

FILED

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STATE OF FLORIDA  
ELECTIONS COMMISSION

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

**v.**

**Peter James Lombardo,  
Respondent.**

**Agency Case No.: FEC 12-171  
F.O. No.: FOEC 14-074W**

**CONSENT FINAL ORDER**

Respondent, **Peter James Lombardo** (“Respondent”), and the Florida Elections Commission (“Commission”) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order:

**FINDINGS OF FACT**

1. On January 17, 2014, the staff of the Commission issued a Staff Recommendation, recommending to the Commission that there was probable cause to believe that Respondent violated chapter 106, Florida Statutes

2. On March 12, 2014, the Commission entered an Order of Probable Cause finding that there was probable cause to charge Respondent with the following violations:

**Count 1:**

On or about July 17, 2012, Respondent violated Section 106 11(4), Florida Statutes, when he authorized or wrote a check to Strategic Image Management Inc., for \$53,000 when he did not have sufficient funds on deposit in his campaign account to pay the full amount of the authorized expense, to honor all other checks drawn on his campaign account, which checks are outstanding, and to

meet all expenses previously authorized but not yet paid.

**Count 2:**

On or about July 17, 2012, Respondent violated Section 106.19(1)(d), Florida Statutes, by making or authorizing an expenditure in violation of Chapter 106, Florida Statutes.

**Count 3:**

On or about July 19, 2012, Respondent violated Section 106.19(1)(a), Florida Statutes, when he accepted a \$51,100 excessive contribution from his Wife's Business Account.

**Count 4:**

On or about July 19, 2012, Respondent violated Section 106.19(1)(a), Florida Statutes, when he accepted a \$1,150 excessive contribution from his Law Firm.

**Count 5:**

On or about July 20, 2012, Respondent violated Section 106.19(1)(a), Florida Statutes, when he accepted a \$3,000 excessive contribution from his Law Firm.

3. Respondent has expressed a desire to enter into negotiations directed toward reaching a consent agreement.

4. Respondent and the staff stipulate to the following facts:

a. Respondent was a candidate for State Attorney of the Twelfth Judicial Circuit in the August 14, 2012 primary election.

b. Respondent owns the Law Office of Peter Lombardo.

c. Respondent's wife, Maria C. Lombardo, owns The Lombardo Home, Inc., a Florida For-Profit corporation.

d. On or about July 17, 2012, Respondent wrote a check to Strategic Image Management, Inc. when he did not have sufficient funds on deposit in his campaign

account to pay the full amount of the expense, to honor all other checks written from his campaign account which were outstanding, and to meet all expenses previously authorized expenses that he had not already paid.

e. On or about July 19, 2012, Respondent accepted a contribution in the amount of \$51,000 from The Lombardo Home, Inc.

f. On or about July 19, 2012, Respondent accepted a \$1,150 contribution from the Law Office of Peter Lombardo

g. On or about July 20, 2012, Respondent accepted a \$3,000 contribution from the Law office of Peter Lombardo.

#### **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 Commission staff and the Respondent stipulate that staff can prove the facts set forth in paragraphs 4(a-g) above by clear and convincing evidence, and to the Commission's ability to impose a civil penalty in this case.

7. Counts 1 and 2 of the Order of Probable Cause are based upon the same facts, therefore Count 2 shall be dismissed.

#### **ORDER**

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

9. The parties shall each bear its own attorney fees and costs that are in any way associated with this case.

10. The Commission will consider the Consent Order at its next available meeting.

11. Count 2 of the Order of Probable Cause is dismissed

12. The Respondent voluntarily waives the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal the Consent Order.

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

14. If the Commission does not receive the signed Consent Order and payment by the close of business on April 10, 2014, the staff withdraws this offer of settlement and will proceed with the case.

15. Payment of the civil penalty must be made by cashier's check, money order, or attorney trust account check and is a condition precedent to the Commission's consideration of the Consent Order. The certified funds must remain good for 120 days.

#### **PENALTY**

**WHEREFORE**, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated Section 106.11(4), Florida Statutes, on one occasion and Section 106.19(1)(a), Florida Statutes, on three occasions. Respondent is fined \$9,000 for the violations.

