

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: OD-EYEPAC

Case No.: FEC 18-015

TO: Leonard A. Carson, Esquire
Carson & Adkins
2930 Wellington Circle, Suite 201
Tallahassee, FL 32309

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, **March 13, 2018 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 103, 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
February 26, 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.

FLORIDA ELECTIONS COMMISSION

CASE REPORT

Case Number: FEC-18-015

NAME: OD-EYEPAC

DATE APPEAL RECEIVED: 10/26/17

DATE REPORT DUE: 09/22/17 (2017 SG2 Senate 40)

DATE OF ELECTRONIC RECEIPT: 09/25/17

DATE FILING OFFICER RECEIVED REPORT: 09/25/17

NUMBER OF DAYS LATE: 3

AMOUNT OF FINE: \$250.00

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

TOTAL RECEIPTS FOR REPORTING PERIOD: \$0

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$1,000.00

DATE FIRST NOTIFICATION WAS RECEIVED: 10/04/17

CANDIDATE []	STATE [X]
PC [X]	DISTRICT []
CCE []	COUNTY []
POLITICAL PARTY []	CITY []
ECO []	

SUMMARY: OD-EYEPAC is a political committee (PC) registered with the State of Florida. The PC's chair and treasurer is Dr. Gary L. Barker.

The PC is appealing the fine claiming based on unusual circumstances. According to Dr. Gary L. Barker, "I was supposed to file a special election report, SG2, for the S-40 special election for both Florida Optometric PAC and OD-EYEPAC. Since Hurricane Irma was on its way and was expected to affect Central Florida, I tried to file both reports early- on September 7, 2017. I went through all of the normal procedures to file. When I came to the DOE page where you hit a button that says FILE REPORT (or something similar), the button was not present. I had never had that happen before, so I tried several things, like clearing my cache and trying again, using a different computer. I tried on both my MAC and Dell PC. The FILE button was not there. I assumed that perhaps DOE in Tallahassee was already shutting down because it was not known where Irma would strike. Irma struck Central Florida, and we lost power at our office for four (4) days, and at our home for three (3) days. When power returned, we had to get things cleaned up at our home and get our optometric practice up and running again so that we could see patients. When your personal and professional lives were functioning normally again, I tried to again file the reports. Now the FILE REPORT button was present, and I filed the reports on September 25, 2017. They were due on September 22, 2017. I have a screen shot showing the Last Review date for each PAC as September 7, 2017. That was when I was trying to be proactive and file the reports ahead of the hurricane and any problems it might cause. I also have a screen shot showing what I saw when I tried to file the report- no FILE REPORT button. I do not even remember seeing the SAVE button, that is shown in the screen shot. I respectfully request to be relieved of the late fines, due to the above stated circumstances."

- The 2017 SG2 Report covers the time period from 08/19/17 through 09/21/17.
- The 2017 SG2 Queued-Transactions Report reflects that this report was created on 09/07/17 at approximately 9:53 p.m., before being filed on 09/25/17 at approximately 7:31 p.m.
- In an e-mail dated 12/12/17, Ms. Kristi Willis advised that a report cannot be filed until the end of the cover period. The cover period for the Senate 40 SG2 was 08/19/17 through 09/22/17, thus, the earliest the SG2 could be filed was 09/22/17.

PRIOR CASES: In the matter of FEC 14-190, the Commission found no unusual circumstances and upheld the automatic-fine of \$2,150.00.

CARSON & ADKINS

Lawyers

JAMES C. ADKINS (1915-1994)
LEONARD A. CARSON
STEPHEN A. MECK

2930 WELLINGTON CIRCLE
SUITE 201
TALLAHASSEE, FLORIDA 32309
(850) 894-1009
FACSIMILE (850) 894-1677

October 26, 2017

Commission Clerk
Florida Elections Commission
107 West Gaines Street, Suite 224
Tallahassee, FL 32399-0150

Re: Notice of Appeal - Late Fines

**Florida Optometric PAC
PAC 2039**

**OD-EYEPAC
PAC 59950**

To The Florida Elections Commission:

This is an appeal pursuant to Florida Administrative Code Rule 2B-1.005 of an automatically assessed late fine of \$250.00 against each of the above-cited PACs. This firm represents Dr. Gary L. Barker, Treasurer of each of the PACs, and each of the PACs.

