

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: **Deede Weithorn**

Case No.: **FEC 16-327**

TO: Deede Weithorn
1130 Stillwater Drive
Miami Beach, FL 33141

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

NOTICE OF HEARING (INFORMAL HEARING)

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.

FILED

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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 16-327

v.

**Deede Weithorn,
Respondent.**

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on February 28, 2017, in Tallahassee, Florida.

On January 3, 2017, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

Count 1:

On or about November 10, 2015, Deede Weithorn violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing her 2015 M10 Report.

Count 2:

On or about April 11, 2016, Deede Weithorn violated Section 106.07(7), Florida Statutes, when she failed to notify the filing

officer in writing on the prescribed reporting date that she would not be filing her 2016 M3 Report.

Count 3:

On or about May 10, 2016, Deede Weithorn violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing her 2016 M4 Report.

DONE AND ORDERED by the Florida Elections Commission on February 28, 2017.



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, Assistant General Counsel
Deede Weithorn, Respondent
Division of Elections, Complainant

NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by 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: Deede Weithorn

Case No.: FEC 16-327

TO: Deede Weithorn
1130 Stillwater Drive
Miami Beach, FL 33141

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

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **February 28, 2017 at 8:30 am, or as soon thereafter as the parties can be heard**, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**

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

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See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
February 13, 2017

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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: Deede Weithorn

Case No.: FEC 16-327

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on November 29, 2016, the following facts and law support this staff recommendation:

1. On August 16, 2016, the Florida Elections Commission (“Commission”) received a referral from the Department of State, Division of Elections (“Division”), alleging that Deede Weithorn (“Respondent”) violated Chapter 106, Florida Statutes.
2. Respondent was a 2016 candidate for State Representative, District 113. (ROI Exhibit 8)¹ Respondent withdrew from the race on June 23, 2016.
3. By letter dated October 6, 2016, the Executive Director notified Respondent that Commission staff would investigate the following statutory provision:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent failed to timely notify the filing officer that it had no reportable activity and, therefore, would not be filing a report on the prescribed reporting date for each of the following reporting periods:

- 2015 M10
- 2016 M3
- 2016 M4

4. By letter dated January 12, 2015, Kristi Reid Bronson, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received her Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form. (ROI Exhibit 2, page 1)
5. The acknowledgment letter advised Respondent that all of the Division’s publications and reporting forms were available on its website and directed Respondent to print out the *Calendar of Reporting Dates* as well as other relevant documents. (ROI Exhibit 2, page 3)

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

6. Pursuant to Section 106.07(7), Florida Statutes, in any reporting period during which a candidate has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the candidate is required to notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.

7. The *Candidate & Campaign Treasurer Handbook* references the statutory requirement regarding written notification and directs candidates to notify the Division by way of the Division’s electronic filing system. (ROI Exhibit 3, page 6) The *Candidate EFS User’s Guide* shows the process through which to notify the Division. The user’s guide instructs candidates to select the relevant reporting period and place a checkmark in a box titled “Waiver” to indicate the lack of reportable financial activity. (ROI Exhibit 4, pages 3-4)

8. Respondent failed to notify the filing officer on the prescribed reporting dates that no reports would be filed for the following reporting periods, as set forth in the table below. (ROI Exhibit 5, page 1)

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2015 M10	10/1/15 – 10/31/15	11/10/15	11/30/15	20
2016 M3	3/1/16 – 3/31/16	4/11/16	4/12/16	1
2016 M4	4/1/16 – 4/30/16	5/10/16	5/19/16	9

9. Respondent stated that she failed to timely notify the filing officer due to a computer user error (2015 M10) and due to her mother being hospitalized and an inability to access the Internet (2016 M3 & 2016 M4). (ROI Exhibit 7, page 2)

10. “Probable Cause” is defined as reasonable grounds of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. *Schmitt v. State*, 590 So. 2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v. Favino*, 667 So. 2d 305, 309 (Fla. 1st DCA 1995).

11. The facts set forth above show that Respondent was a 2016 candidate for State Representative, District 113. Respondent failed to notify the filing officer on the prescribed reporting dates that no reports would be filed for the following reporting periods: 2015 M10, 2016 M3, and 2016 M4.

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

Count 1:

On or about November 10, 2015, Deede Weithorn violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing her 2015 M10 Report.

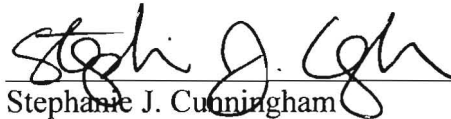
Count 2:

On or about April 11, 2016, Deede Weithorn violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing her 2016 M3 Report.

Count 3:

On or about May 10, 2016, Deede Weithorn violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing her 2016 M4 Report.

Respectfully submitted on January 3, 2017.



Stephanie J. Cunningham
Assistant General Counsel

I reviewed this Staff Recommendation this 3rd day of January 2017.



