

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Committee to Amend to Recall

Case No.: FEC 15-507

TO: Committee to Amend to Recall
Attn: Robert Abston, Chair
13433 Silverleaf Circle
Clermont, FL 34711-6428

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

AMENDED NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **November 16, 2016 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.

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
November 2, 2016

4701 Cambridge Street, Lake Worth, FL 33463-2267
340 Rob Roy Drive, Clermont, FL 34711-6428
12 Riverview Drive, Apt. 101, Fruitland Park, FL 34731-6460
NOH
FEC #16-160

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.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Committee to Amend to Recall

Case No.: FEC 15-507

TO: Committee to Amend to Recall
Attn: Robert Abston, Chair
13433 Silverleaf Circle
Clermont, FL 34711-6428

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

NOTICE OF HEARING (CONSENT ORDER)

A hearing will be held in this case before the Florida Elections Commission on, **November 16, 2016 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**

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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.

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See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
November 1, 2016

4701 Cambridge Street, Lake Worth, FL 33463-2267
340 Rob Roy Drive, Clermont, FL 34711-6428
12 Riverview Drive, Apt. 101, Fruitland Park, FL 34731-6460
NOH
FEC #16-160

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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.

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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 15-507

v.

**The Committee to Amend to Recall,
Respondent.**

_____ /

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 17, 2016, in Tallahassee, Florida.

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):

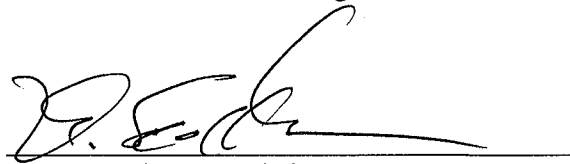
Count 1:

On or about October 13, 2015, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before October 13, 2015, that Respondent would not be filing its 2015 M9 Report on the prescribed due date.

The Commission also finds there is **no probable cause** to charge Respondent with violating:

Section 106.19(1)(c), Florida Statutes: Respondent may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, when it failed to file a 2015 M9 Report on the prescribed reporting date.

DONE AND ORDERED by the Florida Elections Commission on August 17, 2016.



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
The Committee to Amend to Recall, 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: Committee to Amend to Recall

Case No.: FEC 15-507

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**, and **no probable cause** to charge Respondent with Violating **Section 106.19(1)(c), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on March 16, 2016, the following facts and law support this staff recommendation.

1. On December 17, 2015, the Florida Elections Commission ("Commission") received a referral from Division of Elections ("Division") alleging that the Committee to Amend to Recall ("Respondent") violated Chapter 106, Florida Statutes

2. Respondent is a political committee that registered with the Division on April 16, 2012. Robert Abston was identified as Respondent's chairman. Respondent filed an Appointment of Campaign Treasurer and Designation of Campaign Depository for Political Committees form ("DS-DE 6") naming Robert Abston as its treasurer on July 18, 2012 (Attachment A; ROI Exhibit 2; and ROI Exhibit 3, page 1)¹

3. On February 11, 2016, the Executive Director sent Respondent notification that Commission staff would investigate the following sections of law:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent may have failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting period:

- 2015 M9

¹ The Report of Investigation shall be referred to herein as "ROI."

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, when it failed to file a report on the prescribed reporting date for the following reporting period:

- 2015 M9

4. By letter dated April 20, 2012, Kristi Bronson, Chief, Bureau of Election Records, sent a letter to Respondent's chairman notifying Respondent that the name of this organization had been placed on the Division's active committee list as a political committee that supports issues. The letter advised Respondent that all political committees who file reports with the Division of Elections are required to use the electronic filing system ("EFS") and provided Respondent's chairman with a user identification number and initial password to access to the EFS. (ROI Exhibit 4, page 2)

5. Ms. Bronson's April 20, 2012 letter further advised Respondent that all of the Division's publications and reporting forms were on its website and directed Respondent to print a copy of the *2012 Political Committee Handbook* ("Handbook") and *2012 Calendar of Reporting Dates* as well as other documents. (ROI Exhibit 4, page 4)

6. On July 18, 2012, Respondent filed a DS-DE 6 appointing Mr. Abston as its treasurer. By letter dated June 20, 2012, Ms. Bronson sent Mr. Abston a letter with a PIN number to access the EFS system as Respondent's treasurer. Ms. Bronson's July 20, 2012 letter reminded Mr. Abston to print the Handbook and *2012 Calendar of Reporting Dates*. (ROI Exhibit 3, page 1 and ROI Exhibit 4, page 1)

Sections 106.07(7), and 106.19(1)(c), Florida Statutes.

7. Investigator Oliver subpoenaed copies of Respondent's campaign account records from Wells Fargo Bank.² During a March 2, 2016 telephone conversation, a representative from Wells Fargo Bank informed Investigator Oliver that Respondent's campaign account was closed prior to the start of 2015. (Attachment B, Phone Log Entry 3)³

8. Page 29 of the Handbook, states:

When there has been no activity in the campaign account during a reporting period (no funds expended or received) the filing of the report may be waived by notifying the filing officer in writing that no activity has occurred. This notification must be made on the prescribed reporting date.

(Section 106 07, F S)

² Respondent designated Wells Fargo Bank as its campaign depository on its DS-DE 6 filed on July 18, 2012. (ROI Exhibit 3, page 1)

³ No other financial activity during the 2015 M9 reporting period was discovered during the investigation.

All waivers filed with the Division of Elections must be filed electronically using the Division's electronic filing system

(Section 106.0705, F.S.)

(Attachment C)

9. Pages 12, 13, 45, and 46 of the *Political Committee EFS User's Guide* ("Guide") explains the steps a political committee should take to notify the Division in writing on the prescribed reporting date that no report will be filed for the reporting period using the EFS. Specifically, at the top of page 13, the Guide instructs the user to click the box next to "Waiver" if there is no financial activity to report. (ROI Exhibit 11)

10. Section 106.07(7), Florida Statutes, provides:

Notwithstanding any other provisions of this chapter, in any reporting period during which a candidate or political committee 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 next report filed must specify that the report covers the entire period between the last submitted report and the report being filed, and any candidate or political committee not reporting by virtue of this subsection on dates prescribed elsewhere in this chapter **shall notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.** (Emphasis added)

11. The table below reflects Respondent's untimely written notification to the Division:

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2015 M9	9/1/15 – 9/30/15	10/13/15	1/03/16	82

(Attachment D and ROI Exhibit 9, page 1)

12. Investigator Oliver attempted to speak with Respondent's chairman by telephone on three occasions without success (Attachment B, Phone Log Entries 1, 2, and 4)

13. Based upon the foregoing, it appears Respondent may have failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the 2015 M9 reporting period.

14. "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).

15. The above facts show that Respondent is a political committee that registered with the Division on April 16, 2012. Respondent's campaign account at Wells Fargo Bank was closed prior to the start of 2015. No other financial transactions during the 2015 M9 reporting period were discovered during the investigation. Therefore, Respondent was required to notify its filing officer in writing on the prescribed reporting date that it would not be filing a report because it had not received funds, made contributions, or expended any reportable funds during the 2015 M9 reporting period, which it failed to do.

Based on the foregoing, I recommend that the Commission find probable cause to charge Respondent with violating the following provision of law:

Count 1:

On or about October 13, 2015, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before October 13, 2015, that Respondent would not be filing its 2015 M9 Report on the prescribed due date.

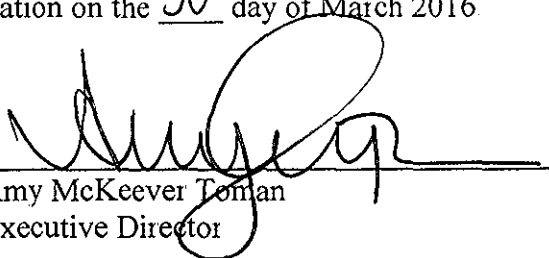
I further recommend that the Commission find no probable cause that Respondent violated Section 106.19(1)(c), Florida Statutes.

Respectfully submitted on March 30, 2016,



Eric M. Lipman
General Counsel

I have reviewed this Staff Recommendation on the 30th day of March 2016.



Amy McKeever Tomlin
Executive Director

Committee Tracking System

Committee To Amend To Recall

Type:Political Committee

Status:Active

Address:1574 Muir Circle
Clermont, FL 34711

Phone:(352)999-6626

Chairperson:Robert Abston

Treasurer:Robert Abston
1574 Muir Circle
Clermont, FL 347110000

Registered Agent:Robert Abston
1574 Muir Circle
Clermont, FL 34788

Purpose:

Affiliates:

Campaign Finance Activity

Campaign Documents

ATTACHMENT A

**FLORIDA ELECTIONS COMMISSION
PHONE LOG**

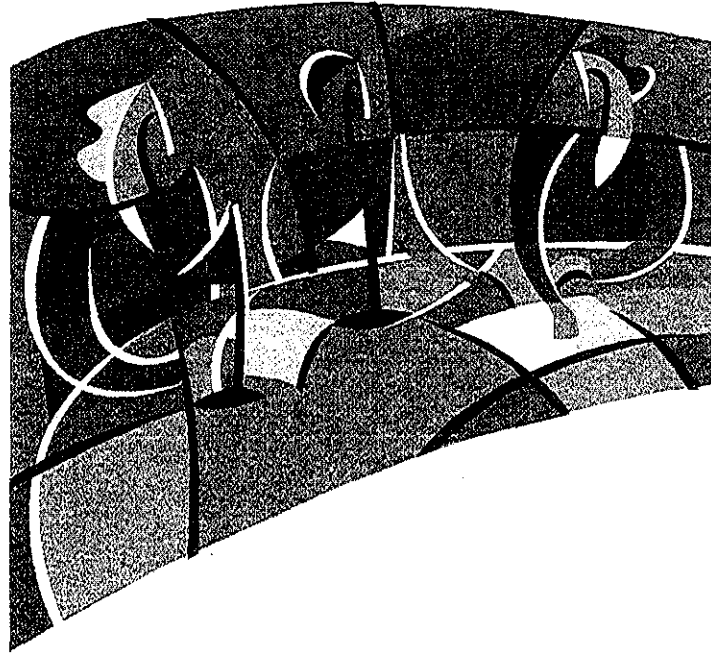
Case No.: FEC 15-507

Respondent: Committee to Amend to Recall

Complainant: Division of Elections

1. **Date and time:** February 26, 2016 @ 10:00 am
Name: Robert Abston—Chair
Phone #: (352) 999-6626
Summary: I attempted telephone contact to make initial contact and to inquire about campaign depository number. The phone number is not accepting incoming calls.
Memo to File? No
Entered by: CKO
2. **Date and time:** February 26, 2016 @ 10:02 am
Name: Robert Abston—Chair
Phone #: (352) 250-5530
Summary: I attempted telephone contact to make initial contact and to obtain depository account number. The number is not in service.
Memo to File? No
Entered by: CKO
3. **Date and time:** March 2, 2016 @ 12:45 pm
Name: Mr. Robinson—Bank representative
Phone #: Unavailable
Summary: I had telephone contact from Mr. Robinson informing me that he is currently working on completing my subpoena but he is having difficulties locating Respondent's account. I gave him additional information ie: mailing address, and chairman/treasurer name. Mr. Robinson advised me that the depository account that was opened in Respondent's PC name was closed prior to the start of 2015. I requested that he send me document with this information included and thanked him for his assistance with this matter.
Memo to File? No
Entered by: CKO
4. **Date and time:** March 15, 2016 @ 3:50 pm
Name: Respondent
Phone #: (352) 999-6626
Summary: I attempted telephone contact to complete final interview. The phone number is still not accepting incoming calls at the subscriber's request.
Memo to File? No
Entered by: CKO

ATTACHMENT B



Political Committee Handbook

January 2012

**Florida Department of State
Division of Elections
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250
850.245.6240**

<http://elections.myflorida.com>

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 of Elections through the Electronic Filing System (EFS) are due no later than midnight, Eastern Time, of the due date.** (See Chapter 12, *Electronic Filing of Campaign Reports*)

(Sections 106 07, 106.0705 and 106.141, F.S.)

