

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: David Wieder

Case No.: FEC 15-430

TO: David Wieder
300 71st Street, Ste. 545
Miami Beach, FL 33141

Juan-Carlos Planas
600 Brickell Avenue, Ste. 1715
Miami, FL 33131

NOTICE OF HEARING (CONSENT ORDER)

A hearing will be held in this case before the Florida Elections Commission on, **February 28, 2017 at 11:00 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
February 13, 2017

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: David Wieder

Case No.: FEC 15-430

F.O. No.: FOFEC

CONSENT FINAL ORDER

Respondent, David Wieder, and the Florida Elections Commission (Commission) agree this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order:

FINDINGS OF FACT

1. On October 5, 2015, the Commission received a complaint alleging Respondent violated Florida's election laws.
2. The parties have expressed a desire to enter into negotiations directed toward reaching a consent agreement.
3. Respondent and the staff stipulate to the following:
 - a. Respondent was a first-time candidate. He ran for Mayor of Miami Beach in the November 3, 2015 election. This is the first complaint filed with the Commission against Respondent.
 - b. Respondent's campaign website was <http://wiederformayor.com>. Daniel Ciraldo, Deputy Campaign Manager, registered the domain <http://wiederformayor.com>

when Respondent was out-of-state. The domain <http://wiederformayor.com> was purchased on or about August 22, 2015, prior to Respondent's Campaign Treasurer and Designation of Campaign Depository for Candidates form was filed with the Miami Beach City Clerk's office on August 26, 2015.

c. During the beginning of Respondent's campaign, his campaign website did not include the required political advertisement disclaimer on each page which was remedied thereafter.

CONCLUSIONS OF LAW

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

5. The Commission staff and Respondent stipulate staff could prove the facts in paragraph three above and to the Commission's ability to impose a civil penalty in this case.

ORDER

6. The Respondent and the staff of the Commission have entered into this Consent Final Order, freely, knowingly, and voluntarily.

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

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

9. Any factual stipulations made by either party in this matter are for this Consent Order only and shall not be considered as admissions against interest for any other purpose or in any other proceeding.

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

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

12. If the Commission does not receive payment and the signed Consent Final Order by **January 6, 2017**, the staff withdraws this offer of settlement and will proceed with the case.

13. Payment to the Commission shall be by cashier's check, money order, good for at least 120 days, or attorney trust account check is a condition precedent to the Commission's consideration of the Consent Order.

PENALTY

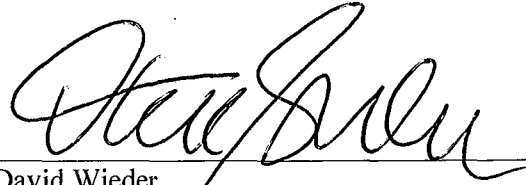
WHEREFORE, based upon the foregoing facts and conclusions of law, Respondent agrees to make payment to the Commission in the amount of \$400.

Therefore it is

ORDERED that the Respondent shall pay the Commission \$400, inclusive of fees and costs. The payment shall be by cashier's check, money order, good for at least 120 days, or attorney trust account check. The payment shall be made payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

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

27th Dec, 2016.



David Wieder
300 71st Street
Suite 545
Miami Beach, Florida 33141

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

January 4, 2017.



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

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

on _____, 2017, in Tallahassee, Florida.

M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
David Wieder, Respondent
Juan-Carlos Planas, Complainant

DETECTED BY A VOID PANTOGRAPH, MICROPRINT SIGNATURE LINE AND A HEAT SENSITIVE PADLOCK ICON. ADDITIONAL SECURITY FEATURES ARE LISTED ON BACK.

CUSTOMERS

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will be replaced or refunded in the event it is

 City National Bank

BCF FINANCIAL GROUP

31080045
63-436/660

DATE 12/27/2016

DAVID S. WIEDER

FLORIDA ELECTIONS COMMISSION

\$ 400.00

Hundred and 00/100****

LEMENTY & CONSENT ORDER
15-430 F.O.M. FOFEK

CASH CHECK

 400.00
DOLLAR FOUR ZERO ZERO PERIOD ZERO ZERO

Jennifer Thomas



STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

FLORIDA ELECTIONS COMMISSION,

Petitioner,

vs.

Case No. 16-5832FEC

DAVID WIEDER,

Respondent.

ORDER CLOSING FILE AND RELINQUISHING JURISDICTION

This cause having come before the undersigned on the parties' Joint Motion to Relinquish Partial Jurisdiction, filed January 4, 2017. The motion represents that the parties have reached a settlement in the form of an agreed Consent Order, subject to approval by the agency at a commission meeting scheduled for February 28, 2017, and March 1, 2017. The undersigned being fully advised in the premises, it is, therefore,

ORDERED that:

1. The motion is granted.
2. The final hearing scheduled for January 31 and February 1, 2017, is canceled.
3. The file of the Division of Administrative Hearings is closed. Jurisdiction is relinquished to the referring agency.

DONE AND ORDERED this 6th day of January, 2017, in
Tallahassee, Leon County, Florida.

Robert L. Kilbride

ROBERT L. KILBRIDE
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 6th day of January, 2017.

COPIES FURNISHED:

Eric M. Lipman, General Counsel
Florida Elections Commission
Collins Building, Suite 224
107 West Gaines Street
Tallahassee, Florida 32399-1050
(eServed)

Frank Wolland, Esquire
Law Offices of Frank Wolland
Second Floor
12865 West Dixie Highway
North Miami, Florida 33161
(eServed)

FILED

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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 15-430

v.

**David Wieder
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:

Section 106.021(1)(a), Florida Statutes: David Wieder, a candidate for Mayor for the City of Miami Beach in the 2015 municipal election, incurred one or more campaign expenses before appointing a treasurer or designating a campaign depository.

Count 2:

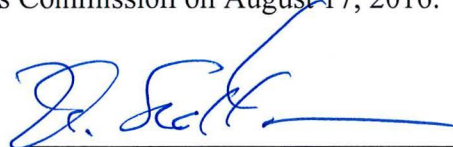
Section 106.143(1)(a), Florida Statutes: David Wieder, a candidate for Mayor for the City of Miami Beach in the 2015 municipal election, distributed a political advertisement (a website) that contained express advocacy but did not include a proper disclaimer.

The Commission also finds that there is **no probable cause** to charge Respondent with the following violation(s):

Section 106.11(4), Florida Statutes: David Wieder, a candidate for Mayor for the City of Miami Beach in the 2015 municipal election, incurred one or more campaign expenses, without sufficient funds on deposit in the campaign depository.

Section 106.19(1)(d), Florida Statutes: David Wieder, a candidate for Mayor for the City of Miami Beach in the 2015 municipal election, made or authorized one or more expenditures prohibited by Chapter 106, Florida Statutes.

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
David Wieder, Respondent
Juan-Carlos Planas, 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.



FEC 15-430' Respondent David Wieder

David Wieder

to:

fec

07/01/2016 02:48 PM

Hide Details

From: David Wieder <dwieder@wiederlaw.com>

To: fec@myfloridalegal.com

Dear Ms.Malphurs:

Please note that I waive confidentiality on this frivolous complaint.

I have already made a part of the record a previous statement which I would invite the commission to review.

Pursuant to our conversation today, I would like to reiterate that NONE of the violations for which staff counsel recommended a probable cause were willful on my part.

This was a first time campaign for me, that lasted only approximately eight weeks and which was organized on a last minute basis with an inexperienced staff.

However, I never willfully allowed any acts that were contrary to law.

This entire complaint was filed by a well known complainant as an act of intimidation and who is known to be employed, by the current Mayor of Miami Beach against whom I ran on a campaign of integrity, the many reasons for which are part of the public record.

I therefore humbly request that the commission find no probable cause on all the pending issues; it would be a great injustice to do otherwise.

Thank you.