(a) The appealing parties are:

Dr. Gary L. Barker, Treasurer
Florida Optometric PAC
1029 McKean Circle
Winter Park, FL 32789
(407) 620-4336

Dr. Gary L. Barker, Treasurer
OD-EYEPAC
1029 McKean Circle
Winter Park, FL 32789
(407) 620-4336

(b) Copies of each of the notices of imposition of fine are attached.

(c) A hearing is not requested.

(d) These appeals are timely, and are filed within twenty (20) days of receipt of the notices of imposition of fine, with a copy filed with the filing officer.

(e) These appeals are based upon "unusual circumstances" as set forth in Florida Administrative Code Rule 2B-1.0055 (1), and Florida Administrative Code Rule (2) (a) and (e).

(1) Unusual circumstances mean uncommon, rare or sudden events over which the actor has no

RECEIVED
OCT 26 11 12 25
STATE OF FLORIDA
ELECTIONS COMMISSION

control and which directly result in the failure to act according to the filing requirements. Unusual circumstances must occur within a time period that would clearly prevent the person legally responsible for filing the report from doing so in a timely manner.

(2)(a) Natural disaster or other emergency that prevented timely filing.

(2)(e) Computer or equipment failure caused by events that could not have been anticipated and that made timely filing of the report impossible.

(f) This is a recitation of the operable facts as stated by Dr. Barker, Treasurer of the PACs.


I was supposed to file a special election report, SG2, for the S-40 special election for both Florida Optometric PAC and OD-EYEPAC. Since Hurricane Irma was on its way and was expected to affect Central Florida, I tried to file both reports early - on September 7, 2017. I went through all of the normal procedures to file. When I came to the DOE page where you hit a button that says FILE REPORT (or something similar), the button was not present. I had never had that happen before, so I tried several things, like clearing my cache and trying again, using a different computer. I tried on both my Mac and Dell PC. The FILE button was not there. I assumed that perhaps DOE in Tallahassee was already shutting down because it was not known where Irma would strike. Irma struck Central Florida, and we lost power at our office for four (4) days, and at our home for three (3) days. When power returned, we had to get things cleaned up at our home and get our optometric practice up and running again so that we could see patients. When our personal and professional lives were functioning normally again, I tried to again file the reports. Now the FILE REPORT button was present, and I filed the reports on September 25, 2017. They were due on September 22, 2017.

I have a screen shot showing the Last Review date for each PAC as September 7, 2017. That was when I was trying to be proactive and file the reports ahead of the hurricane and any problems it might cause. I also have a screen shot showing what I saw when I tried to file the report - no FILE REPORT button. I do not even remember seeing the SAVE button, that is shown in the screen shot.

I respectfully request to be relieved of the late fines, due to the above stated circumstances.

Respectfully Submitted,

CARSON & ADKINS

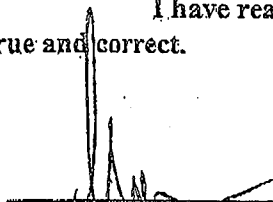


Leonard A. Carson

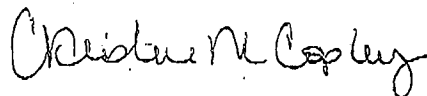
Clerk, Florida Elections Commission
October 26, 2017

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I have read the above, and state under oath that the information stated above is true and correct.



Gary L. Barker, Treasurer 10/26/17

 10/26/2017

cc: Kristi Reid Willis, Chief
Bureau of Election Records
Florida Division of Elections
The R.A. Gray Building - Room 316
500 South Bronough Street
Tallahassee, FL 32399





FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

October 4, 2017

Gary L. Barker, Treasurer
OD-EYEPAC
1029 McKean Circle
Winter Park, FL 32789-2789

Special Election Report

Senate 40-862

PAC 59950

Dear Dr. Barker:

The campaign treasurer's report that was due on September 22, 2017, was filed on September 25, 2017. By law, you are automatically assessed a late fine of \$250.00.

