

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

**In Re: David Wayne Bunk**

**Case No.: FEC 16-553**

**TO: David Wayne Bunk**  
95142 Wildwood Circle  
Fernandina, FL 32034

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

**NOTICE OF HEARING (INFORMAL)**

A hearing will be held in this case before the Florida Elections Commission on, **May 14, 2019 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**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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.**

***Tim Vaccaro***

Executive Director  
Florida Elections Commission  
April 30, 2019

Please refer to the information below or 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.

FILED

19 MAR 12 AM 9:42

STATE OF FLORIDA  
ELECTIONS COMMISSION

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

**Case No.: FEC 16-553**

**v.**

**David Wayne Bunk,  
Respondent.**

**ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on February 26, 2019, in Tallahassee, Florida.

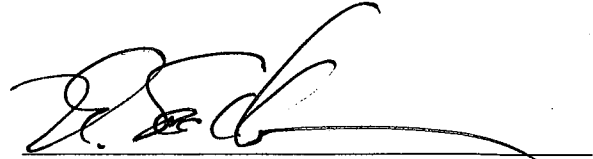
On December 18, 2018, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, 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:

**Count 1:**

On or about August 26, 2016, Respondent violated Section 106.19(1)(c), Florida Statutes, when Respondent deliberately failed to include information on a report that was required to be reported when he failed to file a 2016 P7 Report.

The Commission further finds there is no probable cause to charge Respondent with violating Section 106.07(7), Florida Statutes.

**DONE AND ORDERED** by the Florida Elections Commission on February 26, 2019.



M. Scott Thomas, Chairman  
Florida Elections Commission

Copies furnished to:  
Eric M. Lipman, General Counsel  
David Wayne Bunk, 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: David Wayne Bunk**

---

**Case No.: FEC 16-553**

**TO:** David Wayne Bunk  
95142 Wildwood Circle  
Fernandina, FL 32034

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

**NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)**

A hearing will be held in this case before the Florida Elections Commission on, **February 26, 2019 at 9:30 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**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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.**

**Tim Vaccaro, J.D.**  
Executive Director  
Florida Elections Commission  
February 11, 2019

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.

THIS FILE CONTAINS INFORMATION  
THAT IS CONFIDENTIAL  
AND EXEMPT FROM DISCLOSURE  
PURSUANT TO  
CHAPTER 119, FLORIDA STATUTES



**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: David Wayne Bunk**

**Case No.: FEC 16-553**

**STAFF RECOMMENDATION FOLLOWING INVESTIGATION**

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.19(1)(c), Florida Statutes**, and **no probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on November 21, 2018, the following facts and law support this staff recommendation.

1. On October 5, 2016, the Florida Elections Commission (“Commission”) received a referral from the Division of Elections (“Division”) alleging that David Wayne Bunk (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent was a candidate for the Florida House of Representatives, District 11, in the 2016 election. Respondent’s Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form was filed with the Division on March 14, 2016. (ROI Exhibit 1)<sup>1</sup>

3. On June 28, 2018, 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 failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the following reporting period:

- 2016 P7

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

- 2016 P7

---

<sup>1</sup> The Report of Investigation shall be referred to herein as “ROI.”

4. By letter dated March 16, 2016, Kristi Reid Bronson, Chief, Bureau of Election Records, Division of Elections, notified Respondent that his name had been placed on the 2016 active candidate list. The letter advised Respondent that all candidates who file reports with the Division are required to use the Division's Electronic Filing System ("EFS"), and provided Respondent with a user identification number and initial password to access the EFS. (ROI Exhibit 2, page 1)<sup>2</sup>

5. Ms. Bronson's March 16, 2016 letter further advised Respondent that all the Division's publications and reporting forms were available on the Division's website, and directed Respondent to print a copy of the *Candidate and Campaign Treasurer Handbook* and the *Calendar of Reporting Dates* as well as other documents. (ROI Exhibit 2, page 3)

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

6. The Division's referral alleged that Respondent failed to timely file a 2016 P7 Report or a notice of no reportable activity for the 2016 P7 reporting period.

7. 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)

8. Respondent's 2016 P7 Report covering the dates of August 13, 2016, through August 25, 2016, was due on August 26, 2016. Respondent failed to timely file a 2016 P7 Report or notice of no activity for the 2017 P7 reporting period. (Attachments A and B)

9. On August 29, 2016, the Division sent Respondent notification that he had not filed a 2016 P7 Report, or notice that no reportable activity occurred, whichever was applicable. (ROI Exhibit 3)

10. On September 14, 2016, the Division sent Respondent a second notification that he had not filed a 2016 P7 Report or notice that no reportable activity occurred, whichever was applicable. (ROI Exhibit 4)

---

<sup>2</sup> Kristi Reid Bronson is now known as Kristi Reid Willis.

11. On September 23, 2016, the Division sent a letter to Respondent marked "Final Notice." The notification stated that the Division had not yet received Respondent's 2016 P7 Report or notice that no reportable activity occurred, whichever was applicable. The Division's September 23, 2016 letter was confirmed delivered on September 26, 2016. (ROI Exhibit 5)

12. Investigator Spore subpoenaed copies of Respondent's campaign account records. Respondent's campaign account records show that Respondent had financial activity during the 2016 P7 reporting period that he was required to report. (ROI Exhibit 6)

13. During a September 6, 2018 telephone conversation, Respondent told Investigator Spore that during the campaign his treasurer was sick and had to be hospitalized, and Respondent had to take over the campaign treasurer's duties. Respondent added that he is not good with computers, does not own a computer, and had difficulty filing his campaign reports online. Respondent also told Investigator Spore that he filed reports using a computer at the library, and he called the Division's Help Desk for assistance almost every time he tried to file a report. (ROI Exhibit 8, Phone Log Entry 4)

14. As of December 12, 2018, Respondent has not filed a 2016 P7 Report with the Division. (Attachment B)

15. Based on the information above, it appears Respondent was not required to file a notice of no activity for the 2016 P7 reporting period. It also appears that Respondent was required to file a 2016 P7 Report, which he failed to do.

16. "Probable Cause" is defined as a reasonable ground 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. 1<sup>st</sup> DCA 1995).

