

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: **Robert Scott Gershman**

Case No.: **FEC 17-066**

TO: Robert Scott Gershman
2160 West Atlantic Avenue, 2nd Floor
Delray Beach, FL 33445

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

NOTICE OF HEARING (AUTOMATIC FINE)

A hearing will be held in this case before the Florida Elections Commission on, **May 17, 2017 at 8:30 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.

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
May 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.

**FLORIDA ELECTIONS COMMISSION
CASE REPORT**

Case Number: FEC-17-066

NAME: **ROBERT SCOTT GERSHMAN**

DATE APPEAL RECEIVED: 2/7/17

DATE REPORT DUE: 1/11/16 (2015 M12)

DATE OF ELECTRONIC RECEIPT: 1/10/16¹

DATE FILING OFFICER RECEIVED REPORT: 1/10/16

NUMBER OF DAYS LATE: 0

AMOUNT OF FINE: \$625.00

FINE BASED ON: (..) NUMBER OF DAYS (X) 25% OF RECEIPTS (..) 25% OF EXPENDITURES

TOTAL RECEIPTS FOR REPORTING PERIOD: \$2,500.00

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$1,369.99

DATE OF FIRST NOTIFICATION: 12/6/16

SUMMARY: Robert Scott Gershman was a candidate for Circuit Judge, Group 3 in the 2016 elections. Cindy Gershman was his treasurer.

Robert S. Gershman is appealing the fine claiming that unusual circumstances existed that caused the 2015 M12 Report to be untimely filed. According to Mr. Gershman, he did not qualify to run for office during the 2016 election campaign. He went on to say that he initially filed with the Palm Beach County Supervisor of Elections to run for Palm Beach County Court Judge, Group 15, however, he later refiled to run for Palm Beach County Circuit Judge, Group 3. He stated that each and every report due the Division of Elections was timely filed, however, he filed amended reports in October which resulted in the imposed fine. "You will see only one person donated to me, and the reports were submitted timely, as well as the amended reports completed while I was on the telephone getting help regarding same with the Bureau. I wish my appeal be sustained, and I do not have to pay the \$625 fine because it is greater than any contribution I received, I timely filed my reports and am not in violation of any rule of Florida State Statute".

- The 2015 M12 Report covers the time period from 12/22/15 through 12/31/15.
- The 2015 M12 Queued-Transactions Report reflects that this report was created on 1/10/16 at approximately 4:29 pm, before being filed on 1/10/16 at approximately 4:31 pm.²
- In a 2/13/17 email with Kristi Reid-Bronson, FEC staff was informed, "The candidate filed a notice of no activity (waiver) on 1/10/16. A waiver is not a report. On 10/10/16, the candidate filed a report showing \$2,500.00 of activity. The fine is based on 25% of the activity".

PRIOR CASES: None

¹ Respondent initially filed a waiver that reflected no activity occurred during the 2015 M12 reporting period. Respondent later filed a 2015 M12 Report to reflect financial activity.

² The report discussed in this bullet refers to the waiver that reflected zero activity.

CANDIDATE <input checked="" type="checkbox"/>	STATE <input checked="" type="checkbox"/>
PC <input type="checkbox"/>	DISTRICT <input type="checkbox"/>
CCE <input type="checkbox"/>	COUNTY <input type="checkbox"/>
POLITICAL PARTY <input type="checkbox"/>	CITY <input type="checkbox"/>

E

LAW OFFICES
GERSHMAN & GERSHMAN, P.A.

2160 WEST ATLANTIC AVENUE
SECOND FLOOR
DELRAY BEACH, FLORIDA 33445
E-MAIL: ROBERT@RGLAWFIRM.US
TELEPHONE (561) 684-8898
FACSIMILE (561) 998-5868

RECEIVED

2017 FEB -7 P 2:36

February 2, 2017

STATE OF FLORIDA
ELECTIONS COMMISSION

Via Certified Mail #70150640000177662691
Florida Elections Commission
107 West Gaines Street
Suite 224
Tallahassee, Florida 32399-0150

Re: CAN 65104

Dear Commission,

This correspondence is a follow-up to your final notice received on January 27, 2017. I hereby appeal the subject fine to the Florida Elections Commission. For the reasons stated below, and any future questions/issues the Commission may have, I am available at my work (information above) or my cellular telephone 561-707-4049.