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 Willis, Chief
Bureau of Election Records

Eye Associates of Winter Park
1928 Howell Branch Road
Winter Park, FL 32792
407-671-5445 (Office)
407-671-2899 (Fax)

FAX

DATE: 10/26/17

FAX#: 850 894 1677

TO: LAC

TOTAL PAGES (including cover)

FROM: GLB

4

COMMENTS:

FIRST TWO PAGES SHOW THAT I
TRIED TO FILE ON 9/7/17, BUT COULD
NOT FILE THAT DAY (RORAC + OD-BURAC)

LAST PAGE SHOWS WHAT I SAW ON
9/7/17 - NO "FILE REPORT" BUTTON AND THERE
WAS NO "SAVE" BUTTON ON 9/7/17

CONFIDENTIALITY NOTICE: This facsimile transmission, and/or the documents accompanying it, may contain confidential information belonging to the sender which is protected by Florida Statutes. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of the information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for the return of the documents. Collect calls will be accepted.

Summary of all filings received.

Report: 2017 - SG2 - 109 2017 Special Election - Senate 40 Covers: 8/19/2017-9/21/2017 Due: 9/22/2017

Amended Last Review: 9/7/2017 Reviewed: Reviewed

Waiver Complete: Complete Detail Records

Filed Date: 9/25/2017 File Status: Filed Report

Transactions	Contributions	Amount	Expenditures	Amount
1	Cash and Checks:	0.00	Monetary:	1,000.00
	Loans:	0.00	Transfers to Off Acct:	0.00
	Total Monetary:	0.00	Total Monetary:	1,000.00
	In-Kind Contributions:	0.00	Other Distributions:	0.00

Activity this report Orig Report Submit Date: By: 59950

Contributions	Amount	Expenditures	Amount
Cash and Checks:	0.00	Monetary:	1,000.00
Loans:	0.00	Transfers to Off Acct:	0.00
Total Monetary:	0.00	Total Monetary:	1,000.00
In-Kind Contributions:	0.00	Other Distributions:	0.00

Report: 2017 - SG1 - 112 2017 Special Election - House 58 Covers: 10/6/2017-11/6/2017 Due: 11/13/2017

Amendment Waiver Complete Status: **No Detail Records Found** Start Date: 10/6/2017

File Date: Review Status: **Reviewed** End Date: 11/6/2017

Status: **Data Entry** Last Review: **10/25/2017 10:06:50 PM**

of Transactions:

Contributions		Total Amount	Expenditures		Total Amount
Cash and Checks:	<input type="text" value="0.00"/>	0.00	Monetary:	<input type="text" value="0.00"/>	0.00
Loans:	<input type="text" value="0.00"/>	0.00	Transfers to Off Acct:	<input type="text" value="0.00"/>	0.00
Total Monetary:	<input type="text" value="0.00"/>	0.00	Total Monetary:	<input type="text" value="0.00"/>	0.00
In-Kind:	<input type="text" value="0.00"/>	0.00	Other Distributions:	<input type="text" value="0.00"/>	0.00

Review Messages:

Created: 10/25/2017 9:58:05 PM By: 59950 Revised: 10/25/2017 10:06:50 PM By: 59950



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

October 27, 2017

Gary L. Barker, Treasurer
OD-EYEPAC
1029 McKean Circle
Winter Park, FL 32789-2789

Special Election Report
Senate 40-562

PAC 59950

Dear Dr. Barker:

The campaign treasurer's report that was due on September 22, 2017, was filed on September 25, 2017. By law, you are automatically assessed a late fine of \$250.00.

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
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*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 Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

October 4, 2017

Gary L. Barker, Treasurer
OD-EYEPAC
1029 McKean Circle
Winter Park, FL 32789-2789

Special Election Report

Senate 40-862

PAC 59950

Dear Dr. Barker:

The campaign treasurer's report that was due on September 22, 2017, was filed on September 25, 2017. By law, you are automatically assessed a late fine of \$250.00.

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:

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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 Willis

Kristi Reid Willis, Chief
Bureau of Election Records

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

(1) OD-EYEPAC (2) 59950
Candidate, Committee or Party Name I.D. Number

(3) 1029 McKean Circle Winter Park FL 32789
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

Committee of Continuous Existence

Party Executive Committee

Check If PC has DISBANDED

Check If CCE has DISBANDED

(5) REPORT IDENTIFIERS

Cover Period: From 08/19/2017 To 09/21/2017 Report Type: SG2

Original Amendment Special Election Report

(6) CONTRIBUTIONS THIS REPORT

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

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$1,000.00
Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$1,000.00