Yours truly,

DAVID S. WIEDER, ESQ.,
DAVID S. WIEDER, P.A.,
300 -71st Street, Suite 545 Miami Beach, FL 33141
tel: 305.866.7551/305.371.7111 fax: 305.866.7551
email: dwieder@wiederlaw.com
www.wiederlaw.com
blog: www.wiederlaw.blogspot.com

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STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: David Wieder

Case No.: FEC 15-430

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 **no probable cause** to charge Respondent with violating **Section 106.11(4), Florida Statutes**, and **Section 106.19(d), Florida Statutes**, and further recommending that there is **probable cause** to charge Respondent with violating **Section 106.021(1)(a)**, and **Section 106.143(1)(a), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on April 25, 2016, the following facts and law support this staff recommendation:

1. On October 5, 2015, the Florida Elections Commission (“Commission”) received a complaint from Juan-Carlos Planas (“Complainant”) alleging that David Wieder, (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent was a candidate for the office of Mayor for the City of Miami Beach and was defeated in the election on November 3, 2015; this was his first campaign for public office. Respondent is an attorney with the law offices of David S. Weider, P.A. He was admitted to The Florida Bar in 1972. (ROI Exhibit 1)¹

3. Complainant served in the Florida House of Representatives from January 2003 through January 2011. He is an attorney with the law firm of Kurkin Brandes, LLP, and was admitted to The Florida Bar in September 1998.

4. Complainant alleged that Respondent violated “several campaign finance laws, all in regard to his campaign website.”

5. By letter dated February 4, 2016, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

Section 106.021(1)(a), Florida Statutes: David Wieder, a candidate for Mayor for the City of Miami Beach in the 2015 municipal election, incurred one or more campaign expenses before appointing a treasurer or designating a campaign depository, as alleged in the complaint.

¹ The Report of Investigation is referred to herein as “ROI.”

Section 106.11(4), Florida Statutes: David Wieder, a candidate for Mayor for the City of Miami Beach in the 2015 municipal election, incurred one or more campaign expenses, without sufficient funds on deposit in the campaign depository, as alleged in the complaint.

Section 106.143(1)(a), Florida Statutes: David Wieder, a candidate for Mayor for the City of Miami Beach in the 2015 municipal election, distributed a political advertisement (a website) that contained express advocacy but did not include a proper disclaimer, as alleged in the complaint.

Section 106.19(1)(d), Florida Statutes: David Wieder, a candidate for Mayor for the City of Miami Beach in the 2015 municipal election, made or authorized one or more expenditures prohibited by Chapter 106, Florida Statutes as alleged in the complaint.

Alleged Violation: Section 106.021(1)(a), Florida Statutes

6. Section 106.021(1)(a), Florida Statutes, states in pertinent part:

A person may **not accept** any **contribution** or **make** any **expenditure** with a view to bringing about his or her nomination, election, or retention in public office, **or authorize another to accept** such contributions **or make** such **expenditure** on the person's behalf, **unless** such person has **appointed** a campaign **treasurer and designated** a primary campaign **depository**. (Emphasis added)

7. Section 106.011, Florida Statutes, states in pertinent part:

(3) "Candidate" means a person to whom any of the following applies:

(c) A person who **receives contributions** or makes expenditures, or **consents for any other person to receive contributions or make expenditures**, with a view to bring about his or her nomination or election to, or retention in, public office.

(d) A person who **appoints a treasurer and designates** a primary **depository**.

(e) A person who **files qualification papers and subscribes to a candidate's oath** as required by law. (Emphasis added)

8. Complainant alleged that on August 25, 2015, Respondent "had not yet filed his paperwork to run for Mayor, yet incurred an unlawful campaign expense by publishing a

website, www.wiederformayor.com,² for his campaign.” Complainant wrote that by publishing this website prior to filing his paperwork, Respondent violated Chapter 106, Florida Statutes.³

9. On August 26, 2015, Respondent filed his Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form (“DS-DE 9”) wherein he appointed himself as treasurer for his campaign. The date that appears next to Respondent’s signature is August 24, 2015. (ROI Exhibit 1)

10. On August 27, 2015, Respondent’s filing officer, Rafael E. Granado, City Clerk for the City of Miami Beach, acknowledged receipt of Respondent’s DS-DE 9 form, his DS-DE 84 form (Statement of Candidate), and enclosed documents for Respondent to review: 2015 City of Miami Beach Candidate Handbook, 2014 Compilation of the Election Laws of the State of Florida, which included a copy of Chapter 106, Florida Statutes, 2015 Candidate and Campaign Treasurer Handbook, “Courtesy Reminder Card - Important Dates and Deadlines,” and “Courtesy Reminder Card - Candidate Qualifying Period - September 8, 2015 to September 11, 2015.”

11. On or about August 29, 2015, Respondent was aware of the campaign website that was created for him by his unpaid volunteer. (ROI Exhibit 7, Answer to question 5)

12. On August 31, 2015, the above reference acknowledgement, which the filing officer sent via certified mail to Respondent’s address, was signed for.

13. On September 10, 2015, Respondent filed his 2015 M8 report, covering the reporting period August 26, 2015 to August 31, 2015, and declared that no contributions were accepted and no expenditures were made during this period. (ROI Exhibit 3)

14. On September 11, 2015, Respondent filed the following with the city clerk’s office: Oath of Office – Nonpartisan Office form (DS-DE 25), City of Miami Beach Oath/Affirmation form, and Statement of Financial Interests (CE Form 1).

15. In his October 15, 2015, email addressing issues related to Section 106.021(1)(a), Florida Statutes, Respondent wrote that “an unpaid volunteer reserved the website without my knowledge.” (ROI Exhibit 5)

16. On March 24, 2016, Respondent executed an Affidavit of Background Information in which he stated that his unpaid volunteer, Daniel Ciraldo, “did not ask for or receive reimbursement for the approximately \$55.48 payment for the website domains.”

² According to the website, whois.org, the website was created on August 22, 2015.

³ Among the documents submitted by Complainant were copies of Respondent’s DS-DE 9 form filed with the clerk’s office and the UPS courier tracking information indicating a pick up date of August 25, 2015, and a delivery date of August 26, 2015. (Complaint Exhibit C)

Respondent added: “Those were purchased on his own account without my knowledge or permission. Daniel is a website developer and did this on his own account.” (ROI Exhibit 6)

17. On April 14, 2016, Mr. Ciraldo executed an Affidavit of Information in which he stated that he was solely responsible for creating the website and added that he expended \$55.48 for website domains on his credit card. “As a website developer by trade,⁴ I purchased the domains myself because I didn’t want them to get snapped up when the news came out...I didn’t tell David Wieder about this.” (ROI Exhibit 7)

18. As to costs he incurred in creating the website, Mr. Ciraldo stated “The only cost incurred that was not reported was for the domains. Unfortunately, I did not report this to the campaign.” (ROI Exhibit 7)

19. Staff reviewed records from Respondent’s designated campaign depository. These records show that Respondent opened his campaign account on August 28, 2015, and that the first activity in the account, a \$100 deposit, transpired on that date. The first “subtraction” from the account occurred on September 8, 2015, and there was no “subtraction” in the amount of \$55.48, and there were no checks paid out to Daniel Ciraldo or his company, Young Folks Consulting, Inc. (ROI Exhibit 4; bank records)

20. Staff also reviewed Respondent’s Campaign Treasurer’s Reports and found that the reports are void of any declaration of an in-kind contribution from Daniel Ciraldo. (ROI, Paragraph 18)

Alleged Violation: Sections 106.11(4), and 106.19(1)(d), Florida Statutes

21. Section 106.11, Florida Statutes, addresses expenses of and expenditures by candidates and political committees. Section 106.11(4), Florida Statutes, states in pertinent part:

No candidate, campaign manager, treasurer, deputy treasurer, or political committee or any officer or agent thereof, or any person acting on behalf of any of the foregoing, shall authorize any expenses, nor shall any campaign treasurer or deputy treasurer sign a check drawn on the primary campaign account for any purpose, unless there are sufficient funds on deposit in the primary depository account of the candidate or political committee to pay the full amount of the authorized expense, to honor all other checks drawn on such account, which checks are outstanding, and to meet all expenses previously authorized but not yet paid.
(Emphasis added)

⁴ An internet search indicates that Mr. Ciraldo is the founder of Young Folks Consulting, Inc. The company website states that the company is a full service web development, strategy, and analytics agency focused on creating first-class web applications for small and medium size businesses in the United States.

