

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Frank LaRosa

Case No.: FEC 17-004

TO: Frank LaRosa
1147 Navajo Avenue
Lehigh Acres, FL 33936

Robert Anderson
3418 3rd Street West
Lehigh Acres, FL 33971

NOTICE OF HEARING (CONSENT ORDER)

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.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Frank La Rosa
_____ /

**Case No.: FEC 17-004
F.O. No.: FOFEC**

CONSENT FINAL ORDER

Respondent, **Frank La Rosa**, 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 January 12, 2017, a complaint was filed with the Commission alleging that Respondent violated Florida's election laws.
2. On August 27, 2018, the Commission entered an Order of Probable Cause finding there was probable cause to charge the Respondent with violating Sections 106.021(1)(a), 106.19(1)(b), 106.19(1)(c), on one occasion each.
3. Respondent has expressed a desire to enter into negotiations directed toward reaching a consent agreement.
4. Staff states:
 - a. Respondent was a candidate for the Lehigh Acres Fire Control and Rescue District, Seat 3, in the 2016 election.

b. During his campaign, Respondent received an in-kind contribution before filing an Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form.

5. Respondent neither admits nor denies the allegations in paragraph four.

CONCLUSIONS OF LAW

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

7. Respondent neither admits nor denies the facts in paragraph four above.

8. Respondent agrees that staff could prove the facts in paragraph four and that the Commission could impose a fine in this case.

ORDER

9. Respondent and the staff of the Commission have entered into this Consent Order freely and voluntarily.

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

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

12. The Respondent voluntarily waives confidentiality upon approval of the Consent Order by the Commission, the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal this Consent Order.

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

14. Any factual stipulations made by either party in this matter are for the purpose of this Consent Order and shall not be considered as admissions against interest for any other purpose or in any other proceeding.

15. Counts two and three of the Order of Probable Cause are hereby dismissed.

16. Payment by cashier's check, money order, good for at least 120 days, or attorney trust account check is a condition precedent to the Commission's consideration of this Consent Order.

PENALTY

WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent violated Section 106.021(1)(a), Florida Statutes.

Therefore, it is

ORDERED that the Respondent pay the Commission **\$100**, inclusive of fees and costs. The money shall be paid by cashier's check, money order, good for at least 120 days, or attorney trust account check and shall 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 Consent Order on

09-15-, 2018.



Frank La Rosa
1147 Navajo Avenue
Lehigh Acres, Florida 33936

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

09-20, 2018.



Eric M. Lipman
General Counsel
Florida Elections Commission
107 West Gaines Street
The Collins Building, Suite 224
Tallahassee, Florida 32399-1050

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

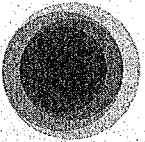
M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Frank La Rosa, Respondent
Robert Anderson, Complainant

THIS IS WATERMARKED PAPER - DO NOT ACCEPT WITHOUT NOTING WATERMARK - HOLD TO LIGHT TO VERIFY WATERMARK

CASHIER'S CHECK

No. 4000820484



Suncoast
Credit Union

63-8281
2631

09/14/18

*** ONE HUNDRED DOLLARS AND 00 CENTS ***

\$100.00

PAY

EXACTLY **100 Dollars 00 Cents**

TO THE
ORDER
OF

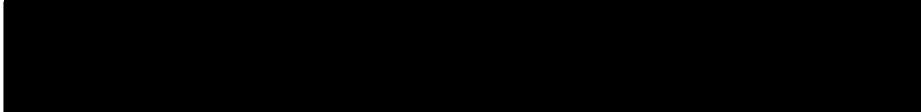
FLORIDA ELECTION COMMISSION

RE: FRANK LAROSA

THE PURCHASE OF AN INDEMNITY BOND MAY BE
REQUIRED BEFORE AN OFFICIAL CHECK OF THIS
CREDIT UNION WILL BE REPLACED OR REFUNDED
IN THE EVENT IT IS LOST, MISPLACED OR STOLEN.

Kevin D. Johnson
VOID AFTER 90 DAYS

Security Features Included (E) Details on back



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18 AUG 27 AM 11:21

STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 17-004

v.

**Frank LaRosa,
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 June 18, 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 violations:

Count 1:

On or about November 3, 2016, Respondent, violated Section 106.021(1)(a), Florida Statutes, when Respondent accepted an in-kind contribution from the *Merchant's Marketer of SW FLA* newspaper prior to appointing a campaign treasurer and designating a campaign depository.

Count 2:

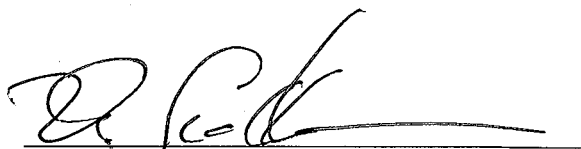
During his campaign, Respondent violated Section 106.19(1)(b), Florida Statutes, when Respondent failed to report an in-kind contribution from the *Merchant's Marketer of SW FLA* newspaper that was required to be reported.

Count 3:

During his 2016 campaign for the Lehigh Acres Fire Control and Rescue District, Seat 4, Respondent violated Section 106.19(1)(c), Florida Statutes, when Respondent deliberately failed to include information required to be reported by Chapter 106, Florida Statutes, on a campaign report.

The Commission further finds that there is no probable cause to charge Respondent with violating Section 106.19(1)(d), 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
Frank LaRosa, Respondent
Robert Anderson, 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: Frank La Rosa

Case No.: FEC 17-004

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 **Sections 106.021(1)(a), 106.19(1)(b), and 106.19(1)(c), Florida Statutes**, and **no probable cause** to charge Respondent with violating **Section 106.19(1)(d), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on May 24, 2018, the following facts and law support this staff recommendation:

1. On January 12, 2017, the Florida Elections Commission (“Commission”) received a complaint from Robert Anderson (“Complainant”) alleging that Frank La Rosa, (“Respondent”) violated Chapter 106, Florida Statutes.
2. Complainant attached what appears to be a copy of a newspaper political advertisement to the complaint. A handwritten note next to the advertisement states, “In the November 3, 2016 Merchant’s Marketer of SW FL.”
3. Respondent was an unsuccessful candidate for the Lehigh Acres Fire Control and Rescue District, Seat 4, in the 2016 election. This was Respondent’s fifth campaign for public office. (ROI Exhibit 3, Attachment A)¹
4. By letter dated May 3, 2017, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

Section 106.021(1)(a), Florida Statutes: Respondent, a 2016 candidate for the Lehigh Acres Fire Control and Rescue District, Seat 4, may have incurred one or more campaign expenses without appointing a treasurer or designating a campaign depository, as alleged in the complaint.

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

Section 106.19(1)(b), Florida Statutes: Respondent, a 2016 candidate for the Lehigh Acres Fire Control and Rescue District, Seat 4, may have failed to report one or more contributions required to be reported by Chapter 106, Florida Statutes, as alleged in the complaint.

Section 106.19(1)(c), Florida Statutes Respondent, a 2016 candidate for the Lehigh Acres Fire Control and Rescue District, Seat 4, may have falsely reported or deliberately failed to include information in one or more campaign reports, as alleged in the complaint.