(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

Signature

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

Name of Candidate Chairman (PC/PTY Only)

Signature

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

Name: OD-EYEPAC

Report: 2017 SG2

Period: 08/19/2017

to 09/21/2017

**** 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

ID: 59950

CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

Page 1 of 1

Name: OD-EYEPAC

Report: 2017 SG2

Period: 08/19/2017

to 09/21/2017

** Records in Filed Report **

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Purpose	Amount Amend
1 08/29/2017	JOSE FELIX DIAZ CAMPAIGN FUND, (Office: STS 040) 8567 CORAL WAY, #374 MIAMI, FL 33155	CAN	S-40	\$1,000.00

* Incomplete Record

Reviewed On: 9/7/17 9:53 pm

Prepared on: 1/31/18 12:16:26PM

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED FUND TRANSFERS

Name: OD-EYEPAC

Report: 2017 SG2

Period: 08/19/2017

to 09/21/2017

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

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

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED DISTRIBUTIONS

Name: OD-EYEPAC

Report: 2017 SG2

Period: 08/19/2017

to 09/21/2017

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

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

Queued Items for 2017-SG2

Account: 59950

OD-EYEPAC

Rpt Seq: 109

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	59950	9/7/2017 9:53:12 PM	9/7/2017 9:53:12 PM
Process Uploaded File	Processing Complete	59950	9/7/2017 9:53:12 PM	9/7/2017 9:53:12 PM
Review Pending Report	Processing Complete	59950	9/7/2017 9:53:21 PM	9/7/2017 9:53:21 PM
File Pending Report	Processing Complete	59950	9/25/2017 7:31:39 PM	9/25/2017 7:31:39 PM



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Name:

Committee Name: OD-EYEPAC

Account: 59950

Election:

Acct:

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
1/10/2018	M12	1/9/2018						
1/2/2018	SP1	1/2/2018						
12/15/2017	SG2	12/14/2017						
12/11/2017	M11	12/6/2017						
11/13/2017	SG1	11/6/2017						
11/13/2017	M10	11/6/2017						
10/10/2017	M9	10/7/2017						
10/6/2017	SP2	10/5/2017						
9/22/2017	SG2	9/25/2017	APP	3	\$250.00		\$250.00	\$0.00
9/22/2017	M8	9/7/2017						
8/10/2017	M7	8/3/2017						
7/10/2017	M6	7/6/2017						
6/12/2017	M5	6/3/2017						
5/10/2017	M4	5/1/2017						
4/10/2017	M3	4/2/2017						
3/11/2017	M2	3/5/2017						
2/10/2017	M1	2/3/2017						
1/10/2017	M12	1/3/2017						
12/12/2016	M11	12/5/2016						
11/4/2016	G7	11/3/2016						
11/4/2016	D6	11/2/2016						
11/2/2016	D5	11/2/2016						
11/1/2016	D4	11/1/2016						
10/31/2016	D3	10/31/2016						
10/30/2016	D2	10/30/2016						
10/29/2016	D1	10/28/2016						
10/28/2016	G6	10/25/2016						
10/21/2016	G5	10/14/2016						
10/14/2016	G4	10/9/2016						
10/7/2016	G3	10/5/2016						
9/30/2016	G2A	9/24/2016						
9/23/2016	G2	9/17/2016						
9/16/2016	G1A	9/11/2016						
9/9/2016	G1	9/5/2016						
9/2/2016	P7A	8/27/2016						
8/26/2016	P7	8/26/2016						
8/19/2016	P6	8/16/2016						
8/12/2016	P5	8/12/2016						
8/5/2016	P4	8/5/2016						
7/29/2016	P3	7/23/2016						
7/22/2016	P2A	7/20/2016						
7/15/2016	P2	7/12/2016						
7/8/2016	P1A	7/6/2016						
7/1/2016	P1	7/1/2016						
6/10/2016	M5	6/3/2016						