22. Section 106.19(1)(d), Florida Statutes, states in pertinent part:

Any candidate; campaign manager, campaign treasurer, or deputy treasurer of any candidate; committee chair, vice chair, campaign treasurer, deputy treasurer, or other officer of any political committee; agent or person acting on behalf of any candidate or political committee; or other person **who knowingly and willfully makes or authorizes any expenditure in violation of s. 106.11(4)** or any other expenditure prohibited by this chapter is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. (Emphasis added)

23. Complainant specifically referenced Section 106.11, Florida Statutes, as prohibiting Respondent from posting a campaign website prior to filing his paperwork with the city clerk. Complainant maintains that until the clerk accepted Respondent's paperwork, Respondent "could not have paid for the operation of website as he had no campaign account and could not spend (sic) lawfully spend on the website."

22. In support of this as a violation, Complainant noted that on September 10, 2015, Respondent filed his 2015 M8 report, covering the reporting period August 26, 2015 to August 31, 2015, and declared that no contributions were accepted and no expenditures were made during this reporting period. (ROI Exhibit 3)

24. However, on March 24, 2016, as indicated previously, Respondent acknowledged in his affidavit that Daniel Ciraldo, in his capacity as an unpaid volunteer, paid approximately \$55.48 for the website domains without Respondent's knowledge. Mr. Ciraldo did not ask for or receive reimbursement for that purchase. (ROI Exhibit 6)

25. And, on April 14, 2016, as indicated previously, Mr. Ciraldo stated that he was solely responsible for creating the website and that he expended \$55.48 for the website domains on his credit card. He wrote that he purchased the domains to prevent them from being acquired by someone else after Respondent announced his candidacy. Mr. Ciraldo noted he did not tell Respondent about this purchase. (ROI Exhibit 7)

26. As noted previously, staff reviewed Respondent's designated campaign depository records, showing that Respondent opened his account on August 28, 2015, with a \$100 deposit. The first "subtraction" from the account occurred on September 8, 2015, and there was no "subtraction" in the amount of \$55.48, and there were no checks paid out to Daniel Ciraldo or his company, Young Folks Consulting, Inc. (ROI Exhibit 4; Bank Records)

Alleged Violation: Section 106.143(1)(a), Florida Statutes

27. Section 106.143, Florida Statutes, addresses the requirements of political advertisements circulated prior to an election. Section 106.143(1)(a), Florida Statutes, requires:

Any **political advertisement** that is **paid for by a candidate**, except a write-in candidate, and that is published, displayed, or circulated before, or on the day of, any election **must prominently state**:

1. "Political advertisement paid for and approved by (name of candidate), (party affiliation), for (office sought)"; or
2. "Paid by (name of candidate), (party affiliation), for (office sought)." (Emphasis added)

28. Complainant also alleged that Respondent's published website located at <http://widerformayor.com> did not have a proper disclaimer. Complainant submitted printouts from Respondent's campaign website dated August 26, 2015, and September 14, 2015. The download/print date appears in the upper-left portion of these webpages.

29. The printout of August 26, 2015, was three pages. The first page included the heading, "David S. Wieder Announces Candidacy For Miami Beach Mayor" with a notation directly underneath, "For Immediate Release." The last page included Respondent's picture and had two disclaimers, "Paid Political Advertisement Paid for and approved by David Wieder for Mayor" and "Political Advertisement Paid for and Approved by David Wieder for Mayor." (ROI Exhibit 2.)

30. The printout of September 14, 2015, was two pages. The first page read, "FIGHTING TO PROTECT OUR QUALITY OF LIFE Wieder FOR MAYOR OF MIAMI BEACH." The following page begins with "Stand With David" and includes three captions: "Root Out Corruption," "Manage Growth," and "Focus on Resiliency," and concludes with "David Wieder for Mayor of Miami Beach 2015." The pages are void of a political disclaimer. (ROI Exhibit 8)

31. In his affidavit on March 24, 2016, Respondent addressed the pages from his website submitted with the complaint that were void of a political disclaimer and stated "The website does have a disclaimer. I am not sure why it doesn't appear on the 9/14/15 screenshot from the complainant. However, it is on the website now and says, 'Political Advertisement Paid for and Approved by David Wieder for Mayor.'" (ROI Exhibit 6, page 5, # 20)

32. On March 15, 2016, staff reviewed Respondent's website and printed its three pages, which are similar in content/format to the pages printed on September 14, 2015. The last page includes a political disclaimer that reads, "Political Advertisement Paid for and Approved by David Wieder for Mayor." (ROI Exhibit 9, page 3).

33. "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)

The facts set forth above show that Respondent was a candidate for the office of Mayor for the City of Miami Beach in the election that took place on November 3, 2015; Respondent appointed himself as treasurer for his campaign. An unpaid volunteer created, developed, and maintained Respondent's campaign website. Subsequently, Respondent became aware of the website, although the volunteer did not advise Respondent of the associated costs involved until sometime later. For a brief period of time, Respondent's campaign website did not have a proper disclaimer, which was corrected.

Based upon these facts and circumstances, I recommend that the Commission find **no probable cause** to charge Respondent with violating the following statutory provisions:

Section 106.11(4), Florida Statutes: David Wieder, a candidate for Mayor for the City of Miami Beach in the 2015 municipal election, incurred one or more campaign expenses, without sufficient funds on deposit in the campaign depository, as alleged in the complaint.

Section 106.19(1)(d), Florida Statutes: David Wieder, a candidate for Mayor for the City of Miami Beach in the 2015 municipal election, made or authorized one or more expenditures prohibited by Chapter 106, Florida Statutes as alleged in the complaint.

And, based upon these facts and circumstances, I recommend that the Commission find **probable cause** to charge Respondent with violating the following statutory provision:

Count 1:

Section 106.021(1)(a), Florida Statutes: David Wieder, a candidate for Mayor for the City of Miami Beach in the 2015 municipal election, incurred one or more campaign expenses before appointing a treasurer or designating a campaign depository, as alleged in the complaint

Count 2:

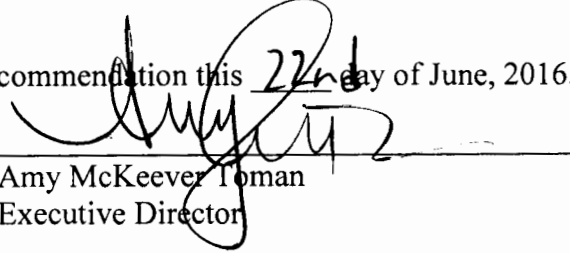
Section 106.143(1)(a), Florida Statutes: David Wieder, a candidate for Mayor for the City of Miami Beach in the 2015 municipal election, distributed a political advertisement (a website) that contained express advocacy but did not include a proper disclaimer, as alleged in the complaint.

Respectfully submitted on June 22, 2016.



Michael T. McGuckin
Assistant General Counsel

I reviewed this Staff Recommendation this 22nd day of June, 2016.



Amy McKeever Toman
Executive Director

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 15-430

Respondent: David Wieder

Complainant: Juan-Carlos Planas

On October 5, 2015, the Florida Elections Commission received a sworn complaint alleging that Respondent violated Chapter 106, Florida Statutes. The Commission staff investigated whether Respondent violated the following statutes:

Section 106.021(1)(a), Florida Statutes, prohibiting a candidate from accepting contributions or making expenditures before appointing a campaign treasurer and designating a campaign depository;

Section 106.11(4), Florida Statutes, prohibiting a candidate from incurring an expense for the purchase of goods and services without sufficient funds on deposit in the primary depository account;

Section 106.143(1)(a), Florida Statutes, failure of a candidate who made an expenditure for and published a political advertisement before the election to prominently mark the advertisement with the required disclaimer; and

Section 106.19(1)(d), Florida Statutes, prohibiting a person or organization from making or authorizing any expenditure prohibited by Chapter 106, Florida Statutes.