Penalty for Late Filing

Any political committee 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 due immediately prior to the primary and general elections, 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.

(Section 106 07(8), F.S.)

Waiver of Report

When there has been no activity in the campaign account during a reporting period (no funds expended or received) the filing of the report may be waived by notifying the filing officer in writing that no activity has occurred. This notification must be made on the prescribed reporting date.

(Section 106 07, F.S.)

All waivers filed with the Division of Elections must be filed electronically using the Division's electronic filing system.

(Section 106 0705, F.S.)

Special Election Reports

When a special election is called to fill a vacancy in office, all political committees and committees of continuous existence making contributions or expenditures to influence the results of the special election shall file campaign treasurers' reports with the filing officer on the dates set by the Department of State pursuant to Section 100 111, F.S.

When an election is called for an issue to appear on the ballot at a time when no candidates are scheduled to appear on the ballot, all political committees and committees of continuous existence making contributions or expenditures in support of or in opposition to such issue shall file reports on the 18th and 4th days prior to such election.

Committees are to include on the special election campaign treasurer's reports only expenditures related to the special election made by the committee during the special election reporting periods. All contributions received and all expenditures made not related to the special election during the current quarter should be filed on the next quarterly report. Once a committee has participated in the special election and has filed a special election campaign report, all other special election reports remaining must also be filed by the committee, even if there is no further special election activity.

(Section 106 07(1), F.S.)

2015 Calendar of Reporting Dates

Candidates, Political Committees and
Electioneering Communications Organizations
registered with the Division of Elections

<u>Cover Period</u>	<u>Report Code</u>	<u>Due Date</u>
12/01/14 – 12/31/14	2014 M12	01/12/15
01/01/15 – 01/31/15	2015 M1	02/10/15
02/01/15 – 02/28/15	2015 M2	03/10/15
03/01/15 – 03/31/15	2015 M3	04/10/15
04/01/15 – 04/30/15	2015 M4	05/11/15
05/01/15 – 05/31/15	2015 M5	06/10/15
06/01/15 – 06/30/15	2015 M6	07/10/15
01/01/2014 – 12/31/14	2015 MUC*	06/30/15
07/01/15 – 07/31/15	2015 M7	08/10/15
08/01/15 – 08/31/15	2015 M8	09/10/15
09/01/15 – 09/30/15	2015 M9	10/13/15
10/01/15 – 10/31/15	2015 M10	11/10/15
11/01/15 – 11/30/15	2015 M11	12/10/15
12/01/15 – 12/31/15	2015 M12	1/11/16

* If not reported as individual contributions when received, a political committee must report contributions that comprise multiple uniform contributions from the same person aggregating no more than \$250 per calendar year, collected by an organization that is the affiliated sponsor of the political committee. The report must list the name, address, and occupation of the person making the contribution; however, the occupation need not be listed if the aggregate contribution from the person is \$100 or less

ATTACHMENT D

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 15-507

Respondent: Committee to Amend to Recall

Counsel for Respondent: n/a

Complainant: Division of Elections

Counsel for Complainant: n/a

On December 17, 2015, the Florida Elections Commission received a referral from the Division of Elections alleging that Respondent violated Chapter 106, Florida Statutes. The Commission staff investigated whether Respondent violated the following statutes:

Section 106 07(7), Florida Statutes, failure of a political committee that 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; and

Section 106 19(1)(c), Florida Statutes, prohibiting a person or organization from falsely reporting or deliberately failing to report information required by Chapter 106, Florida Statutes.

I. Preliminary Information:

1. Respondent is the Committee to Amend to Recall, a political committee that is registered with the Division of Elections. On April 20, 2012, this PAC was placed on the active committee list as a political committee that supports issues.

2. Complainant is the Division of Elections.

3. Respondent's filing officer is Kristi Reid-Bronson, Chief, Bureau of Election Records

4. A DOE staff representative, Kristi Reid-Bronson, submitted a sworn affidavit dated December 8, 2015 regarding Respondent's failure to file a 2015 M9 Report. To review the December 8, 2015 sworn affidavit, refer to exhibit 1.

5. On April 16, 2012, Respondent filed a Statement of Organization of Political Committee (DS-DE 5) form with the Division of Elections. The area, scope, and jurisdiction of the committee are listed as "To amend the constitution of the State of Florida to permit recall of state elected officials". To review a copy of the DS-DE 5 form, refer to exhibit 2.

6. On July 18, 2012, Respondent filed the current Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 6) form with the Division of Elections. Mr. Robert Abston was appointed as campaign treasurer. To review a copy of the July 18, 2012 DS-DE 6 form, refer to exhibit 3.

7. On July 20, 2012, Complainant mailed Respondent an acknowledgement letter informing Respondent of their "confidential pin number to access the Division of Election's electronic filing system (EFS) for submitting campaign treasurer's reports". To review a copy of the July 20, 2012 acknowledgement letter, refer to exhibit 4.

8. On October 14, 2015, Complainant mailed Respondent a failure-to-file letter informing them that a 2015 M9 Report had not been received. This letter was sent to the address that Respondent provided on the DS-DE 6 (Exhibit 3) form. To review a copy of the October 14, 2015 failure-to-file letter, refer to exhibit 5.

9. On October 22, 2015, Complainant mailed Respondent a second failure-to-file letter informing them that the 2015 M9 Report still had not been received. This letter was also sent to the address that Respondent provided on the DS-DE 6 (Exhibit 3) form. To review a copy of the October 22, 2015 failure-to-file letter, refer to exhibit 6.

10. On November 4, 2015, Complainant mailed Respondent a final notification letter regarding the 2015 M9 Report via certified mail. This certified letter was also sent to the address Respondent provided on the DS-DE 6 (Exhibit 3) form. To review a copy of the November 4, 2015 final notification letter with delivery confirmation receipt, refer to exhibit 7.

11. The allegations that Respondent failed to report campaign activity, or in the alternative, failed to notify the filing officer in writing, that no report would be filed for the 2015 M9 reporting period will be discussed in the following paragraphs.

II. Alleged Violation of Section 106.19(1)(c), Florida Statutes:

12. I investigated whether Respondent violated this section of the election laws by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes, when it failed to file a treasurer's report on the prescribed reporting date.

13. I have subpoenaed depository records for this political committee. The 2015 M9 Report covers the time period from September 1, 2015 through September 30, 2015. Depository records reflect that the account was closed prior to this reporting period. As such, Respondent should have provided a timely written notice to the filing officer in regards to having no activity occurring during the 2015 M9 reporting period; and advised that no report would be filed for this period. To review a copy of records from the campaign depository, refer to exhibit 8.

14. There is no record that Respondent has previously violated this section of the election laws.

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

15. I investigated whether Respondent violated this section of the election laws by failing to timely notify the filing officer, in writing, that no report is being filed due to not receiving any contributions or making any expenditures during the 2015 M9 reporting period.

16. Records from the Division of Elections reflect that a 2015 M9 Report was due on October 13, 2015. No report was filed on the prescribed reporting date. To review a copy of Respondent's filing history, refer to exhibit 9.

17. Section 106.07(7), Florida Statutes, states in part:

~~“Notwithstanding any other provisions of this chapter, in any reporting period during which a candidate or political committee has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. any candidate or political committee not reporting by virtue of this subsection on dates prescribed elsewhere in this chapter shall notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.”~~

18. In an email dated April 2, 2014, Ms. Bronson was asked to clarify the procedure regarding how to notify the Division in writing on the prescribed reporting date that no report would be filed. In her response, Ms. Bronson stated, “The notice that no report will be filed is the waiver, which must be filed in the EFS. We do not require anything separate in writing.” To review a copy of Ms. Bronson’s email, refer to exhibit 10.

19. Pages 12, 13, 45, and 46 of the Political Committee EFS User’s Guide discusses 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 disclose¹. To review the relevant pages from the Political Committee EFS User’s Guide, refer to exhibit 11.

20. I have reviewed records from the Division of Elections. These records reflect that Respondent filed a waiver for the 2015 M9 reporting period on January 3, 2016; the waiver was filed 82 days late. This waiver declared that there was no activity during the reporting period. To review a copy of the waiver for the 2015 M9 reporting period with the queued-transaction report, refer to exhibit 12.

21. There is a record that Respondent has previously violated this section of the election laws.

FEC History

22. FEC #15-053; probable cause was found for a violation of 106.07(7). Respondent was fined \$1,500.00/there is no record that this fine has been paid.

Conclusion:

23. Respondent was offered several opportunities to make comments regarding the findings of this investigation. Respondent did not respond to any of these attempts.

24. In a July 20, 2012 acknowledgement letter, Respondent was informed that all of the Division’s publications were available online at the DOE’s website. In the letter, respondent was admonished as follows: It is your responsibility to read, understand, and follow the requirements of Florida’s election laws. Therefore, please print a copy of the following

¹ Page 3 of the acknowledgement letter (Exhibit 4) states, “An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports.” The letter also provides the telephone number for the Division’s EFS Help Desk.

documents: Chapter 106, Florida Statutes, 2012 Political Committee Handbook, 2012 Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code". To review a copy of the July-20, 2012 acknowledgement letter, refer to exhibit 4.

Respectfully submitted on March 16, 2016.