Section 106.19(1)(d), Florida Statutes: Respondent, a 2016 candidate for the Lehigh Acres Fire Control and Rescue District, Seat 4, may have made or authorized one or more expenditures prohibited by Chapter 106, Florida Statutes, as alleged in the complaint.

Sections 106.021(1)(a), 106.19(1)(b), and 106.19(1)(c), Florida Statutes.

5. Respondent alleged that Respondent failed to file an Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form (“DS-DE 9”) before accepting an in-kind contribution from the *Merchant’s Marketer of SW FLA* newspaper (“Newspaper”) and that Respondent failed to file a campaign report listing the in-kind contribution from the Newspaper.²

6. Section 106.021(1)(a), Florida Statutes, states:

A person may **not accept any contribution or make any expenditure** with a view to bringing about his or her nomination, election, or retention in public office, **or authorize another to accept such contributions or make such expenditure** on the person’s behalf, **unless** such person has **appointed a campaign treasurer and designated a primary campaign depository.** (Emphasis added)

7. On April 14, 2016, Respondent signed a Lee County-Florida Affidavit of Intent, Special District Candidate form (“Affidavit”) in which Respondent agreed that if his only campaign expense was \$25 for the candidate qualifying fee or signature verification fee, he would not need to appoint a campaign treasurer, designate a campaign depository, or file campaign reports. Respondent filed the Affidavit with the Lee County Supervisor of Elections (“LCSOE”) on April 14, 2016. (ROI Exhibit 3; Attachment D, Phone Log Entry 1)

² *Merchant’s Marketer of SW FLA* is a newspaper published by East Side Printing and Publishing, Inc., a Florida Corporation that was administratively dissolved in 2016. (Attachments B and C)

8. When Respondent signed the Affidavit, he also acknowledged that he was prohibited from expending, collecting, soliciting, or accepting any money or in-kind contributions for his campaign. Respondent also agreed to file a DS-DE 9 prior to collecting, soliciting, or accepting a contribution or making any additional campaign expenditures at a later date. (ROI Exhibit 3)

9. On November 3, 2016, the Newspaper made an in-kind contribution to Respondent's campaign when it published a political advertisement for Respondent at no charge. Respondent did not file a DS-DE 9 prior to the Newspaper making its in-kind contribution and Respondent did not file a campaign report disclosing the Newspaper's in-kind contribution. (ROI Exhibit 1; Attachment D, Phone Log Entries 1 and 11)

10. Chuck Hodde of East Side Printing and Publishing Inc. told Investigator Spore that when a candidate approaches him for free advertising, he tells the candidate that he will run the advertisement for free unless the space is filled with a paid advertisement. Mr. Hodde did not remember if Respondent approached him for advertising space. However, Mr. Hodde did remember that Respondent gave him a copy of the information Respondent wanted advertised and the only time Mr. Hodde reached out to Respondent before printing the advertisement was to request a picture. (Attachment D, Phone Log Entry 11)

11. Respondent knew he was required to file a DS-DE 9 with the LCSOE before he solicited or accepted the Newspaper's in-kind contribution, which he did not do. Respondent also knew that if his campaign received any contributions or made any expenditures except the \$25 filing fee or signature verification fee, Respondent was required to file campaign reports listing all contributions received and all expenditures made by his campaign, which he also failed to do. (ROI Exhibit 3 and Attachment D, Phone Log Entry 1)

12. Based on the foregoing facts and circumstances, it appears Respondent may have failed to appoint a campaign treasurer and designate a campaign depository prior to accepting an in-kind contribution. It also appears Respondent may have deliberately failed to include information that was required to be reported when Respondent failed to file a report listing an in-kind contribution to his campaign.

Section 106.19(1)(d), Florida Statutes.

13. Section 106.19(1)(d), Florida Statutes, precludes a candidate from making or authorizing an expenditure prohibited by Chapter 106, Florida Statutes.

14. During staff's investigation, Investigator Spore did not discover and there appears to be no other evidence that Respondent made a prohibited expenditure during his campaign.

15. Based on the foregoing facts and circumstances, it appears Respondent did not make or authorize an expenditure prohibited by Chapter 106, Florida Statutes.

16. In his response to the complaint, Respondent stated that he turned in his resume to the Newspaper as other candidates did, he did not publish an advertisement in the Newspaper, and he turned down all offers of "help, monetary and otherwise." Respondent also denied that he paid for his resume to be published in the Newspaper. (ROI Exhibit 2, page 1)

17. "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)

18. The facts above show that on April 14, 2016, Respondent signed and filed a Lee County-Florida Affidavit of Intent, Special District Candidate form in which Respondent agreed that if his only campaign expense was \$25 for the candidate qualifying fee or a signature verification fee, Respondent would not need to appoint a campaign treasurer, designate a campaign depository, or file campaign treasurer reports.

18. The facts above also show that Respondent was an unsuccessful candidate for the Lehigh Acres Fire Control and Rescue District, Seat 4, in the 2016 election. This was Respondent's fifth campaign for public office. On November 3, 2016, the *Merchant's Marketer of SW FLA* newspaper made an in-kind contribution to Respondent's campaign by publishing a political advertisement for free.

20. Additionally, the facts above show that when Respondent signed his Lee County-Florida Affidavit of Intent, Special District Candidate form, Respondent acknowledged and Respondent knew that if he later decided to accept campaign contributions or make campaign expenditures, Respondent first needed to file an Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form. Also, Respondent agreed that if he later wanted to accept campaign contributions or make campaign expenditures, Respondent would be required to file campaign reports listing all contributions received and all expenditures made by his campaign.

21. Even though Respondent received an in-kind contribution from the *Merchant's Marketer of SW FLA* newspaper after signing his Lee County-Florida Affidavit of Intent, Special District Candidate form, Respondent did not file an Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form before he accepted the in-kind contribution and Respondent failed to file a campaign report listing information about the in-kind contribution he received from the *Merchant's Marketer of SW FLA* newspaper when he was required to do so.

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

Count 1:

On or about November 3, 2016, Respondent, violated Section 106.021(1)(a), Florida Statutes when Respondent accepted an in-kind contribution from the *Merchant's Marketer of SW FLA* newspaper prior to appointing a campaign treasurer and designating a campaign depository.

Count 2:

During his campaign, Respondent violated Section 106.19(1)(b), Florida Statutes, when Respondent failed to report an in-kind contribution from the *Merchant's Marketer of SW FLA* newspaper that was required to be reported.

Count 3:

During his 2016 campaign for the Lehigh Acres Fire Control and Rescue District, Seat 4, Respondent violated Section 106.19(1)(c), Florida Statutes, when Respondent deliberately failed to include information required to be reported by Chapter 106, Florida Statutes, on a campaign report.

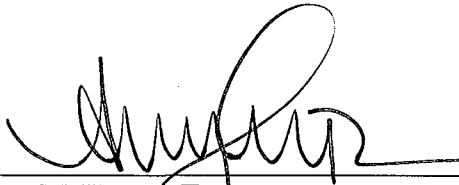
I further recommend that there is no probable cause to charge Respondent with violating Section 106.19(1)(d), Florida Statutes.