I. Preliminary Information:

1. Respondent, David S. Wieder, was a candidate for the office of Mayor for the City of Miami Beach; he was defeated in the municipal election held on November 3, 2015. Respondent's 2015 campaign was his first campaign for public office. Respondent is an attorney with the law offices of David S. Weider, P.A.; he was admitted to the Florida Bar in 1972.

2. On August 26, 2015, Respondent's "APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES" form (DS-DE 9) was filed with the Miami Beach City Clerk's office. Respondent appointed himself as campaign treasurer. To review the DS-DE 9 form, refer to Exhibit 1.

3. Complainant, Juan-Carlos Planas, is a former member of the Florida House of Representatives, having served from January 2003 to January 2011; he is an attorney with the law firm, Kurkin Brandes LLP and has been a member of the Florida Bar since September 1998.

II. Alleged Violation of Section 106.021(1)(a), Florida Statutes:

4. I investigated whether Respondent violated this section of the election laws by accepting contributions or making expenditures prior to appointing a campaign treasurer and designating a campaign depository.

5. Complainant alleges that Respondent incurred an expense by publishing a website prior to filing his paperwork to run for Mayor for the City of Miami Beach.

6. Complainant submitted with his complaint pages from a website attributed to Respondent, <http://widerformayor.com>¹. A date in the upper-left portion of the webpages indicates that it was downloaded and printed on August 26, 2015. The last page included the two disclaimers, "Paid Political Advertisement Paid for and approved by David Wieder for Mayor" and "Political Advertisement Paid for and Approved by David Wieder for Mayor." To review the pages from Respondent's website from August 26, 2015, refer to Exhibit 2.

7. Complainant also submitted with his complaint a copy of Respondent's DS-DE 9 form; the form was filed with the city clerk's office at 12:45 p.m. on August 26, 2015. To review the DS-DE 9 form, refer to Exhibit 1.

8. Respondent's 2015 M8 report, covering the reporting period August 26, 2015 to August 31, 2015, declared that no contributions were accepted and no expenditures were made during this reporting period; the report was filed on September 10, 2015. To review the 2015 M8 report, refer to Exhibit 3.

9. I secured Respondent's bank records from his designated campaign depository, City National Bank. Bank records show that Respondent opened his campaign account on August 28, 2015, a date that is two days after the webpage was downloaded and when his paperwork was filed with the city clerk's office. The first activity in the account transpired on the same date, August 28, 2015, with a \$100 deposit². To review the pertinent bank records, refer to Exhibit 4.

Respondent's response to the complaint and questionnaire-affidavit

10. In an e-mail response, Respondent stated an "unpaid volunteer" reserved the website without his knowledge. Respondent added, "The nominal expense was reimbursed to him, and noted in the September report." To review Respondent's response, refer to Exhibit 5.

11. In a questionnaire-affidavit, Respondent identified the "unpaid volunteer" as "Daniel Ciraldo" and added he has known Mr. Ciraldo since around 2013³. According to Respondent, Mr. Ciraldo's involvement with the campaign was creating the website and assisting

¹ According to the website, whois.org, the website was created on August 22, 2015.

² Bank records also show that Respondent's campaign made an expenditure in the amount of \$21.16 to "Godaddy" on September 21, 2015. The expenditure was reported in Respondent's 2015 G1 report covering the reporting period of 09/01 to 10/02/15; the purpose of the expenditure was reported as, "software."

³ Respondent stated that Mr. Ciraldo attended the Historic Preservation Board meetings at the City and that he (Respondent) had known him by seeing him at the meetings.

with campaign strategy.

12. As per paragraph 10, Respondent stated that an “unpaid volunteer,” later identified as Daniel Ciraldo, reserved the website without his knowledge. Respondent was asked in a questionnaire-affidavit to describe any procedures the campaign had in place to guard against campaign volunteers from performing acts on behalf of the campaign without his authorization. Respondent stated, “The campaign began so suddenly we had not reviewed procedures, but we were informed by our campaign manager that there had be [sic] filings before we proceeded; this mistake happened in the interim.”

13. Further, in the questionnaire-affidavit, Respondent was asked to explain how the unpaid volunteer reserved the website without his knowledge since the webpage included a political disclaimer indicating that the website was paid for and approved by him (Respondent). In his response, Respondent stated, “It appears that Daniel launched a web page and included a disclaimer, without permission from the campaign. This was done before the campaign account was set up.”

14. As per paragraph 10, Respondent indicated in his response that a nominal expense was paid to Mr. Ciraldo and noted in the “September report.” In his questionnaire-affidavit, Respondent was asked to identify where the reimbursement was reported as it was not evident by perusing his campaign reports. Respondent stated, “Unfortunately, the initial response was incorrect.” Respondent added that “in speaking with Daniel Ciraldo, I have learned that he did not ask for or receive reimbursement for the approximately \$55.48 payment for the website domains.” Respondent further added, “Those were purchased on his own account without my knowledge or permission. Daniel is a website developer and did this on his own account.” To review Respondent’s response to the questionnaire-affidavit, refer to Exhibit 6.

Affidavit of Daniel Ciraldo

15. In an affidavit, Daniel Ciraldo attested that he was solely responsible for creating the website and added that he expended \$55.48 for website domains that he purchased on his credit card. Mr. Ciraldo explained that as a web developer by trade⁴, he had displayed a “basic web page” with a political disclaimer at the bottom “as a sort of ‘coming soon’ for the campaign.” He further explained that he “simply copied” a disclaimer from another political website and added it to the bottom of the webpage at issue. He stated, “The reason why is that somebody had leaked the news of David’s candidacy before it was official, and I wanted to have a shell/basic website live just in case people were searching or the press wanted to see something. I believe that David was not in town at the time...and I just did this on my own.”

16. Further, Mr. Ciraldo reported that he was one of several activists who asked Respondent to run for the office of Mayor because of allegations of corruption and “backroom deals” relative to the incumbent Mayor. He stated, “As a website developer by trade, I purchased the domains myself because I didn’t want them to get snapped up when the news came out...I didn’t tell David Wieder about this.”

⁴ An internet search indicates that Mr. Ciraldo is the founder of Young Folks Consulting, Inc. The company website states that the company is a full service web development, strategy, and analytics agency focused on creating first-class web applications for small and medium size businesses in the United States.

17. In the affidavit, Mr. Ciraldo was asked about the costs he incurred in creating the website and whether he advised Respondent as to the costs. He stated that he did not advise Respondent as to the costs and added, "The only cost incurred that was not reported was for the domains. Unfortunately, I did not report this to the campaign." According to Mr. Ciraldo, he did not seek reimbursement from the campaign for expenses incurred in creating the website. He stated, "In hindsight, I should have listed the website domain as a loan for a two-month period." To review the affidavit of Daniel Ciraldo, refer to Exhibit 7.

18. Respondent's campaign reports are void of any declaration of an in-kind contribution from Daniel Ciraldo.

19. No record was found to indicate that Respondent has previously violated this section of the election laws.

III. Alleged Violation of Section 106.11(4), Florida Statutes:

20. I investigated whether Respondent violated this section of the election laws by incurring an expense without sufficient funds on deposit in the campaign account.

21. As to information relative to the allegation, please refer to paragraphs 5 through 17.

22. No record was found to indicate that Respondent has previously violated this section of the election laws.

IV. Alleged Violation of Section 106.143(1)(a), Florida Statutes:

23. I investigated whether Respondent violated this section of the election laws by not having a proper political disclaimer.