Amy McKeever Toman
Executive Director

FLORIDA ELECTIONS COMMISSION

Report of Investigation for Failure to Notify Filing Officer

Case Number: FEC 16-327

Respondent: Deede Weithorn

Section 106.07(7), Florida Statutes, failure of a candidate who did not receive any contributions or make any expenditures during a reporting period to notify timely the filing officer, in writing, that no report is being filed

Complainant: Division of Elections

Respondent Type:

- Candidate
 Political Committee

I. Preliminary Information:

1. An appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed on January 7, 2015. (Ex. 1)

2. An acknowledgement letter was mailed to the address provided on Respondent's DS-DE 9 on January 12, 2015 advising Respondent that all of the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook*, and the Calendar of Reporting Dates. (Ex. 2)

3. The acknowledgement letter also states, "An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports" and provides the telephone number for the Division's EFS Help Desk.

4. The *Candidate and Campaign Treasurer Handbook*, discusses filing a waiver when there is no activity to disclose on page 47. (Ex. 3)

5. Pages 12, 13, 44, and 45 of the *Candidate EFS User's Guide* discuss how to notify the Division on the prescribed reporting date that no report will be filed using the EFS. Specifically, page 13 instructs the user to click the box next to "waiver" if there is no activity to disclose. (Ex. 4)

6. In a telephone interview on April 2, 2014, Kristi Reid-Bronson clarified that once the waiver box is chosen and a new report is opened as shown on page 12, the only available option on the report summary screen will be "Go To File Report" as shown on page 13. Choosing "Go To File Report" will take the user directly to the screens where the candidate/treasurer PINS are entered as shown on pages 44 and 45.

II. Alleged Violation of Section 106.07(7), Florida Statutes:

7. Respondent's filing history reflects the untimely filed notifications summarized below. (Ex. 5)

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2015 M10	10/1/15 – 10/31/15	11/10/15	11/30/15	20
2016 M3	3/1/16 – 3/31/16	4/11/16	4/12/16	1
2016 M4	4/1/16 – 4/30/16	5/10/16	5/19/16	9

8. Respondent provided a written response to the referral dated September 1, 2016, in which she stated "I do not disagree I was late on my filings. The October report, due in November was due to an error where I thought it was filed and did not know it was not until I received the notice. The March and April filings were late due to a personal matter which caused me to drop out of the race. My mother was rushed to the hospital in March 2016 and has never walked since. I was away from home for weeks at a time without the ability to file timely. I was two days late in April which is prior to receipt of a letter and 9 days later but also prior to receipt of a letter in May. Due to HIPPA laws I am not enclosing proof of my mother's condition but I can provide redacted data if necessary". (Ex. 6)

9. Respondent submitted an affidavit dated November 11, 2016 in which she stated "2015 M10 due November. This was a computer error to the best of my knowledge. I thought it was complete but it was not. I did not know this until I received a letter". Respondent went on to say, "2016 M3 and 2016 M4. My mother was rushed to the hospital March 2016. I am primarily responsible for her care. She has no internet nor was there reliable internet at the hospital. I filed as soon as I could when I could return home to gather my materials. There was no willful intent not to file but merely a change in circumstances that was (sic)"¹. (Ex. 7)

10. During the course of the investigation, I reviewed Respondent's filing history. I determined that there were nine reporting periods before the 2015 M10 reporting period. Respondent submitted waivers for five of these reporting periods. All of the reports or waivers were filed early or on time, with the exception of the 2015 M5 Report, which was filed one day late. (Ex. 5)

III. FEC History:

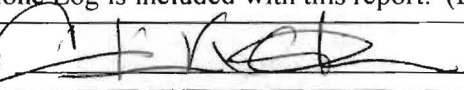
11. Respondent has not had any prior cases before the Commission.

Conclusion:

12. Respondent stated in her affidavit that she did read Chapter 106, Florida Statutes and the *Candidate and Campaign Treasurer Handbook*. Respondent signed her Statement of Candidate form on January 7, 2015. (Ex. 8)

13. The Investigative Phone Log is included with this report. (Ex. 9)

SIGNATURE OF INVESTIGATOR:



Date:

11/29/16

¹ Respondent did not provide any information at any time during this investigation to validate her internet/medical claim.