5/10/2016	M4	5/3/2016						
4/11/2016	M3	4/10/2016						
3/10/2016	M2	3/4/2016						
2/10/2016	M1	2/8/2016						
1/11/2016	M12	1/9/2016						
12/10/2015	M11	12/8/2015						
11/10/2015	M10	11/6/2015						
10/13/2015	M9	10/7/2015						
9/10/2015	M8	9/8/2015						
8/10/2015	M7	8/5/2015						
7/10/2015	M6	7/7/2015						
6/10/2015	M5	6/3/2015						
5/11/2015	M4	5/1/2015						
4/10/2015	M3	4/2/2015						
4/3/2015	SG3	4/2/2015						
3/10/2015	SG2	3/5/2015						
3/10/2015	M2	3/6/2015						
2/10/2015	M1	2/8/2015						
2/10/2015	SG1	1/31/2015						
1/23/2015	SP3	1/23/2015						
1/12/2015	M12	1/9/2015						
1/12/2015	SP2	1/8/2015						
12/10/2014	SP1	12/5/2014						
12/10/2014	M11	12/5/2014						
11/10/2014	M10	10/31/2014						
10/31/2014	G7	10/31/2014						
10/30/2014	D6	10/29/2014						
10/29/2014	D5	10/29/2014						
10/28/2014	D4	10/29/2014	CLO	1	\$0.00	\$0.00	\$0.00	\$0.00
10/27/2014	D3	10/27/2014						
10/26/2014	D2	10/26/2014						
10/25/2014	D1	10/24/2014						
10/24/2014	G6	10/20/2014						
10/17/2014	G5	10/16/2014						
10/10/2014	G4	10/9/2014						
10/3/2014	G3	10/3/2014						
9/26/2014	G2A	9/26/2014						
9/19/2014	G2	9/19/2014						
9/12/2014	G1A	9/10/2014						
9/5/2014	G1	9/5/2014						
8/29/2014	P7A	8/29/2014						
8/22/2014	P7	8/22/2014						
8/15/2014	P6	8/14/2014						
8/8/2014	P5	8/6/2014						
8/1/2014	P4	7/30/2014						
7/25/2014	P3	7/20/2014						
7/18/2014	P2A	7/15/2014						
7/11/2014	P2	7/10/2014						
7/4/2014	P1A	7/4/2014						
6/27/2014	P1	7/4/2014	CLO	7	\$2,150.00	\$2,150.00	\$2,150.00	\$2,150.00
6/10/2014	M5	6/10/2014						
5/12/2014	M4	5/9/2014						
4/10/2014	M3	4/7/2014						
4/4/2014	SG1	4/4/2014						
3/10/2014	M2	3/11/2014	CLO	1	\$50.00	\$50.00	\$50.00	\$50.00

3/7/2014	SF2	3/6/2014					
2/14/2014	SF1	2/8/2014					
2/10/2014	M1	2/8/2014					
1/10/2014	M12	1/4/2014					
12/10/2013	M11	12/10/2013					
11/12/2013	M10	11/11/2013					
10/11/2013	SG1	10/11/2013					
10/10/2013	Q3	10/11/2013	CLO	1	\$0.00	\$0.00	\$0.00
9/13/2013	SF1	9/13/2013					
7/10/2013	Q2	7/9/2013					
6/7/2013	SG1	6/7/2013					
4/10/2013	Q1	4/11/2013	CLO	1	\$50.00	\$50.00	\$50.00
1/10/2013	Q4	1/8/2013					
11/2/2012	G4	11/2/2012					
10/19/2012	G3	10/18/2012					
10/5/2012	G2	10/5/2012					
9/21/2012	G1	9/21/2012					



RE: Account # 2039

Willis, Kristi R.

to:

Samantha Spore

12/12/2017 02:44 PM

Hide Details

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

To: Samantha Spore <Samantha.Spore@myfloridalegal.com>

No, there was nothing wrong with the EFS on September 7, 2017. A report cannot be filed until the end of the cover period. The cover period for the Senate 40 SG2 was 8-19-17 thru 9-22-17. Thus, the earliest the SG2 could be filed was 9-22-17.

Report and notes by separate email.

Thanks!

From: Samantha Spore [<mailto:Samantha.Spore@myfloridalegal.com>]

Sent: Tuesday, December 12, 2017 2:12 PM

To: Willis, Kristi R. <Kristi.Willis@DOS.MyFlorida.com>

Subject: Account # 2039

Good Afternoon!

This e-mail is in regards to the PC, Florida Optometric PAC (account # 2039).

Was the electronic filing system having any known problems during September 7, 2017?

Also, may I please get copy of the 2017 SG2 - Senate 40 Report with the associated queued transactions reports and notes?