24. Complainant alleges that Respondent's website did not include a political disclaimer.

25. Complainant submitted with his complaint pages printed from Respondent's website on two separate dates: August 26 and September 14, 2015. Each will be discussed in the following paragraphs.

26. Complainant included three pages from Respondent's website with a date of August 26, 2015. The first page includes a heading, "David S. Wieder Announces Candidacy For Miami Beach Mayor" with the notation, "For Immediate Release" directly underneath. The last page includes a picture of Respondent and has two disclaimers, "Paid Political Advertisement Paid for and approved by David Wieder for Mayor" and "Political Advertisement Paid for and Approved by David Wieder for Mayor." To review the webpages from August 26, 2015, refer to Exhibit 2.

27. Complainant also submitted with his complaint two pages from Respondent's website with a date of September 14, 2015. The first page reads, "FIGHTING TO PROTECT OUR QUALITY OF LIFE Wieder FOR MAYOR OF MIAMI BEACH." The following page begins with "Stand With David" and includes three captions: "Root Out Corruption," "Manage

Growth,” and “Focus on Resiliency,” and concludes with “David Wieder for Mayor of Miami Beach 2015.” The pages are void of a political disclaimer. To review the webpages from September 14, 2015, refer to Exhibit 8.

28. In his e-mail response, Respondent stated, “The inadvertent omission of the disclaimer has been remedied and was unintentional.” To review Respondent’s response, refer to Exhibit 5.

29. In a questionnaire-affidavit, Respondent was asked about the pages from his website submitted with the complaint that were void of a political disclaimer. Respondent stated that the website did have a political disclaimer but he was not sure why it did not appear on the screenshot submitted with the complaint. Respondent added, “However, it is on the website now and says, ‘Political Advertisement Paid for and Approved by David Wieder for Mayor.’” To review Respondent’s response to the questionnaire-affidavit, refer to Exhibit 6.

30. As per paragraphs 15 through 17, Daniel Ciraldo attested that he was solely responsible for creating the website for Respondent’s campaign. Relative to the political disclaimer, Mr. Ciraldo stated, “As far as I remember we always had a disclaimer. I’m not sure why the page that the opponent’s attorney submitted did not have a disclaimer. We always had a disclaimer.” In addition, he stated initially he copied a disclaimer from another political website and put it on the bottom of the page. To review the affidavit of Daniel Ciraldo, refer to Exhibit 7.

31. Respondent’s website was viewed on March 15, 2016. The pages from the website are similar to the pages printed on September 14, 2015, and included as part of the complaint. The last page includes a political disclaimer that reads, “Political Advertisement Paid for and Approved by David Wieder for Mayor.” To review pages from Respondent’s website as printed on March 15, 2016, refer to Exhibit 9.

32. No record was found to indicate that Respondent has previously violated this section of the election laws.

V. Alleged Violation of Section 106.19(1)(d), Florida Statutes:

33. I investigated whether Respondent violated this section of the election laws by authorizing an expenditure prohibited by this chapter.

34. As to information relative to the allegation, please refer to paragraphs 5 through 17.

35. No record was found to indicate that Respondent has previously violated this section of the election laws.

VI. FEC History:

36. Respondent has no prior history with the Florida Elections Commission.

Conclusion:

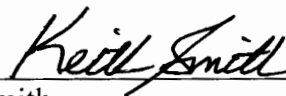
37. On April 25, 2016, I interviewed Respondent for the purpose of providing him with a brief overview of the case and to afford him an opportunity for questions or comments. Respondent did not have any questions specific to the report of investigation, rather, generic questions relative to the investigative process moving forward.

38. In an affidavit, Miami Beach City Clerk Rafael Granado attested Respondent was provided with a copy of the *Candidate and Campaign Treasurer Handbook* and "A Compilation of the Election Laws of the State of Florida," which included Chapter 106, Florida Statutes. The city clerk did not have any record of Respondent having sought elective office within his jurisdiction in the past. To review the affidavit of Rafael Granado, refer to Exhibit 10.

39. In his affidavit, Respondent attested that he had not sought elective office prior to his 2015 campaign and that he has not served as the campaign treasurer for a candidate or political committee. Respondent attested that he has read Chapter 106, Florida Statutes, as well as the *Candidate and Campaign Treasurer Handbook*. Respondent was asked what action had he taken to determine his responsibilities under Florida's election laws. He stated, "I relied on my professional campaign manager." To review Respondent's response to the questionnaire-affidavit, refer to Exhibit 6.

40. Respondent executed a "Statement of Candidate" form indicating that he had been provided access to read and understand the requirements of Chapter 106, Florida Statutes; the form is dated as August 24, 2015, and was filed two days later. To review Respondent's Statement of Candidate, refer to Exhibit 11.

Respectfully submitted on April 25, 2016.



Keith Smith
Investigation Specialist

Current address of Respondent

David Wieder
300 71st Street – Suite 545
Miami Beach, Florida 33141

Current address of Complainant

Juan-Carlos Planas
18851 N.E. 29th Avenue – Suite 303
Aventura, Florida 33180

Name and Address of Filing Officer:

Rafael E. Granado, City Clerk
City of Miami Beach
1700 Convention Center Drive
Miami Beach, Florida 33139

Copy furnished to: David Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
David S. Wieder -- FEC 15-430

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	DS-DE 9 form
Exhibit 2	Pages from Respondent's website – 08/26/15
Exhibit 3	Respondent's 2015 M8 Report
Exhibit 4	Opening bank statements
Exhibit 5	Respondent's response
Exhibit 6	Respondent's Q/A
Exhibit 7	Affidavit of Daniel Ciraldo
Exhibit 8	Pages from Respondent's website – 09/14/15
Exhibit 9	Pages from Respondent's website w/disclaimer – 03/15/16
Exhibit 10	Affidavit of Rafael Granado – Miami Beach City Clerk
Exhibit 11	Statement of Candidate

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

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

(PLEASE PRINT OR TYPE)

2015 AUG 26 PM 12:45

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 S. Wieder

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

4. Telephone

(305) 371-7111

5. E-mail address

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

Miami Beach Mayor

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 N/A _____ 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 S. Wieder

11. Mailing Address

1390 Bay Drive

12. Telephone

(305) 371-7111

13. City

Miami Beach

14. County

Miami-Dade

15. State

FL

16. Zip Code

33141

17. E-mail address

dwieder@wiederlaw.com

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

19. Name of Bank

City National Bank of Florida

20. Address

300 71st Street

21. City

Miami Beach

22. County

Miami-Dade

23. State

FL

24. Zip Code

33141

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

8/24/2015

26. Signature of Candidate

X 

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

I, David S. Wieder, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer

8/24/15

Date

X 

Signature of Campaign Treasurer or Deputy Treasurer

EXHIBIT

David Wieder for Mayor of Miami Beach

Bringing Integrity back to Miami Beach

David S. Wieder Announces Candidacy For Miami Beach Mayor

For Immediate Release

David S. Wieder Announces Candidacy For Miami Beach Mayor

Over-development and ethics issues are focus of campaign

[August 26, 2015, Miami Beach] — David S. Wieder is pleased to announce his candidacy for Mayor of Miami Beach.

A long-time member of the Miami Beach community, Historic Preservation Board chair and respected lawyer, Wieder's proven commitment to the city creates a strong foundation from which to lead the city in a better direction.

Like many residents, Wieder has grown increasingly concerned about ethical conflicts within city hall in the last two years — especially those related to development and no-bid and single-bid contracts.

"These questionable projects have a long-lasting impact on our city and have been sped through the city's approval process. They contribute to over-development that benefits a few special interests to the detriment of residents," Wieder said.

Recent revelations of an investigation into the Relentless for Progress PAC run by Commissioner Jonah Wolfson and assisted by Mayor Phillip Levine have only added to the mistrust.