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Deede Weithorn -- FEC 16-327

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Respondent's DS-DE 9 form
Exhibit 2	Acknowledgement Letter
Exhibit 3	Relevant pages from the Candidate and Campaign Treasurer's Handbook
Exhibit 4	Relevant pages from the Candidate EFS User's Guide
Exhibit 5	Respondent's filing history
Exhibit 6	Respondent's response letter
Exhibit 7	Respondent's questionnaire-affidavit
Exhibit 8	Statement of Candidate
Exhibit 9	Phone Log

**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
15 JAN -7 PM 1:45
DIVISION OF ELECTIONS
SECRETARY OF STATE

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)

Deede Weithorn

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

4. Telephone

(305) 975-3913

5. E-mail address

deede@deedeweithorn.com

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

State House Dist 113

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 Democratic Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Deede Weithorn

11. Mailing Address

1130 Stillwater Dr

12. Telephone

(305) 975-3913

13. City

Miami Beach

14. County

Miami Dade

15. State

FL

16. Zip Code

33141

17. E-mail address

deede@deedeweithorn.com

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

19. Name of Bank

City National

20. Address

300 71 Street

21. City

Miami Beach

22. County

Miami Dade

23. State

FL

24. Zip Code

33141

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

1/6/15

26. Signature of Candidate

X Deede Weithorn

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

I, Deede Weithorn, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

1/6/15

Date

X

Deede Weithorn

Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

January 12, 2015

Deede Weithorn
1130 Stillwater Drive
Miami Beach, Florida 33141

Dear Ms. Weithorn:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, which was placed on file in our office on January 7, 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 **February 10, 2015**. The report will cover the period of January 1-31, 2015 (M1). 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: 64513



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



EXHIBIT 2 (1 of 3)

Deede Weithorn
January 12, 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 your confidential pin numbers.

Each candidate is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that 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 no later than midnight, Eastern Standard Time, 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.

Deede Weithorn
January 12, 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://elections.myflorida.com>. 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/ljr

Enclosures

EXHIBIT 2(3 of 3)

Candidate & Campaign Treasurer Handbook



FLORIDA
★DIVISION OF★
ELECTIONS

November 2013
Florida Department of State
Division of Elections
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, FL 32399-0250
(850) 245-6240

EXHIBIT 3(1 of 6)

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This publication is available in alternate format upon request by contacting the Division of Elections at 850.245.6240.

day designated is deemed timely filed. A report received by the filing officer within 5 days after the designated due date that was delivered by the U.S. Postal Service is deemed timely filed unless it has a postmark indicating the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the U.S. Postal Service at the time of mailing or a receipt from an established courier company, which bears a date on or before the date on which the report is due, is proof of mailing in a timely manner. Reports filed with the Division through the Electronic Filing System (EFS) are due no later than midnight, Eastern Time, of the due date.

*(Sections 106.07, 106.0705
and 106.141, F.S.)*

Penalty for Late Filing

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 three days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding the primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For a candidate's termination report, the fine shall be \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater for the period covered by the late report. All fines must be paid from the candidate's **personal funds** – not campaign funds.

(Section 106.07(2) and (8), F.S.)

Waiver of Report

In any reporting period during which a candidate has not received funds or made any expenditures, the filing of the required report for that period is waived; however, the candidate must indicate there is no activity by filing a waiver of report on the prescribed due date. (Waivers filed with the Division must be filed using the EFS.) The next report filed must specify that the report covers the entire period between the last submitted report and the report being filed.

(Section 106.07, F.S.)

Incomplete Reports

If a campaign treasurer files a report that is deemed incomplete, it shall be accepted on a conditional basis. The campaign treasurer will be notified by the filing officer as to why the report is incomplete. The campaign treasurer must file an addendum to the incomplete report within seven days of notification. The addendum must include all necessary information to complete the report.

(Section 106.07(2), F.S.)

Reporting Total Sums

Each campaign treasurer's report required by Chapter 106, F.S., shall contain the total sums of all loans, in-kind contributions, and other receipts by or for such candidate, and total sums of all expenditures made by such candidate during the reporting period. The

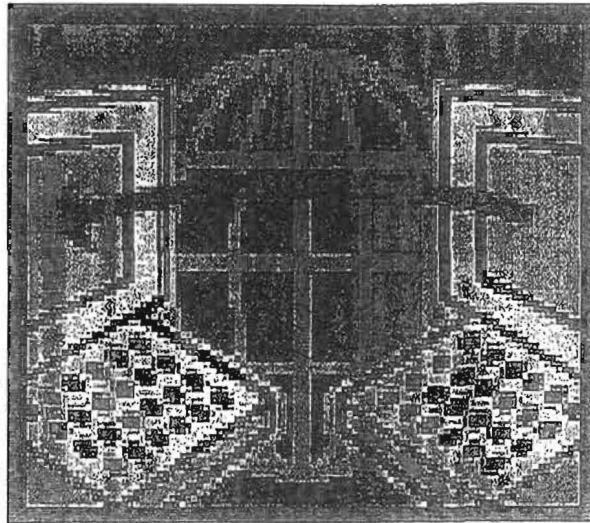
reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

(Section 106.07, F.S.)

EXHIBIT 3(6 of 6)

Department of State
Division of Elections

Candidate EFS User's Guide



Florida Department of State
Division of Elections
R.A. Gray Building, Room 316
500 S Bronough Street
Tallahassee, FL 32399-0250

EFS HELP LINE: 850-245-6280

January 2011

Rule 1S-2.017, F.A.C.