On August 4, 2015, I first registered with the Palm Beach County Supervisor of Elections for Palm Beach County Court Judge, Group 15. On August 4, 2015, I personally hand-delivered to the Palm Beach County Supervisor of Elections Office the necessary paperwork, including Appointment of Campaign Treasurer (DS-DE 9), Statement of Candidate for Judicial Office (DS-DE 83), Statement of Candidate (DS-DE 84). I thereafter filed my monthly reports with the Palm Beach County Court Judge Group 15 race for the months of August, September, October and November, 2015. Only August had contributions and expenditures, the other months I filed a Waiver of Report. My last County Court Waiver was signed by me on December 2, 2015. I thereafter decided to change races, from County to Circuit Court.

On December 21, 2015, the Division of Elections received my filing paperwork for my change from the County Court seat to the Palm Beach County Circuit Court Judge Group No. 03. This paperwork included my appointment of Campaign Treasurer, Statement of Candidate for Judicial Office, and Statement of Candidate. Thereafter, I filed my required reports, reflecting that no additional monies were contributed or expended. There was never a time I did not notify the Government (local or State) of my required reports (including the one contribution from another person in the total amount of \$500).

Your Notice advises that I failed to file the January 11, 2016 report on time as required, and did not file same until October 10, 2016. On January 10, 2016, at

4:31:07pm, I did file the report due January 11, 2016. My ID 65104 and full name Robert Scott Gershman appears on the filing for the period 12/22/2015 - 12/31/2015, in Report 2015-M12-2. Each and every report due the Division of Elections was timely filed.

Then the following occurred: On or about October 10 and 11, 2016, with the help of and while on the telephone with the Division of Elections, I updated the following reports -

due 1/11/2016, due 2/10/2016, due 3/10/2016, due 4/11/2016, and due 8/4/16. In December, 2016, I received notices from the Department of State, Bureau of Election Records, that my late filings (October, 2016) caused me to incur late fines. Accordingly I sent the Bureau a check for \$20 (ch#5718). Again, the reports were on time, but in October, 2016, I filed corrected reports. After paying the late fee, I wrote a letter to Ms. Kristi Reid Bronson, Chief, Bureau of Election Records, thanking her for her office's help with the above-listed issues, and assured that all matters had been rectified. I then received your Notice that is the subject of this appeal.

If it is necessary for me to provide the paper-trail for the above events, please advise; however, same is accurately reflected in your computer database. You will see only one person donated to me, and the reports were submitted timely, as well as the amended reports completed while I was on the telephone getting help regarding same with the Bureau. I wish my appeal be sustained, and I do not have to pay the \$625 fine because it is greater than any contribution I received, I timely filed my reports and am not in violation of any rule or Florida State Statute.

Thank you for your consideration.

Sincerely,



Robert Gershman

RSG/cmg

Cc by U.S. Mail to:
Florida Division of Elections
R.A.Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-025011

LAW OFFICES
GERSHMAN & GERSHMAN, P.A.

2160 WEST ATLANTIC AVENUE
SECOND FLOOR
DELRAY BEACH, FLORIDA 33445
E-MAIL: ROBERT@RGLAWFIRM.US
TELEPHONE (561) 684-8898
FACSIMILE (561) 998-5868

RECEIVED
DEPARTMENT OF STATE
2018 OCT 17 AM 8:30
FLORIDA STATE
DIVISION OF ELECTIONS

October 10, 2016

Ms. Kristi Reid Bronson
Chief, Bureau of Election Records
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

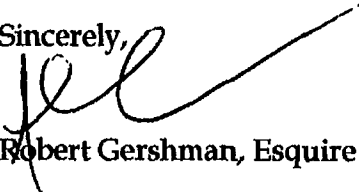
Re: CAN 65104

Dear Ms. Bronson,

This letter is intended as a follow-up to your Final Notice dated September 27, 2016. Today, with great help from your office, I have accurately updated my reports. I was originally a candidate for a county court judicial seat. Later in the process, I switched to a circuit court judicial seat, but did not pay the filing fee and never qualified for any judicial race. My bank campaign account was opened when I was a county court candidate. My contributions occurred as a county court candidate. The same bank account was used after I switched to the circuit court race. I hope this matter is now resolved. Should you have any questions or issues, please contact me.