EXHIBIT 2 (1 of 3)

In a tribute to Wieder's judgment and people skills, both developers and preservationists equally respect his opinion as a board member and chair of the City of Miami Beach Historic Preservation Board. The board oversees major development and restoration projects in the city's twelve historic districts for conformance to the Beach's historic appropriateness codes.

Wieder's excellent reputation as a lawyer is evidenced by his pre-eminent Martindale-Hubbell AV rating. The highest rating obtainable by an attorney, this rating is achieved through recognition of his colleagues and judges.

"It is a particularly fine honor to be rated so well by my colleagues," he says. "I enjoy living up to people's trust. Because actions speak louder than words, it's important to earn people's respect through your actions."

Additionally, Wieder's service on the Florida Bar's Unauthorized Practice of Law and Grievance Committees has propelled Wieder to protect the public from attorneys who have violated their public and professional trust.

Wieder holds two certificates of meritorious public service from the Florida Bar and one from the Dade County Bar Association and has served as chair of the City of Miami Beach Debarment Committee, the quasi-judicial board that determines whether contractors can continue to be eligible to bid on city projects, based on past improper conduct or criminality.

Additionally, he served as treasurer of the American Jewish Committee.

Wieder is the son of pioneer Miami hotel business parents, who owned the Martinique hotel in North Beach for many years. He graduated from North Beach Elementary, Nautilus Junior High, and Miami Beach Senior High School. He attended the University of Florida, graduated from the University of Miami and the New England School of Law in Boston, Massachusetts. After finishing law school, Wieder lived in Paris with his French-born wife, Catherine, before returning to work in New York and later back home to Miami Beach. A father and grandfather, Wieder has his own practice in North Beach as a litigator.

###

EXHIBIT 2 (2013)

Contact: David Wieder Campaign

press@wiederformayor.com



“Paid Political Advertisement Paid for and approved by David Wieder for Mayor”



📅 August 25, 2015 💬 Leave a comment

Political Advertisement Paid for and Approved by David Weider for Mayor

EXHIBIT 2 (3 of 3)

WAIVER OF REPORT

(Section 106.07(7), F.S.)

(PLEASE TYPE)

RECEIVED

2015 SEP 10 PM 2: 52

OFFICE USE ONLY
CITY CLERK'S OFFICE

David S. Wieder

Mayor

Name

Office Sought

300 71st Street Suite 545

Miami Beach, FL, 33141

Address

City

State

Zip Code

Candidate

Political Committee

Electioneering Communications Organization

Party Executive Committee

Check here if address has changed since last report.

Check here if PC or ECO has DISBANDED and will no longer file reports.

TYPE OF REPORT (Check Appropriate Box and Complete Applicable Line beneath Box)

MONTHLY REPORT

PRIMARY ELECTION

GENERAL ELECTION

OTHER REPORT TYPE

Indicate report #

MX 2015 AD 8

Indicate report #

P _____

Indicate report #

G _____

Indicate report type and # as applicable:

TERMINATION REPORT

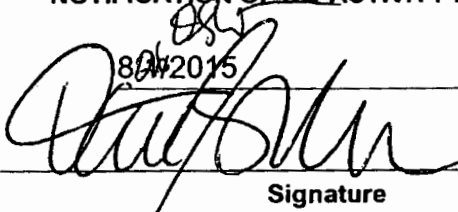
SPECIAL ELECTION

NOTIFICATION OF NO ACTIVITY IN CAMPAIGN ACCOUNT FOR THE REPORTING PERIOD OF

8/1/2015

THROUGH 8/31/2015

X



Signature

9/10/2015

Date

X

Signature

Date

REQUIRED SIGNATURES FOR:

Candidates:

Candidate and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

Political Committees:

Chairman and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

Electioneering Communications Organizations:

Treasurer (s. 106.0703(4)(c), F.S.)

Party Executive Committees:

Treasurer and Chairman (s. 106.29(2), F.S.)

In any reporting period when there has been no activity in the account (no funds expended or received) the filing of the required report is waived. However, the filing officer must be notified in writing on the prescribed reporting date that no report is being filed.

EXHIBIT 3

NEW ACCOUNT INFORMATION

DATE: 08/28/2015



TEMPORARY REPLACEMENT AOM ROM REM RA City National Bank of Florida (CNB)
ACCOUNT OFFICER: Nelanina Brizuela COMPLETED BY: Jennifer Thames MIAMI BEACH

ACCOUNT INFORMATION
AMOUNT OF DEPOSIT \$ 100.00 PLAN # ACCOUNT NUMBER
TITLE OF ACCOUNT DAVID WIEDER FOR MAYOR DAVID WIEDER ACCOUNT T.I.N.
300 71ST STREET STE 545, MIAMI BEACH, FL 33141-3092 REFERENCE TITLE CAMPAIGN ACCOUNT
PRODUCT NAME CITYSMART ULTIMATE SMALL OWNERSHIP TYPE CAMPAIGN ACCOUNT

BUSINESS ENTITY INFORMATION
BUSINESS NAME AND ADDRESS DAVID WEIDER FOR MAYOR 300 71ST STREET STE 545, MIAMI BEACH, FL 33141-3092 BUSINESS FILING STATE FL
ENTITY DOCUMENT DATE ESTABLISHED 08/26/2015 NATURE OF BUSINESS CAMPAIGN ACCOUNT
PRIMARY LOCATION 300 71ST STREET STE 545, MIAMI BEACH, E-MAIL ADDRESS dwieder@bellsouth.net
ASSUMED NAME IF D/B/A CONTACT NAME DAVID WIEDER CONTACT TITLE CONTACT PHONE (305) 868-8851 OTHER

TAXPAYER IDENTIFICATION NUMBER CERTIFICATION:
Under penalties of perjury, I certify that:
1. The number shown on this form is my correct taxpayer identification number, or, I am waiting for a number to be issued to me, and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding (NOTICE: If you are subject to backup withholding, cross out this line), and
3. I am a U.S. citizen or other U.S. person.
Taxpayer Identification Number: 47-4918721
08/28/2015 DATE
SIGNATURE

IMPORTANT INFORMATION ABOUT PROCEDURES FOR OPENING A NEW ACCOUNT. To help the government fight the funding of terrorism and money laundering activities, Federal law requires all financial institutions to obtain, verify, and record information that identifies each person who opens an account. What this means for you: When you open an account, we will ask for your name, address, date of birth, and other information that will allow us to identify you. We may also ask to see your driver's license or other identifying documents.

ACKNOWLEDGEMENT: The Authorized Signer(s) agrees that CNB shall not be responsible for the wrongful or criminal acts of Depositor's employees or agents, including but not limited to the negotiation of forged, altered or unauthorized items. The term "item" is defined in the Deposit Agreement. Authorized Signer(s) agrees to hold CNB harmless from any claim or liability arising from any such misconduct.
Further by signing this document, the undersigned acknowledges that they have opened the type of account designated above and have received, understand, and agree to be bound by the terms of the Deposit Agreement. The undersigned acknowledge receipt of the following: Disclosures & Schedule of Fees, Privacy Policy, Funds Availability Policy, and, as applicable, the Electronic Fund Transfers and Truth in Savings Disclosures. All signers authorize CNB to make inquiries to any consumer reporting agency, including a check protection service, in connection with this account. For commercial accounts, all signers are duly authorized to act on behalf of the business entity. Business signers acknowledge that no internal document of the business shall be binding on CNB, whether or not provided to CNB, unless expressly accepted and approved by CNB. The undersigned acknowledge that all information provided to CNB is true and correct.