DS-DE 110A (eff. 01/11)

EXHIBIT

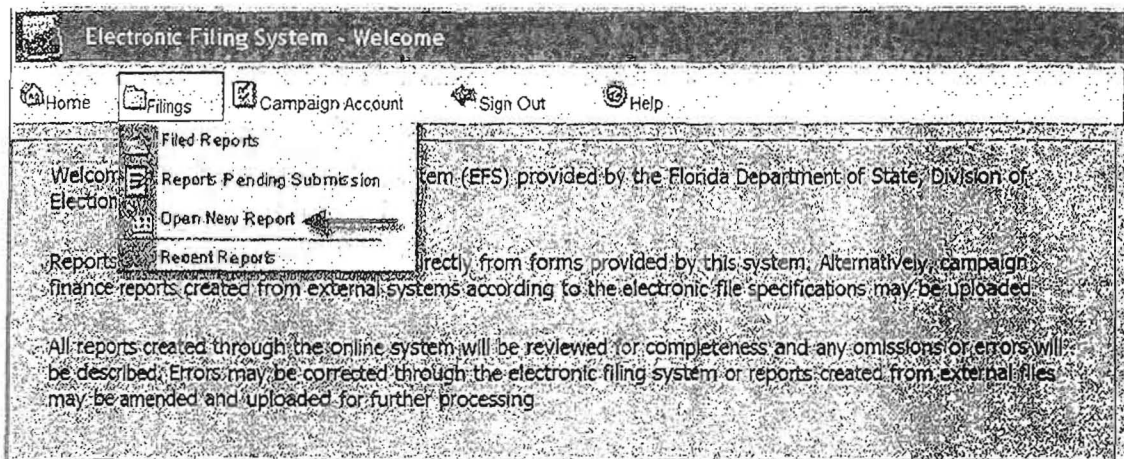
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Create a New Report by Data Entry

From the Welcome Screen, click  Filings and then  Open New Report



Click  arrow next to **Election Cycle**. Scroll to the cycle associated with the report you are entering.

Click  arrow next to **Report Type** and select the report type that corresponds to the appropriate cover period and due date.

The **Cover Period** dates will automatically fill in based on the **Calendar of Election and Reporting Dates**. The end date can be changed for candidate termination reports.

The Due Date will automatically fill in based on the Calendar of Election and Reporting Dates.

****NOTE****

If this report is a waiver of report (no activity), click the box next to Waiver.

Election Cycle: 2010 General Election
Report Type: F2 2010
Coverage Period: 7/17/2010 7/30/2010 Due Date: 08/06/2010
 Special Election Report Waiver

Click at the bottom of the screen. A Report Detail screen (view only) will appear. This screen will not indicate any activity until individual detail data is entered, saved and a review is performed.

Report: 2010 - G4 - 27 2010 General Election Covers: 10/16/2010-10/28/2010 Due: 10/29/2010

Amendment Waiver Complete Status: Incomplete Detail Records
File Date: Review Status: Not Reviewed
Status: DATE E... Last Review:

of Transactions: 0

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

Review Messages

Created: 10/26/2010 11:41:25 AM By: 50552 Revised: 10/26/2010 11:41:25 AM By: 50552

EXHIBIT 4(4 of 6)

File the Report

If the **Review Status** is Updated Detail – Needs Review the report has not been reviewed since the last update. (See page 38 for instructions on how to submit the report to the system for review.)

If the status of the report is Complete Detail Records, you are ready to file the report.

Report: 2010 - F3 - 26 2010 General Election Covers: 8/7/2010-8/19/2010 Due: 8/20/2010

Amend Waiver Complete Status: Complete Detail Records

File Date: Review Status: Reviewed

Status: Data Ent. Last Review: 8/19/2010 3:56:42 PM

of Transactions: Review Recalculate Go To File Report Append File Delete Report Save

Contributions		Total Amount	Expenditures		Total Amount
Cash and Checks:	<input type="text"/>	0.00	Monetary:	<input type="text"/>	51.00
Loans:	<input type="text"/>	0.00	Transfers to Off Acct:	<input type="text"/>	0.00
Total Monetary:	<input type="text"/>	0.00	Total Monetary:	<input type="text"/>	51.00
In-Kind:	<input type="text"/>	0.00	Other Distributions:	<input type="text"/>	0.00

Review Messages:

Created: 8/19/2010 2:01:35 PM By: 50552 Revised: 8/19/2010 3:56:42 PM By: 50552

Click on **Go To File Report**

The candidate enters his or her PIN, and then selects **Report Approved**

NOTE: A PIN is the same as your signature attesting to the validity of the report.

Step 1: Enter the candidate/chairperson PIN.

Step 2: Select the 'Report Approved' button.