Cedric Oliver
Investigation Specialist

Current address of Respondent

Mr Robert Abston, Chair
Committee to Amend to Recall
340 Rob Roy Drive
Clermont, Fl 34711-2454

Current address of Complainant

Division of Elections
The R A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Fl 32399-0250

Name and Address of Filing Officer:

Ms. Kristi Reid-Bronson
Chief of Bureau of Election Records
The R A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Fl 32399-0250

Copy furnished to: Mr. David Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Committee to Amend to Recall -- FEC 15-507

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Sworn affidavit from Kristi Reid-Bronson
Exhibit 2	Respondent's DS-DE 5 form
Exhibit 3	Respondent's DS-DE 6 form
Exhibit 4	July 20, 2012 Acknowledgement Letter
Exhibit 5	October 14, 2015 Failure-to-File Letter
Exhibit 6	October 22, 2015 Failure-to-File Letter
Exhibit 7	November 4, 2015 Final Notice with delivery confirmation receipt
Exhibit 8	Records from Respondent's Campaign Depository
Exhibit 9	Respondent's Filing History
Exhibit 10	April 2, 2014 email from Kristi Reid-Bronson
Exhibit 11	Relevant pages from the Political Committee EFS User's Guide
Exhibit 12	2015 M9 Report with Queued-Transaction Report

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.
2. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
3. I am of legal age and competent to testify to the matters stated herein.
4. Committee To Amend To Recall (56218) is a political committee registered with the Division. On April 16, 2012, Committee To Amend To Recall filed the DSDE 5 and 6 with the Division of Elections designating Robert Abston as the chairperson and Colleen O'Neill as the treasurer for the committee. On July 18, 2012, Robert Abston was appointed treasurer for the committee. (See attached documents and acknowledgment letters).
5. The 2015 M9 campaign treasurer's report was due on October 13, 2015. At the time the 2015 M9 report was due, Robert Abston was the treasurer.
6. On October 14, 2015, the Division mailed Mr. Abston notification that the 2015 M9 campaign treasurer's report had not been filed. (See attached letter).
7. On October 22, 2015, the Division mailed Mr. Abston notification that the 2015 M9 campaign treasurer's report had not been filed. (See attached letter).
8. On November 4, 2015, the Division mailed Mr. Abston final notification with delivery confirmation that the 2015 M9 campaign treasurer's report had not been filed. (See attached letter with delivery confirmation)

EXHIBIT 1 (1 of 2)


9. Mr. Abston did not notify the Division of Elections prior to or on the prescribed reporting date for the 2015 M9 report that no report was to be filed.
10. As of December 8, 2015, Mr. Abston has failed to file the 2015 M9 campaign treasurer's report.

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 8th day of December, 2015.


Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒

EXHIBIT 1(2 of 2)

**STATEMENT OF ORGANIZATION
OF POLITICAL COMMITTEE**

(PLEASE TYPE)

OFFICE USE ONLY
DEPARTMENT OF STATE

2012 APR 16 AM 10:48

DIVISION OF ELECTIONS
TALLAHASSEE, FL

1. Full Name of Committee

Telephone

COMMITTEE TO AMEND TO RECALL

352-250-5330

Mailing Address (include city, state and zip code)

1574 CLEMMONT, FL 34711

Street Address (include city, state and zip code)

FL 34711 (SAME)

2. Affiliated or Connected Organizations (includes other committees of continuous existence and political committees)

Name of Affiliated or
Connected Organization

Mailing Address

Relationship

NONE

3. Area, Scope and Jurisdiction of the Committee

TO AMEND THE CONSTITUTION OF THE STATE OF FL. TO PERMIT RECALL OF
STATE ELECTED OFFICIALS

4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.)

GOVERNMENT

5. Identify by Name, Address and Position, the Custodian of Books and Accounts (include treasurer's name)

Full Name

Mailing Address

Committee Title or Position

COLLEEN O'NEILL

33035 INDIAN WOODS DR.
LEESBURG, FL 34788

SECRETARY/TREASURER

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, If Any (include chairman's name)

Full Name	Mailing Address	Committee Title or Position
Colleen O'Neill	33035 Indian Woods Dr. Leesburg FL 34788	Secretary / Treasurer
Robert Abston	1574 Muir Circle. Clermont FL 34711	Chairman

7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)

Full Name	Mailing Address	Office Sought	Party
none			

8. List Any Issues this Committee is Supporting: *TO BE DETERMINED*

List Any Issues this Committee is Opposing: *n/a*

9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party

n/a

10. In the Event of Dissolution, What Disposition will be Made of Residual Funds?

Lake Sumpter Community College scholarship fund

11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds

Name of Bank or Depository & Account Number	Mailing Address
<i>WELLS FARGO</i> <i>LEESBURG LAKES BRANCH</i>	<i>10645 U.S. HWY 441</i> <i>LEESBURG, FL 34788</i>

12. List all Reports Required to be Filed by this Committee with Federal Officials and the Names, Addresses and Positions of Such Officials, If Any

Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address

STATE OF Florida

Lake

COUNTY

I, Robert Abston certify that the information in this Statement of

Organization is complete true and correct

X

Robert Abston

Signature of Chairman of Political Committee

04/16/2012

Date

EXHIBIT

2(2012)

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(1) and 106.021(1), F.S.)

RECEIVED
DEPARTMENT OF STATE

2012 JUL 18 AM 10:16

DIVISION OF ELECTIONS
TALLAHASSEE, FL

CHECK APPROPRIATE BOX:

OFFICE USE ONLY

☐

Original Appointment of Treasurer

☒

Reappointment of Treasurer

☐

Deputy Treasurer

1 Committee or Organization

COMMITTEE TO AMEND TO RECALL

2 Telephone

(352) 250-5530

3 Name of Treasurer or Deputy Treasurer

4 Email (optional)

5 Telephone (optional)

ROBERT ABSTON

RLABSTON@NEWSPATRIOTS.COM

(352) 250-5530

6 Mailing Address

1574 MYR CIRCLE, CLERMONT, FL 34711

7 Street Address

1574 MYR CIRCLE

8. The following bank has been designated as the

☒

Primary Depository

☐

Secondary Depository

9. Name of Bank

WELLS FARGO

10. Street Address

10645 U.S. 441, LEESBURG

11 City

LEEBSBURG, FL

12 State

FL

13 Zip Code

34788

14 Signature of Chairman

X

Robert Abston

15. Name of Chairman (Print or Type)

ROBERT ABSTON

Campaign Treasurer's Acceptance of Appointment

I, ROBERT ABSTON

(Please Print or Type)

, do hereby accept the appointment as

treasurer or deputy treasurer for

COMMITTEE TO AMEND TO RECALL

(Committee or Organization)

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.

07/13/2012

Date

X

Robert Abston

Signature of Campaign Treasurer or Deputy Treasurer

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(1) and 106.021(1), F.S.)

RECEIVED
DEPARTMENT OF STATE

2012 APR 16 AM 10:48

DIVISION OF ELECTIONS
TALLAHASSEE, FL

CHECK APPROPRIATE BOX:

OFFICE USE ONLY

☒ Original Appointment of Treasurer

☐ Reappointment of Treasurer

☐ Deputy Treasurer

1 Committee or Organization

Committee To Amend to Recall

2 Telephone

(352) 250-5530

3 Name of Treasurer or Deputy Treasurer

4 Email (optional)

5 Telephone (optional)

Colleen O'Neill

()

6 Mailing Address

33035 Indian Woods Dr, Leesburg, FL 34788

7 Street Address

SAME

8 The following bank has been designated as the

☒ Primary Depository

☐ Secondary Depository

9 Name of Bank

Wells Fargo

10 Street Address

10645 U.S. HIGHWAY 441, LEESBURG, FL 34788

11 City


Leesburg

12 State

FL

13 Zip Code

14 Signature of Chairman

X 

15 Name of Chairman (Print or Type)

Robert Abston

Campaign Treasurer's Acceptance of Appointment

Colleen O'Neill

, do hereby accept the appointment as

(Please Print or Type)

treasurer or deputy treasurer for

Committee to Amend to Recall

(Committee or Organization)

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.

April 16 2012

Date

X Colleen O'Neill

Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

July 20, 2012

Mr Robert Abston, Treasurer
Committee To Amend To Recall (56218)
1574 Muir Circle
Clermont, Florida 34711

Dear Mr Abston:

Your appointment as treasurer for **Committee To Amend To Recall** was filed in this office on July 18, 2012. Enclosed is security envelope containing your confidential PIN number to access the Division of Election's electronic filing system (EFS) for submitting campaign treasurer's reports.

All of the Division's publications and forms are available on the Division of Elections' web site 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: Chapter 106, Florida Statutes, *2012 Political Committee Handbook*, *2012 Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

If you have questions concerning your campaign account or the electronic filing system you may call (850) 245-6280.

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/ljr

Enclosures



Division of Elections
R.A. Gray Bldg., Rm. 316 • 500 S Bronough St. • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6200 • Facsimile: (850) 245-6217 elections.myflorida.com
Commemorating 500 years of Florida history www.fl500.com



EXHIBIT

4 (1 of 4)



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 20, 2012

Mr. Robert Abston, Chairperson
Committee To Amend To Recall
1574 Muir Circle
Clermont, Florida 34711

Dear Mr. Abston:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for **Committee To Amend To Recall**, which were placed on file in our office on April 16, 2012. This information appears to comply with the requirements of Section 106.03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee that supports issues.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on July 13, 2012. The report will cover the period of April 1 - July 6, 2012. All political committees that 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 the committee's user identification number. The enclosed sealed envelope contains the committee's initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. The chairperson, 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 Web site Address: <https://efs.dos.state.fl.us>
Identification Number: 56218



Division of Elections
R.A. Gray Bldg., Rm. 316 • 500 S Bronough St. • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6200 • Facsimile: (850) 245-6217 elections.myflorida.com
Commemorating 500 years of Florida history www.fl500.com

EXHIBIT

4(2 of 4)



Mr. Robert Abston, Chairperson
April 20, 2012
Page Two

Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update information. The enclosed sealed envelope provides a confidential pin number for the chairperson. By copy of this letter, a confidential PIN number to access the Division of Election's electronic filing system (EFS) was sent to the treasurer.

Each political committee chairperson is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that the 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 must be completed and filed through the EFS not later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight, Eastern Standard Time, 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, Eastern Standard Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any political committee failing to file a report on the designated due date is subject to a fine of \$50 per day for the first 3 days and, thereafter, \$500 per day for each day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per 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 chairperson and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

EXHIBIT 4 (3 of 4)

Mr Robert Abston, Chairperson
April 20, 2012
Page Three

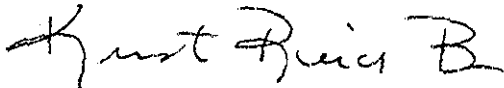
Instructions and Assistance

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' web site 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: Chapter 106, Florida Statutes, *2012 Political Committee Handbook*, *2012 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

pc: Ms. Colleen O'Neill, Treasurer

EXHIBIT 4(4074)



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

October 14, 2015

Robert Abston, Treasurer
Committee To Amend To Recall
1574 Muir Circle
Clermont, FL 34711

PAC 56218

Dear Mr. Abston:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was October 13, 2015.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:
 - \$50 for the first 3 days late
 - \$500 per day for each day after the 3rd day late
 - If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

- If no reportable activity occurred for the report date(s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

EXHIBIT 5



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Second Notice

October 22, 2015

Robert Abston, Treasurer
Committee To Amend To Recall
1574 Muir Circle
Clermont, FL 34711

PAC 56218

Dear Mr. Abston:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was October 13, 2015.

We mailed, via regular mail, the first notice of the failure to file the above-mentioned report or notification to the address on file with our office on October 14, 2015.