Thank you.

Sincerely,



Robert Gershman, Esquire

RSG/cmg



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Final Notice

Delivery Confirmation:

USPS TRACKING # **9114 9014 9645 0956 1016 09**
& CUSTOMER RECEIPT For Tracking or Inquiries go to USPS.com
or call 1-800-222-1811.

January 24, 2017

Robert Scott Gershman
Candidate for Circuit Judge, Circuit 15, Group 3
2160 West Atlantic Avenue,
Second Floor
Delray Beach, FL 33445-3445

CAN 65104

Dear Mr. Gershman:

The campaign treasurer's report that was due on January 11, 2016, was filed on October 10, 2016. By law, you are automatically assessed a late fine of \$625.00.

You have 20 days from the receipt of this notice to either:

1. Pay the fine to the Florida Division of Elections (For a candidate only, a fine is not an allowable campaign expenditure and must be paid from personal funds) at:

*Florida Division of Elections
R.A. Gray Building, Room. 316
500 South Bronough Street
Tallahassee, Florida 32399-025011*

2. Appeal the fine to the Florida Elections Commission (See Rules 2B-1.005 and 2B-1.0055, Florida Administrative Code) at:

*Florida Elections Commission
107 West Gaines Street, Ste. 224
Tallahassee, Florida 32399-0150*

If you appeal, please send a copy also to the Florida Division of Elections so that you will not receive further notices from the Division about this matter.

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

cc: Cindy Gershman, Treasurer



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

December 6, 2016

Robert Scott Gershman
Candidate for Circuit Judge, Circuit 15, Group 3
2160 West Atlantic Avenue,
Second Floor
Delray Beach, FL 33445-3445

CAN 65104

Dear Mr. Gershman:

The campaign treasurer's report that was due on January 11, 2016, was filed on October 10, 2016. By law, you are automatically assessed a late fine of \$625.00.

You have 20 days from the receipt of this notice to either:

1. Pay the fine to the Florida Division of Elections (For a candidate only, a fine is not an allowable campaign expenditure and must be paid from personal funds) at:

*Florida Division of Elections
R.A. Gray Building, Room. 316
500 South Bronough Street
Tallahassee, Florida 32399-025011*

2. Appeal the fine to the Florida Elections Commission (See Rules 2B-1.005 and 2B-1.0055, Florida Administrative Code) at:

*Florida Elections Commission
107 West Gaines Street, Ste. 224
Tallahassee, Florida 32399-0150*

If you appeal, please send a copy also to the Florida Division of Elections so that you will not receive further notices from the Division about this matter.

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

cc: Cindy Gershman, Treasurer

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

(1) Robert Scott Gershman (2) 65104
 Candidate, Committee or Party Name I.D. Number

(3) 2160 West Atlantic Avenue, Delray Beach FL 33445
 Address (number and street) City State Zip Code

Check box if address has changed since last report

(4) Check appropriate box(es):

Candidate (office sought):
 Political Committee Check If PC has DISBANDED
 Committee of Continuous Existence Check If CCE has DISBANDED
 Party Executive Committee

(5) REPORT IDENTIFIERS

Cover Period: From 12/22/2015 To 12/31/2015 Report Type: M12

Original Amendment Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$2,500.00
Loans	\$0.00
<i>Total Monetary</i>	\$2,500.00
In-Kind	\$0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$1,369.99
Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$1,369.99

(8) Other Distributions

Certification

It is a first degree misdemeanor for any person to falsify a public record (ss.839.13, F.S.)