Respectfully submitted on June 18, 2018.



Eric M. Lipman
General Counsel

I have reviewed this Staff Recommendation this 10th day of June 2018.



Amy McKeever Toman
Executive Director

Eric Lipman

From: Tammy Lipa <tlipa@lee.vote>
Sent: Thursday, June 07, 2018 12:10 PM
To: Eric Lipman
Cc: Cheryl Futch; Bernie Feliciano
Subject: Questions- La Rosa

Hi Eric,

It has been brought to my attention that the information regarding Frank La Rosa needs to be revised.

Frank LaRosa has run for office 5 times (not 4). He also ran for Lehigh Acres Fire Control District in 2002 and was defeated.

His 2004 successful election to Lee Memorial was for a 2-year term. [Not a 4-year term 2004-2006]

He also ran in 2006 for Lee Memorial and was elected, [2006 -2010]. See below.

2002 - Lehigh Acres Fire Control District 2002 Defeated
2006 - Lee Memorial Health System 2006 - 2010 - Elected

Please accept my apologies for the errors.

Tammy Lipa
Administration Support Specialist
Post Office Box 2545
Fort Myers, FL 33902-2545

Main Number: 239-533-8683

Direct Number: 239-533-6329

tlipa@lee.vote

Visit our website: www.lee.vote

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic email to this entity. Instead, contact this office by phone or in writing.

On Thu, Jun 7, 2018 at 9:53 AM, Eric Lipman <Eric.Lipman@myfloridalegal.com> wrote:

Thank you for the information

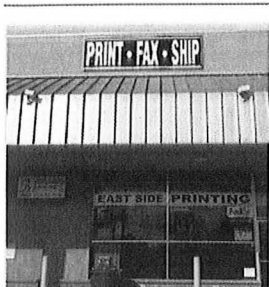
ATTACHMENT A

Email or Phone

Password

Log In

Forgot account?



Merchant's Marketer of SW FLA

@MerchantsMarketer

Home

Posts

Reviews

Photos

About

Community



Like

Share

Send Message

About

Suggest Edits

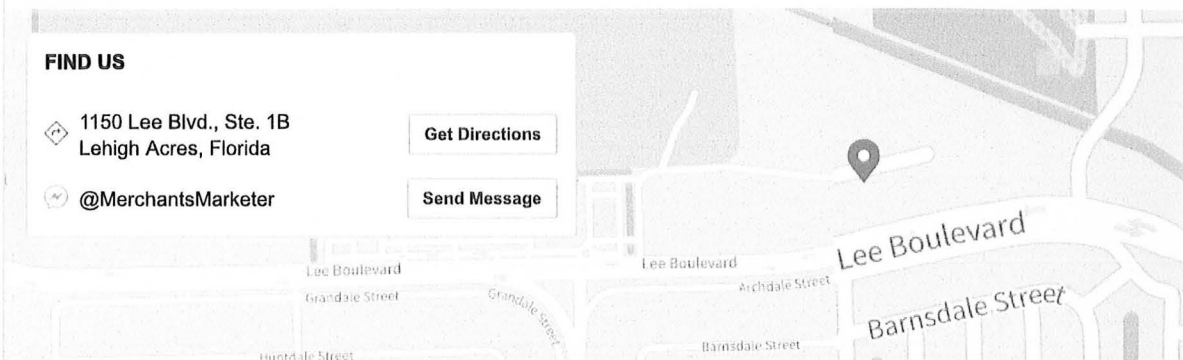
FIND US

1150 Lee Blvd., Ste. 1B
Lehigh Acres, Florida

Get Directions

@MerchantsMarketer

Send Message



HOURS

Open Now 9:00 AM - 5:00 PM

ADDITIONAL CONTACT INFO

eastsideprint@aol.com

https://www.merchantsmarketer.net

MORE INFO

About

Owned and Operated by Chuck and Linda Hodde since 1990.
Published by: East Side Printing & Publishing, Inc.

Publisher

Places Lehigh Acres, Florida Publisher Merchant's Marketer of SW FLA About

See more of Merchant's Marketer of SW FLA on Facebook

or

ATTACHMENT B



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

Detail by Entity Name

Florida Profit Corporation
EAST SIDE PRINTING & PUBLISHING INC.

Filing Information

Document Number	P06000145620
FEI/EIN Number	20-5927394
Date Filed	11/20/2006
Effective Date	12/01/2006
State	FL
Status	INACTIVE
Last Event	ADMIN DISSOLUTION FOR
ANNUAL REPORT	
Event Date Filed	09/22/2017
Event Effective Date	NONE

Principal Address

25 HOMESTEAD RD N
UNIT 29
LEHIGH ACRES, FL 33936

Changed: 04/30/2010

Mailing Address

25 HOMESTEAD RD N
UNIT 29
LEHIGH ACRES, FL 33936

Changed: 04/29/2013

Registered Agent Name & Address

HODDE, CHARLES
25 HOMESTEAD RD NORTH
#29
LEHIGH ACRES, FL 33936

Name Changed: 04/29/2011

Address Changed: 04/29/2011

Officer/Director Detail

Name & Address

ATTACHMENT C, page 1

Title PD

HODDE, CHARLES GJR
 25 HOMESTEAD ROAD N UNIT 29
 LEHIGH ACRES, FL 33936

Annual Reports

Report Year	Filed Date
2014	04/29/2014
2015	04/29/2015
2016	04/30/2016

Document Images

04/30/2016 -- ANNUAL REPORT	View image in PDF format
04/29/2015 -- ANNUAL REPORT	View image in PDF format
04/29/2014 -- ANNUAL REPORT	View image in PDF format
04/29/2013 -- ANNUAL REPORT	View image in PDF format
04/30/2012 -- ANNUAL REPORT	View image in PDF format
04/29/2011 -- ANNUAL REPORT	View image in PDF format
04/30/2010 -- ANNUAL REPORT	View image in PDF format
10/21/2009 -- REINSTATEMENT	View image in PDF format
04/30/2008 -- ANNUAL REPORT	View image in PDF format
04/28/2007 -- ANNUAL REPORT	View image in PDF format
12/15/2006 -- Amendment and Name Change	View image in PDF format
11/20/2006 -- Domestic Profit	View image in PDF format

Florida Department of State, Division of Corporations

ATTACHMENT C, page 2

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 17-004**

Respondent: Frank La Rosa

Complainant: Robert Anderson

1. **Date and time:** April 24, 2017 @ 3:42 p.m.
Name: "Russ" with the Lee County Supervisor of Elections Office (SOE)
Phone #: 239.533.8683
Summary: I telephoned to determine whether Respondent in fact did not file a campaign treasurer's report. I also wanted to verify that the office of Fire Commissioner for the Lehigh Acres Fire Control and Rescue District is a non-partisan office.