The first notice which we provided to you specifically explained the automatic fine provisions in the law (s. 106.07(8)(b), Fla. Stat.) for failure to file a required report. Such fines are continuing to accrue for a late-filed report. Also, that notice explained that if no reportable activity occurred for the report date(s), you are still required to provide notification in writing that no reportable activity occurred. Our initial notice further indicated that, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Kristi Reid Bronson".

Kristi Reid Bronson, Chief
Bureau of Election Records

EXHIBIT

6



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Final Notice

Delivery Confirmation:

USPS TRACKING # 9114 9999 4431 3834 3653 66
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com
or call 1-800-222-1811

November 4, 2015

Robert Abston, Treasurer
Committee To Amend To Recall
1574 Muir Circle
Clermont, FL 34711

PAC 56218

Dear Mr. Abston:

A recent review of the Division's records show that the Division has not yet received the below-referenced campaign treasurer's report or the required notification that no reportable activity occurred, whichever is applicable, during the following cover period:

<u>Year</u>	<u>Report</u>	<u>Cover Period</u>
2015	M9	9/1/15 - 9/30/15

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat. that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106 265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

EXHIBIT

7 (1 of 2)

English

Customer Service

USPS Mobile

Register / Sign In



USPS Tracking®



Customer Service ›
Have questions? We're here to help.



Get Easy Tracking Updates ›
Sign up for My USPS

Tracking Number: 9114999944313834365366

Updated Delivery Day: Friday, November 6, 2015

Product & Tracking Information

Postal Product:

Features:
USPS Tracking™

DATE & TIME

November 6, 2015 11:21 am

STATUS OF ITEM

Delivered, In/At Mailbox

LOCATION

CLERMONT FL 34711

Your item was delivered in or at the mailbox at 11:21 am on November 6, 2015 in CLERMONT FL 34711

November 6, 2015 9:03 am

Out for Delivery

CLERMONT FL 34711

November 6, 2015 8:53 am

Sorting Complete

CLERMONT FL 34711

November 6, 2015 7:57 am

Arrived at Post Office

CLERMONT FL 34711

November 5, 2015 11:41 am

Arrived at USPS Facility

ORLANDO FL 32824

November 4, 2015 8:58 pm

Arrived at USPS Facility

TALLAHASSEE FL 32301

Available Actions

Text Updates

Email Updates

Track Another Package

Tracking (or receipt) number

9114999944313834365366

Track It

Manage Incoming Packages

Track all your packages from a dashboard
No tracking numbers necessary

Sign up for My USPS ›



HELPFUL LINKS

Contact Us
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FAQs

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Forms & Publications
Government Services
Careers

OTHER USPS SITES

Business Customer Gateway
Postal Inspectors
Inspector General
Postal Explorer
National Postal Museum
Resources for Developers

LEGAL INFORMATION

Privacy Policy
Terms of Use
FOIA
No FEAR Act EEO Data

EXHIBIT

7(2042)



March 02, 2016

Florida Elections Commission
Amy McKeever Toman
107 West Gaines Street
Suite 224
Tallahassee, FL 32399

Wells Fargo Bank, N.A.
Subpoena Processing Charlotte
PO Box 1415 MAC #D1111-016
Charlotte, NC 28201
(480) 724-2000

2016 MAR 11 A 12 38

Re: Subpoena Received: 3/2/2016
Florida Election Commission vs. ROBERT ABSTON
Case No: [REDACTED]

Dear Sir or Madam:

We are in receipt of your subpoena for documents related to the above referenced matter. However, after reviewing the records of only Wells Fargo Bank NA, we have determined that the information requested is:

Date range out of scope
Account closed prior to date range requested, or
Account number requested not found

Furthermore, please be aware that our search for records is limited to accounts relating to only Wells Fargo Bank NA

Please mail any additional information to the Subpoena Department at the address listed above. If we do not receive this information, Wells Fargo Bank NA will have satisfied its duties under the subpoena and no further action on its part is considered necessary

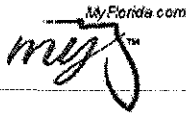
If you have any questions or concerns, please do not hesitate to contact our office.

Sincerely,

Subpoena Department
Wells Fargo Bank NA

EXHIBIT

8


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

Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Committee Name: Committee To Amend To Recall

Name:

Account: 56218

Election: Acct: Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
3/10/2016	M2	3/1/2016						
2/10/2016	M1	2/1/2016						
1/11/2016	M12	1/12/2016	FEC	1	\$0 00		\$0 00	\$0 00
12/10/2015	M11	1/3/2016	CLO	24	\$0 00		\$0 00	\$0 00
11/10/2015	M10	1/3/2016	FEC	54	\$0 00		\$0 00	\$0 00
10/13/2015	M9	1/3/2016	CLO	82	\$0 00		\$0 00	\$0 00
9/10/2015	M8	1/3/2016	CLO	115	\$0 00		\$0 00	\$0 00
8/10/2015	M7	1/3/2016	CLO	146	\$0 00		\$0 00	\$0 00
7/10/2015	M6	1/3/2016	CLO	177	\$0 00		\$0 00	\$0 00
6/10/2015	M5	6/4/2015						
5/11/2015	M4	5/5/2015						
4/10/2015	M3	4/2/2015						
3/10/2015	M2	3/1/2015						
2/10/2015	M1	3/1/2015	CLO	19	\$0 00		\$0 00	\$0 00
1/12/2015	M12	1/12/2015						
12/10/2014	M11	12/23/2014	FOI	13	\$0 00		\$0 00	\$0 00
11/10/2014	SP2	11/11/2014	CLO	1	\$0 00		\$0 00	\$0 00
11/10/2014	M10	11/11/2014	FOI	1	\$0 00		\$0 00	\$0 00
10/31/2014	G7	10/31/2014						
10/30/2014	D6	10/31/2014	FOI	1	\$0 00		\$0 00	\$0 00
10/29/2014	D5	10/31/2014	FEC	2	\$0 00		\$0 00	\$0 00
10/28/2014	D4	10/28/2014						
10/27/2014	D3	10/28/2014	FOI	1	\$0 00		\$0 00	\$0 00
10/26/2014	D2	10/28/2014	FOI	2	\$0 00		\$0 00	\$0 00
10/25/2014	D1	10/28/2014	FOI	3	\$0 00		\$0 00	\$0 00
10/24/2014	G6	10/28/2014	FOI	4	\$0 00		\$0 00	\$0 00
10/17/2014	G5	10/28/2014	FOI	11	\$0 00		\$0 00	\$0 00
10/10/2014	G4	10/28/2014	FOI	18	\$0 00		\$0 00	\$0 00
10/10/2014	SP1	11/11/2014	CLO	32	\$0 00		\$0 00	\$0 00
10/3/2014	G3	9/30/2014						
9/26/2014	G2A	9/30/2014	FOI	4	\$0 00		\$0 00	\$0 00
9/19/2014	G2	9/30/2014	FOI	11	\$0 00		\$0 00	\$0 00
9/12/2014	G1A	9/7/2014						
9/5/2014	G1	9/7/2014	FOI	2	\$0 00		\$0 00	\$0 00
8/29/2014	P7A	9/7/2014	FOI	9	\$0 00		\$0 00	\$0 00
8/22/2014	P7	8/22/2014						
8/15/2014	P6	8/22/2014	FOI	7	\$0 00		\$0 00	\$0 00
8/8/2014	P5	8/22/2014	FOI	14	\$0 00		\$0 00	\$0 00
8/1/2014	P4	7/29/2014						
7/25/2014	P3	7/29/2014	FOI	4	\$0 00		\$0 00	\$0 00
7/18/2014	P2A	7/16/2014						
7/11/2014	P2	7/8/2014						
7/4/2014	P1A	7/8/2014	FOI	4	\$0 00		\$0 00	\$0 00
6/27/2014	P1	7/8/2014	FOI	11	\$0 00		\$0 00	\$0 00
6/10/2014	M5	6/11/2014	FOI	1	\$0 00		\$0 00	\$0 00

EXHIBIT

9 (1 of 5)

5/12/2014	M4	6/11/2014	FOI	30	\$0 00	\$0 00	\$0 00
4/10/2014	M3	4/11/2014	FOI	1	\$0 00	\$0 00	\$0 00
3/10/2014	M2	3/29/2014	FOI	19	\$0 00	\$0 00	\$0 00
2/10/2014	M1	2/12/2014	FOI	2	\$0 00	\$0 00	\$0 00
1/10/2014	M12	1/31/2014	FOI	21	\$0 00	\$0 00	\$0 00
12/10/2013	M11	12/11/2013	FOI	1	\$0 00	\$0 00	\$0 00
11/12/2013	M10	11/26/2013	FOI	14	\$0 00	\$0 00	\$0 00
10/10/2013	Q3	11/6/2013	FOI	27	\$0 00	\$0 00	\$0 00
9/13/2013	SF1	11/6/2013	CLO	54	\$0 00	\$0 00	\$0 00
7/10/2013	Q2	7/11/2013	FOI	1	\$0 00	\$0 00	\$0 00
5/10/2013	SF1	11/6/2013	CLO	180	\$0 00	\$0 00	\$0 00
4/10/2013	Q1	6/26/2013	FOI	77	\$0 00	\$0 00	\$0 00
1/10/2013	Q4	1/7/2013					
11/2/2012	G4	12/30/2012	CLO	58	\$0 00	\$0 00	\$0 00
10/19/2012	G3	10/29/2012	CLO	10	\$0 00	\$0 00	\$0 00
10/5/2012	G2	10/29/2012	CLO	24	\$0 00	\$0 00	\$0 00
9/21/2012	G1	9/14/2012					
8/14/2012	IR	9/14/2012					
8/14/2012	IR	9/14/2012					
8/10/2012	F3	9/14/2012	CLO	35	\$0 00	\$0 00	\$0 00
7/27/2012	F2	9/14/2012	CLO	49	\$0 00	\$0 00	\$0 00
7/13/2012	F1	8/13/2012	CLO	31	\$0 00	\$0 00	\$0 00

EXHIBIT

9(2015)



Florida Department of State Division of Elections

Committee To Amend To Recall

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 If all contributions for a reporting period are less than 1 dollar Then they may not be displayed

