

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

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Florida Elections Commission,  
Petitioner,

v.

Case Nos.: FEC 09-120  
F.O. No.: FOFEC 12-003W

Stacy Ritter,  
Respondents,

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**CONSENT FINAL ORDER**

The Respondent, Stacy Ritter, 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 September 20, 2010, the staff of the Commission issued Staff Recommendations, recommending to the Commission that there was probable cause to believe that The Florida Election Code was violated.
2. On November 23, 2010, the Commission entered an Order of Probable Cause finding that there was probable cause to charge the Respondent with the following violations:

**Count 1:**

On or about October 9, 2007, Respondent violated Section 106.07(5), Florida Statutes, by certifying that her 2007 Q3 campaign report was true, correct and complete when it was not.

**Count 2:**

On or about January 7, 2008, Respondent violated Section 106.07(5), Florida Statutes, by certifying that her 2007 Q4 campaign report was true, correct and complete when it was not.

**Count 3:**

On or about April 10, 2008, Respondent violated Section

106.07(5), Florida Statutes, by certifying that her 2008 Q1 campaign report was true, correct and complete when it was not.

**Count 4:**

On or about October 9, 2007, Respondent violated Section 106.19(1)(b), Florida Statutes, by failing to report a contribution required to be reported by Chapter 106, Florida Statutes, when Respondent accepted a contribution in the amount of \$500 from DNC Travel Hospitality Services, Inc. and failed to report it on her 2007 Q3 campaign report.

**Count 5:**

On or about April 10, 2007, Respondent violated Section 106.19(1)(b), Florida Statutes, by failing to report a contribution required to be reported by Chapter 106, Florida Statutes, when Respondent accepted a contribution in the amount of \$500 from AMERA Broward Barron, Inc. and failed to report it on her 2008 Q1 campaign report.

**Count 6:**

On or about April 10, 2007, Respondent violated Section 106.19(1)(b), Florida Statutes, by failing to report a contribution required to be reported by Chapter 106, Florida Statutes, when Respondent accepted a contribution in the amount of \$500 from AMERA Amara 1800 Plus, Ltd. and failed to report it on her 2008 Q1 campaign report.

**Count 7:**

On or about April 10, 2007, Respondent violated Section 106.19(1)(b), Florida Statutes, by failing to report a contribution required to be reported by Chapter 106, Florida Statutes, when Respondent accepted a contribution in the amount of \$500 from AMERA Riverbend Corp. Park and failed to report it on her 2008 Q1 campaign report.

**Count 8:**

On or about April 10, 2007, Respondent violated Section 106.19(1)(b), Florida Statutes, by failing to report a contribution required to be reported by Chapter 106, Florida Statutes, when Respondent accepted a contribution in the amount of \$500 from AMERA Riverbend Corp. South and failed to report it on her 2008 Q1 campaign report.

**Count 9:**

On or about April 10, 2007, Respondent violated Section 106.19(1)(b), Florida Statutes, by failing to report a contribution required to be reported by Chapter 106, Florida Statutes, when Respondent accepted a contribution in the amount of \$500 from AMERA Mo Homes, LLC and failed to report it on her 2008 Q1 campaign report.

**Count 10:**

On or about April 10, 2007, Respondent violated Section 106.19(1)(b), Florida Statutes, by failing to report a contribution required to be reported by Chapter 106, Florida Statutes, when Respondent accepted a contribution in the amount of \$500 from AMERA Amera Federal 300, Ltd. and failed to report it on her 2008 Q1 campaign report.

**Count 11:**

On or about April 10, 2007, Respondent violated Section 106.19(1)(b), Florida Statutes, by failing to report a contribution required to be reported by Chapter 106, Florida Statutes, when Respondent accepted a contribution in the amount of \$500 from AMERA Hub Associates, Ltd. and failed to report it on her 2008 Q1 campaign report.

**Count 12:**

On or about April 10, 2007, Respondent violated Section 106.19(1)(b), Florida Statutes, by failing to report a contribution required to be reported by Chapter 106, Florida Statutes, when Respondent accepted a contribution in the amount of \$500 from AMERA London Associates, Ltd. and failed to report it on her 2008 Q1 campaign report.

**Count 13:**

On or about April 10, 2007, Respondent violated Section 106.19(1)(b), Florida Statutes, by failing to report a contribution required to be reported by Chapter 106, Florida Statutes, when Respondent accepted a contribution in the amount of \$500 from AMERA TAB 700, Ltd. and failed to report it on her 2008 Q1 campaign report.