When asked, Russ provided the following information:

- Fire Commissioner is a non-partisan office.
- Frank La Rosa (Respondent) qualified as a candidate by paying the \$25 candidate-qualifying fee.
- Frank La Rosa signed a form, pursuant to Section 99.061(3), that he has voluntarily elected to restrict his campaign activity to paying the \$25 candidate-qualifying fee, accept no contributions, and make no additional expenditures.
- The filing officer's file for Frank La Rosa does not include any campaign treasurer's reports.
- The filing officer's file for Frank La Rosa does not include a DS-DE 9 Form completed by Mr. La Rosa.

Memo to File? No

Entered by: dbf

2. **Date and time:** 06/27/2017- 3:29 PM
Name: Complainant
Phone #: 239-245-4815
Summary: I called the number listed for Complainant, and immediately reached a voicemail box. The mailbox was full, and a message stated to try my call later.
Memo to File? No
Entered by: S. Spore
3. **Date and time:** 08/14/17- 2:40 PM
Name: Respondent
Phone #: 239-464-9696
Summary: I called Respondent to follow-up on the questionnaire-affidavit that was mailed to him on July 19, 2017. I reached a generic voicemail, and left a message, asking Respondent to return my call.
Memo to File? No
Entered by: S. Spore

ATTACHMENT D, page 1

4. **Date and time:** 10/17/17- 8:56 AM
Name: Respondent
Phone #: 239-464-9696
Summary: I called Respondent and left a voicemail message, asking for a return call.
Memo to File? No
Entered by: S. Spore

5. **Date and time:** 01/23/18- 11:52 AM
Name: East Side Printing and Publishing/Merchants Marketer of SW FLA
Phone #: 239-368-0100
Summary: I called the number I found online for East Side Printing and Publishing/Merchants Marketer of SW FLA. It rang multiple times, without answer. There was no way to leave a message.
Memo to File? No
Entered by: S. Spore

6. **Date and time:** 03/05/18- 2:29 PM
Name: East Side Printing and Publishing/Merchants Marketer of SW FLA
Phone #: 239-368-0100
Summary: I called the number listed for East Side Printing and Publishing/Merchants Marketer of SW FLA again, and reached a recording stating the number is not accepting incoming calls at this time.
Memo to File? No
Entered by: S. Spore

7. **Date and time:** 05/22/18- 10:55 AM
Name: Tyler Woodby- Candidate for Lehigh Fire Control
Phone #: 239-839-0316
Summary: I found the information for Mr. Woodby, who was also a candidate for Lehigh Fire Control and Rescue District in 2016. I called to ask him if he had been offered to have his resume published in the Merchant's Marketer of SW FL, as I have been unable to contact anyone at that publisher. I reached Mr. Woodby's personalized voicemail box, and let a message, asking for him to return my call.
Memo to File? No
Entered by: S. Spore

8. **Date and time:** 05/22/18- 2:49 PM
Name: Debra Cunningham- Candidate for Lehigh Fire Control
Phone #: 239-462-6668
Summary: I found the information for Ms. Cunningham, who was also a candidate for Lehigh Fire Control and Rescue District in 2016. I called to ask her if she had been offered to have her resume published In the Merchant's Marketer of SW FL for free. I reached a generic voicemail box, and left a message asking her to return my call.
Memo to File? No
Entered by: S. Spore

9. **Date and time:** 05/23/18- 8:54 AM
Name: Tyler Woodby- Candidate for Lehigh Fire Control

ATTACHMENT D, page 2

Phone #: 239-839-0316

Summary: Mr. Woodby returned my call at 6:07 PM on May 22, 2018, after I had left for the day. I returned his call, and spoke with him. I explained I was doing some research for the area, and asked if he remembered being offered to have his candidate resumé published for free in any of the local newspapers in the Lehigh Acres area, or if he had seen any advertisements posted in the Merchant's Marketer of SW FL. He stated he was never approached to place any advertisements in any local newspapers, and had not heard that any candidates had been approached to do so. I thanked him for his help.

Memo to File? No

Entered by: S. Spore

10. **Date and time:** 05/23/18- 9:10 AM

Name: William Liedtke- Candidate for Lehigh Fire Control

Phone #: 239-229-5167

Summary: During my research, I found that Mr. Liedtke had paid \$320.00 for an advertisement in the Merchants Marketer of SW FL newspaper on October 19, 2016. I called and spoke to him regarding this. He stated he paid the \$320.00 for a quarter page advertisement in the Merchants Marketer of SW FL newspaper, which ran in one edition. I asked if he had ever been approached to run his candidate resumé in the newspaper for free, and he stated that he had never been approached to do this, and did not know of any candidates who had. I thanked him for his assistance.

Memo to File? No

Entered by: S. Spore

11. **Date and time:** 06/01/18- 2:40 PM

Name: Chuck Hodde- East Side Printing and Publishing/Merchants Marketer of SW FLA

Phone #: 239-368-0100

Summary: Mr. Hodde called, stating he had received the letter that was sent to him/his business on April 24th. He apologized for not calling sooner, and explained that he is in the process of retiring, and has been closing up his storefront and printer business. He stated that almost all of his business records have been in storage, and it took him awhile to work through his boxes to find information regarding November, 2016.

He informed me that he did run an advertisement for Respondent in the November 2016 newspaper, however, he did not have any invoices or payment receipts to send us, as this was an in-kind donation. I asked if he gave many in-kind donations to candidates, and he stated that he generally go out of his way to do this, unless a candidate approached him and he had free space in his paper. He stated that when a candidate would approach him about running something for them, he would tell the candidate it would be run unless the free space was filled with paying advertisements, and if this happened, they would be out of luck. I asked if Respondent had approached him for advertising space, and he stated that he couldn't remember exactly what had been said, since it was so long ago, however, he recalled Respondent coming in with a copy of information which he asked to be run. He stated that he recalled contacting Respondent before the newspaper was printed, to request a picture for the advertisement, but that that was the only time Mr. Hodde reached out to Respondent for something to include. I asked what the advertisement would cost to run in his newspaper, to get a clear understanding of the in-kind contribution amount. He stated that the advertisement was less than a quarter page, approximately 5 inches tall and 8

ATTACHMENT D, page 3

inches wide. He stated that if he had ascribed a cost to this size advertisement, it would have been around \$190. I thanked him for giving me a call.

Memo to File? No

Entered by: S. Spore

ATTACHMENT D, page 4

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 17-004

Respondent: Frank La Rosa

Complainant: Robert Anderson

On January 12, 2017, the Florida Elections Commission ("Commission") received a sworn complaint alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statutes:

Section 106.021(1)(a), Florida Statutes, incurring one or more campaign expenses without appointing a treasurer or designating a campaign depository;

Section 106.19(1)(b), Florida Statutes, failing to report one or more contributions required to be reported by Chapter 106, Florida Statutes;

Section 106.19(1)(c), Florida Statutes, falsely reporting or deliberately failing to include information in one or more campaign reports; and

Section 106.19(1)(d), Florida Statutes, making or authorizing one or more expenditures prohibited by Chapter 106, Florida Statutes.

I. Preliminary Information:

1. Respondent was a candidate for the Lehigh Acres Fire Control and Rescue District, Seat 4. He faced four opponents in the November 8, 2016 general election and finished in second place.