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
○	04/16/2012 - 07/06/2012	0 00	60 00	0 00	50 00	0 00	0 00
W	07/07/2012 - 07/20/2012	0 00	0 00	0 00	0 00	0 00	0 00
W	07/21/2012 - 08/09/2012	0 00	0 00	0 00	0 00	0 00	0 00
W	08/10/2012 - 08/14/2012	0 00	0 00	0 00	0 00	0 00	0 00
W	08/10/2012 - 08/14/2012	0 00	0 00	0 00	0 00	0 00	0 00
W	08/10/2012 - 09/14/2012	0 00	0 00	0 00	0 00	0 00	0 00
W	09/15/2012 - 09/28/2012	0 00	0 00	0 00	0 00	0 00	0 00
W	09/29/2012 - 10/12/2012	0 00	0 00	0 00	0 00	0 00	0 00
W	10/13/2012 - 11/01/2012	0 00	0 00	0 00	0 00	0 00	0 00
W	11/02/2012 - 12/31/2012	0 00	0 00	0 00	0 00	0 00	0 00
W	01/01/2013 - 03/31/2013	0 00	0 00	0 00	0 00	0 00	0 00
W	04/03/2013 - 05/09/2013	0 00	0 00	0 00	0 00	0 00	0 00
W	04/01/2013 - 06/30/2013	0 00	0 00	0 00	0 00	0 00	0 00
W	08/09/2013 - 09/12/2013	0 00	0 00	0 00	0 00	0 00	0 00
W	07/01/2013 - 09/30/2013	0 00	0 00	0 00	0 00	0 00	0 00
W	10/01/2013 - 10/31/2013	0 00	0 00	0 00	0 00	0 00	0 00
W	11/01/2013 - 11/30/2013	0 00	0 00	0 00	0 00	0 00	0 00
W	12/01/2013 - 12/31/2013	0 00	0 00	0 00	0 00	0 00	0 00
W	01/01/2014 - 01/31/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	02/01/2014 - 02/28/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	03/01/2014 - 03/31/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	04/01/2014 - 04/30/2014	0 00	0 00	0 00	0 00	0 00	0 00

EXHIBIT 9(3 of 5)

W	05/01/2014 - 05/31/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	06/01/2014 - 06/20/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	06/21/2014 - 06/27/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	06/28/2014 - 07/04/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	07/05/2014 - 07/11/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	07/12/2014 - 07/18/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	07/19/2014 - 07/25/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	07/26/2014 - 08/01/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	08/02/2014 - 08/08/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	08/09/2014 - 08/21/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	08/22/2014 - 08/22/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	08/23/2014 - 08/29/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	08/30/2014 - 09/05/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	09/06/2014 - 09/12/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	09/13/2014 - 09/19/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	09/20/2014 - 09/26/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	09/10/2014 - 09/30/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	09/27/2014 - 10/03/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	10/04/2014 - 10/10/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	10/11/2014 - 10/17/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	10/18/2014 - 10/24/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	10/25/2014 - 10/25/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	10/26/2014 - 10/26/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	10/27/2014 - 10/27/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	10/28/2014 - 10/28/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	10/29/2014 - 10/29/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	10/18/2014 - 10/30/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	10/31/2014 - 10/31/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	10/01/2014 - 10/31/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	11/01/2014 - 11/30/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	12/01/2014 - 12/31/2014	0 00	0 00	0 00	0 00	0 00	0 00
W	01/01/2015 - 01/31/2015	0 00	0 00	0 00	0 00	0 00	0 00
W	02/01/2015 - 02/28/2015	0 00	0 00	0 00	0 00	0 00	0 00
	03/01/2015 - 03/31/2015	0 00	0 00	0 00	0 00	0 00	0 00

EXHIBIT 9(4 of 5)

W							
W	04/01/2015 - 04/30/2015	0 00	0 00	0 00	0 00	0 00	0 00
W	05/01/2015 - 05/31/2015	0 00	0 00	0 00	0 00	0 00	0 00
W	06/01/2015 - 06/30/2015	0 00	0 00	0 00	0 00	0 00	0 00
W	07/01/2015 - 07/31/2015	0 00	0 00	0 00	0 00	0 00	0 00
W	08/01/2015 - 08/31/2015	0 00	0 00	0 00	0 00	0 00	0 00
W	09/01/2015 - 09/30/2015	0 00	0 00	0 00	0 00	0 00	0 00
W	10/01/2015 - 10/31/2015	0 00	0 00	0 00	0 00	0 00	0 00
W	11/01/2015 - 11/30/2015	0 00	0 00	0 00	0 00	0 00	0 00
W	12/01/2015 - 12/31/2015	0 00	0 00	0 00	0 00	0 00	0 00
W	01/01/2016 - 01/31/2016	0 00	0 00	0 00	0 00	0 00	0 00
W	02/01/2016 - 02/29/2016	0 00	0 00	0 00	0 00	0 00	0 00
⊙	All Dates (Totals)	0 00	60 00	0 00	50 00	0 00	0 00

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

9(5 of 5)



RE: Referrals
Bronson, Kristi R.
to:
Tracie Aulet
04/02/2014 02:49 PM
Show Details

Security:

To ensure privacy, images from remote sites were prevented from downloading. Show Images

The notice that no report will be filed is the waiver, which must be filed in the EFS. We do not require anything separate in writing.

Regards,

*Kristi Reid Bronson, Chief
Division of Elections,
Bureau of Election Records
(850) 245-6240*

From: Tracie Aulet [mailto:Tracie.Aulet@myfloridalegal.com]
Sent: Wednesday, April 02, 2014 12:56 PM
To: Bronson, Kristi R
Subject: Referrals

Good Afternoon Kristi,

I am investigating a referral from DOE for failure to notify the filing officer in writing on the prescribed reporting date that no report would be filed, i.e. the untimely filing of waivers.

Would you please inform me as to what the procedure is for a candidate who wants to notify the Division in writing that there will be no report filed? Is it similar to the request for password in that they have to fax a signed letter to the Division? Does the Division acknowledge receipt of the notification that no report will be filed? Once the letter is received is the candidate still required to file the actual waiver of report?

Thank you for your assistance in this matter.

Sincerely,

Tracie L. Aulet
Investigation Specialist II
Florida Elections Commission
The Collins Building, Suite 224
107 West Gaines Street
Tallahassee, FL 32399

Please note that Florida has a broad public records law, and that all correspondence to me via e-mail may be subject to disclosure.

@ItsWorkingFL



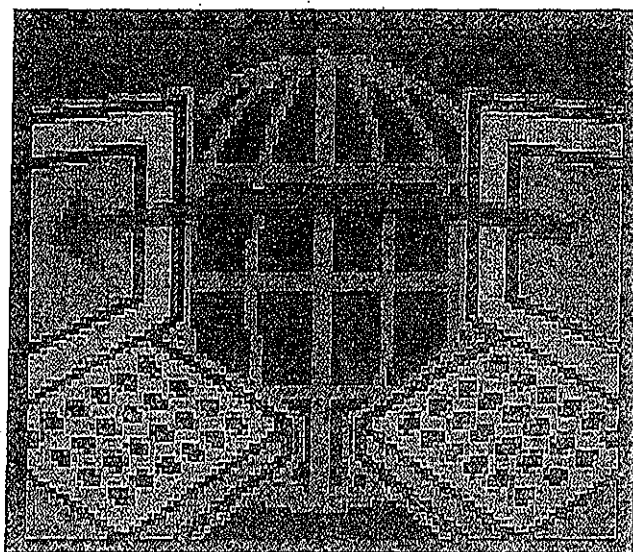
What's Working Today

The Department of State is committed to excellence.
Please take our Customer Satisfaction Survey.

EXHIBIT 10

Department of State
Division of Elections

Political Committee 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 110B (eff. 01/11)

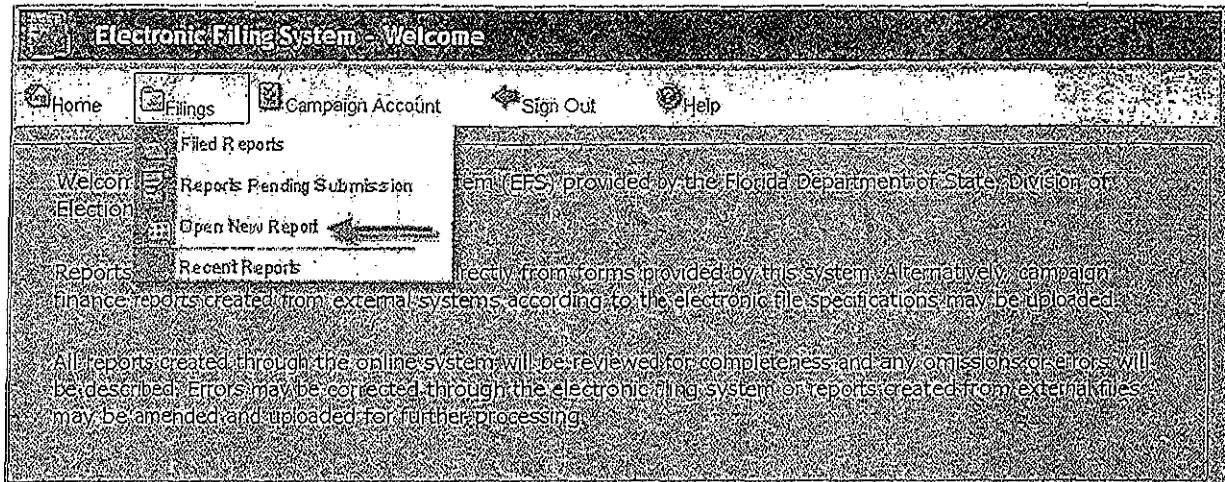
EXHIBIT 11 (1 of 6)

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Access the EFS	2
Passwords and PINs	3
Set a Password Recovery Question	3
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Create a New Report by Data Entry	12
Enter Contributions	14
Enter Expenditures	16
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Make Changes to the Report after Chairperson Enters PIN	49
Access a Pending Report	50
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Create a New Report by Data Entry

From the Welcome screen, click  and then  Open New Report



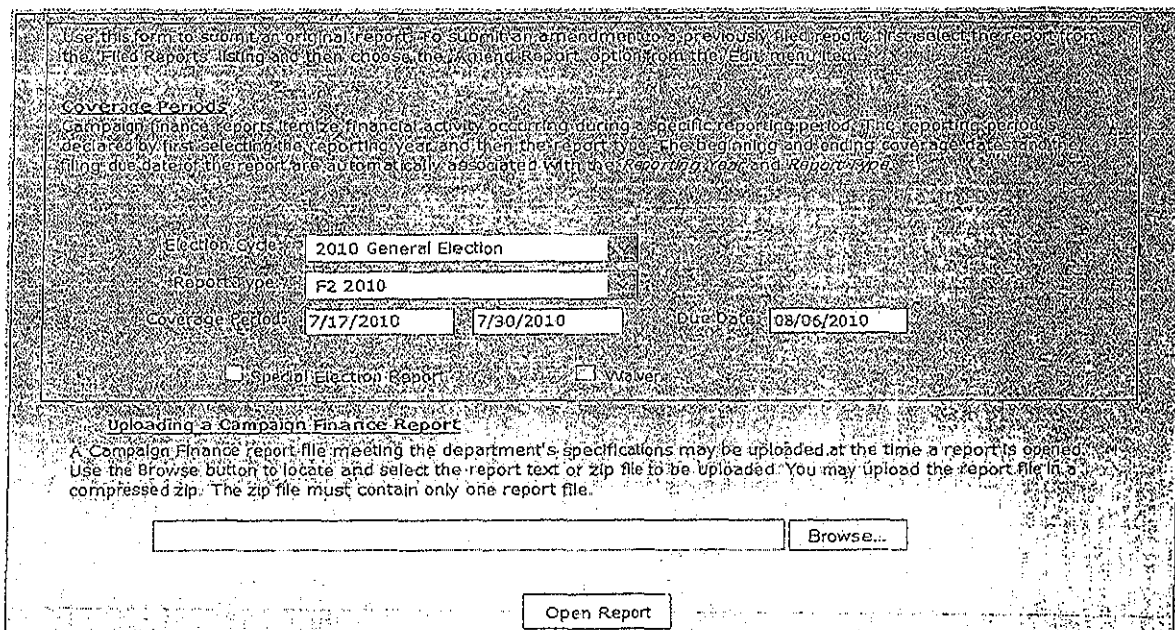
Electronic Filing System - Welcome

Home Filings Campaign Account Sign Out Help

Filed Reports
Reports Pending Submission
Open New Report
Recent Reports

Welcome to the Electronic Filing System (EFS) provided by the Florida Department of State, Division of Elections. This system allows campaign finance reports to be filed electronically. Reports may be created directly from forms provided by this system. Alternatively, campaign finance reports created from external systems according to the electronic file specifications may be uploaded.