Report: 2010 - F3 - 26 Coverage Period: 8/7/2010-8/19/2010 Due: 8/20/2010

Review Status: Reviewed Original Amended

Waiver

PIN for Candidate/Chairperson: **Report Approved**

EXHIBIT 4 (5 of 6)


If there is more than one treasurer, click on the drop down and select the treasurer that is filing the report.

Campaign Treasurer: 


The treasurer enters his or her PIN and then clicks

Report: 2010-F3-26 Coverage Period: 8/7/2010-8/19/2010 Due: 8/20/2010

Review Status: Final Amended

Campaign Treasurer: 

PIN for specified Treasurer:

To Edit Report Again Select Cancel: 

IMPORTANT NOTE: If changes need to be made after a candidate enters his PIN, the treasurer must undo the candidate's PIN validation before the system will allow changes. See page 48 for instructions.

EXHIBIT 4 (6 of 6)



[search](#) | [directory](#) | [contact us](#) | [411](#) | [subscribe](#) | [tour](#) | [help](#)

Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Deede Weithorn

Name:

Account: 64513

Election:

Acct:

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
9/21/2016	TR	9/13/2016						
6/10/2016	M5	6/10/2016						
5/10/2016	M4	5/19/2016	FEC	9	\$0.00		\$0.00	\$0.00
4/11/2016	M3	4/12/2016	FEC	1	\$0.00		\$0.00	\$0.00
3/10/2016	M2	3/10/2016						
2/10/2016	M1	2/10/2016						
1/11/2016	M12	1/11/2016						
12/10/2015	M11	12/10/2015						
11/10/2015	M10	11/30/2015	FEC	20	\$0.00		\$0.00	\$0.00
10/13/2015	M9	10/9/2015						
9/10/2015	M8	9/10/2015						
8/10/2015	M7	8/10/2015						
7/10/2015	M6	7/10/2015						
6/10/2015	M5	6/11/2015	CLO	1	\$50.00		\$50.00	\$50.00
5/11/2015	M4	5/10/2015						
4/10/2015	M3	4/10/2015						
3/10/2015	M2	3/9/2015						
2/10/2015	M1	2/9/2015						

EXHIBIT 5 (of 3)



**Florida Department of State
Division of Elections**

**2016 General Election
Deede Weithorn (DEM)
State Representative**

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"/>	01/07/2015 - 01/31/2015	500.00	1,000.00	0.00	0.00	0.00	0.00
<input type="radio"/>	02/01/2015 - 02/28/2015	8,000.00	0.00	0.00	56.43	0.00	0.00
<input checked="" type="radio"/>	03/01/2015 - 03/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	04/01/2015 - 04/30/2015	0.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	05/01/2015 - 05/31/2015	1,000.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	06/01/2015 - 06/30/2015	1,000.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	07/01/2015 - 07/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	08/01/2015 - 08/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	09/01/2015 - 09/30/2015	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	10/01/2015 - 10/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	11/01/2015 - 11/30/2015	1,000.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	12/01/2015 - 12/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	01/01/2016 - 01/31/2016	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	02/01/2016 - 02/29/2016	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	03/01/2016 - 03/31/2016	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	04/01/2016 - 04/30/2016	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	05/01/2016 - 05/31/2016	0.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	06/01/2016 - 09/13/2016	0.00	0.00	0.00	-12,443.57	0.00	0.00
<input checked="" type="radio"/>	All Dates (Totals)	11,500.00	1,000.00	0.00	-12,387.14	0.00	0.00

EXHIBIT 5(2 of 3)

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](#)

[\[Department of State\]](#) [\[Division of Elections\]](#) [\[Candidates and Races\]](#) [\[Campaign Finance Information\]](#)

EXHIBIT 5(3 of 3)



Deede Weithorn
1130 Stillwater Drive
Miami Beach, FL 33141

RECEIVED
2016 SEP -8 P 2:53
STATE OF FLORIDA
ELECTIONS COMMISSION

September 1, 2016

Erin Riley
Deputy Agency Clerk
Florida Elections Commission
107 W Gaines Street, Suite 224 Collins Building
Tallahassee, FL 32399

Case Number: FEC 16-327

Dear Ms. Riley

I do not disagree I was late on my filings. The October report, due in November was due to an error where I thought it was filed and did not know it was not until I received the notice.

The March and April filings were late due to a personal matter which caused me to drop out of the race. My mother was rushed to the hospital in March 2016 and has never walked since. I was away from home for weeks at a time without the ability to file timely. I was two days late in April which is prior to receipt of a letter and 9 days later but also prior to receipt of a letter in May.

Due to HIPPA laws I am not enclosing proof of my mother's condition but I can provide redacted data if necessary.

Thank you for your consideration.