2. Complainant was a candidate for the Lehigh Acres Fire Control and Rescue District, Seat 3. Complainant secured 33.94 percent of the vote to defeat all four of his opponents in the November 8, 2016 general election. He is the president of Cherokee Publishing and Media Group, Inc., a not-for-profit corporation that does business as Lehigh Acres Gazette, WFLAG-DB Internet Radio Lehigh Acres, and MerchantsMarketer.com.

II. Alleged Violation of Section 106.021(1)(a), Florida Statutes:

3. I investigated whether Respondent violated this section of the election laws by incurring one or more campaign expenses without appointing a treasurer or designating a campaign depository.

4. Complainant alleges that Respondent purchased an advertisement in the November 3, 2016 Merchant's Marketer of SW FL publication¹, after signing an affidavit of intent which voluntarily elected to restrict his campaign finance activity. Complainant submitted a copy of the advertisement in the Merchant's Marketer of SW FL publication. It appears to be a quarter page advertisement, with a headline stating, "Frank T. LaRosa for Fire Commissioner- Seat # 4". There is a picture of Respondent next to a list of Background and Experience. At the bottom of the list, it is stated, "Political advertisement paid for and approved by Frank T LaRosa non-partisan, for Lehigh Acres Fire Commissioner, Seat 4." To review a copy of the advertisement, refer to Exhibit 1.

5. Respondent submitted a written response to the complaint on February 7, 2017. In his response, Respondent stated, "I Frank La Rosa did not purchase an ad in the November 3, 2016 Merchant Marketer as stated by Robert Anderson's complaint. I Frank La Rosa turned in my resume to Merchant Marketer, as did other candidates running for Fire Board and other Lee County seats. I did not give anyone permission to help me in any way. I turned all offers of help, monetary and otherwise. I did not pay for my resume in Merchant Marketer." To review the written response, refer to Exhibit 2.

6. On April 14, 2016, Respondent completed a Lee County Affidavit of Intent Special District Candidate form, which states, "I declare that my only campaign expense, from personal funds, shall be the \$25 candidate-qualifying fee OR the signature verification fee for candidates who qualify by the candidate-petition method by submitting the valid signatures of 25 registered voters residing within the District boundaries. In the event I later decide to, collect, solicit, or accept any money or contribution(s) in-kind, or make any additional campaign expense, I understand that prior to doing so, I am required to file Form DS-DE 9 (Appointment of Campaign Treasurer/Designation of Campaign Depository Form) with the Lee County Supervisor of Elections." To review the Affidavit of Intent, refer to Exhibit 3.

7. I made telephone calls and sent a letter in an attempted to contact East Side Printing & Publishing, which publishes Merchant's Marketer of SW FL for further information, however, I did not receive any return telephone calls or written response. Therefore, I was not able to determine from the publisher if the placement of the advertisement was an in-kind contribution, or if it was paid for by Respondent.

8. In a telephone interview on May 23, 2018, I spoke with Mr. Tyler Woodby, a 2016 candidate for Lehigh Acres Fire Control and Rescue District, Seat 4. He stated that he had never been approached by Merchants Marketer of SW FL or any other local newspapers to post his candidate resumé in their publication, and was not aware of any other candidate being approached to do so. To review the May 23, 2018 telephone interview with Mr. Woodby, refer to Exhibit 4, entry 9.

9. In a telephone interview on May 23, 2018, I spoke with Mr. William Liedtke, a 2016 candidate for Lehigh Acres Fire Control and Rescue District, Seat 3. He stated that he paid

¹ Merchant's Marketer of SW FL is a newspaper printed by East Side Printing & Publishing. Merchant's Marketer of SW FL is not affiliated with Complainant's company (Cherokee Publishing and Media Group), that also does business as "MerchantsMarketer.com".

for an advertisement in the Merchants Marketer of SW FL in October of 2016. He paid \$320.00 for a quarter page advertisement in the newspaper. He was not aware of Merchants Marketer of SW FL offering any candidate the opportunity to have their candidate resumé printed in the newspaper for free, and stated he had never been approached with this offer. To review the May 23, 2018 telephone interview with Mr. Liedtke, refer to Exhibit 4, entry 10.

10. A review of Respondent's filing history revealed that Respondent did not file a DS-DE 9 form with his filing officer during his 2016 campaign.

11. No record of Respondent having previously violated this section of the election laws was found.

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

12. I investigated whether Respondent violated this section of the election laws by failing to report one or more contributions required to be reported by Chapter 106, Florida Statutes.

13. As previously discussed in paragraph 4, what appears to be a quarter page advertisement was placed in the publication entitled Merchant's Marketer of SW FL, with a headline stating, "Frank T LaRosa for Fire Commissioner- Seat # 4". At the bottom of the advertisement, it reads, "Political advertisement paid for and approved by Frank T LaRosa non-partisan, for Lehigh Acres Fire Commissioner, Seat 4".

14. As previously discussed in paragraph 5, Respondent stated he turned in a candidate resume to the Merchant's Marketer of SW FL publication, as did other candidates in the area, but did not purchase advertising space.

15. As previously discussed in paragraph 6, Respondent completed an affidavit of intent, stating he would not make expenditures or take in-kind contributions, and if he did so during his campaign, he would complete a DS-DE 9 form with the Supervisor of Elections office.

16. As previously discussed in paragraphs 8 and 9, two other candidates for Lehigh Acres Fire Control and Rescue District in 2016, Mr. Woodby and Mr. Liedtke, stated they had never been approached to place a free advertisement in any of the local papers. Mr. Liedtke further informed that he had paid \$320.00 for a quarter page advertisement in Merchants Marketer of SW FL in October of 2016.

17. A review of Respondent's filing history indicates no campaign treasurer reports were filed by Respondent.

18. No record of Respondent having previously violated this section of the election laws was found.

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

19. I investigated whether Respondent violated this section of the election laws by falsely reporting or deliberately failing to include information in one or more campaign reports.

20. As previously discussed in paragraph 6, Respondent completed an Affidavit of Intent with the Lee County Supervisor of Elections office, stating he would not accept campaign contributions or make any campaign expenses.

21. As previously discussed in paragraph 5, Respondent stated he had given his candidate information to Merchants Marketer of SW FL, but did not pay for any advertising in the newspaper.

22. As previously discussed in paragraph 17, a review of Respondent's filing history revealed that no campaign treasurer reports had been filed with the Supervisor of Elections office.

23. No record of Respondent having previously violated this section of the election laws was found.

V. Alleged Violation of Section 106.19(1)(d), Florida Statutes:

24. I investigated whether Respondent violated this section of the election laws by making or authorizing one or more expenditures prohibited by Chapter 106, Florida Statutes.

25. As previously discussed in paragraph 5, Respondent stated in a written response that he supplied Merchants Marketer of SW FL with his candidate resumé, and alleged other candidates did so as well. He also stated that he did not pay for any advertisement to be run in Merchants Marketer of SW FL.