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

Name of Treasurer Deputy Treasurer

X
Signature

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

Name of Candidate Chairman (PC/PTY Only)

X
Signature

Name: Robert Scott Gershman

Report: 2015 M12

Period: 12/22/2015 to 12/31/2015

** Records in Filed Report **

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Contributor Type	Occupation In-Kind Description	Amount Amend
1 12/22/2015	GERSHMAN ROBERT S 2160 W ATLANTIC AVENUE SECOND FLOOR DELRAY BEACH, FL 33445	S CHE	ATTORNEY	\$2,500.00 UPD
* 1 08/13/2015	GERSHMAN, ROBERT 2160 W ATLANTIC AVENUE SECOND FLOOR DELRAY BEACH, FL 33445	I COF	ATTORNEY	\$2,000.00 ADD History 10/11/16
* 2 08/13/2015	SHEEHAN, KERRY 250 AUSTRALIAN AVE SOUTH, SUITE 704 WEST PALM BEACH, FL 33401	I COF	INVESTIGATOR	\$500.00 DEL

Name: Robert Scott Gershman

Report: 2015 M12

Period: 12/22/2015 to 12/31/2015

** Records in Filed Report **

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Purpose	Amount Amend
1 12/22/2015	LUMP SUM EXPEDITURE PRIOR CAMPAIGN 2160 W ATLANTIC AVENUE SECOND FLOOR DELRAY BEACH, FL 33445	MON	WEBSITE SERVICE & BANK FEES	\$1,369.99 UPD
* 1 08/18/2015	SQUARE D BUSINESS SOLUTIONS 9401 CHAPMAN COURT PALM BEACH GARDENS, FL 33410	MON	WEBSITE SERVICES	\$1,349.99 ADD History 10/11/16
* 2 12/11/2015	SABADELL BANK PO BOX 5460 HIALEAH, FL 33014	MON	BANK FEES	\$20.00 DEL

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED DISTRIBUTIONS

Name: Robert Scott Gershman

Report: 2015 M12

Period: 12/22/2015 to 12/31/2015

**** Records in Filed Report ****

Seq # Date	Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip	Recipient	Purpose	Amount
		Type	Related Expenditure	Amend

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED FUND TRANSFERS

Name: Robert Scott Gershman

Report: 2015 M12

Period: 12/22/2015 to 12/31/2015

**** Records in Filed Report ****

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Nature of Account	Amount Amend

Queued Items for 2015-M12

Account: 65104

CTJ 015 Robert Scott Gershman

Rpt Seq: 2

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	65104	1/10/2016 4:29:17 PM	1/10/2016 4:29:17 PM
File Pending Report	Processing Complete	65104	1/10/2016 4:31:08 PM	1/10/2016 4:31:08 PM
Review Filed Report	Processing Complete	65104	1/10/2016 4:34:40 PM	1/10/2016 4:34:40 PM
Amend Filed Report	Processing Complete	65104	10/10/2016 1:51:02 PM	10/10/2016 1:51:02 PM
Review Pending Report	Processing Complete	65104	10/10/2016 2:09:16 PM	10/10/2016 2:09:16 PM
File Pending Report	Processing Complete	65104	10/10/2016 2:10:03 PM	10/10/2016 2:10:03 PM
Amend Filed Report	Processing Complete	65104	10/11/2016 2:45:57 PM	10/11/2016 2:45:57 PM
Review Pending Report	Processing Complete	65104	10/11/2016 2:50:57 PM	10/11/2016 2:50:57 PM
Review Pending Report	Processing Complete	65104	10/11/2016 2:58:28 PM	10/11/2016 2:58:28 PM
File Pending Report	Processing Complete	65104	10/11/2016 2:58:55 PM	10/11/2016 2:58:55 PM



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Robert Scott Gershman

Name:

Account: 65104

Election:

Acct:

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
8/4/2016	TR	5/23/2016						
5/10/2016	M4	5/4/2016						
4/11/2016	M3	4/3/2016	CLO	0	\$5.00		\$5.00	\$5.00
3/10/2016	M2	3/2/2016	CLO	0	\$5.00		\$5.00	\$5.00
2/10/2016	M1	2/1/2016	CLO	0	\$5.00		\$5.00	\$5.00
1/11/2016	M12	1/10/2016	APP	0	\$625.00		\$625.00	\$0.00