OF SIGNATURES REQUIRED: One This designation is for customer's internal use only, CNB will not honor. See Deposit Agreement.
Authorized Signer Only Title: Authorized Signer Only Title:
1. X DAVID WIEDER 08/28/2015 Date 2. X Date
Authorized Signer Only Title: Authorized Signer Only Title:
3. X Date 4. X Date
Authorized Signer Only Title: Authorized Signer Only Title:
5. X EXHIBIT 4 6. X (103) Date

BENEFICIARY DESIGNATION. THE FOLLOWING BENEFICIARIES ARE DESIGNATED: See Addendum

1.	Relation:	2.	Relation:
ADDR:		ADDR:	
ID#:		ID#:	
3.	Relation:	4.	Relation:
ADDR:		ADDR:	
ID#:		ID#:	

OWNERSHIP AND RIGHTS AT DEATH (Personal Accounts Only) Select One:

- SINGLE-PARTY ACCOUNT. On the death of the party, ownership passes as part of the party's estate.
- SINGLE- PARTY ACCOUNT WITH POD (PAY ON DEATH) (also known as ITF (In-Trust-For)) DESIGNATION. On the death of the party, ownership passes to the listed POD / ITF beneficiary(ies) and is not part of the party's estate.
- MULTIPLE-PARTY (JOINT) ACCOUNT WITH RIGHT OF SURVIVORSHIP. On the death of a party, ownership passes to surviving party(ies).
- MULTIPLE-PARTY (JOINT) ACCOUNT WITH RIGHT OF SURVIVORSHIP AND POD/ITF DESIGNATION. On the death of the last surviving party, ownership passes to the listed POD /ITF beneficiary(ies) and is not part of the last surviving party's estate.
- MULTIPLE -PARTY (JOINT) ACCOUNT WITHOUT RIGHT OF SURVIVORSHIP. On the death of a party, that party's ownership share in the account passes as part of the deceased party's estate (in equal parts unless otherwise provided in writing to the Bank).
- MULTIPLE-PARTY (JOINT) ACCOUNT- TENANCY BY ENTIRETY (WITH RIGHT OF SURVIVORSHIP). The parties must be husband and wife. On the death of a party, ownership passes to surviving party. **Disclaimer:** If you have chosen any other type of ownership, it is your expressed intent not to create a Tenancy By the Entirety. Also, the parties agree that this type of ownership shall not limit the Bank's Right of Setoff per the Deposit Agreement with respect to any obligation owed to Bank by either party.
- MULTIPLE -PARTY (JOINT) ACCOUNT - TENANCY BY ENTIRETY (WITH RIGHT OF SURVIVORSHIP) AND POD/ITF DESIGNATION. The parties must be husband and wife. On the death of a party, ownership passes to surviving party. On the death of the last of the last surviving party, ownership passes to the listed POD/ITF beneficiary(ies) and is not part of the last surviving party's estate. **Disclaimer:** If you have chosen any other type of ownership, it is your expressed intent not to create a Tenancy By the Entirety. Also, the parties agree that this type of ownership shall not limit the Bank's Right of Setoff per the Deposit Agreement with respect to any obligation owed to Bank by either party.

ACKNOWLEDGEMENT: In accordance with Regulation GG (promulgated pursuant to the Unlawful Internet Gambling Enforcement Act of 2006), you agree that by signing this agreement and establishing a City National Bank of Florida (CNB) account, you certify that: (i) you shall not conduct "restricted transactions" (as defined below) through any CNB account, (ii) you do not engage in internet gambling, and (iii) you agree to be bound by the terms of CNB's Deposit Agreement. A "restricted transaction" is a transaction or transmittal involving any credit, funds, instrument, or proceeds in connection with any person engaged in the business of betting or wagering or in participation with another person involving unlawful internet gambling. You acknowledge that CNB will take action to restrict such transactions or close the account, if necessary. If any of the conditions of this above certification should change, you agree to notify CNB promptly.

ADDITIONAL TERMS

OWNER/SIGNER #1	TITLE/CAPACITY	OWNER/SIGNER #2	TITLE/CAPACITY
Name: DAVID WIEDER		Name:	
Address: 300 71ST ST SUITE 405, MIAMI BEACH, FL 33141-3092		Address:	
ID# W360117422840	ID Type P-Divers License	ID#	ID Type
Phone # (305) 868-8851	D.O.B: 08/04/1942	Phone #	D.O.B:
Email address:		Email address:	
OWNER/SIGNER #3	TITLE/CAPACITY	OWNER/SIGNER #4	TITLE/CAPACITY
Name:		Name:	
Address:		Address:	
ID#	ID Type	ID#	ID Type
Phone #	D.O.B:	Phone #	D.O.B:
Email address:		Email address:	
OWNER/SIGNER #5	TITLE/CAPACITY	OWNER/SIGNER #6	TITLE/CAPACITY
Name:		Name:	
Address:		Address:	
ID#	ID Type	ID#	ID Type
Phone #	D.O.B:	Phone #	D.O.B:
Email address:		Email address:	

EXHIBIT

4
(2 of 3)



PAGE: 1 of 1
ACCOUNT: [REDACTED]

Last Statement: August 28, 2015
This Statement: August 31, 2015

DIRECT INQUIRIES TO:

CITY NATIONAL BANK
Miami Beach Banking Center
300 71st Street
Miami Beach, FL 33141

PHONE: 305-866-6861
800-435-8839

DAVID WEIDER FOR MAYOR
DAVID WIEDER
300 71ST ST STE 405
MIAMI BEACH FL 33141-3092

CITYSMART ULTIMATE SMALL BUSINESS CKG

Account Number	[REDACTED]	Interest Earned This Period:	\$0.00
Enclosures	0	Interest Earned 2015:	\$0.00
Beginning Balance	\$0.00	Days in Period:	0
Ending Balance	\$100.00	Annual Percentage Yield Earned:	0.00%
Average Ledger Balance	\$100.00		
Low Balance	\$100.00		

DAILY ACTIVITY

Date	Description	Additions	Subtractions	Balance
08-28	Beginning balance			0.00
08-28	Transfer Credit From Account1753137459	100.00		100.00
08-31	Ending totals	100.00	0.00	100.00

City National Bank is proud to be voted Best Community Bank, Best Business Bank, Best Bank for Commercial Real Estate, Best Bank for Jumbo Loans and Best Private Bank. Thank you for inspiring us!

Access your account information 24 hours a day via online banking, mobile apps and with CityTel at 1-800-762-CITY.

EXHIBIT 4 (3 of 3)



Fw: FEC 15-430 Respondent: David S. Wieder
Florida Elections Commission to: Erin Riley

10/15/2015 10:50 AM

----- Forwarded by Florida Elections Commission/OAG on 10/15/2015 10:50 AM -----

From: Wiederlaw <dwieder@wiederlaw.com>
To: fec@myfloridalegal.com
Date: 10/15/2015 09:56 AM
Subject: Fwd: FEC 15-430 Respondent: David S. Wieder

Begin forwarded message:

From: Wiederlaw <dwieder@wiederlaw.com>
Subject: FEC 15-430 Respondent: David S. Wieder
Date: October 15, 2015 at 9:48:57 AM EDT
To: fee@myfloridalegal.com

Dear Ms Riley:

Please accept this email as my response to the above-captioned complaint.

1. The complaint is without merit because an unpaid volunteer reserved the website without my knowledge.
2. The nominal expense was reimbursed to him, and noted in the September report.
3. The inadvertent omission of the disclaimer has been remedied and was unintentional.

Please understand that the complainant, Juan-Carlos Planas is known for his frivolous complaints, and this is a part of a conscious and continuing attempt at intimidation, worthy of sanctions against him and whatever client he represents, presumably Philip Levine.

The complainant clearly made no inquiry concerning these matters, filed a frivolous complaint and should therefore be reprimanded and the complaint dismissed.

F.S. 106.25 states, in pertinent part, as follows:

(8) Any person who files a complaint pursuant to this section while knowing that the allegations contained in such complaint are false or without merit commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083

If you are in need of a signed response by US Mail, please advise. Otherwise please accept this as my formal response under F.S. 106.25 (4)(b)

Yours truly,

David S. Wieder, Esq.

DAVID S. WIEDER, P.A.