17. The above facts show Respondent was a candidate for the Florida House of Representatives, District 11, in the 2016 election. Respondent's 2016 P7 Report covering the dates of August 13, 2016, through August 25, 2016, was due on August 26, 2016. Respondent had financial transactions during the 2016 P7 reporting period that he was required to report; however, Respondent failed to timely file a 2016 P7 Report. As of December 12, 2018, Respondent has not filed a 2016 P7 Report.

Based on the foregoing, I recommend the Commission find probable cause to charge Respondent with the following violation:

**Count 1:**

On or about August 26, 2016, Respondent violated Section 106.19(1)(c), Florida Statutes, when Respondent deliberately failed to include information on a report that was required to be reported when he failed to file a 2016 P7 Report.

I further recommend that the Commission find no probable cause to charge Respondent with violating Section 106.07(7), Florida Statutes.

Respectfully submitted on December 18, 2018.



Eric M. Lipman  
General Counsel

I have reviewed this Staff Recommendation on the 18<sup>th</sup> day of December 2018.



Tim Vaccaro  
Executive Director

# Calendar of Reporting Dates

for 2016 Candidates registered with the Division of Elections

| <u>Cover Period</u> | <u>Report Code</u> | <u>Due Date</u> |
|---------------------|--------------------|-----------------|
| 12/01/15 - 12/31/15 | 2015 M12           | 01/11/16        |
| 01/01/16 - 01/31/16 | 2016 M1            | 02/10/16        |
| 02/01/16 - 02/29/16 | 2016 M2            | 03/10/16        |
| 03/01/16 - 03/31/16 | 2016 M3            | 04/11/16        |
| 04/01/16 - 04/30/16 | 2016 M4            | 05/10/16        |
| 05/01/16 - 05/31/16 | 2016 M5            | 06/10/16        |

|                     |         |          |
|---------------------|---------|----------|
| 06/01/16 - 06/24/16 | 2016 P1 | 07/01/16 |
| 06/25/16 - 07/08/16 | 2016 P2 | 07/15/16 |
| 07/09/16 - 07/22/16 | 2016 P3 | 07/29/16 |
| 07/23/16 - 07/29/16 | 2016 P4 | 08/05/16 |
| 07/30/16 - 08/05/16 | 2016 P5 | 08/12/16 |
| 08/06/16 - 08/12/16 | 2016 P6 | 08/19/16 |
| 08/13/16 - 08/25/16 | 2016 P7 | 08/26/16 |

|                     |         |          |
|---------------------|---------|----------|
| 08/26/16 - 09/02/16 | 2016 G1 | 09/09/16 |
| 09/03/16 - 09/16/16 | 2016 G2 | 09/23/16 |
| 09/17/16 - 09/30/16 | 2016 G3 | 10/07/16 |
| 10/01/16 - 10/07/16 | 2016 G4 | 10/14/16 |
| 10/08/16 - 10/14/16 | 2016 G5 | 10/21/16 |
| 10/15/16 - 10/21/16 | 2016 G6 | 10/28/16 |
| 10/22/16 - 11/03/16 | 2016 G7 | 11/04/16 |

## Termination Reports

| <u>Cover Period</u>   | <u>Report Code</u> | <u>Due Date</u> |
|-----------------------|--------------------|-----------------|
| After May Qualifying  | TR                 | 08/04/16        |
| After June Qualifying | TR                 | 09/22/16        |
| Primary Election      | TR                 | 11/28/16        |
| General Election      | TR                 | 02/06/17        |

ATTACHMENT A



search | directory | contact us | 411 | subscribe | tour | help

Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Wayne Bunk

Account: 65334

Name:

Election:

Acct: 65334

Type: Candidate

Search Reset

| Date Due   | Type | Date Filed | Status | Days Late | Fine Assessed | Appealed | Amount Fined | Amount Paid |
|------------|------|------------|--------|-----------|---------------|----------|--------------|-------------|
| 11/28/2016 | TR   |            | FEC    | 0         | \$0.00        |          | \$0.00       | \$0.00      |
| 8/26/2016  | P7   |            | FEC    | 0         | \$0.00        |          | \$0.00       | \$0.00      |
| 8/19/2016  | P6   | 8/20/2016  | NEN    | 1         | \$3.74        |          | \$3.74       | \$0.00      |
| 8/12/2016  | P5   | 8/12/2016  |        |           |               |          |              |             |
| 8/5/2016   | P4   | 8/4/2016   |        |           |               |          |              |             |
| 7/29/2016  | P3   | 8/4/2016   | DFS    | 6         | \$20.47       |          | \$20.47      | \$0.00      |
| 7/15/2016  | P2   | 7/9/2016   |        |           |               |          |              |             |
| 7/1/2016   | P1   | 7/9/2016   | DFS    | 8         | \$550.00      |          | \$550.00     | \$0.00      |
| 6/10/2016  | M5   | 6/9/2016   |        |           |               |          |              |             |
| 5/10/2016  | M4   | 5/10/2016  |        |           |               |          |              |             |
| 4/11/2016  | M3   | 4/11/2016  |        |           |               |          |              |             |

ATTACHMENT B

**FLORIDA ELECTIONS COMMISSION  
REPORT OF INVESTIGATION  
Case No.: FEC 16-553**

**Respondent:** David Wayne Bunk

**Complainant:** Division of Elections

On October 5, 2016, the Florida Elections Commission (“Commission”) received a referral from the Division of Elections alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statutes:

Section 106.07(7), Florida Statutes, failure to notify the filing officer on the prescribed reporting date that no report would be filed on that date because no funds were received, no contributions were made, or no reportable funds were expended during the reporting period; and

Section 106.19(1)(c), Florida Statutes, falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes.

**I. Preliminary Information:**

1. Respondent was a candidate in 2016 for the office of Florida State Representative, District 11. He received 4.56% of the vote and came in fourth of four candidates in the primary election on August 30, 2016.
2. Complainant is the Division of Elections (Division).
3. Respondent’s filing officer is Kristi Willis, Chief, Bureau of Election Records.

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

4. I investigated whether Respondent violated this section of the election laws by not notifying the filing officer on the prescribed reporting date that no report would be filed on that date because no funds were received, no contributions were made, or no reportable funds were expended during the reporting period.

5. On March 14, 2016, Respondent filed the Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9 form) with the Division. He appointed David E. Cook as treasurer. To review the DS-DE 9 form, refer to Exhibit 1.