AFFIDAVIT OF BACKGROUND INFORMATION

Case Number: FEC 16-327

RECEIVED

2016 NOV 21 A 10:51

STATE OF FLORIDA
ELECTIONS COMMISSION

STATE OF FLORIDA
County of Miami-Dade

Deede Weithorn, being duly sworn, says:

- 1. This affidavit is made upon my personal knowledge.
- 2. I am of legal age and competent to testify to the matters stated herein. I am currently employed by Self employed as a CPA.
- 3. Did you receive the acknowledgement letter containing your Electronic Filing System (EFS) PIN and password, and instructing you to print Chapter 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook*, and the Calendar of Reporting Dates from the Division of Elections' website?
 Yes No
- 4. Did you print Chapter 106, Florida Statutes, per the instructions in the acknowledgement letter?
 Yes No
- 5. Did you read Chapter 106, Florida Statutes, per the instructions in the acknowledgement letter?
 Yes No
- 6. Did you print the *Candidate and Campaign Treasurer Handbook*, per the instructions in the acknowledgement letter?
 Yes No
- 7. Did you read the *Candidate and Campaign Treasurer Handbook*, per the instructions in the acknowledgement letter?
 Yes No
- 8. Did you print the Calendar of Reporting Dates, per the instructions in the acknowledgement letter?
 Yes No
- 9. Did you read and/or print the *EFS Guide Book*?
 Yes No

EXHIBIT 7(1 of 3)

10. Did you read any other campaign related materials?

Yes No

11. If yes, please list the items below with a brief description of the information you received from these documents:

12. Please explain the reason(s) you failed to notify your filing officer on the prescribed due dates that there was no campaign finance activity to disclose; therefore, no report would be filed for the reporting periods listed below (use additional sheet if necessary):

2015 M10

2016 M3

2016 M4

2015 M10 Due November. This was a computer error to the best of my knowledge. I thought it was complete but it was not. I did not know this until I received a letter.

2016 M3 ~ 2016 M4

My mother was rushed to the hospital March 2016. I am primarily responsible for her care. She has no internet nor was there reliable internet at the hospital. I filed as soon as I could when I could return home to gather my materials.

There was no willful intent not to file but merely a change in circumstances that was unforeseen.

EXHIBIT 7(2 of 3)

I HEREBY SWEAR OR AFFIRM THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Deed Deed

Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 11 day of October, 2016

Abby G. Schofel

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known or Produced Identification
Type of Identification Produced: _____

Case Investigator: CKO

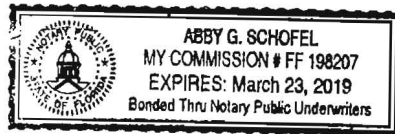


EXHIBIT 7 (3 of 3)

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

RECEIVED

15 JAN -7 PM 1:45

STATE ELECTIONS
SECRETARY OF STATE

I, Deede Weithorn,

candidate for the office of State House Representative - Dist 113 ;

have been provided access to read and understand the requirements of

Chapter 106, Florida Statutes.

X

Deede Weithorn

Signature of Candidate

1/8/15

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).

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 16-327**

Respondent: Deede Weithorn

Complainant: Division of Elections

1. **Date and time:** October 18, 2016 @ 9:40 am
Name: Respondent
Phone #: (305) 975-3913
Summary: I attempted telephone contact to make initial contact. I left a message to return my call.
Memo to File? No
Entered by: CKO

2. **Date and time:** October 24, 2016 @ 3:00 pm
Name: Respondent
Phone #: (305) 975-3913
Summary: I attempted telephone contact to make initial contact. I left a message to return my call.
Memo to File? No
Entered by: CKO

3. **Date and time:** November 9, 2016 @ 12:40 pm
Name: Respondent
Phone #: (305) 975-3913
Summary: I had telephone contact to complete final interview. I explained that I had left a couple of messages for her, as well as sending a questionnaire-affidavit to her home address. Respondent explained that she had been very busy caring for her elderly, sick mother and hadn't had any other time to deal with anything else. Respondent advised me that she hadn't been to her home in about a month because she had been staying with her mother. Respondent stated that her husband usually will tell her if any mail comes for her, but he may have just overlooked it. She advised me that she would be going to her home today, to look for the affidavit, fill it out, and have it back in the mail by COB tomorrow, 11/10/16. I thanked her for her attention to this matter.
Memo to File? No
Entered by: CKO

4. **Date and time:** November 15, 2016 @ 10:15 am
Name: Respondent
Phone #: (305) 975-3913
Summary: I had telephone contact to check on the status of overdue questionnaire-affidavit. I was informed that she put the affidavit in the mail on Saturday, November 12, 2016. She told me that I should be receiving it any day now. She told me that she didn't include any medical information with the affidavit due to HIPPA laws. I thanked her for her attention with this matter.
Memo to File? No

EXHIBIT 9(1 of 2)

Entered by: CKO

EXHIBIT 9(2 of 2)



FLORIDA ELECTIONS COMMISSION

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

October 6, 2016

Deede Weithorn
1130 Stillwater Drive
Miami Beach FL 33141

RE: Case No.: FEC 16-327; Respondent: Deede Weithorn

Dear Ms. Weithorn:

On August 16, 2016, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more legally sufficient allegations. The Commission staff will investigate the following alleged violations:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent failed to timely notify the filing officer that it had no reportable activity and, therefore, would not be filing a report on the prescribed reporting date for each of the following reporting periods:

- 2015 M10
- 2016 M3
- 2016 M4

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

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

The Commission will then hold a hearing to determine whether there is probable cause to believe you have violated Chapters 104 or 106, Florida Statutes. You and the complainant will receive a notice of hearing at least 14 days before the hearing. The notice of hearing will indicate the location, date, and time of your hearing. You will have the opportunity to make a brief oral statement to the Commission, but you will not be permitted to testify or call others to testify, or introduce any documentary or other evidence.