Thank you!
Samantha

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FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

MEMORANDUM

TO: Political Parties, Affiliated Party Committees, Political Committees, and
Electioneering Communication Organizations

FROM: Kristi Reid Bronson, Chief
Bureau of Election Records *KRB*

DATE: May 10, 2017

SUBJECT: Special Election - State Senate, District 40

A special election has been called for the office of State Senate, District 40. The special primary election for this race is scheduled for July 25, 2017. The special election for this race is scheduled for September 26, 2017.

When a special election is called to fill a vacancy in office, all political committees, electioneering communication organizations, political parties and affiliated party committees making contributions or expenditures to influence the results of such special election shall file campaign treasurer's reports with the filing officer on the dates set by the Department of State.

Committees or organizations are required to file special election campaign treasurer's reports only if the committee or organization makes a contribution to a special election candidate during the special election reporting periods (see chart on next page) or makes an expenditure to influence the results of the special election.

Please note that activities reported on special election reports are only expenditures that are made to influence the results of the special election. All other activity (e.g., contributions) is reported on the appropriate campaign treasurer's report.

Once a committee or organization has participated in the special election and has filed a special election campaign report, all remaining special election reports must be filed even if there is no further special election activity. If there is no further activity, a waiver must be filed.

MEMORANDUM

May 10, 2017

Page Two

All reports must be filed through the Electronic Filing System (EFS) not later than midnight, Eastern Time, of the due date. Reports not filed by this time are late filed and subject to the penalties in Sections 106.07(8) and 106.29, 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, Eastern Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

The campaign reporting schedule for this special election is as follows:

<u>Report</u>	<u>Due Date</u>	<u>Covered Period</u>
SP1	06-12-17	05-08-17 – 06-08-17
SP2	07-21-17	06-09-17 – 07-20-17
SG1	08-23-17	07-21-17 – 08-18-17
SG2	09-22-17	08-19-17 – 09-21-17

Please contact our office at (850) 245-6280 if you have any questions.

KRB/mcc



RE: Home Care PAC - 60864
 Willis, Kristi R.
 to:
 Cole Kekelis
 10/25/2017 02:18 PM
 Hide Details
 From: "Willis, Kristi R." <Kristi.Willis@DOS.MyFlorida.com>
 To: Cole Kekelis <Cole.Kekelis@myfloridalegal.com>
 History: This message has been forwarded.

2 Attachments



Email Log - S40 special election.xls Memo - Committees.pdf

The email is done through a program so I do not have a "copy of the email" that goes out.

Here is an excerpt from the log showing that an email was sent:

DSBrown	6/1/2017 8:05:48 AM	Report Reminders	2017,M5,6/12/2017;	Report Reminder	
krbranson	5/26/2017 12:02:41 PM	General Information Memos	ECO,PAC,PTY	Special Election - Senate 40 / House 116	Select file attachment
krbranson	5/11/2017 12:05:02 AM	Untimely Filings	2017,M4,5/10/2017;	2017 M4 - Late Report	

I have attached a copy of the memo that was attached to the email.

I have attached also a spreadsheet that is generated by the program that lists the entities that were sent the memo. I have highlighted the entry for PC 60864.

The body of the email provided:

Please review the attached memoranda regarding the special elections that have been called for the offices of **State Representative, District 116, and Senate, District 40.**

Additional information can be found at the following link on the Division's website:

<http://dos.myflorida.com/elections/for-voters/special-elections/>

Please contact our office at (850) 245-6280 if you have any questions.

If you need additional information, please let me know.

From: Cole Kekelis [mailto:Cole.Kekelis@myfloridalegal.com]
 Sent: Wednesday, October 25, 2017 1:54 PM
 To: Willis, Kristi R. <Kristi.Willis@DOS.MyFlorida.com>
 Subject: Home Care PAC - 60864

Ms. Willis:

Previously, you sent our office a sample memorandum regarding special election reporting dates that is emailed to PACs when special elections are called.

Could you please forward me a copy of such an email that was sent to the above PAC regarding a special election for which the PAC had to file a 2017 SP1 report?

This relates to an auto fine appeal with regard to the 2017 SP1 report.

Thanks,

Cole Kekelis
 FEC

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AcctType	AcctNum	email	sentDate	SentStatus
PAC	59950	gbarx76@aol.com	5/26/2017 12:03	OK