6. On March 16, 2016, Complainant mailed Respondent a letter acknowledging

receipt of the DS-DE 9 form and informing him that his name had been placed on the 2016 active candidate list. To view a copy of the March 16, 2016 acknowledgment letter, refer to Exhibit 2.

7. The 2016 P7 campaign treasurer's report covered the period of August 13, 2016 through August 25, 2016 and was due on August 26, 2016. On August 29, 2016 the Division mailed the treasurer notification that the 2016 P7 campaign treasurer's report had not been filed. The Division also mailed a copy of the notification to Respondent. To review a copy of the August 29, 2016 notification, refer to Exhibit 3.

8. On September 14, 2016, the Division mailed the treasurer notification that the 2016 P7 campaign treasurer's report had not been filed. The Division also mailed a copy of the notification to Respondent. To review a copy of the September 14, 2016 notification, refer to Exhibit 4.

9. On September 23, 2016, the Division mailed the treasurer final notification with delivery confirmation that the 2016 P7 campaign treasurer's report had not been filed. A copy of this notification was also mailed to Respondent. To review the September 23, 2016 final notification with delivery confirmation, refer to Exhibit 5.

10. On August 10, 2018, Respondent's campaign bank account records were received as a result of a subpoena to First Federal Bank of Florida, Respondent's campaign depository listed on his DS-DE 9 form filed on March 14, 2016; Exhibit 1. A review of these records reflects there was financial activity during the 2016 P7 reporting period; therefore, Respondent was required to file a 2016 P7 report, not a notice-of-no-activity. To review the campaign bank account records, refer to Exhibit 6.

11. Respondent's campaign finance activity reflects the following contributions and expenditure during the 2016 P7 reporting period.

| <b>TABLE 1: BANK ACCOUNT RECORDS DURING 2016 P7</b> |  |               |
|---|--|---------------|
| <b>Date</b>   | <b>Description</b>                           | <b>Amount</b> |
| 08/18/16  | Cash Deposit                                 | \$80.00       |
| 08/23/16  | Debit Withdrawal: PURCHASE SQ *OUTBACK SER V | \$75.55       |
| 08/24/16  | Cash Deposit                                 | \$30.00       |

12. A review of Respondent's filing history indicates there were nine reporting periods before the 2016 P7 reporting period. Of the nine previous reporting periods, six campaign treasurer reports were timely filed. To review a copy of Respondent's filing history, refer to Exhibit 7.

13. No record of Respondent having previously violated this section of the election laws was found.

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

14. 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.

15. As previously discussed in paragraphs 7 through 9, the 2016 P7 campaign treasurer's report was due on August 26, 2016, and despite notifications mailed to the address listed on a DS-DE 9 form, Respondent failed to file a 2016 P7 report.

16. As previously discussed in paragraph 10, Respondent's campaign bank account records were received as a result of a subpoena and reflected financial activity during the 2016 P7 reporting period.

17. No record of Respondent having previously violated this section of the election laws was found.

#### IV. FEC History:

18. In the matter of FEC 16-311, the Commission, at its November 16, 2016 meeting, upheld the automatic-fine of \$550.00, and issued a default final order. As of the date of this report, Respondent has not paid this fine. In the matter of FEC 16-598, the Commission, at its November 16, 2016 meeting, upheld the automatic-fine of \$20.47, and issued a default final order. As of the date of this report, Respondent has not paid this fine.

#### Conclusion:

19. In a telephone interview on September 6, 2018, Respondent stated that during his campaign, his treasurer was sick and had to be hospitalized, and Respondent took up the duties of campaign treasurer. He stated he does not own a computer and had to use the computers at the library in order to electronically file his campaign treasurer's reports. He often called the Division of Elections help desk, as he had difficulty filing most of his reports online. He stated that he remembered difficulty with one report that went missing, that the help desk assisted him in tracking down, as it had been filed under a different e-mail; however, he did not recall which report this was, as this happened over two years ago. To review the investigative telephone log, refer to Exhibit 8.

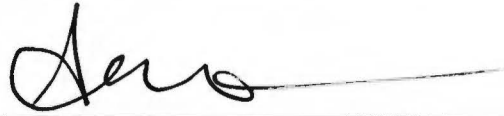
20. Respondent did not return a questionnaire-affidavit or a final interview telephone call, and I am unable to ascertain whether Respondent has read Chapter 106, Florida Statutes, and/or the *Candidate and Campaign Treasurer Handbook*.

21. In the March 16, 2016 acknowledgment letter, Respondent was informed that all of the Division's publications were available online at the Division'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 documents: Chapters 104 and 106, Florida Statutes, *Candidate and Campaign Treasurer Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code; Exhibit 2.**

22. On March 14, 2016, Respondent's Statement of Candidate for Florida State Representative, District 11 was filed, acknowledging that he had been provided access to read and

understand the requirements of Chapter 106, Florida Statutes. To view a copy of the Statement of Candidate, refer to Exhibit 9.

Respectfully submitted on November 21, 2018.



Samantha Spore  
Investigation Specialist

**Current address of Respondent**

Mr. David Wayne Bunk  
95142 Wildwood Circle  
Fernandina, FL 32034

**Current address of Complainant**

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

**Name and Address of Filing Officer:**

Ms. Kristi Willis  
Chief of Bureau of Election Records  
500 South Bronough Street, Room 316  
Tallahassee, FL 32399

Copy furnished to: Mr. David Flagg, Investigations Manager

**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**David Wayne Bunk -- FEC 16-553**

| <b>LIST OF EXHIBITS</b> |  |
|-------------------------|--|
| <b>Exhibits #s</b>      | <b>Description of Exhibits</b>                                   |
| Exhibit 1               | March 14, 2016 DS-DE 9 Form                                      |
| Exhibit 2               | March 16, 2016 Acknowledgment Letter                             |
| Exhibit 3               | August 29, 2016 Notification                                     |
| Exhibit 4               | September 14, 2016 Notification                                  |
| Exhibit 5               | September 23, 2016 Final Notification with Delivery Confirmation |
| Exhibit 6               | Campaign Bank Account Records                                    |
| Exhibit 7               | Respondent's Filing History                                      |
| Exhibit 8               | Investigative Telephone Log                                      |
| Exhibit 9               | March 14, 2016 Statement of Candidate                            |

**APPOINTMENT OF CAMPAIGN TREASURER  
AND DESIGNATION OF CAMPAIGN  
DEPOSITORY FOR CANDIDATES**

(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

RECEIVED  
DEPARTMENT OF  
2016 MAR 14 AM 11:08

DIVISION OF ELECTIONS

NOTE: This form must be on file with the qualifying officer before opening the campaign account.