All reports created through the online system will be reviewed for completeness and any omissions or errors will be described. Errors may be corrected through the electronic filing system. Reports created from external files may be amended and uploaded for further processing.



Use this form to submit an original report. To submit an amendment to a previously filed report, first select the report from the Filed Reports listing and then choose the Amend Report option from the Edit menu items.

Coverage Periods
Campaign finance reports itemize financial activity occurring during a specific reporting period. The reporting period is declared by first selecting the reporting year and then the report type. The beginning and ending coverage dates and filing due date of the report are automatically associated with the reporting year and report type.


Election Cycle:


Report Type:

Coverage Period: Due Date:

☐ Special Election Report ☐ Waiver

Uploading a Campaign Finance Report
A Campaign Finance report file meeting the department's specifications may be uploaded at the time a report is opened. Use the Browse button to locate and select the report text or zip file to be uploaded. You may upload the report file in a compressed zip. The zip file must contain only one report file.

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

Click  arrow next to **Report Type** select report type corresponding to the correct cover period and due date.

The Cover Period dates will automatically fill in based on the Calendar of Election and Reporting Dates.

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

If this report is for a special election, click the ☐ box next to Special Election Report. (If no special elections are scheduled this option will not be available.)

*****NOTE*****

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

Election Cycle: 2010 General Election
Report type: FZ 2010
Coverage Period: 7/17/2010 7/30/2010 Due Date: 08/06/2010
☐ Special Election Report ☐ Waiver

Click **Open Report** 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

☐ Incomplete ☐ Waiver Complete Status: Incomplete Detail Records
File Dates: Review Status: Not Reviewed
Status: Data Entry Last Review:

of Transactions: 0 Review Recalculate Go To File Report Append File Delete Report Save

Contributions	Total Amount
Cash and Checks:	0.00
Loans:	0.00
Total Monetary:	0.00
In-Kind:	0.00

Expenditures	Total Amount
Monetary:	0.00
Transfers to Off Acct:	0.00
Total Monetary:	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

1164067

File the Report

If the **Review Status** is Updated Detail – Needs Review the report has not been reviewed since the last update. (See page 39 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.

Click on **Go To File Report**

The chairperson 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

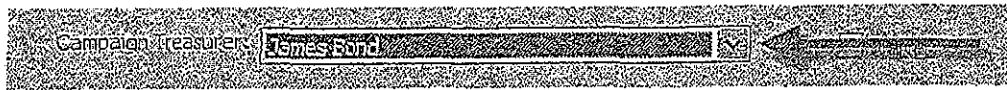
Review Status: Reviewed ☐ Original ☐ Amended

☐ Waiver

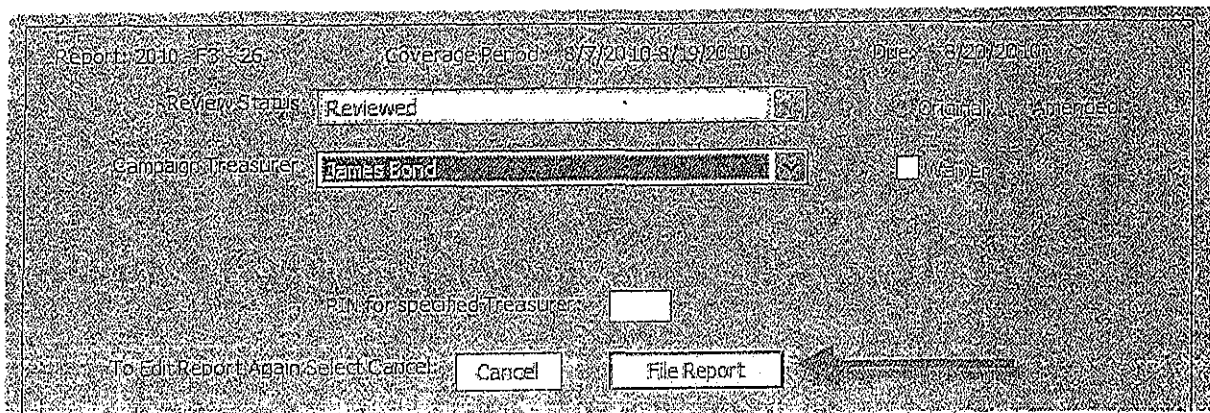
PIN for Candidate/Chairperson: **Report Approved**

EXHIBIT 11 (5 of 6)

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

A screenshot of a web form showing a dropdown menu for "Campaign Treasurer". The name "James Bond" is selected and displayed in the dropdown box. To the right of the dropdown is a small arrow icon pointing left.

The treasurer enters his PIN and then clicks 

A screenshot of a web form for filing a report. At the top, it shows "Report: 2010 F3-26", "Coverage Period: 8/7/2010-8/19/2010", and "Due: 8/20/2010". Below this, there are two radio buttons: "Original" (selected) and "Amended". The "Review Status" is set to "Reviewed". The "Campaign Treasurer" dropdown shows "James Bond". There is a "PIN for specified Treasurer" field which is empty. At the bottom, there is a message "To Edit Report Again Select Cancel:" followed by "Cancel" and "File Report" buttons. A large arrow points from the "File Report" button towards the right.

IMPORTANT NOTE: If changes need to be made after a chairperson PIN is entered, the treasurer must undo the chairperson PIN validation before the system will allow changes. See page 49 for instructions.

EXHIBIT 11 (6026)

**FLORIDA DEPARTMENT OF STATE, DIVISION OF ELECTIONS
CAMPAIGN TREASURER'S REPORT SUMMARY**

(1) Committee To Amend To Recall (2) 56218
 Candidate, Committee or Party Name ID Number

(3) 1574 Muir Circle Clermont FL 34711
 Address (number and street) City State Zip Code

☐ Check box if address has changed since last report

(4) Check appropriate box(es):

☐ Candidate (office sought):
☒ Political Committee ☐ Check If PC has DISBANDED
☐ Committee of Continuous Existence ☐ Check If CCE has DISBANDED
☐ Party Executive Committee

(5) REPORT IDENTIFIERS

Cover Period: From 09/01/2015 To 09/30/2015 Report Type: M9

☒ Original ☐ Amendment ☐ Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$0 00
 Loans \$0 00
Total Monetary \$0 00
 In-Kind \$0 00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$0 00
 Transfers to Office Account \$0 00
Total Monetary \$0 00

(8) Other Distributions

Certification

It is a first degree misdemeanor for any person to falsify a public record (ss 839.13, F.S.)

I certify that I have examined this report and it is true, correct and complete

Name of ☐ Treasurer ☐ Deputy Treasurer

X
 Signature

I certify that I have examined this report and it is true, correct and complete

Name of ☐ Candidate ☒ Chairman (PC/PTY Only)

X
 Signature

ID:

CAMPAIGN TRAILER'S REPORT - ITEMIZED CONTRIBUTIONS

Page 1 of 1

Name: Committee To Amend To Recall

Report: 2015 M9

Period: 09/01/2015 to 09/30/2015

** Records in Filed Report **

Seq #	Full Name (Last, Suffix First, Middle Street Address & City, State, Zip	Contributor Type	Occupation In-Kind Description	Amount
Date				Amend

EXHIBIT

12(2046)

Name: Committee To Amend To Recall

Report: 2015 M9

Period: 09/01/2015 to 09/30/2015

** Records in Filed Report **

Seq # Date	Full Name (Last, Suffix First, Middle Street Address & City, State, Zip	Type	Purpose	Amount
				Amend

EXHIBIT 12(3 of 6)

ID:

CAMPAIGN TREASURER'S REPORT - ITEMIZED DISTRIBUTIONS

Page 1 of 1

Name: Committee To Amend To RecallReport: 2015 M9Period: 09/01/2015 to 09/30/2015

** Records in Filed Report **

Seq # Date	Full Name (Last, Suffix First, Middle Street Address & City, State, Zip	Recipient	Purpose	Amount
		Type	Related Expenditure	Amend

EXHIBIT 12(4 of 6)

Name: Committee To Amend To Recall

Report: 2015 M9

Period: 09/01/2015 to 09/30/2015

** Records in Filed Report **

Seq # Date	Full Name (Last, Suffix First, Middle Street Address & City, State, Zip	Type	Nature of Account	Amount
				Amend

EXHIBIT 12(5 of 6)

Queued Items for 2015-M9

Account: 56218

Committee To Amend To Recall

Rpt Seq: 62

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	56218	1/3/2016 9:04:10 AM	1/3/2016 9:04:10 AM
Review Pending Report	Processing Complete	56218	1/3/2016 9:04:14 AM	1/3/2016 9:04:14 AM
File Pending Report	Processing Complete	56218	1/3/2016 9:04:39 AM	1/3/2016 9:04:39 AM

EXHIBIT 12 (b of 6)



FLORIDA ELECTIONS COMMISSION

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

February 11, 2016

Robert Abston, Chair
Committee to Amend to Recall
340 Rob Roy Drive
Clermont, FL 34711-2454

RE: Case No.: FEC 15-507; Respondent: Committee to Amend to Recall

Dear Mr. Abston:

On December 17, 2015, 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 may have failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting period:

- 2015 M9

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, when it failed to file a report on the prescribed reporting date for the following reporting period:

- 2015 M9

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.

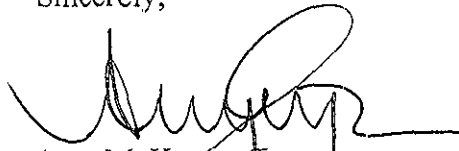
At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement.

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

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

To FEC from Division of Elections

RECEIVED

2015 DEC 17 P 2:27

Name: Committee To Amend To Recall
Account Number: 56218
Chairperson: Robert Abston
Treasurer: Robert Abston
Registered Agent: Robert Abston

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 the failure to file a report after notice or failure to file a notification to the filing officer in writing that no report was being filed on the prescribed reporting date under s. 106.07(7).