**Count 14:**

On or about April 10, 2007, Respondent violated Section

106.19(1)(b), Florida Statutes, by failing to report a contribution required to be reported by Chapter 106, Florida Statutes, when Respondent accepted a contribution in the amount of \$500 from AMERA Las Olas Properties, Inc. and failed to report it on her 2008 Q1 campaign report.

**Count 15:**

On or about January 7, 2008, Respondent violated Section 106.19(1)(c), Florida Statutes, by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes, when Respondent failed to report an \$80 expenditure made to H.O.M.E, Inc. on October 19, 2007.

**Count 16:**

On or about October 9, 2007, Respondent violated Section 106.19(1)(c), Florida Statutes, by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes, when Respondent failed to report the purpose of the reimbursement made in the amount of \$895.38 to Russell Klenet on September 14, 2007.

**Count 17:**

On or about January 7, 2008, Respondent violated Section 106.19(1)(c), Florida Statutes, by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes, when Respondent failed to report the purpose of the reimbursement made in the amount of \$484.87 to Russell Klenet on October 9, 2007.

**Count 18:**

On or about April 10, 2008, Respondent violated Section 106.19(1)(c), Florida Statutes, by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes, when Respondent failed to report the purpose of the reimbursement made in the amount of \$1,576.91 to Russell Klenet on January 23, 2008.

**Count 19:**

On or about April 10, 2008, Respondent violated Section 106.19(1)(c), Florida Statutes, by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes, when Respondent failed to report the purpose of the

reimbursement made in the amount of \$2,391.50 to Russell Klenet on February 27, 2008.

**Count 20:**

On or about June 24, 2008, Respondent violated Section 106.141(1), Florida Statutes, by accepting a contribution after the candidate withdraws, becomes unopposed, is eliminated or elected, when Respondent accepted a contribution in the amount of \$500 from Ericks Consultants, Inc. after Respondent became unopposed.

**Count 21:**

On or about June 24, 2008, Respondent violated Section 106.141(1), Florida Statutes, by accepting a contribution after the candidate withdraws, becomes unopposed, is eliminated or elected, when Respondent accepted a contribution in the amount of \$250 from Thomas J. Marwood after Respondent became unopposed.

**Count 22:**

On or about September 16, 2008, Respondent violated Section 106.08(3)(b), Florida Statutes, by failing to return or using a contribution received after the date the candidate withdraws, becomes unopposed, is eliminated or elected, when Respondent became unopposed on June 20, 2008 and failed to return a contribution received on June 24, 2008 from Ericks Consultants, Inc. for \$500.

**Count 23:**

On or about September 16, 2008, Respondent violated Section 106.08(3)(b), Florida Statutes, by failing to return or using a contribution received after the date the candidate withdraws, becomes unopposed, is eliminated or elected, when Respondent became unopposed on June 20, 2008 and failed to return a contribution received on June 24, 2008 from Thomas J. Marwood for \$250.

**Count 24:**

On or about September 15, 2008, Respondent violated Section 106.19(1)(d), Florida Statutes, by making or authorizing any expenditure prohibited by Chapter 106, Florida Statutes, when Respondent issued two pro-rata refund checks to Joseph Herndon for two contributions even though Joseph Herndon's second contribution was returned in full.

**Count 25:**

On or about September 15, 2008, Respondent violated Section 106.19(1)(d), Florida Statutes, by making or authorizing any expenditure prohibited by Chapter 106, Florida Statutes, when Respondent issued a pro-rata refund check to Bags to Go even though Bags to Go's contribution was returned in full.

**Count 26:**

On or about March 13, 2008, Respondent violated Section 106.19(1)(a), Florida Statutes, by accepting a contribution in excess of the legal limit, when Respondent accepted a second contribution in the amount of \$500 from Florida Transportation Services, Inc. after already accepting one contribution in the amount of \$500.

**Count 27:**

On or about September 16, 2008, Respondent violated Section 106.141(1), Florida Statutes, by failing to dispose of funds remaining in her campaign account within 90 days after she withdrew, became unopposed, was eliminated or elected, and to file a report reflecting the disposition of all remaining funds, when Respondent became unopposed in the 2008 general election and failed to dispose of funds in her campaign account and file a report reflecting the disposition of the funds on or before September 16, 2008.

**Count 28:**

On or about September 16, 2008, Respondent violated Section 106.141(1), Florida Statutes, by failing to file timely a report reflecting the disposition of all remaining funds in her campaign account within 90 days after she withdrew, became unopposed, was eliminated or elected, when Respondent became unopposed in the 2008 general election and failed to file a termination report due on September 16, 2008, reflecting the disposition of the remaining funds in her campaign account.