OFFICE USE ONLY

**1. CHECK APPROPRIATE BOX(ES):**

Initial Filing of Form    Re-filing to Change:  Treasurer/Deputy     Depository     Office     Party

**2. Name of Candidate (in this order: First, Middle, Last)**

DAVID WAYNE BUNK

**3. Address (include post office box or street, city, state, zip code)**

95142 Wildwood Cir  
Fernandina Fl. 32034

**4. Telephone**

(904) 557-6532

**5. E-mail address**

N/A

**6. Office sought (include district, circuit, group number)**

State Representative district # 11

**7. If a candidate for a nonpartisan office, check if applicable:**

My intent is to run as a Write-In candidate.

**8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a**

Write-In     No Party Affiliation     Republican Party candidate.

**9. I have appointed the following person to act as my**  Campaign Treasurer     Deputy Treasurer

**10. Name of Treasurer or Deputy Treasurer**

DAVID E. COOK JR

**11. Mailing Address**

751 WREN DR.

**12. Telephone**

( )

**13. City**

FERNANDINA Bch

**14. County**

NASSAU

**15. State**

FLA.

**16. Zip Code**

32034

**17. E-mail address**

N/A

**18. I have designated the following bank as my**  Primary Depository     Secondary Depository

**19. Name of Bank**

First Federal BANK of Florida

**20. Address**

463845 State Road 200

**21. City**

Yulee

**22. County**

NASSAU

**23. State**

Fl.

**24. Zip Code**

32097

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

**25. Date**

3-7-16

**26. Signature of Candidate**

X David Wayne Bunk

**27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)**

I, DAVID E COOK JR, do hereby accept the appointment  
(Please Print or Type Name)

designated above as:  Campaign Treasurer

Deputy Treasurer

March 7, 2016  
Date

X David E. Cook Jr  
Signature of Campaign Treasurer or Deputy Treasurer

EXHIBIT 1



## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

March 16, 2016

David Wayne Bunk  
95142 Wildwood Circle  
Fernandina, Florida 32034

Dear Mr. Bunk:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, which was placed on file in our office on March 14, 2016. Your name has been placed on the 2016 active candidate list.

### Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **April 11, 2016**. The report will cover the period of March 1-31, 2016 (M3). All candidates who 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 your user identification number. The enclosed sealed envelope contains your initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. You, your 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 Website Address:** <https://efs.dos.state.fl.us>  
**Identification Number:** 65334

EXHIBIT 2 page 1 of 3

David Wayne Bunk  
March 16, 2016  
Page Two

### **Pin Numbers**

Pin numbers are confidential secure credentials that allow you to submit reports and update personal information. The enclosed sealed envelope contains confidential pin numbers for you. By copy of this letter, a confidential pin number to access the EFS was sent to your treasurer.

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

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

David Wayne Bunk  
March 16, 2016  
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' website at <http://dos.myflorida.com/elections/>. 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: Chapters 104 and 106, Florida Statutes, *Candidate and Campaign Treasurer Handbook*, *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: David E. Cook, Jr., Treasurer

EXHIBIT 2 page 3 of 3



FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

August 29, 2016

David E. Cook Jr., Treasurer  
751 Wren Drive  
Fernandina Beach, FL 32034

CAN 65334

Dear Mr. Cook:

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 August 26, 2016.

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

cc: Wayne Bunk

Candidate for State Representative, District 11

EXHIBIT 3





FLORIDA DEPARTMENT OF STATE

Ken Detzner  
Secretary of State

DIVISION OF ELECTIONS

**Second Notice**

September 14, 2016

David E. Cook Jr., Treasurer  
751 Wren Drive  
Fernandina Beach, FL 32034

CAN 65334

Dear Mr. Cook:

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 August 26, 2016.

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 August 29, 2016.

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

cc: Wayne Bunk  
Candidate for State Representative, District 11

EXHIBIT 4



FLORIDA DEPARTMENT OF STATE

Ken Detzner  
Secretary of State

DIVISION OF ELECTIONS

Final Notice  
Delivery Confirmation:

USPS TRACKING # 9114 9999 4423 8937 9438 70  
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com or call 1-800-222-1811.

September 23, 2016

David E. Cook Jr., Treasurer  
751 Wren Drive  
Fernandina Beach, FL 32034

CAN 65334

Dear Mr. Cook:

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> |
|-------------|---------------|---------------------|
| 2016        | P7            | 8/13/16 - 8/25/16   |

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

cc: Wayne Bunk  
Candidate for State Representative, District 11

EXHIBIT 5 page 1 of 2

English

Customer Service

USPS Mobile

Register / Sign In



# USPS Tracking®

Still Have Questions?  
Browse our FAQs ›

 Get Easy Tracking Updates ›  
Sign up for My USPS.

Tracking Number: 9114999944238937943870

Updated Delivery Day: Monday, September 26, 2016

## Product & Tracking Information

Postal Product:

Features:  
USPS Tracking®

## Available Actions

Text Updates

Email Updates

| DATE & TIME   | STATUS OF ITEM           | LOCATION                   |
|---|--------------------------|----------------------------|
| September 26, 2016 , 12:16 pm   | Delivered, In/At Mailbox | FERNANDINA BEACH, FL 32034 |
| Your item was delivered in or at the mailbox at 12:16 pm on September 26, 2016 in FERNANDINA BEACH, FL 32034. |                          |                            |
| September 26, 2016 , 5:14 am  | Arrived at Post Office   | FERNANDINA BEACH, FL 32034 |
| September 24, 2016 , 8:35 pm  | Arrived at USPS Facility | JACKSONVILLE, FL 32099     |
| September 23, 2016 , 9:19 pm  | Arrived at USPS Facility | TALLAHASSEE, FL 32301      |

## Track Another Package

Tracking (or receipt) number

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
- Site Index
- FAQs

### ON ABOUT.USPS.COM

- About USPS Home
- Newsroom
- 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

Copyright © 2016 USPS. All Rights Reserved.