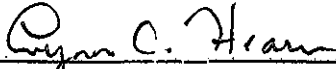
Therefore it is

**ORDERED** that Respondent shall remit to the Commission a civil penalty in the amount of \$9,000, inclusive of fees and costs. The civil penalty shall be paid by cashier's check, money order, or attorney trust account check and shall be valid for 120 days from the date of its issuance. The civil penalty should be made payable to the Florida Elections Commission and

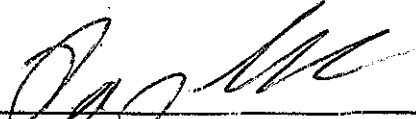
sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-1050.

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

April 10, 2014.



Lynn C. Hearn  
Meyer, Brooks, Demma, and Blohm, P.A.  
131 N Gadsden Street  
Tallahassee, FL 32301-1507



Peter James Lombardo  
1101 6<sup>th</sup> Avenue West, Ste. 204  
Bradenton, Florida 34205

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

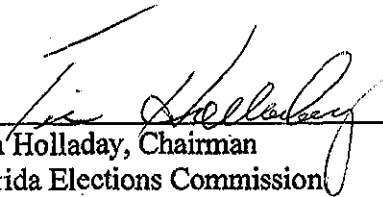
April 10, 2014.



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

Approved by the Florida Elections Commission at its regularly scheduled meeting on

May 6 and 7, 2014



Tim Holladay, Chairman  
Florida Elections Commission

Copies furnished to:

Eric Lipman, General Counsel  
Lynn C. Hearn, Attorney for Respondent  
Eduardo A. Brodsky, Complainant

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INTERNATIONAL MONEY ORDER

The Money Superstore™

86-490  
1031

0015043062

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PAY TO THE ORDER OF FLORIDA ELECTION COMMISSION

04/07/2014

AMSCOT CORPORATION  
P.O. BOX 25137  
TAMPA, FL  
33622-5137

\$ 1 0 0 0 . 0 0

~~PETER LOMBARDO~~  
PURCHASER

\*\*ONE THOUSAND AND 00/100 DOLLARS

15043062

NOT VALID FOR MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS (\$1500)

AMSCOT CORPORATION

PURCHASER'S SIGNATURE

PURCHASER AND PAYEE ARE SUBJECT TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

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0005448911

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PAY TO THE ORDER OF

Florida Election Commission

04/07/2014

AMSCOT CORPORATION  
P.O. BOX 25137  
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33622-5137

PURCHASER  
Peter Lombardo

\$1000.00

05448911

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AMSCOT CORPORATION

Payable through BancFirst

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# INTERNATIONAL MONEY ORDER

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04/07/2014

AMSCOT CORPORATION  
P.O. BOX 25137  
TAMPA, FL  
33622-5137

PURCHASER  
Peter Lombardo

\$1000.00

05448912

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AMSCOT CORPORATION  
P.O. BOX 25137  
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33622-5137

PURCHASER  
Peter Lombardo

\$500.00

05448913

\*\* FIVE HUNDRED AND 00/100 DOLLARS

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ISSUING BRANCH 550111-MANATEE COUNTY - MANATEE A

DATE APRIL 08, 2014

68-236/514

PAY TO THE ORDER OF \*\*\*\*\*FLORIDA ELECTION COMMISSION\*\*\*\*

\$ **\*\* \$4,000.00 \*\***

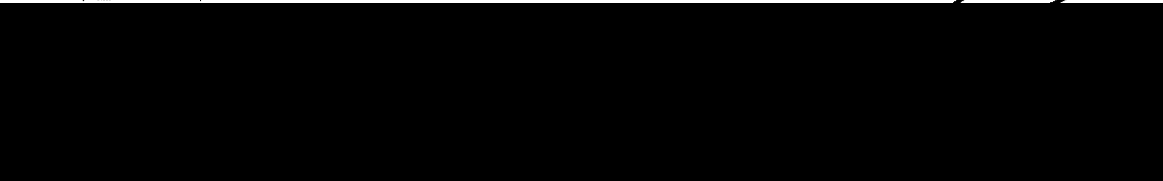
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DOLLARS

**BB&T**

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*[Signature]*

MEMO/PURCHASED PETER LOMBARDI



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# OFFICIAL CHECK

M16779 12602884

## 5005912324

ISSUING BRANCH 550111-MANATEE COUNTY - MANATEE A

DATE APRIL 08, 2014

68-236/514

PAY TO THE ORDER OF \*\*\*\*\*FLORIDA ELECTION COMMISSION\*\*\*\*

\$ **\*\* \$500.00 \*\***

*BB&T 500DOLLARS*

DOLLARS

**BB&T**

AUTHORIZED SIGNATURE  
*[Signature]*

MEMO/PURCHASED PETER LOMBARDI



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