**Florida Department of State
Division of Elections**

**2016 General Election
Robert Scott Gershman (NOP)
Circuit Judge**

Campaign Finance Activity

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

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
<input type="radio"/>	12/22/2015 - 12/31/2015	2,500.00	0.00	0.00	1,369.99	0.00	0.00
<input type="radio"/>	01/01/2016 - 01/31/2016	0.00	0.00	0.00	20.00	0.00	0.00
<input type="radio"/>	02/01/2016 - 02/29/2016	0.00	0.00	0.00	20.00	0.00	0.00
<input type="radio"/>	03/01/2016 - 03/31/2016	0.00	0.00	0.00	20.00	0.00	0.00
W	04/01/2016 - 04/30/2016	0.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	05/01/2016 - 05/23/2016	0.00	0.00	0.00	1,070.01	0.00	0.00
<input checked="" type="radio"/>	All Dates (Totals)	2,500.00	0.00	0.00	2,500.00	0.00	0.00

Note: (E) indicates that report was filed electronically

X Indicates that detail has not been released

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

Select Detail Type

Contributions ▼

Select Sort Order

Date(Ascending) ▼

Select Output Type

Display On Screen ▼

Submit Query Now

Query the Campaign Finance Data Base

[Department of State] [Division of Elections] [Candidates and Races] [Campaign Finance Information]



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 23, 2015

Robert Scott Gershman
2160 West Atlantic Avenue,
Second Floor
Delray Beach, Florida 33445

Dear Mr. Gershman:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of Circuit Judge, which was placed on file in our office on December 22, 2015. 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 **January 11, 2016**. The report will cover the period of December 1-31, 2015 (M12). 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: 65104



Division of Elections
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6240 • 850.245.6260 (Fax) dos.myflorida.com/elections/
Promoting Florida's History and Culture VivaFlorida.org



Robert Scott Gershman
December 22, 2015
Page Two

Pin Numbers

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

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

Timely Filing

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

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

Electronic Receipts

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

Robert Scott Gershman
December 22, 2015
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/jha

Enclosures

pc: Cindy Gershman, Treasurer

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

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

(PLEASE PRINT OR TYPE)

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

RECEIVED
DEPARTMENT OF STATE
2015 DEC 22 PM 3:13

COPY
DIVISION OF ELECTIONS
TALLAHASSEE, FL

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

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

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

Robert Scott Gershman

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

2160 W. Atlantic Avenue, Second Floor
Delray Beach, Florida 33445

4. Telephone

(561) 684-8898

5. E-mail address

robert@rglawfirm.us

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

15th Judicial Circuit, Circuit Court Judge Group #03

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

My intent is to run as a Write-In candidate.

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

Write-In No Party Affiliation _____ Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Cindy Gershman, Esquire

11. Mailing Address

2160 W. Atlantic Avenue, Second Floor

12. Telephone

(561) 684-8898

13. City

Delray Beach

14. County

Palm Beach

15. State

Florida

16. Zip Code

33445

17. E-mail address

cindy@rglawfirm.us

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

19. Name of Bank

Sabadell United Bank

20. Address

1801 N. Military Trail

21. City

Boca Raton

22. County

Palm Beach

23. State

Florida

24. Zip Code

33431

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

25. Date

December 21, 2015

26. Signature of Candidate

X 

27. **Treasurer's Acceptance of Appointment** (fill in the blanks and check the appropriate block)

I, Cindy Gershman, Esquire, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

December 21, 2015

Date

X 

Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

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DEPARTMENT OF STATE
2015 DEC 21 PM 12:57
DIVISION OF ELECTIONS
TALLAHASSEE, FL

I, Robert Scott Gershman, Esquire,

candidate for the office of Circuit Court Judge Group #03;

have been provided access to read and understand the requirements of

Chapter 106, Florida Statutes.

X



Signature of Candidate

December 17, 2015
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).



RE: Acct #65104
Bronson, Kristi R.

to:
Cedric Oliver
02/13/2017 09:20 AM
Hide Details

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

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

The candidate filed a notice of no activity (waiver) on 1-10-16. A waiver is not a report. On 10-10-16, the candidate filed a report showing \$ 2500 of activity. The fine is based on 25% of the activity.

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: Monday, February 13, 2017 8:12 AM
To: Bronson, Kristi R.
Subject: Acct #65104

Kristi, Could you please explain the discrepancy for this candidate's 2015 M12 Report. DOE records reflect that this report was filed on 1/10/16, which is the day before the report was due. This candidate was fined \$625.00.

The Department of State is committed to excellence. Please take our Customer Satisfaction Survey .