EXHIBIT 5 page 2 of 2

# Account Statement

Page 1 of 2

Statement Period

07-30-16 thru 08-31-16

\*\*\*\*\*AUTO\*\*SCH 5-DIGIT 32034  
2506 0.6970 AV 0.376 8 1 194



DAVID WAYNE BUNK  
CAMPAIGN ACCOUNT  
DAVID E COOK JR  
95142 WILDWOOD CIR  
FERNANDINA BEACH FL 32034-7284

3

## Community Partners Account Summary

|                        |          |   |         |
|------------------------|----------|---|---------|
| Balance Last Statement | 07-29-16 |   | 231.22  |
| Amount of Credits      |          | 3 | 220.00  |
| Amount of Debits       |          | 5 | 402.99  |
| Balance This Statement | 08-31-16 |   | 48.23   |
| Average Balance        |          |   | \$72.24 |

## YOUR DEPOSITS / CREDITS

1847410

| Date  | Description | Amount |
|-------|-------------|--------|
| 08-03 | DEPOSIT     | 110.00 |
| 08-18 | DEPOSIT     | 80.00  |
| 08-24 | DEPOSIT     | 30.00  |

## YOUR WITHDRAWALS AND OTHER DEBITS

1847410

| Date  | Description   | Amount |
|-------|---|--------|
| 08-01 | 26748 PURCHASE FACEBK LY2CR9SFY 650-6187714 CA 00001000 026748  | 12.49  |
| 08-03 | 49644 PURCHASE SQ *GRAVITY GRAP GOSQ.COM GA 00000000 049644     | 150.00 |
| 08-05 | 47028 PURCHASE SQ *GRAVITY GRAP GOSQ.COM GA 00000000 047028     | 150.00 |
| 08-10 | 68936 PURCHASE UOL*NET ZERO 800-939-8647 CA 00000000 068936     | 14.95  |
| 08-23 | 47676 PURCHASE SQ *OUTBACK SERV 877-417-4551 GA 00000000 047676 | 75.55  |

## INTEREST

|                            |      |                                 |         |
|----------------------------|------|---------------------------------|---------|
| AVERAGE LEDGER BALANCE:    | 0.00 | INTEREST EARNED:                | 0.00    |
| AVERAGE AVAILABLE BALANCE: | 0.00 | DAYS IN PERIOD:                 | 0       |
| INTEREST PAID THIS PERIOD: | 0.00 | ANNUAL PERCENTAGE YIELD EARNED: | 0.0000% |
| INTEREST PAID 2016:        | 0.00 |                                 |         |

## ITEMIZATION OF NSF PAID AND RETURNED ITEM FEES

EXHIBIT 6 page 1 of 4

|                           | Total for<br>This Period | Total<br>Year to Date |
|---------------------------|--------------------------|-----------------------|
| TOTAL OVERDRAFT FEES:     | 0.00                     | 0.00                  |
| TOTAL RETURNED ITEM FEES: | \$0.00                   | \$0.00                |

**DAILY BALANCE**

| <u>Date</u> | <u>Balance</u> | <u>Date</u> | <u>Balance</u> | <u>Date</u> | <u>Balance</u> |
|-------------|----------------|-------------|----------------|-------------|----------------|
| 08-01       | 218.73         | 08-10       | 13.78          | 08-24       | 48.23          |
| 08-03       | 178.73         | 08-18       | 93.78          |             |                |
| 08-05       | 28.73          | 08-23       | 18.23          |             |                |

First Federal  
BANK OF FLORIDA

CASH  
 CHECK

DATE 8-18-16

NAME David Burke Campaign Act

CHECKING DEPOSIT  
80

NET DEPOSIT \$ 80.00

⑆5023⑉000⑆ 1847410⑉009

DDA Credits - 8/18/2016 - 1157863106

BOFD >263184488<  
Yulee BC  
2016-08-18  
1157863106

1157863106 2016-08-18 BOFD263184488

TULLE 08/18/16

DDA Deposit

⑆5023⑉000⑆ 1847410⑉009

ADDITIONAL CHECK LISTING PAGE

DDA Credits - 8/18/2016 - 1157863106

CASH IN #2  
FIRST FEDERAL BANK  
LAKE CITY, FL 32808

| DENOMINATION | CURRENCY | AMOUNT | COUNT |
|--------------|----------|--------|-------|
| 100          |          | 00     |       |
| 50           |          | 00     |       |
| 20           |          | 25     |       |
| 10           |          | 10     |       |
| 5            |          | 08     |       |
| 2            |          | 01     |       |
| 1            |          | 00     |       |
| TOTAL        |          | 144    |       |

PREPARED BY \_\_\_\_\_ APPROVED BY \_\_\_\_\_

⑆263184488⑆ 1050001100⑉702

GL Debits - 8/18/2016 - 1157863107

BOFD >263184488<  
Yulee BC  
2016-08-18  
1157863107

1157863107 2016-08-18 BOFD263184488

GL Debits - 8/18/2016 - 1157863107

**First Federal**  
BANK OF FLORIDA  
LAKE CITY, FLORIDA 32805

CASH  
30 00

DATE 8-23-16  
NAME NAME BANK  
ACCOUNT NUMBER  
[REDACTED]

TOTAL FROM OTHER SIDE  
NET DEPOSIT \$ 30 00

⑆5023⑉0001⑆ 1847410⑉009

DDA Credits - 8/24/2016 - 1158024306

BOFD >263184488<  
Tulsa BC  
2016-08-24  
1158024306

1158024306 2016-08-24 BOFD 263184488

|               |          |
|---------------|----------|
| YULFF         | 14:09    |
| 3             | 08/24/16 |
| DDA Deposit   |          |
| Acct# 1847416 | \$30.00  |

⑆5023⑉0001⑆ 1847410⑉009

DDA Credits - 8/24/2016 - 1158024306

**CASH IN #3**  
FIRST FEDERAL BANK OF FLORIDA  
LAKE CITY, FL. 32805

| CURRENCY | COIN | TOTAL   |
|----------|------|---------|
| \$100    |      |         |
| 50       |      |         |
| 20       |      |         |
| 10       |      |         |
| 5        |      |         |
| 2        |      |         |
| 1        |      |         |
|          | 3 15 | \$30.00 |
| TOTAL    |      |         |

DATE: 08/24/16  
Cash In Ticket

PREPARED BY: [REDACTED] APPROVED BY: [REDACTED]