26. As previously discussed in paragraphs 8 and 9, Mr. Woodby and Mr. Liedtke, both candidates for Lehigh Acres Fire Control and Rescue District in 2016, stated that neither of them had heard of any candidates having their resumé printed for free in the newspaper. Mr Liedtke did indicate that he paid Merchant's Marketer of SW FL \$320.00 to have a quarter page advertisement placed in an edition of their newspaper, but was not offered free advertising space.

27. As previously discussed in paragraphs 10 and 17, a review of Respondent's filing history indicates he did not file a DS-DE 9 form with his filing officer, and did not file any campaign treasurer reports during his 2016 campaign.

28. No record of Respondent having previously violated this section of the election laws was found.

IV. FEC History:

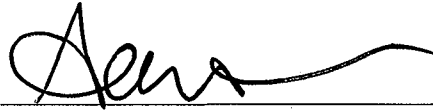
29. Respondent has had no prior history.

Conclusion:

30. Respondent was offered opportunities to make comments regarding the findings of this investigation, however, he did not return telephone calls or complete a questionnaire-affidavit. I am unable to ascertain whether he has read Chapter 106, Florida Statutes, and/or the *Candidate and Campaign Treasurer Handbook*.

31. In the April 14, 2016 Affidavit of Intent, Respondent signed that, "I understand that I am prohibited from expending, collecting, soliciting, or accepting any money or contribution(s) in-kind, in connection with my campaign. In the event I later decide to, collect, solicit, or accept any money or contribution(s) in-kind, or make any additional campaign expense...my campaign shall then be subject to campaign finance regulations in accordance with Florida Statutes, Chapter 106 and I will be required to file periodic campaign treasurer's reports, as required by Florida Statute 106.07, with the Lee County Supervisor of Elections"; Exhibit 3.

Respectfully submitted on May 24, 2018.



Samantha Spore
Investigation Specialist

Current address of Respondent

Mr. Frank La Rosa
1147 Navajo Avenue
Lehigh Acres, FL 33936

Current address of Complainant

Mr. Robert Anderson
3418 3rd Street West
Lehigh Acres, FL 33971

Name and Address of Filing Officer:

Mr. Tommy Doyle
Lee County Supervisor of Elections
2480 Thompson Street
Fort Myers, FL 33902

Copy furnished to: Mr. David Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Frank La Rosa -- FEC 17-004

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Advertisement in the Merchant's Marketer of SW FL
Exhibit 2	February 7, 2017 Written Response
Exhibit 3	April 14, 2016 Affidavit of Intent
Exhibit 4	Investigative Telephone Log

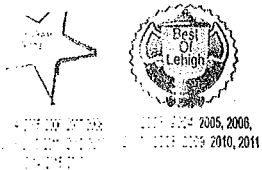
This coupon cannot be used with any other coupons or offers.

10% Discount on liquor and wine sales to all active duty Military Personnel. We will gladly honor all local (Lehigh) competitors liquor & wine coupons.

Open: Monday - Saturday 9am - 10pm
Sunday 10am - 6pm

1338 Homestead Road • Next To Publix

368-3800

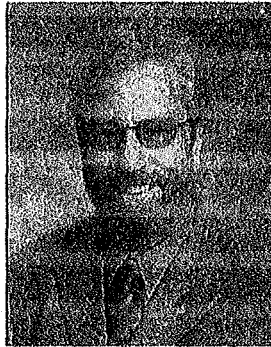


Frank T. LaRosa

For Fire Commissioner - Seat # 4

BACKGROUND / EXPERIENCE:

- Married 49 years to Bonnie (Registered Nurse)
- Father of three sons: Randy, Jason and Frankie
- Lehigh Acres resident for 45 years
- Born and raised in New York City
- All grandchildren born at Lee Memorial Hospital
- Retired Postal Worker



- Elected to Lee Memorial Hospital Board from 2004 to 2010. Served as chairman and was on the Governance Committee for Lee Memorial Hospital. My last years' budget while on the hospital board was 1.2 billion dollars.

- Elected to Lehigh Acres Fire Board from 1992 to 2002. While on the board for 10 years, I kept all my promises to the people. I served as chair and vice chair person with liaison rolls. In my 10 years of service, the board never had to ask to go over our capped taxes. While serving on the board, I always looked for finding alternative ways to help fund the department. Instead of raising taxes, we were instrumental in implementing user fees for the ambulance. Raising taxes because you can is not the answer.

What we need is leadership in the area of multimillion dollar budgets, and providing community awareness on a board that has been touched by divisive issues between the board and the public. With the change of some board members, and the leadership of the chief/staff, as well as employees, we need to work together as a team to keep taxes down.

Political advertisement paid for and approved by Frank T. LaRosa non-partisan, for Lehigh Acres Fire Commissioner, Seat 4.

*In the
Nov 3, 2010
Merchant's
Marketplace at SWFL*

Charge #1

I Frank LaRosa did not purchase an ad in the November 3, 2016 Merchant Marketer as stated by Robert Anderssons complaint.

Charge #2

Special District candidate Notice.

I Frank LaRosa turned in my resume to Merchant Marketer, as did other candidates running for Fire Board and other City County Seats.

I did not give anyone permission to help me in any way. I turned all offers of help, monetary and otherwise. I did not pay for my resume in Merchant Marketer.

Frank LaRosa
CASE NO.: FEC 17-004

Frank T La Rosa for Fire Commissioner (Seat 4)

Background/ Experience:

Married 49 years to Bonnie (Registered Nurse)

Father of three sons: Randy, Jason and Frankie

Lehigh Acres resident for 45 years.

(Born and raised in New York City)

All grandchildren born at Lee Memorial Hospital

Retired Postal Worker

Elected to Lee Memorial Hospital Board from 2004 to 2010. Served as chairman and was on the Governance Committee for Lee Memorial Hospital. My last years' budget while on the hospital board was 1.2 billions dollars.

Elected to Lehigh Acres Fire Board from 1992-2002. While on board for 10 years, I kept all my promises to the people. Served as chair and vice chair person with liaison rolls. In my 10 years of service, the board never had to ask to go over our capped taxes. While serving on the board, I always looked for finding alternative ways to help fund the department. Instead of raising taxes, we were instrumental in implementing user fees for the ambulance. Raising taxes because you can is the not the answer.

What we need is leadership in the area of multimillion dollar budgets, and providing community awareness on a board that has been touched by divisive issues between the board and the public. With the change of some board members, and the leadership of the chief/staff, as well as employees, we need to work together as a team to keep taxes down.

LEE COUNTY—FLORIDA AFFIDAVIT OF INTENT SPECIAL DISTRICT CANDIDATE

A special district candidate is prohibited from financing ANY PORTION OF his/her campaign with personal funds except as provided in this affidavit.

State of Florida
County of Lee

I, Frank T. La Rosa, am a candidate for the independent special
(print name)

district office of:

Lehigh Acres Fire - Seat #4

(include district name AND .district, seat, area or group #)

in the November 8, 2016 General Election. I declare that my only campaign expense, from personal funds, shall be the \$25 candidate-qualifying fee OR the signature verification fee for candidates who qualify by the candidate-petition method by submitting the valid signatures of 25 registered voters residing within the District boundaries.