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

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

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

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

Sincerely,



Amy McKeever Toman
Executive Director

AMT/enr

Deede Weithorn
1130 Stillwater Drive
Miami Beach, FL 33141

2016 SEP -8 P 2:53
STATE OF FLORIDA
ELECTIONS COMMISSION

September 1, 2016

Erin Riley
Deputy Agency Clerk
Florida Elections Commission
107 W Gaines Street, Suite 224 Collins Building
Tallahassee, FL 32399

Case Number: FEC 16-327

Dear Ms. Riley

I do not disagree I was late on my filings. The October report, due in November was due to an error where I thought it was filed and did not know it was not until I received the notice.

The March and April filings were late due to a personal matter which caused me to drop out of the race. My mother was rushed to the hospital in March 2016 and has never walked since. I was away from home for weeks at a time without the ability to file timely. I was two days late in April which is prior to receipt of a letter and 9 days later but also prior to receipt of a letter in May.

Due to HIPPA laws I am not enclosing proof of my mother's condition but I can provide redacted data if necessary.

Thank you for your consideration.



16-327 ✓



attn Erin Riley
Deede Weithorn to: fec

09/02/2016 10:40 AM

From: Deede Weithorn <ddweithorn@gmail.com>
To: fec@myfloridalegal.com

1 attachment



Document1.pdf

Deede Weithorn
1130 Stillwater Drive
Miami Beach, FL 33141

Erin Riley
Deputy Agency Clerk
Florida Elections Commission
107 W Gaines Street, Suite 224 Collins Building
Tallahassee, FL 32399

September 1, 2016

Case Number: FEC 16-327

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Due to HIPPA laws I am not enclosing proof of my mother's condition but I can provide redacted data if necessary.

Thank you for your consideration.

Deede Weithorn

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

RECEIVED

To FEC from Division of Elections

2016 AUG 16 P 2:22

STATE OF FLORIDA
ELECTIONS COMMISSION

Candidate: Deede Weithorn

Account Number: 64513

Treasurer: Deede Weithorn

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to Sections 106.07(8)(d), 106.22(7), and 106.25(2), Florida Statutes. An apparent violation of Chapter 106, Florida Statutes, has occurred based upon repeated late filings or failure to file notifications to the filing officer in writing that no report was being filed on the prescribed reporting date under s. 106.07(7).

2015 M10

2016 M3

2016 M4

Sent By: Kristi Reid Bronson

Date: July 21, 2016

ejr

KRB

AFFIDAVIT

STATE OF FLORIDA
County of Leon

Kristi Reid Bronson, being duly sworn, says:

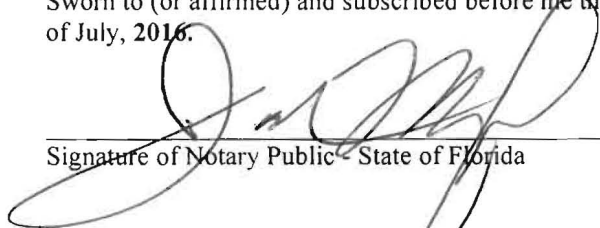
1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division). In that capacity, I oversee the Division's duties related to the filing of campaign finance reports. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
2. I am of legal age and competent to testify to the matters stated herein.
3. Deede Weithorn (64513) is a 2016 candidate for the office of State Representative. On January 7, 2015, Ms. Weithorn filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division designating herself as treasurer. (See attached documents and acknowledgment letter.)
4. The 2015 M10 campaign treasurer's report was due on November 10, 2015. Ms. Weithorn filed a notification of no activity on November 30, 2015. (See attached letter and file receipt.)
5. The 2016 M3 campaign treasurer's report was due on April 11, 2016. Ms. Weithorn filed a notification of no activity on April 12, 2016. (See attached letter and file receipt.)
6. The 2016 M4 campaign treasurer's report was due on May 10, 2016. Ms. Weithorn filed a notification of no activity on May 19, 2016. (See attached letter and file receipt.)

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



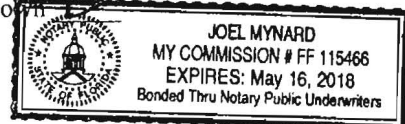
Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 21st day of July, 2016.



