. Section 106.25(4)(i)3., Florida Statutes, allows the Commission to approve a consent agreement with a Respondent prior to the Commission finding probable cause that a violation of the election laws occurred. The consent agreement has the same force and effect as a consent agreement reached after the Commission finds probable cause.

ORDER

6. The Respondent and the staff of the Commission have entered into this Consent Order voluntarily and upon advice of counsel.

7. The parties shall each bear its own attorney's fees and costs that are in any way associated with this case.

8. The Commission will consider the Consent Order at its next available meeting.

9. The Respondent voluntarily waives the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal the Consent Order.

10. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. Respondent expressly waives any venue privileges and agrees that if enforcement of this Consent Order is necessary, venue shall be in Leon County, Florida, and Respondent shall be responsible for all fees and costs associated with enforcement.

11. If the Commission does not receive the signed Consent Order by the close of business on January 7, 2015, the staff withdraws this offer of settlement and will proceed with the case.

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

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

PENALTY

WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated the following provisions of Chapters 106, Florida Statutes, and imposes the following fines:

A. Respondent has violated Section 106.07(5), Florida Statutes, when he certified that his 2014 G3 Report was true, correct, and complete when it was not. Respondent is fined \$50.00 for the violation.

B. Respondent has violated Section 106.09(1)(b), Florida Statutes, when he accepted three cash contributions in excess of the \$50 per campaign limit. Respondent is fined \$50 00 for the violation.

Therefore it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$100 00, inclusive of fees and costs. The civil penalty shall be paid by cashier's check, money order, good for at least 120 days, or attorney trust account check. The civil penalty should be made payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

THIS SPACE INTENTIONALLY LEFT BLANK

Respondent hereby agrees and consents to the terms of this Order on

January 7, 2015



Stephen P. Sather
806 E. 14th Avenue
New Smyrna Beach, FL 32169

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

January 13, 2015



Jaakan A. Williams
Assistant General Counsel
Florida Elections Commission
107 West Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held
on February 24 -25, 2015 in Tallahassee, Florida



Chairman
Florida Elections Commission

Copies furnished to:
Jaakan A. Williams, Assistant General Counsel
Stephen P. Sather, Respondent
Jacob D. Sachs, Complainant

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK



CASHIER'S CHECK

9577600826 25-3
440

Date 01/08/2015

Void after 7 years

Remitter: STEPHEN P SATHER

Pay To The **FLORIDA ELECTION COMMISSION**
Order Of:

Pay: ONE HUNDRED DOLLARS AND 00 CENTS

** 100.00 **

Do not write outside this box

Memo: _____

Note: For information only. Comment has no effect on bank's payment.

Drawer: JPMORGAN CHASE BANK, N.A.

Faulstich

Senior Vice President
JPMorgan Chase Bank, N A
Columbus, OH