Provided that this is my only campaign expense, I will not be required to: appoint a campaign treasurer, designate a campaign depository or file periodic campaign treasurer's reports as required by Florida Statutes §99.061 or §106.07. I understand that I am prohibited from expending, collecting, soliciting, or accepting any money or contribution(s) in-kind, in connection with my campaign.

In the event I later decide to, collect, solicit, or accept any money or contribution(s) in-kind, or make any additional campaign expense, I understand that prior to doing so, I am required to file Form DS-DE 9 (Appointment of Campaign Treasurer/Designation of Campaign Depository Form) with the Lee County Supervisor of Elections. My campaign shall then be subject to campaign finance regulations in accordance with Florida Statutes, Chapter 106 and I will be required to file periodic campaign treasurer's reports, as required by Florida Statute §106.07, with the Lee County Supervisor of Elections.

Frank T. La Rosa
Signature of Candidate

04/14/2016
Date

s. 106.021(1)(a) FS "No person shall accept any contribution or make any expenditure with a view to bringing about his or her nomination, election, or retention in public office, or authorize another to accept such contributions or make such expenditure on the person's behalf, unless such person has appointed a campaign treasurer and designated a primary campaign depository." History 2007 HB537, FS 99.061, FS 106.021 Revised-10/21/16 (Lee County Special District Forms)

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 17-004**

Respondent: Frank La Rosa

Complainant: Robert Anderson

1. **Date and time:** April 24, 2017 @ 3:42 p.m.
Name: "Russ" with the Lee County Supervisor of Elections Office (SOE)
Phone #: 239.533.8683
Summary: I telephoned to determine whether Respondent in fact did not file a campaign treasurer's report. I also wanted to verify that the office of Fire Commissioner for the Lehigh Acres Fire Control and Rescue District is a non-partisan office.

When asked, Russ provided the following information:

- Fire Commissioner is a non-partisan office.
- Frank La Rosa (Respondent) qualified as a candidate by paying the \$25 candidate-qualifying fee.
- Frank La Rosa signed a form, pursuant to Section 99.061(3), that he has voluntarily elected to restrict his campaign activity to paying the \$25 candidate-qualifying fee, accept no contributions, and make no additional expenditures.
- The filing officer's file for Frank La Rosa does not include any campaign treasurer's reports.
- The filing officer's file for Frank La Rosa does not include a DS-DE 9 Form completed by Mr. La Rosa.

Memo to File? No

Entered by: dbf

2. **Date and time:** 06/27/2017- 3:29 PM
Name: Complainant
Phone #: 239-245-4815
Summary: I called the number listed for Complainant, and immediately reached a voicemail box. The mailbox was full, and a message stated to try my call later.
Memo to File? No
Entered by: S. Spore
3. **Date and time:** 08/14/17- 2:40 PM
Name: Respondent
Phone #: 239-464-9696
Summary: I called Respondent to follow-up on the questionnaire-affidavit that was mailed to him on July 19, 2017. I reached a generic voicemail, and left a message, asking Respondent to return my call.
Memo to File? No
Entered by: S. Spore

EXHIBIT 4 page 1 of 3

4. **Date and time:** 10/17/17- 8:56 AM
Name: Respondent
Phone #: 239-464-9696
Summary: I called Respondent and left a voicemail message, asking for a return call.
Memo to File? No
Entered by: S. Spore

5. **Date and time:** 01/23/18- 11:52 AM
Name: East Side Printing and Publishing/Merchants Marketer of SW FLA
Phone #: 239-368-0100
Summary: I called the number I found online for East Side Printing and Publishing/Merchants Marketer of SW FLA. It rang multiple times, without answer. There was no way to leave a message.
Memo to File? No
Entered by: S. Spore

6. **Date and time:** 03/05/18- 2:29 PM
Name: East Side Printing and Publishing/Merchants Marketer of SW FLA
Phone #: 239-368-0100
Summary: I called the number listed for East Side Printing and Publishing/Merchants Marketer of SW FLA again, and reached a recording stating the number is not accepting incoming calls at this time.
Memo to File? No
Entered by: S. Spore

7. **Date and time:** 05/22/18- 10:55 AM
Name: Tyler Woodby- Candidate for Lehigh Fire Control
Phone #: 239-839-0316
Summary: I found the information for Mr. Woodby, who was also a candidate for Lehigh Fire Control and Rescue District in 2016. I called to ask him if he had been offered to have his resume published in the Merchant's Marketer of SW FL, as I have been unable to contact anyone at that publisher. I reached Mr. Woodby's personalized voicemail box, and let a message, asking for him to return my call.
Memo to File? No
Entered by: S. Spore

8. **Date and time:** 05/22/18- 2:49 PM
Name: Debra Cunningham- Candidate for Lehigh Fire Control
Phone #: 239-462-6668
Summary: I found the information for Ms. Cunningham, who was also a candidate for Lehigh Fire Control and Rescue District in 2016. I called to ask her if she had been offered to have her resume published In the Merchant's Marketer of SW FL for free. I reached a generic voicemail box, and left a message asking her to return my call.
Memo to File? No
Entered by: S. Spore

9. **Date and time:** 05/23/18- 8:54 AM
Name: Tyler Woodby- Candidate for Lehigh Fire Control

EXHIBIT 4 page 2 of 3

Phone #: 239-839-0316

Summary: Mr. Woodby returned my call at 6:07 PM on May 22, 2018, after I had left for the day. I returned his call, and spoke with him. I explained I was doing some research for the area, and asked if he remembered being offered to have his candidate resumé published for free in any of the local newspapers in the Lehigh Acres area, or if he had seen any advertisements posted in the Merchant's Marketer of SW FL. He stated he was never approached to place any advertisements in any local newspapers, and had not heard that any candidates had been approached to do so. I thanked him for his help.

Memo to File? No

Entered by: S. Spore

10. **Date and time:** 05/23/18- 9:10 AM

Name: William Liedtke- Candidate for Lehigh Fire Control

Phone #: 239-229-5167

Summary: During my research, I found that Mr. Liedtke had paid \$320.00 for an advertisement in the Merchants Marketer of SW FL newspaper on October 19, 2016. I called and spoke to him regarding this. He stated he paid the \$320.00 for a quarter page advertisement in the Merchants Marketer of SW FL newspaper, which ran in one edition. I asked if he had ever been approached to run his candidate resumé in the newspaper for free, and he stated that he had never been approached to do this, and did not know of any candidates who had. I thanked him for his assistance.

Memo to File? No

Entered by: S. Spore

11. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

EXHIBIT 4 page 3 of 3



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

May 3, 2017

Frank LaRosa
1147 Navajo Avenue
Lehigh Acres, FL 33936

RE: Case No.: FEC 17-004; Respondent: Frank LaRosa

Dear Mr. LaRosa:

On January 12, 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 106.021(1)(a), Florida Statutes: Respondent, a 2016 candidate for the Lehigh Acres Fire Control and Rescue District, Seat 4, may have incurred one or more campaign expenses without appointing a treasurer or designating a campaign depository, as alleged in the complaint.