Report(s):

2015 M9

Sent By: Kristi Reid Bronson
Date: December 8, 2015

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.
2. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
3. I am of legal age and competent to testify to the matters stated herein.
4. Committee To Amend To Recall (56218) is a political committee registered with the Division. On April 16, 2012, Committee To Amend To Recall filed the DSDE 5 and 6 with the Division of Elections designating Robert Abston as the chairperson and Colleen O'Neill as the treasurer for the committee. On July 18, 2012, Robert Abston was appointed treasurer for the committee. (See attached documents and acknowledgment letters).
5. The 2015 M9 campaign treasurer's report was due on October 13, 2015. At the time the 2015 M9 report was due, Robert Abston was the treasurer.
6. On October 14, 2015, the Division mailed Mr. Abston notification that the 2015 M9 campaign treasurer's report had not been filed. (See attached letter).
7. On October 22, 2015, the Division mailed Mr. Abston notification that the 2015 M9 campaign treasurer's report had not been filed. (See attached letter).
8. On November 4, 2015, the Division mailed Mr. Abston final notification with delivery confirmation that the 2015 M9 campaign treasurer's report had not been filed. (See attached letter with delivery confirmation).

9. Mr. Abston did not notify the Division of Elections prior to or on the prescribed reporting date for the 2015 M9 report that no report was to be filed.
10. As of December 8, 2015, Mr. Abston has failed to file the 2015 M9 campaign treasurer's report.

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 8th day of December, 2015.



Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ✓



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

October 14, 2015

Robert Abston, Treasurer
Committee To Amend To Recall
1574 Muir Circle
Clermont, FL 34711

PAC 56218

Dear Mr. Abston:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was October 13, 2015.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:
 - \$50 for the first 3 days late
 - \$500 per day for each day after the 3rd day late
 - If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

- If no reportable activity occurred for the report date(s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106 265(1), Fla. Stat.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Kristi Reid Bronson", is written over a horizontal line.

Kristi Reid Bronson, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Second Notice

October 22, 2015

Robert Abston, Treasurer
Committee To Amend To Recall
1574 Muir Circle
Clermont, FL 34711

PAC 56218

Dear Mr. Abston:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was October 13, 2015.

We mailed, via regular mail, the first notice of the failure to file the above-mentioned report or notification to the address on file with our office on October 14, 2015.

The first notice which we provided to you specifically explained the automatic fine provisions in the law (s 106.07(8)(b), Fla Stat.) for failure to file a required report. Such fines are continuing to accrue for a late-filed report. Also, that notice explained that if no reportable activity occurred for the report date(s), you are still required to provide notification in writing that no reportable activity occurred. Our initial notice further indicated that, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Final Notice

Delivery Confirmation:

USPS TRACKING # **9114 9999 4431 3834 3653 66**
& CUSTOMER RECEIPT For Tracking or Inquiries go to USPS.com
or call 1-800-222-1811

November 4, 2015

Robert Abston, Treasurer
Committee To Amend To Recall
1574 Muir Circle
Clermont, FL 34711

PAC 56218

Dear Mr. Abston:

A recent review of the Division's records show that the Division has not yet received the below-referenced campaign treasurer's report or the required notification that no reportable activity occurred, whichever is applicable, during the following cover period:

<u>Year</u>	<u>Report</u>	<u>Cover Period</u>
2015	M9	9/1/15 - 9/30/15

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(1) and 106.021(1), F.S.)

RECEIVED
DEPARTMENT OF STATE

2012 APR 16 AM 10:48

DIVISION OF ELECTIONS
TALLAHASSEE, FL

CHECK APPROPRIATE BOX:

OFFICE USE ONLY



Original Appointment of Treasurer



Reappointment of Treasurer



Deputy Treasurer

1. Committee or Organization

Committee To Amend to Recall

2. Telephone

(352) 250-5530

3. Name of Treasurer or Deputy Treasurer

4. Email (optional)

Colleen O'Neill

5. Telephone (optional)

()

6. Mailing Address

33035 Indian Woods Dr, Leesburg, FL 34788

7. Street Address

SAME

8. The following bank has been designated as the



Primary Depository



Secondary Depository

9. Name of Bank

Wells Fargo

10. Street Address

10645 U.S. HWY 441, LEESBURG, FL 34788

11. City

Leesburg

12. State

FL

13. Zip Code

14. Signature of Chairman

X 

15. Name of Chairman (Print or Type)

Robert Abston

Campaign Treasurer's Acceptance of Appointment

I, Colleen O'Neill

(Please Print or Type)

, do hereby accept the appointment as

treasurer or deputy treasurer for

Committee to Amend to Recall

(Committee or Organization)

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.

April 16 2012

Date

X

Colleen O'Neill

Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF ORGANIZATION
OF POLITICAL COMMITTEE**

(PLEASE TYPE)

OFFICE USE ONLY
DEPARTMENT OF STATE

2012 APR 16 AM 10:48

DIVISION OF ELECTIONS
TALLAHASSEE, FL

1. Full Name of Committee

Telephone

COMMITTEE TO AMEND TO RECALL

352-250-5530

Mailing Address (include city, state and zip code)

1574 CLEMMONT, FL 34711

Street Address (include city, state and zip code)

FL 34711 (SAME)

2. Affiliated or Connected Organizations (includes other committees of continuous existence and political committees)

Name of Affiliated or
Connected Organization

Mailing Address

Relationship

NONE

3. Area, Scope and Jurisdiction of the Committee

TO AMEND THE CONSTITUTION OF THE STATE OF FL. TO PERMIT RECALL OF
STATE ELECTED OFFICIALS

4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.)

GOVERNMENT

5. Identify by Name, Address and Position, the Custodian of Books and Accounts (include treasurer's name)

Full Name

Mailing Address

Committee Title or Position

COLLEEN O'NEILL

33035 INDIAN WOODS DR.
LEESBURG, FL 34788

SECRETARY/TREASURER

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, if Any (include chairman's name)

Full Name	Mailing Address	Committee Title or Position
Colleen O'Neill	33035 Indian Woods Dr. Leesburg FL 34788	Secretary / Treasurer
Robert Abston	1574 Muir Circle. Clermont FL 34711	Chairman

7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)

Full Name	Mailing Address	Office Sought	Party
none			

8. List Any Issues this Committee is Supporting: *TO BE DETERMINED*

List Any Issues this Committee is Opposing: *n/a*

9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party

n/a

10. In the Event of Dissolution, What Disposition will be Made of Residual Funds?

Lake Sumpter Community College scholarship fund

11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds

Name of Bank or Depository & Account Number	Mailing Address
<i>WELLS FARGO LEESBURG LAKES BRANCH</i>	<i>10645 U.S. HWY 441 LEESBURG, FL 34788</i>

12. List all Reports Required to be Filed by this Committee with Federal Officials and the Names, Addresses and Positions of Such Officials, if Any

Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address

STATE OF Florida

Lake

COUNTY

I Robert Abston

certify that the information in this Statement of

Organization is complete, true and correct

X

Robert Abston

Signature of Chairman of Political Committee

04/16/2012

Date

RECEIVED
DEPARTMENT OF STATE

**REGISTERED AGENT
STATEMENT OF APPOINTMENT**

(Section 106.022, F.S.)

OFFICE USE ONLY
2012 APR 16 AM 10:48

DIVISION OF ELECTIONS
TALLAHASSEE, FL

- ☒ Original Appointment ☐ Change of Appointment
☐ Change of Mailing Address ☐ Change of Physical Address

Registered Agent and Office Information

Name <u>ROBERT ABSTON</u>		Telephone <u>352-250-5530</u>
Street Address <u>1574 MUIR CIR</u>		
City <u>CLERMONT</u>	State <u>FL</u>	Zip Code <u>34711</u>
Mailing Address <u>SAME</u>		
City	State	Zip Code

I accept this appointment and confirm that I am familiar with and accept the obligations of the position as set forth in Section 106.022, F.S. I also understand that I may resign this appointment by executing a written statement of resignation and filing it with the applicable filing officer.

[Signature]
Signature of Registered Agent

04/16/2012
Date

Former Registered Agent and Office Information (for changes only)

Name		Telephone
Street Address		
City	State	Zip Code

Committee or Organization Information

Name of Committee or Organization <u>COMMITTEE TO AMEND TO RECALL</u>		
Street Address <u>1574 MUIR CIR</u>		Telephone <u>352-250-5530</u>
City <u>CLERMONT</u>	State <u>FL</u>	Zip Code <u>34711</u>

[Signature]
Signature of Chairperson

ROBERT ABSTON
Printed Name of Chairperson

04/16/2012
Date



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 20, 2012

Mr. Robert Abston, Chairperson
Committee To Amend To Recall
1574 Muir Circle
Clermont, Florida 34711

Dear Mr. Abston:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for **Committee To Amend To Recall**, which were placed on file in our office on April 16, 2012. This information appears to comply with the requirements of Section 106.03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee that supports issues.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on July 13, 2012. The report will cover the period of April 1 - July 6, 2012. All political committees that 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 the committee's user identification number. The enclosed sealed envelope contains the committee's initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. The chairperson, 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 Web site Address: <https://efs.dos.state.fl.us>
Identification Number: 56218



Mr. Robert Abston, Chairperson
April 20, 2012
Page Two

Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update information. The enclosed sealed envelope provides a confidential pin number for the chairperson. By copy of this letter, a confidential PIN number to access the Division of Election's electronic filing system (EFS) was sent to the treasurer.

Each political committee chairperson is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that the 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 must be completed and filed through the EFS not later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight, Eastern Standard Time, 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, Eastern Standard Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any political committee failing to file a report on the designated due date is subject to a fine of \$50 per day for the first 3 days and, thereafter, \$500 per day for each day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per 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 chairperson and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

Mr Robert Abston, Chairperson

April 20, 2012

Page Three

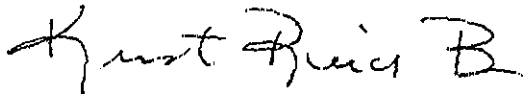
Instructions and Assistance

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' web site 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: Chapter 106, Florida Statutes, *2012 Political Committee Handbook*, *2012 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".

Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/ljr

Enclosures

cc: Ms Colleen O'Neill, Treasurer

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(1) and 106.021(1), F.S.)

RECEIVED
DEPARTMENT OF STATE

2012 JUL 18 AM 10:16

DIVISION OF ELECTIONS
TALLAHASSEE, FL

CHECK APPROPRIATE BOX:

OFFICE USE ONLY

☐ Original Appointment of Treasurer

☒ Reappointment of Treasurer

☐ Deputy Treasurer

1. Committee or Organization

COMMITTEE TO AMEND TO RECALL

2. Telephone

(352) 250-5530

3. Name of Treasurer or Deputy Treasurer

4. Email (optional)

5. Telephone (optional)

ROBERT ARSTON

RLARSTON@NEWSPATRIOTS.COM

(352) 250-5530

6. Mailing Address

1574 MUIR CIRCLE, CLERMONT, FL 34711

7. Street Address

1574 MUIR CIRCLE

8. The following bank has been designated as the

☒ Primary Depository

☐ Secondary Depository

9. Name of Bank

WELLS FARGO

10. Street Address

10645 U.S. 441, LEESBURG

11. City

LEESEBURG, FL

12. State

FL

13. Zip Code

34788

14. Signature of Chairman

X 

15. Name of Chairman (Print or Type)

ROBERT ARSTON

Campaign Treasurer's Acceptance of Appointment

I, ROBERT ARSTON

(Please Print or Type)

, do hereby accept the appointment as

treasurer or deputy treasurer for

COMMITTEE TO AMEND TO RECALL

(Committee or Organization)

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.