⑆5721⑉0001⑆ 1050001100⑉703

GL Debits - 8/24/2016 - 1158024307

BOFD >263184488<  
Tulsa BC  
2016-08-24  
1158024307

1158024307 2016-08-24 BOFD 263184488

GL Debits - 8/24/2016 - 1158024307



search | directory | contact us | 411 | subscribe | tour | help

Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Wayne Bunk

Name: Bunk

Account: 65334

Election:

Acct: 65334

Type: Candidate

Search Reset

| Date Due   | Type | Date Filed | Status | Days Late | Fine Assessed | Appealed | Amount Fined | Amount Paid |
|------------|------|------------|--------|-----------|---------------|----------|--------------|-------------|
| 11/28/2016 | TR   |            | FEC    | 0         | \$0.00        |          | \$0.00       | \$0.00      |
| 8/26/2016  | P7   |            | FEC    | 0         | \$0.00        |          | \$0.00       | \$0.00      |
| 8/19/2016  | P6   | 8/20/2016  | NEN    | 1         | \$3.74        |          | \$3.74       | \$0.00      |
| 8/12/2016  | P5   | 8/12/2016  |        |           |               |          |              |             |
| 8/5/2016   | P4   | 8/4/2016   |        |           |               |          |              |             |
| 7/29/2016  | P3   | 8/4/2016   | DFS    | 6         | \$20.47       |          | \$20.47      | \$0.00      |
| 7/15/2016  | P2   | 7/9/2016   |        |           |               |          |              |             |
| 7/1/2016   | P1   | 7/9/2016   | DFS    | 8         | \$550.00      |          | \$550.00     | \$0.00      |
| 6/10/2016  | M5   | 6/9/2016   |        |           |               |          |              |             |
| 5/10/2016  | M4   | 5/10/2016  |        |           |               |          |              |             |
| 4/11/2016  | M3   | 4/11/2016  |        |           |               |          |              |             |

EXHIBIT 7 page 1 of 2





Florida Department of State  
Division of Elections

2016 General Election  
Wayne Bunk (REP)  
State Representative

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.](#)

|                                  | Filing Period           | Contributions |          |        | Expend | Other  | Transfers |
|----------------------------------|-------------------------|---------------|----------|--------|--------|--------|-----------|
|                                  |                         | Monetary      | Loans    | InKind |        |        |           |
| <input type="radio"/>            | 03/14/2016 - 03/31/2016 | 0.00          | 180.00   | 0.00   | 118.26 | 0.00   | 0.00      |
| <input type="radio"/>            | 04/01/2016 - 04/30/2016 | 0.00          | 0.00     | 0.00   | 23.37  | 0.00   | 0.00      |
| <input type="radio"/>            | 05/01/2016 - 05/31/2016 | 0.00          | 0.00     | 0.00   | 27.85  | 0.00   | 0.00      |
| <input type="radio"/>            | 06/01/2016 - 06/24/2016 | 500.00        | 1,700.00 | 0.00   | 51.64  | 0.00   | 0.00      |
| <input type="radio"/>            | 06/25/2016 - 07/08/2016 | 65.00         | 0.00     | 0.00   | 112.40 | 0.00   | 0.00      |
| <input type="radio"/>            | 07/09/2016 - 07/22/2016 | 0.00          | 0.00     | 0.00   | 81.87  | 150.00 | 0.00      |
| <input type="radio"/>            | 07/23/2016 - 07/29/2016 | 100.00        | 0.00     | 0.00   | 137.40 | 0.00   | 0.00      |
| <input type="radio"/>            | 07/30/2016 - 08/05/2016 | 0.00          | 110.00   | 0.00   | 312.49 | 0.00   | 0.00      |
| <input type="radio"/>            | 08/06/2016 - 08/12/2016 | 0.00          | 0.00     | 0.00   | 14.95  | 0.00   | 0.00      |
| <input checked="" type="radio"/> | All Dates (Totals)      | 665.00        | 1,990.00 | 0.00   | 880.23 | 150.00 | 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 7 page 2 of 2

**FLORIDA ELECTIONS COMMISSION  
PHONE LOG  
Case No.: FEC 16-553**

**Respondent:** David Wayne Bunk

**Complainant:** Division of Elections

1. **Date and time:** 07/11/18- 9:28 AM  
**Name:** First Federal Bank of Florida  
**Phone #:** 1-877-499-0572  
**Summary:** I called to see if I could get information on how First Federal Bank of Florida accepts service of subpoenas for records. I spoke with a receptionist, who put me through to Dawn Copeland. Ms. Copeland was not available, and I left a voicemail message asking her to return my call.  
**Memo to File?** No  
**Entered by:** S. Spore
  
2. **Date and time:** 07/13/18- 10:45 AM  
**Name:** First Federal Bank of Florida  
**Phone #:** 1-877-499-0572  
**Summary:** I called and spoke with the receptionist. I explained that I had left a voicemail for a Ms. Copeland, but had not heard back from her regarding my question, and was hoping to catch her today. I was put through to Ms. Copeland's extension, and again reached a voicemail box. I left another message.  
**Memo to File?** No  
**Entered by:** S. Spore
  
3. **Date and time:** 07/16/18- 1:57 PM  
**Name:** First Federal Bank of Florida  
**Phone #:** 1-877-499-0572  
**Summary:** I called again and spoke with Hannah, a receptionist at the home office. She stated that she thought I would be able to fax or mail a subpoena, but was not sure. She then put me through to Ms. Copeland's extension, who handles all the subpoenas. Ms. Copeland answered the phone, and I asked how they accepted service of subpoenas. She stated they could be hand delivered, or sent by regular mail. I explained that I was in Tallahassee, and she stated that I could mail the subpoena to their home office: PO Box 2029, Lake City, FL 32056, and bring it to her attention: Dawn Copeland. I thanked her for her assistance.  
**Memo to File?** No  
**Entered by:** S. Spore
  
4. **Date and time:** 09/06/18- 9:10 AM  
**Name:** Call from Respondent  
**Phone #:** 904-557-6532  
**Summary:** Respondent called and stated that he has been out of town for a month and got home last night in order to go to a doctor's appointment. He stated that he was going through his mail and found the questionnaire-affidavit that was sent to him. He saw the date that we asked him to return it by, and thought he would call, as it was past due. He stated that during

EXHIBIT 8 page 1 of 3

his campaign, his treasurer was sick and had to be hospitalized, so he took up the duties of the campaign treasurer. He stated he is not good with computers, and does not even own one, so he had difficulty with filing his campaign treasurer's reports online. He had to go to the library to use the computer there in order to file his reports, and often utilized the Division of Elections' help desk, as he had many problems filing reports. He stated he had called them for almost all of the reports he had to file. He mentioned that one specific report had been filed, and then could not be found in the system. It turned out that that report had been filed under a different email with a different department, and the woman at the help desk helped locate this for him. He was not sure which report that was, or what the woman at the help desks name was, as this was two years ago. I let him know that I would be extend the deadline for the questionnaire-affidavit until September 21<sup>st</sup>, and he stated that he would try to get it out to us as soon as possible, as after his doctor's appointment, he is going back out of town.