Section 106.19(1)(b), Florida Statutes: Respondent, a 2016 candidate for the Lehigh Acres Fire Control and Rescue District, Seat 4, may have failed to report one or more contributions required to be reported by Chapter 106, Florida Statutes, as alleged in the complaint.

Section 106.19(1)(c), Florida Statutes Respondent, a 2016 candidate for the Lehigh Acres Fire Control and Rescue District, Seat 4, may have falsely reported or deliberately failed to include information in one or more campaign reports, as alleged in the complaint.

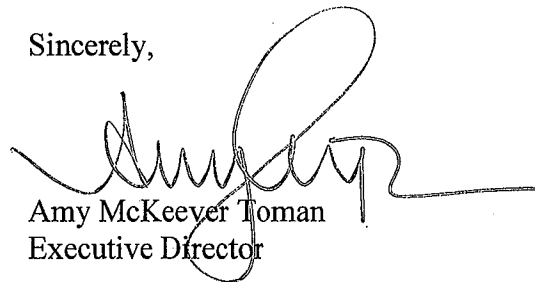
Section 106.19(1)(d), Florida Statutes: Respondent, a 2016 candidate for the Lehigh Acres Fire Control and Rescue District, Seat 4, may have made or authorized one or more expenditures prohibited by Chapter 106, Florida Statutes, as alleged in the complaint.

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 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.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/enr



STATE OF FLORIDA

FLORIDA ELECTIONS COMMISSION

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

Telephone Number: (850) 922-4539

www.fec.state.fl.us

RECEIVED

CONFIDENTIAL COMPLAINT FORM

2017 JAN 12 A 11:59

The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom the complaint is brought.

1. PERSON BRINGING COMPLAINT:

Name: Robert Andersen Work Phone: ()
Address: 1147 Cherokee Ave Home Phone: (239) 215-4811
City: Lehigh Acres County: LIR State: FL Zip Code: 33931

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

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

Name of individual or entity: Frank LaRosa
Address: 1147 N VAJO Ave Phone: ()
City: Lehigh Acres County: LIR State: FL Zip Code: 33934
If individual is a candidate, list the office or position sought: Lehigh Acres Fire Comm Secretary

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

3. ALLEGED VIOLATION(S):

Please list the provisions of The Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigation the following provisions: Chapter 104, Chapter 106, and Section 105.071, Florida Statutes. Also, please include:

- The facts and actions that you believe support the violations you allege,
The names and telephone numbers of persons you believe may be witnesses to the facts,
A copy or picture of the political advertisements you mention in your statement,
A copy of the documents you mention in your statement, and
Other evidence that supports your allegations.

(1) LaRosa Purchased an ad in the Nov 3, 2016 Merchants
Mandator of SWFL

(2) Attached is the Special Notice in his LIR County
2016 Campaign file

Additional materials attached (check one)? Yes No

4. OATH

STATE OF FLORIDA
COUNTY OF Lee

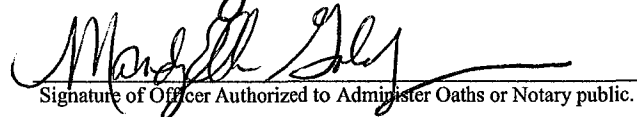
I swear or affirm, that the above information is true and correct to the best of my knowledge.

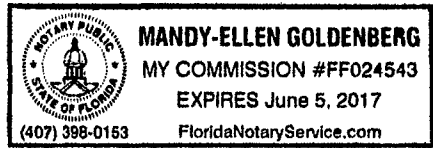


Original Signature of Person Bringing Complaint

RECEIVED
2017 JAN 12 A 11:59
STATE OF FLORIDA
NOTARY PUBLICS COMMISSION

Sworn to and subscribed before me this 7th day of January, 2017


Signature of Officer Authorized to Administer Oaths or Notary public.



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

Personally known _____ Or Produced Identification

Type of Identification Produced Drivers License

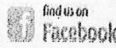
Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.

This coupon cannot be combined with any other coupons or offers.

10% Discount on liquor and wine sales to all active duty Military Personnel. We will gladly honor all local (Lehigh) competitors liquor & wine coupons.

Open: Monday - Saturday 9am - 10pm
Sunday 10am - 6pm

1338 Homestead Road • Next To Publix



We Sell Florida Lotto

2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011



368-3800

www.buyritaliquorandwine.com

Frank T. LaRosa

For Fire Commissioner - Seat # 4

BACKGROUND / EXPERIENCE:

- Married 49 years to Bonnie (Registered Nurse)
- Father of three sons: Randy, Jason and Frankie
- Lehigh Acres resident for 45 years
- Born and raised in New York City
- 4 grandchildren born at Lee Memorial Hospital
- Retired Postal Worker
- Elected to Lee Memorial Hospital Board from 2004 to 2010. Served as chairman and was on the Governance Committee for Lee Memorial Hospital. My last years' budget while on the hospital board was 1.2 billion dollars.
- Elected to Lehigh Acres Fire Board from 1992 to 2002. While on the board for 10 years, I kept all my promises to the people. I served as chair and vice chair person with liaison rolls. In my 10 years of service, the board never had to ask to go over our capped taxes. While serving on the board, I always looked for finding alternative ways to help fund the department. Instead of raising taxes, we were instrumental in implementing user fees for the ambulance. Raising taxes because you can is not the answer.



What we need is leadership in the area of multimillion dollar budgets, and providing community awareness on a board that has been touched by divisive issues between the board and the public. With the change of some board members, and the leadership of the chief/staff, as well as employees, we need to work together as a team to keep taxes down.

Political advertisement paid for and approved by Frank T. LaRosa non-partisan, for Lehigh Acres Fire Commissioner, Seat 4.

*To the Merchants Nov 3, 2010
M.A. retailer of SWFL*

Part of Frank CARROSA FILE
with Lee County Elections



SHARON L. HARRINGTON, SUPERVISOR OF ELECTIONS

LEE COUNTY
ELECTIONS

CONSTITUTIONAL COMPLEX
P.O. BOX 2545
FORT MYERS, FLORIDA 33902
(239) LEE-VOTE
(239) 533-8683
FAX: (239) 533-6310
www.lee.vote

IMPORTANT NOTICE ABOUT THIS **SPECIAL DISTRICT CANDIDATE**

This candidate has voluntarily elected to restrict his/her campaign finance activity.

A special district candidate whose *only expenditure* is the \$25.00 filing fee or the candidate-petition signature verification fee in order to qualify for office—and who *does not accept* campaign contributions—*will not be required to* file campaign treasurer's reports. Contributions include any made by the candidate, including in-kind contributions.

Any special district candidate who *anticipates* that he or she will accept campaign contributions or make campaign expenditures must first file Form DSDE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository, with the Lee County Supervisor of Elections, PRIOR to such activity. Said candidate shall subsequently be required to file campaign treasurer's reports. Failure to comply is a violation of Florida Election Law.

Reference: Florida Statutes §99.061(3), §99.061(7)(a)(1), §99.095(2)(b), §99.097(4), §106.021