07/13/2012

Date

X 

Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

July 20, 2012

Mr. Robert Abston, Treasurer
Committee To Amend To Recall (56218)
1574 Muir Circle
Clermont, Florida 34711

Dear Mr. Abston:

Your appointment as treasurer for **Committee To Amend To Recall** was filed in this office on July 18, 2012. Enclosed is security envelope containing your confidential PIN number to access the Division of Election's electronic filing system (EFS) for submitting campaign treasurer's reports.

All of the Division's publications and forms are available on the Division of Elections' web site 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: Chapter 106, Florida Statutes, *2012 Political Committee Handbook*, *2012 Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

If you have questions concerning your campaign account or the electronic filing system you may call (850) 245-6280.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristi Reid Bronson".

Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/ljr

Enclosures



English

Customer Service

USPS Mobile

Register / Sign In



USPS Tracking®



Customer Service ›
Have questions? We're here to help.



Get Easy Tracking Updates ›
Sign up for My USPS

Tracking Number: 9114999944313834365366

Updated Delivery Day: Friday, November 6, 2015

Product & Tracking Information

Postal Product:

Features:
USPS Tracking™

Available Actions

Text Updates

Email Updates

DATE & TIME	STATUS OF ITEM	LOCATION
November 6, 2015, 11:21 am	Delivered, In/At Mailbox	CLERMONT, FL 34711
Your item was delivered in or at the mailbox at 11:21 am on November 6, 2015 in CLERMONT, FL 34711.		
November 6, 2015, 9:03 am	Out for Delivery	CLERMONT, FL 34711
November 6, 2015, 8:53 am	Sorting Complete	CLERMONT, FL 34711
November 6, 2015, 7:57 am	Arrived at Post Office	CLERMONT, FL 34711
November 5, 2015, 11:41 am	Arrived at USPS Facility	ORLANDO, FL 32824
November 4, 2015, 8:56 pm	Arrived at USPS Facility	TALLAHASSEE, FL 32301

Track Another Package

Tracking (or receipt) number

9114999944313834365366

Track It

Manage Incoming Packages

Track all your packages from a dashboard.
No tracking numbers necessary.

Sign up for My USPS ›



HELPFUL LINKS

Contact Us
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FAQs

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USPS Service Updates
Forms & Publications
Government Services
Careers

OTHER USPS SITES

Business Customer Gateway
Postal Inspectors
Inspector General
Postal Explorer
National Postal Museum
Resources for Developers

LEGAL INFORMATION

Privacy Policy
Terms of Use
FOIA
No FEAR Act EEO Data

HISTORY NOTES
Committee To Amend To Recall - 56218

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
-----------	---------------	------------------	------------------------

44728

9/21/2015 8:50:00 AM

slbagley

RE: Undeliverable Email sent back (-slb)

Received a message saying email I sent on 9/16/15 was returned as undeliverable Email details below:

Fri 9/18/2015 10:17 AM

Delivery has failed to these recipients or groups:

rlabston@newspatriots.com (rlabston@newspatriots.com)

Your message wasn't delivered because despite repeated attempts to contact it, the recipient's email system didn't respond

Contact the recipient by some other means (by phone, for example) and ask them to tell their email admin that their email system isn't accepting connection requests from your email system It's likely that the recipient's email admin is the only one who can fix this problem

For more information, see Status code 4.4.7

HISTORY NOTES
Committee To Amend To Recall - 56218

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
44685	9/16/2015 10:13:00 AM		slbagley
RE: Needs Updated Address = Email sent			
I sent the following email to Mr Abston to the email address he has on file (rlabston@newspatriots.com):			
Attention Robert Abston, Chairperson and Treasurer for Committee To Amend To Recall (56218)			
This email is a follow up to the voicemail I left for you on Friday, September 11, 2015 at the phone number you have on file with us (352-999-6626).			
We have received multiple returned mail from your address:			
1574 Muir Circle, Clermont, FL 34711			
And			
340 Rob Roy Drive, Clermont, FL 34711			
Please update your address with us. You may do so by sending us a signed letter stating the address change. In your letter, please specify the address you wish to have on file for each of the following: the committee, chairperson, treasurer, and registered agent.			
You may send the signed written letter to:			
Bureau of Election Records Florida Department of State R.A. Gray Building, Room 316 500 S. Bronough Street Tallahassee, FL 32399			
OR			
You may email a copy of the letter to: ElecRecords@dos.myflorida.com			
Or by fax to:			
850-245-6259 or 850-245-6260			
If you have any questions, please contact me at 850-245-6280			
Stacy Bagley Administrative Assistant II Bureau of Election Records Florida Department of State R.A. Gray Building 500 S. Bronough Street Tallahassee, FL 32399 Helpline: 850 245 6280			
44633	9/11/2015 4:11:00 PM		slbagley
RE: Address verification phone call			
Called number on file for committee 352-999-6626. Number instantly went to voicemail for someone named "Moo". Left message for Mr. Robery Abston letting him know we have received returned mail from the address listed for the PAC 1574 Muir Circle, Clermont, FL 34711. I asked him to please send us a letter stating the address for the PAC Chairperson and Treasurer. Left both fax numbers and our Division Number.			
slb			

HISTORY NOTES
Committee To Amend To Recall - 56218

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
44182	8/6/2015 12:12:00 PM		jssabree
<p>RE: Email sent to Chairperson Attention Robert Abston, Candidate for Committee To Amend To Recall (56218)</p> <p>This email is a follow up to the attempted phone call earlier today at the phone number you have on file with us (352-999-6626)</p> <p>We have received a returned mail from your address:</p> <p>340 Rob Roy Drive, Clermont Florida 34711</p> <p>I have included a copy of the returned mail attached to this email</p> <p>Please update your address with us, you may do so by either logging into EFS and changing it in the Campaign Account section, or by sending us a signed letter stating the address change</p> <p>You may send the signed written letter to:</p> <p>Bureau of Election Records Florida Department of State R.A Gray Building, Room 316 500 S Bronough Street Tallahassee FL 32399</p> <p>You may email a copy of the letter to: mailto:ElecRecords@dos.myflorida.com?subject=Update of Address</p> <p>Or by fax to:</p> <p>850-245-6259 or 850-245-6260</p> <p>If you have any questions, please contact me at 850-245-6240</p> <p>Jamaal Sabree Regulatory Specialist I Bureau of Election Records Florida Department of State R.A Gray Building 500 S. Bronough Street Tallahassee, FL 32399 Helpline: 850 245 6280</p> <p>This response is provided for reference only and does not constitute legal advice or representation. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law and/or consult a private attorney before drawing any legal conclusions or relying upon the information provided.</p> <p>Please note: Florida has a very broad public records law. Written communications to or from state officials regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.</p>			
44179	8/6/2015 11:34:00 AM		jssabree
<p>RE: Attempted call for Robert Abston</p> <p>Called number provided for Robert Abston and a woman picked up the phone and called me Marie and stated that I can pick up a package tomorrow and then hung up the phone. Will send an email to email address provided</p>			

HISTORY NOTES

Committee To Amend To Recall - 56218

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
33800	7/25/2013 1:52:00 PM	8/27/2013 8:55:03 AM	mcchellman
<p>Attempted to call Mr. Abston today but was given a message that stated the individual was not available at this time. I followed up with the below e-mail to the e-mail address in CanCom</p> <p>Mr Abston –</p> <p>Attached please find a letter advising you that you have failed to file the campaign treasurer's report due 7/10/13. This letter was mailed to the address on file for you (as Treasurer and Chair of the above-referenced committee) and it was Returned to Sender. I have also attempted to call the telephone number we have on file for you but have received a message that states, "not available at this time."</p> <p>This e-mails serves to inform you that if you do not submit written notification with your signature providing the Division of Elections with a current and working address within 10 days from receipt of this e-mail we will initiate revocation proceedings against Committee to Amend To Recall</p> <p>Please contact me upon receipt of this e-mail. Thank you</p> <p>7/25/13, he submitted written notification (e-mail) not signed providing new address for committee: 340 Rob Roy Drive, Clermont, Florida 34711, and new phone number 352-988-5242. I responded 7/26/13 stating that these changes could only be made when we received a signed letter from him, faxed or scanned pdf or normal mail</p> <p>I followed up by phone.</p>			
33370	6/11/2013 4:43:00 PM	6/11/2013 4:45:51 PM	krbronson
FF 2013 Q1 - Sent email to chair/treasurer			
31796	12/18/2012 5:10:00 PM		taholdeen
<p>2012 G4 FF:</p> <p>Sent the following email to chairperson/treasurer:</p> <p>Mr Abston,</p> <p>Attached are copies of previously mailed notices with regards to the 2012 G4 Campaign finance report which to date has NOT been filed. This report was due November 2, 2012. Even if the committee had no activity during this period, you still must go into the electronic filing system and file a waiver.</p> <p>Failure to file this report may result in referral to the Florida Elections Commission for enforcement. The Florida Elections Commission can impose civil penalties of up to \$1000 per violation.</p> <p>If you need assistance with this report or have additional questions, please contact our Help Desk Line at (850) 245-6280.</p> <p>Thank you in advance for your immediate attention to this matter.</p>			
30174	8/22/2012 4:57:00 PM		taholdeen
<p>2011 F2 & F3 FF:</p> <p>Rec'd call from chairperson/treasurer. Says he wasn't aware they needed to be filed (although he did file the F1). Says he will file them tonight. Also, he gave me his email address: rlabston@newspatriots.com. I emailed him a calendar of reporting dates.</p>			
30164	8/22/2012 1:08:00 PM		taholdeen
<p>2012 F2 & F3 FF:</p> <p>Called the number we have on file and left a voice mail for Mr. Abston regarding the unfiled reports. Left the Help Desk # in case he needs assistance.</p>			

HISTORY NOTES
Committee To Amend To Recall - 56218

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
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29665

7/16/2012 10:23:00 AM

ljrandolph

RE: Failure to file

I spoke to Mr. Abston and explained to him that the committee's report wasn't filed on time. He said that he had already submitted a new dsde 6 form and that he only had to file a waiver. I told him once we receive the mail that we will process it and update our system and give him the pin number that he needs to file his report online.

Committee Tracking System

Committee To Amend To Recall

Type: Political Committee

Status: Active

Address: 1574 Muir Circle
Clermont, FL 34711

Phone: (352)999-6626

Chairperson: Robert Abston

Treasurer: Robert Abston
1574 Muir Circle
Clermont, FL 347110000

Registered Agent: Robert Abston
1574 Muir Circle
Clermont, FL 34788

Purpose:

Affiliates:

Campaign Finance Activity

Campaign Documents