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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: F.F.A.I., a Florida Corporation

Case Nos.: FEC 08-357

FEC 08-353

FD FEC NO.: 14-193W

CONSENT AGREEMENT AND FINAL ORDER

This Consent Agreement and Final Order is entered into by Respondent, Florida Family Action, Inc., and the Florida Elections Commission (Commission), to resolve all of the issues, controversies and claims between them, as follows:

WHEREAS on April 23, 2009, an Amended Complaint was filed with the Commission in the above-referenced cases alleging that Respondent and some of its current and former officers and directors violated various provisions of the Florida Election Code;

WHEREAS Respondent and its officers and directors deny that they have violated any law and deny any liability;

WHEREAS the Commission initiated a preliminary investigation pursuant to Fl. Stat. § 106.25(4), but has not made a determination as to whether probable cause exists to believe that a violation has occurred;

WHEREAS the Commission has the express authority under Fl. Stat. § 106.25(4)(i)(3) to enter into a consent agreement with Respondent prior to a finding of probable cause;

WHEREAS the Commission has the express authority under Fl. Stat. § 106.25(4)(i)(1) to enter into a consent agreement with Respondent without requiring Respondent to admit to a violation of law within the jurisdiction of the Commission; and

WHEREAS the Commission and Respondent now desire to fully and finally resolve all issues, controversies and claims between them, and desire to avoid the uncertainty, expense and possibility of further administrative proceedings and litigation by entering into this Consent Agreement and Final Order.

NOW, THEREFORE, in consideration of the promises and covenants as set forth herein, with their intention to be mutually and legally bound hereby, Respondent and the Commission covenant and agree as follows:

1. Respondent does not admit that it violated any law, including the Florida Election Code, and does not admit any liability to the Commission or to any other public or private entity for any reason whatsoever. With the understanding that this Consent Agreement and Final Order is intended to resolve disputed claims, and that nothing herein shall constitute an admission or evidence of unlawful conduct, in the exercise of its discretion and business judgment Respondent agrees to pay the Commission the sum of \$10,000.00 (Ten Thousand Dollars and No Cents). The settlement payment shall be delivered to the Commission's counsel via bank draft at the time the Commission approves and enters this Consent Agreement and Final Order, and the receipt and sufficiency of said payment is hereby acknowledged.

2. With this Consent Agreement and Final Order, the Commission hereby forever and fully resolves and closes, with prejudice, Case Nos. 08-353 and 08-357. It is hereby understood and agreed that this resolution and closing has the same effect as a full adjudication of all matters raised, or which could have been raised, in Case Nos. 08-353 and 08-357 involving Respondent or any of its current or former subsidiaries, divisions, affiliates, predecessors, successors, assigns, officers, directors, officials, supervisors, employees, agents, third-party administrators, insurers, attorneys, and representatives. It is further understood and agreed that

this resolution and closing forever bars any subsequent charge, claim, proceeding or investigation against Respondent or any of its current or former subsidiaries, divisions, affiliates, predecessors, successors, assigns, officers, directors, officials, supervisors, employees, agents, third-party administrators, insurers, attorneys, and representatives, arising from any issues, controversies, claims or matters which were raised or could have been raised in Case Nos. 08-353 and 08-357.

3. Within fourteen (14) days of the entry of this Order by the Commission, the Commission shall also voluntarily dismiss, with prejudice, each party to bear its own costs, any outstanding circuit court action ancillary to Case Nos. 08-353 and 08-357, including:

- a) *Florida Elections Commission v. Johnson, Jon*, Case No. 2013-CA-000459
(Second Judicial Circuit, Leon County);
- b) *Florida Elections Commission v. Mutz, Bill*, Case No. 2013-CA-000955
(Tenth Judicial Circuit, Polk County); and
- c) *Florida Elections Commission v. Watson, Robert*, Case No. 2013-CA-002242
(Thirteenth Judicial Circuit, Hillsborough County).

4. The Respondent and the Commission have entered into this Consent Agreement and Final Order voluntarily and upon advice of counsel.

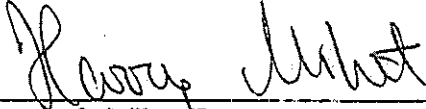
5. The parties shall each bear their own attorney's fees and costs.

6. This Consent Agreement and Final Order sets forth the entire agreement between the parties hereto, and fully supersedes any and all prior agreements or understandings between the parties hereto pertaining to the subject matter hereof.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;
SIGNATURE PAGE FOLLOWS]**

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

Sept. 30, 2014.



Horatio G Mihet, Esq.
Senior Litigation Counsel
Liberty Counsel
P.O. Box 540774
Orlando, FL 32854

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

Sept 25, 2014.



Jaakan A Williams
Assistant General Counsel
Florida Elections Commission
107 West Gaines Streets
Collins Building, Suite 224
Tallahassee, FL 32399-1050

IT IS SO ORDERED.

Approved by the Florida Elections Commission at its regularly scheduled meeting held
on October 28 - 29, 2014, in Tallahassee, Florida.



Tim Holladay, Chairman
Florida Elections Commission

10/29/14
Date

Copies furnished to:
Jaakan A Williams, Assistant General Counsel
Horatio G Mihet, Attorney for Respondent
Jon Kislak, Complainant



CASHIER'S CHECK

61-1/620

09/30/2014

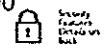
COPY

FFAI /
Purchaser / Purchased For

TEN THOUSAND DOLLARS AND 00 CENTS

PAY TO THE ORDER OF: FLORIDA ELECTIONS COMMISSION

\$10,000.00



Dei Oddy

Authorized Signature

Regions Bank





FEC/FFAI -- settlement check copy
Mihet, Horatio to: 'Jaakan Williams'

10/08/2014 09:06 PM

Jaakan – as you requested, attached please find a copy of the Cashier's Check I will bring with me at the Oct. 28 FEC hearing, representing the agreed upon settlement sum.

Kindly confirm receipt.

HGM

Horatio G. Mihet, Esq.*
*Vice President of Legal Affairs &
Chief Litigation Counsel*

Liberty Counsel

PO Box 540774

Orlando, FL 32854

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Check - Settlement Payment.pdf