

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Rachel Kruse, as treasurer of Voter's
Response**

**Case No.: FEC 11-129
F.O. No.: FOFEC 12-006W**

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FEDERAL ELECTIONS COMMISSION

CONSENT ORDER

The Respondent, Rachel Kruse, as the treasurer of Voter's Response (VR), and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order.

FINDINGS OF FACT

1. The Respondent is Rachel Kruse, the treasurer of Voter's Response, an electioneering communication organization registered with the Division of Elections.
2. On or about June 2, 2011, the Commission received a sworn complaint alleging that the Respondent failed to include a proper disclaimer on electioneering communications sent out by VR and VR failed to report expenditures for electioneering communications :
3. No other legally sufficient violation of Chapters 104 or 106, Florida Statutes, was alleged in the complaint.
4. The Respondent against whom the complaint was filed has not been notified of an allegation of the same violation before the conduct about which the complaint was filed.

CONCLUSIONS OF LAW

5. The Commission has jurisdiction over the parties to and subject matter of this cause, pursuant to Section 106.26, Florida Statutes.
6. The Respondent neither admits nor denies that she violated Sections 106.0703 or

106.11(4), Florida Statutes.

ORDER

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

8. The Respondent shall pay her own attorney fees and costs that are in anyway associated with this case.

9. The Respondent understands that before the Consent Order is final agency action, it must be approved by the Commission. The Commission will consider the Consent Order at its February 2012 meeting.

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

11. The Respondent will carefully review Chapter 106, Florida Statutes, and the *Electioneering Communication Organization Handbook* published by the Division of Elections, and avoid any future violation of the chapter.

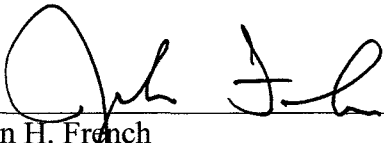
12. The Respondent agrees to correct immediately the violations alleged in the complaint.

13. If the Commission does not receive the signed Consent Order and the fine within 20 days of the date Respondent receives this Consent Order, the staff withdraws this offer of settlement and will proceed with an investigation of the allegations in the complaint.

14. The Respondent shall remit to the Commission a fine in the amount of \$2500 by cashier's check or attorney trust account check. The fine shall be paid to the Florida Elections Commission, 107 W. Gaines Street, Collins Building, Room 224, Tallahassee, Florida, 32399-1050.

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

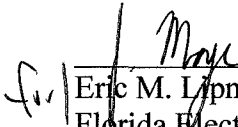
January 10, 2012.



John H. French
1531 Live Oak Drive
Tallahassee, Florida 32301
Counsel for Rachel Kruse, as treasurer of
Voter's Response

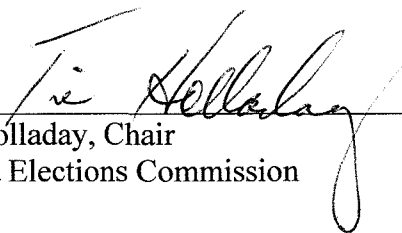
The **Commission staff** hereby agrees and consents to the terms of this Consent Order on

January 13th, 2012.



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

Approved by the Florida Elections Commission at its regularly scheduled meeting held on February 21 & 22, 2012, in Tallahassee, Florida.



Tim Holladay, Chair
Florida Elections Commission

2-23-12

Date

Copies furnished to:

Eric M. Lipman, General Counsel
John H. French, Attorney for Respondent

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[REDACTED]

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63-68/631

1/9/2012

PAY TO THE ORDER OF

Florida Elections Commission

\$ **2,500.00

Two Thousand Five Hundred and 00/100*****

DOLLARS

Florida Elections Commission

David E. Law
AUTHORIZED SIGNATURE

SAFE GUARD SECURE
SAFE GUARD SECURE
MP

MEMO

[REDACTED]