3. The Respondents and the staff stipulate to the following facts:
  - a. The Respondent was an incumbent candidate for the Board of County Commissioners in Broward County in the 2008 election, and served as her own campaign treasurer.

b. Eleven total contributions, each in the amount of \$500 (for a total of \$5,500) were received by Respondent, deposited into the campaign account; but were not reported in Respondent's campaign treasurer's reports as required by Section 106.19(1)(b), Florida Statutes.

c. The termination report was not timely filed within 90 days after Respondent became unopposed (September 15, 2008), reflecting the disposition of all remaining funds in the campaign account; and Respondent did not timely dispose of all remaining funds in the campaign account until February 4, 2009; as required by Section 106.141(1), Florida Statutes.

d. Counts 1-3 and 15-26 are hereby dismissed.

4. The Commission has jurisdiction over the parties to and subject matter of this cause, pursuant to Section 106.26, Florida Statutes.

5. The Commission staff and the Respondent stipulate that the Commission could establish a prima facie case of the facts and violations set forth above.

#### **ORDER**

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

7. The Respondent shall bear their own attorney fees and costs that are in any way associated with this case.

8. The Respondent understands that before the Consent Order becomes final agency action, the Commission must approve it at a public meeting. The Commission will consider the Consent Order at its next available meeting.

9. 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.

10. 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 the Respondent shall be responsible for all fees and costs associated with enforcement.

11. If the Commission does not receive the signed Consent Order within 5 days of the date Respondent received this order, the staff withdraws this offer of settlement and will proceed with the case.

12. Payment of the civil penalty by cashier's check or attorney's trust account check is a condition precedent to the Commission's consideration of the Consent Order.

#### **PENALTY**

**WHEREFORE**, based upon the foregoing facts and conclusions of law, the Commission finds that the staff can establish a prima facie case that Stacy Ritter has violated Sections 106.19(1)(b) and 106.141(1), Florida Statutes. Stacy Ritter is fined \$8,300.00 for the violations.


Therefore it is **ORDERED** that

A. Counts 1-3 and 15-26 are hereby dismissed; and


B. Stacy Ritter shall remit to the Commission a civil penalty in the amount of \$8,000.00, plus \$300 for incurred expenses, for a total of \$8,300. Payment of the civil penalty and incurred expenses shall be paid by cashier's check or attorney's trust account check, and made payable to the Florida Elections Commission, 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

The **Respondent**, Stacy Ritter, hereby agrees and consents to the terms of this Order on

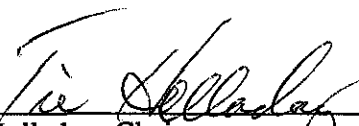
November 18, 2011.

  
\_\_\_\_\_  
Stacy Ritter  
7711 Salem Lane  
Parkland, Florida 33067

The Commission staff hereby agrees and consents to the terms of this Consent Order on  
November 28<sup>th</sup>, 2011.

  
\_\_\_\_\_  
Joshua B. Moye  
Assistant General Counsel  
Florida Elections Commission  
107 W. Gaines Streets  
Collins Building, Suite 224  
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held  
on Feb. 21, in Tallahassee, Florida.

  
\_\_\_\_\_  
Tim Holladay, Chairman  
Florida Elections Commission

2/23/12  
\_\_\_\_\_  
Date

Copies furnished to:  
Joshua B. Moye, Assistant General Counsel  
Mark Herron, Attorney for Respondent  
Benedict P. Kuehne, Attorney for Respondent

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

12150

**MESSER, CAPARELLO & SELF, P.A.**  
TRUST ACCOUNT  
P.O. BOX 15579  
TALLAHASSEE, FL 32317  
(850) 222-0720

 **PREMIER BANK**  
P.O. BOX 3606 TALLAHASSEE, FL 32315-3606

63-1410/631


DATE: 11/28/2011  
NUMBER: 12150  
AMOUNT: \*\*\*\*\$300.00

PAY \*\*\* THREE HUNDRED & 00/100 DOLLARS

Florida Elections Commission

MESSER, CAPARELLO & SELF, P.A.

TO THE ORDER OF

RUSSELL H. KLENET (Ritter FEC 09-120) 



ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

12151

**MESSER, CAPARELLO & SELF, P.A.**  
TRUST ACCOUNT  
P.O. BOX 15579  
TALLAHASSEE, FL 32317  
(850) 222-0720

 **PREMIER BANK**  
P.O. BOX 3606 TALLAHASSEE, FL 32315-3606

63-1410/631

DATE: 11/28/2011  
NUMBER: 12151  
AMOUNT: \*\*\$8,000.00

PAY \*\*\* EIGHT THOUSAND & 00/100 DOLLARS

Florida Elections Commission

MESSER, CAPARELLO & SELF, P.A.

TO THE ORDER OF

RUSSELL H. KLENET (Ritter FEC 09-120) 