Signature of Notary Public - State of Florida

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



**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
15 JAN -7 PM 1:45
DIVISION OF ELECTIONS
SECRETARY OF STATE

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)
Deede Weithorn

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

4. Telephone
(305) 975-3913

5. E-mail address
deede@deedeweithorn.com

6. Office sought (include district, circuit, group number)
State House Dist 113

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 Democratic Party candidate.

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

10. Name of Treasurer or Deputy Treasurer
Deede Weithorn

11. Mailing Address
1130 Stillwater Dr

12. Telephone
(305) 975-3913

13. City
Miami Beach

14. County
Miami Dade

15. State
FL

16. Zip Code
33141

17. E-mail address
deede@deedeweithorn.com

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

19. Name of Bank
City National

20. Address
300 71 Street

21. City
Miami Beach

22. County
Miami Dade

23. State
FL

24. Zip Code
33141

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
1/6/15

26. Signature of Candidate
 Deede Weithorn

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

I, Deede Weithorn, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

1/6/15
Date

Deede Weithorn
Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY
RECEIVED

15 JAN -7 PM 1:45

DIVISION OF ELECTIONS
SECRETARY OF STATE

I, Deede Weithorn,

candidate for the office of State House Representative - Dist 113 ;

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

X Deede Weithorn
Signature of Candidate

1/5/15
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).



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

January 12, 2015

Deede Weithorn
1130 Stillwater Drive
Miami Beach, Florida 33141

Dear Ms. Weithorn:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, which was placed on file in our office on January 7, 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 **February 10, 2015**. The report will cover the period of January 1-31, 2015 (M1). 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: 64513



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

FLORIDA
DIVISION OF
ELECTION

Deede Weithorn
January 12, 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 your confidential pin numbers.

Each candidate is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that 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 no later than midnight, Eastern Standard Time, 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.

Deede Weithorn
January 12, 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://elections.myflorida.com>. 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,

A handwritten signature in black ink, appearing to read "Kristi Reid Bronson". The signature is fluid and cursive, with a large initial "K" and "B".

Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/ljr

Enclosures

 Treasurer Report Status

ID: **64513** Name: **Deede Weithorn**

Report: 2015 - M10 - 10

Print Date: **7/19/2016 11:58:08 AM**

Election: 2016 General Election

Covers: 10/1/2015-10/31/2015

Amended Waiver

Due: 11/10/2015

Filed: **11/30/2015 10:39:42 AM**

File Status: **Filed Report**

Reviewed: **11/30/2015**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

Number of Detail Records

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0**

Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'



FLORIDA DEPARTMENT OF STATE

Ken Detzner

Secretary of State

DIVISION OF ELECTIONS

December 2, 2015

Deede Weithorn
1130 Stillwater Drive
Miami Beach, FL 33141-3141

CAN 64513

Dear Ms. Weithorn:


The notification that you had no reportable activity for the report deadline of November 10, 2015, was not filed until November 30, 2015. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

 Treasurer Report StatusID: **64513** Name: **Deede Weithorn**

Report: 2016 - M3 - 15

Print Date: **7/19/2016 11:58:25 AM**

Election: 2016 General Election

Covers: 3/1/2016-3/31/2016

Due: 4/11/2016

 Amended WaiverFiled: **4/12/2016 11:41:21 AM**File Status: **Filed Report**Reviewed: **4/12/2016**Review Status: **Reviewed**Detail Complete: **No Detail Records Found**

File Method: Web Filed

Entry Method: Web Data Entry

Pending Queued Items: **0****Number of Detail Records**

Contributions: 0

Expenditures: 0

Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

May 11, 2016

Deede Weithorn
1130 Stillwater Drive
Miami Beach, FL 33141-3141

CAN 64513

Dear Ms. Weithorn:

The notification that you had no reportable activity for the report deadline of April 11, 2016, was not filed until April 12, 2016. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

 Treasurer Report Status

ID: **64513** Name: **Deede Weithorn**

Report: 2016 - M4 - 16

Print Date: **7/19/2016 11:58:45 AM**

Election: 2016 General Election

Covers: 4/1/2016-4/30/2016

Due: 5/10/2016

Amended Waiver

Filed: **5/19/2016 9:29:12 AM**

File Status: **Filed Report**

Reviewed: **5/19/2016**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

Entry Method: Web Data Entry

Pending Queued Items: **0**

Number of Detail Records

Contributions: 0

Expenditures: 0

Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

June 1, 2016

Deede Weithorn
1130 Stillwater Drive
Miami Beach, FL 33141-3141

CAN 64513

Dear Ms. Weithorn:

The notification that you had no reportable activity for the report deadline of May 10, 2016, was not filed until May 19, 2016. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

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

Sincerely,

A handwritten signature in black ink that reads "Kristi Reid Bronson".

Kristi Reid Bronson, Chief
Bureau of Election Records