**Memo to File?** No

**Entered by:** S. Spore

5. **Date and time:** 11/07/18- 9:47 AM

**Name:** Call to Respondent

**Phone #:** 904-557-6523

**Summary:** I called and reached a voicemail box. I left a message, asking Respondent to return my call.

**Memo to File?** No

**Entered by:** S. Spore

6. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Memo to File?** No

**Entered by:**

7. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Memo to File?** No

**Entered by:**

8. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Memo to File?** No

**Entered by:**

9. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Memo to File? No**  
**Entered by:**

- 10. **Date and time:**
- Name:**
- Phone #:**
- Summary:**
- Memo to File? No**
- Entered by:**

**STATEMENT OF  
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

RECEIVED  
DEPARTMENT

2016 MAR 14 AM 11:08

DEPARTMENT OF ELECTIONS

David WAYNE BUNK

I, David Wayne Bunk

candidate for the office of State Representative;

have been provided access to read and understand the requirements of

Chapter 106, Florida Statutes.

X David Wayne Bunk  
Signature of Candidate

3-7-16  
Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).



**FLORIDA ELECTIONS COMMISSION**

**107 W. Gaines Street,  
Suite 224 Collins Building  
Tallahassee, Florida 32399-1050  
Telephone: (850) 922-4539  
Fax: (850) 921-0783  
[www.fec.state.fl.us](http://www.fec.state.fl.us); [fec@myfloridalegal.com](mailto:fec@myfloridalegal.com)**

June 28, 2018

David Wayne Bunk  
95142 Wildwood Circle  
Fernandina, FL 32034

**RE: Case No.: FEC 16-553; Respondent: David Wayne Bunk**

Dear Mr. Bunk:

On October 5, 2016, 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 failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the following reporting period:

- 2016 P7

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

- 2016 P7

When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will make a written recommendation (Staff Recommendation or SR) to the Commission as to whether there is probable cause to charge respondent with violating Chapters 104 or 106, Florida Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold one or more hearings to determine whether the alleged violations occurred and, if so, the amount

David Wayne Bunk  
June 28, 2018  
Page 2  
FEC 16-553

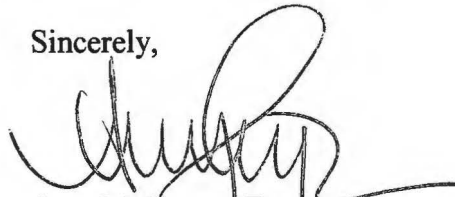
of the fine to be imposed. You and the complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

Please note that all documents related to this matter will be mailed to the above address unless you **notify us of a new address**. Also, please remember that complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are **confidential** until the Commission finds probable cause or no probable cause.

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website ([www.fec.state.fl.us](http://www.fec.state.fl.us)).

If you have additional questions, please contact **Samantha Spore**, the investigator assigned to this case at extension 110.

Sincerely,



Amy McKeever Toman  
Executive Director

AMT/enr

**DIVISION OF ELECTIONS  
FEC NOTICE FORM**

**RECEIVED**

To FEC from Division of Elections

2016 OCT -5 1 P 3 22

STATE OF FLORIDA  
ELECTIONS COMMISSION

---

---

**Name:** Wayne Bunk  
**Account Number:** 65334  
**Treasurer:** David Cook

---

---

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, Florida Statutes. An apparent violation of Chapter 106, F.S., has occurred based upon the candidate's alleged failure to file a report after notice as required by section 106.07(8)(d), Florida Statutes, or failure to notify the filing officer on the prescribed reporting date that no report was to be filed as required by Section 106.07(7), Florida Statutes.

The following report or notice is outstanding after notification:

2016 P7

---

**Sent By:** Kristi Reid Bronson  
**Date:** October 4, 2016

*KRB*

ejr



## AFFIDAVIT

**STATE OF FLORIDA**


**County of Leon**

**Kristi Reid Bronson, being duly sworn, says:**

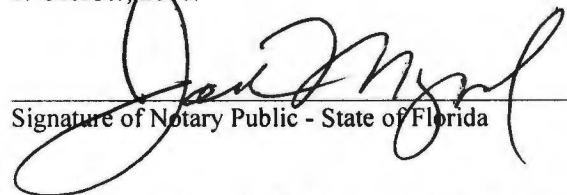
1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division). In that capacity, I oversee the Division's duties related to the filing of campaign finance reports.
2. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
3. I am of legal age and competent to testify to the matters stated herein.
4. Wayne Bunk (65334) was a 2016 candidate for the office of State Representative.
5. On March 14, 2016, Mr. Bunk filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division. He appointed David E. Cook as treasurer. (See attached documents and acknowledgment letter.)
6. The 2016 P7 campaign treasurer's report was due on August 26, 2016. On August 29, 2016, the Division mailed Mr. Cook notification that the 2016 P7 treasurer's report had not been filed. (See attached letter.)
7. On September 14, 2016, the Division mailed Mr. Cook notification that the 2016 P7 treasurer's report had not been filed. (See attached letter.)
8. On September 23, 2016, the Division mailed Mr. Cook final notification with delivery confirmation that the 2016 P7 treasurer's report had not been filed. (See attached letter with delivery confirmation.)
9. Mr. Cook did not notify the Division of Elections prior to or on the prescribed reporting date for the 2016 P7 report that no report was to be filed.

10. As of October 4, 2016, Mr. Cook has not filed the 2016 P7 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 4<sup>th</sup> day of October, 2016.

  
Signature of Notary Public - State of Florida

**Print, Type, or Stamp Commissioned Name of Notary Public**

Personally Known



**APPOINTMENT OF CAMPAIGN TREASURER  
AND DESIGNATION OF CAMPAIGN  
DEPOSITORY FOR CANDIDATES**

(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

RECEIVED  
DEPARTMENT OF  
2016 MAR 14 AM 11:08

DIVISION OF ELECTIONS

NOTE: This form must be on file with the qualifying officer before opening the campaign account.

OFFICE USE ONLY

**1. CHECK APPROPRIATE BOX(ES):**

Initial Filing of Form    Re-filing to Change:  Treasurer/Deputy     Depository     Office     Paid

2. Name of Candidate (in this order: First, Middle, Last)

DAVID WAYNE BUNK

3. Address (include post office box or street, city, state, zip code)

95142 Wildwood Cir  
Fernandina Fl. 32034

4. Telephone

(904) 557-6532

5. E-mail address

N/A

6. Office sought (include district, circuit, group number)

State Representative district # 11

7. If a candidate for a nonpartisan office, check if applicable:

My intent is to run as a Write-In candidate

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a

Write-In     No Party Affiliation     Republican Party candidate.

9. I have appointed the following person to act as my

Campaign Treasurer     Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

DAVID E. COOK JR

11. Mailing Address

751 WREN DR.

12. Telephone

( )

13. City

Fernandina Bch

14. County

NASSAU

15. State

FLA.

16. Zip Code

32034

17. E-mail address

N/A

18. I have designated the following bank as my

Primary Depository     Secondary Depository

19. Name of Bank

First Federal Bank of Florida

20. Address

463845 State Road 200

21. City

Yulee

22. County

NASSAU

23. State

Fl.

24. Zip Code

32097

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date

3-7-16

26. Signature of Candidate

X David Wayne Bunk

27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)

I, DAVID E COOK JR, do hereby accept the appointment  
(Please Print or Type Name)

designated above as:

Campaign Treasurer     Deputy Treasurer

March 7, 2016  
Date

X

David E. Cook Jr  
Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF  
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

RECEIVED  
DEPARTMENT

2016 MAR 14 AM 11:08

DEPARTMENT OF ELECTIONS

David WAYNE Bunk

I, David Wayne Bunk,

candidate for the office of State Representative;

have been provided access to read and understand the requirements of

Chapter 106, Florida Statutes.

X David Wayne Bunk  
Signature of Candidate

3-7-16  
Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).



## FLORIDA DEPARTMENT OF STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

March 16, 2016

David Wayne Bunk  
95142 Wildwood Circle  
Fernandina, Florida 32034

Dear Mr. Bunk:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, which was placed on file in our office on March 14, 2016. Your name has been placed on the 2016 active candidate list.

### Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **April 11, 2016**. The report will cover the period of March 1-31, 2016 (M3). All candidates who 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 your user identification number. The enclosed sealed envelope contains your initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. You, your 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 Website Address:** <https://efs.dos.state.fl.us>

**Identification Number:** 65334

#### Division of Elections

R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399  
850.245.6240 • 850.245.6260 (Fax) [dos.myflorida.com/elections/](https://dos.myflorida.com/elections/)



David Wayne Bunk  
March 16, 2016  
Page Two

### **Pin Numbers**

Pin numbers are confidential secure credentials that allow you to submit reports and update personal information. The enclosed sealed envelope contains confidential pin numbers for you. By copy of this letter, a confidential pin number to access the EFS was sent to your treasurer.

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

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

David Wayne Bunk  
March 16, 2016  
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' website at <http://dos.myflorida.com/elections/>. 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: Chapters 104 and 106, Florida Statutes, *Candidate and Campaign Treasurer Handbook*, *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: David E. Cook, Jr., Treasurer



FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

August 29, 2016

David E. Cook Jr., Treasurer  
751 Wren Drive  
Fernandina Beach, FL 32034

CAN 65334

Dear Mr. Cook:

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 August 26, 2016.

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

cc: Wayne Bunk

Candidate for State Representative, District 11





FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

**Second Notice**

September 14, 2016

David E. Cook Jr., Treasurer  
751 Wren Drive  
Fernandina Beach, FL 32034

CAN 65334

Dear Mr. Cook:

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 August 26, 2016.

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 August 29, 2016.

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

cc: Wayne Bunk  
Candidate for State Representative, District 11



FLORIDA DEPARTMENT OF STATE

Ken Detzner  
Secretary of State

DIVISION OF ELECTIONS

Final Notice  
Delivery Confirmation:

USPS TRACKING # 9114 9999 4423 8937 9438 70  
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com  
or call 1-800-222-1811.

September 23, 2016

David E. Cook Jr., Treasurer  
751 Wren Drive  
Fernandina Beach, FL 32034

CAN 65334

Dear Mr. Cook:

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> |
|-------------|---------------|---------------------|
| 2016        | P7            | 8/13/16 - 8/25/16   |

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,

Kfisti Reid Bronson, Chief  
Bureau of Election Records

cc: Wayne Bunk  
Candidate for State Representative, District 11

English

Customer Service

USPS Mobile

Register / Sign In



# USPS Tracking®

**Still Have Questions?**  
Browse our FAQs ›

 **Get Easy Tracking Updates ›**  
Sign up for My USPS.

Tracking Number: 9114999944238937943870

Updated Delivery Day: Monday, September 26, 2016

## Product & Tracking Information

Postal Product:

Features:  
USPS Tracking®

| DATE & TIME   | STATUS OF ITEM           | LOCATION                   |
|---|--------------------------|----------------------------|
| September 26, 2016 , 12:16 pm   | Delivered, In/At Mailbox | FERNANDINA BEACH, FL 32034 |
| Your item was delivered in or at the mailbox at 12:16 pm on September 26, 2016 in FERNANDINA BEACH, FL 32034. |                          |                            |
| September 26, 2016 , 5:14 am  | Arrived at Post Office   | FERNANDINA BEACH, FL 32034 |
| September 24, 2016 , 8:35 pm  | Arrived at USPS Facility | JACKSONVILLE, FL 32099     |
| September 23, 2016 , 9:19 pm  | Arrived at USPS Facility | TALLAHASSEE, FL 32301      |

## Available Actions

Text Updates

Email Updates

## Track Another Package

Tracking (or receipt) number

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  
Site Index  
FAQs

### ON ABOUT.USPS.COM

About USPS Home  
Newsroom  
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

Copyright © 2016 USPS. All Rights Reserved.