MIAMI BEACH OFFICE: 300 -71st Street, Suite 545 Miami Beach, FL 33141 ☎

P.305.866.7551/305.371.7111 ☎ F 305.861.3238 ✉ dwieder@wiederlaw.com

www.wiederlaw.com

[blog: www.wiederlaw.blogspot.com](http://blog.wiederlaw.blogspot.com)

This email is for the use of the intended recipient(s) only. If you have received this email in error, please notify the sender immediately and then delete it. If you are not the intended recipient, you must not keep, use, disclose, copy or distribute this email

EXHIBIT 5 (1 of 2)

without the author's prior permission. We have taken precautions to minimize the risk of transmitting software viruses, but we advise you to carry out your own virus checks on any attachment to this message. We cannot accept liability for any loss or damage caused by software viruses. The information contained in this communication may be confidential and may be subject to the attorney-client privilege. If you are the intended recipient and you do not wish to receive similar electronic messages from us in future then please respond to the sender to this effect.

EXHIBIT 5 (2 of 2)

AFFIDAVIT OF BACKGROUND INFORMATION
Case Number: FEC 15-430

STATE OF FLORIDA
County of Miami-Dade

David S. Wieder, being duly sworn, says:

1. This affidavit is made upon my personal knowledge.
2. I am of legal age and competent to testify to the matters stated herein. I am currently employed by Myself as Attorney at Law .
3. Prior to your 2015 campaign for office, had you ever run for public office? If so, please name the office(s) you ran for and the date(s) of the election(s) you ran in.

NO.

4. I Prior to your 2015 campaign, had you ever been appointed to serve as a campaign treasurer for a candidate? If so, please name the candidate(s) you served as treasurer, the office(s) the candidate ran for, and the dates of the election(s). **NO.**

5. Prior to your 2015 campaign, had you ever held the office of chairperson or treasurer for a political committee? If so, please list the names and addresses of the committees and dates when you held the position. **NO**

6. What action have you taken to determine your responsibilities under Florida's election laws?

EXHIBIT 6 (1 of 7)

Inv040 (6/08)

I relied on my professional campaign manager

EXHIBIT 6 (2 of 7)

7. Do you possess a copy of Chapter 106, Florida Statutes? Yes No
8. If so, when did you first obtain it? _____
9. Have you read Chapter 106, Florida Statutes? Yes No
10. Do you possess a copy of the *Handbook for Candidates!* Yes No
11. If so, when did you first obtain it? **When I registered as a candidate at the City of Miami Beach** _____
12. Have you read the *Handbook for Candidates!* Yes No
13. No

As to the allegation that you incurred an expense for the website prior to filing your appointment-of-treasurer form, you stated in your response that an "unpaid volunteer" reserved the website without your knowledge. Is this correct? (x) Yes () No. If no, please explain otherwise.

14. In the space below, please provide the name, address and telephone number for the unpaid volunteer." **Daniel Ciraldo, 1051 Michigan Avenue #3 Miami Beach FL 33139. Tel 305 496 9535**

15. Do you personally know the "unpaid volunteer"? (x) Yes () No. If yes, in the space below, please explain how you know him (friend, acquaintance, etc) and how long you have known him. **He attended the Historic Preservation Board meetings at the City and I had known him by seeing him at the meetings since around 2013**

EXHIBIT 6 (3&7)

16. To your knowledge, what all did the "unpaid volunteer" do for the campaign?
He created our website and helped with campaign strategy

Inv040 (6/08)

EXHIBIT 6 (4 of 7)

17. In the space below, please describe what procedures, if any, campaign had in place to guard against volunteers or paid campaign workers for performing acts for the campaign without your authorization. **The campaign began so suddenly we had not reviewed procedures, but we were informed by our campaign manager that there had be filings before we proceeded; this mistake happened in the interim,**

18. As part of your response to the allegations, you stated that a nominal expense was reimbursed to him and was noted in the September report. I have made a review of each of your campaign reports and have found no such entry. Please direct me to where the reimbursement was recorded.

Unfortunately, the initial response was incorrect. There is an expense from 9/15/2015 for Godaddy, software, listed on the campaign report. However, in speaking with Daniel Ciraldo, I have learned that he did not ask for or receive reimbursement for the approximately \$55.48 payment for the website domains. Those were purchased on his own account without my knowledge or permission. Daniel is a website developer and did this on his own account.

19. If the "unpaid volunteer" reserved the website without your knowledge, please explain why !the webpage, with a date of 08/26/15, includes a political disclaimer suggesting that the website was paid for and approved by David Wieder for Mayor. **It appears that Daniel launched a web page and included a disclaimer, without permission from the campaign. This was done before the campaign account was set up**

20. ' Please explain why the pages from your website, with a date of 09/14/15, as submitted with the complaint, are void of a political disclaimer. **The website does have a disclaimer. I am not sure why it doesn't appear on the 9/14/15 screenshots from the complainant. However, it is on the website now and says "Political Advertisement Paid for and Approved by David Wieder for Mayor"**

EXHIBIT 6 (5 of 7)

21. If a political disclaimer was later added to the website, please list the date (approximate) the disclaimer was added and provide a copy of the webpage (if available) or state the exact language used in the political disclaimer. **The disclaimer was there since August (as in one of the exhibits received).**

I HEREBY SWEAR OR AFFIRM THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Inv040(6/08)

EXHIBIT 6 (607)

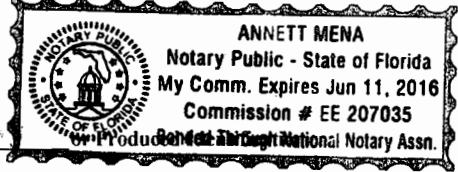
Signature of Affiant

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 2011

Annett Mena

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known _____

Type of Identification Produced: _____

Case investigator: KS

EXHIBIT 6 (7 of 7)

AFFIDAVIT OF INFORMATION
Case Number: FEC 15-430

STATE OF FLORIDA
County of Miami-Dade

MAR 20 10 45

Daniel Ciraldo, being duly sworn, says:

1. This affidavit is made upon my personal knowledge.
2. I am of legal age and competent to testify to the matters stated herein. I am currently employed by self as consultant.
3. Were you solely responsible for creating the website, www.davidwiederformayor.com? Yes () No.

If yes, please list any and all expenses you incurred in creating the website.

\$55.48 for website domains that I purchased on my credit card

If no, please explain why the candidate, David Wieder, identified you as the person responsible for creating the website.

4. If you were responsible for creating the website, at the time you created the website, was the candidate aware that you were creating a website for his campaign?

() Yes – If yes, please briefly summarize any conversation you had with the candidate regarding the creation of the website.

(X) No – If no, please explain why the website included the political disclaimer, “Paid Advertisement Paid for and Approved by David Wieder for Mayor,” which suggests that the candidate had knowledge of the website.

EXHIBIT 7 (1 & 3)

My sincerest apologies for the confusion. As a web developer by trade, I had put up a basic web page with a political disclaimer at the bottom, as a sort of 'coming soon' for the campaign. I simply copied a disclaimer from another political website and put it on the bottom of the page. The reason why is that somebody had leaked the news of David's candidacy before it was official, and I wanted to have a shell/basic website live just in case people were searching or the press wanted to see something. I believe that David was not in town at the time... and I just did this on my own.

5. If your answer to question #4 was "no," please also explain what prompted you to create a website for the candidate without his authorization or knowledge.

I was one of several activists who asked (begged?) David Wieder to run for Mayor, because of a PAC scandal that the incumbent Mayor was faced with, including allegations of corruption and backroom deals. As a website developer by trade, I purchased the domains myself because I didn't want them to get snapped up when the news came out... I didn't tell David Wieder about this.. I apologize for this. To this day I still own the domains myself. I kind of figured I was loaning the domain names.

If the candidate was not aware of the website when you initially created it, when (on what date, approximately) was the candidate eventually made aware of the website? Furthermore, how was the candidate made aware?

When the campaign started and our fully baked website was launched (about a week later). As far as I remember we always had a disclaimer. I'm not sure why the page that the opponent's attorney submitted did not have a disclaimer. We always had a disclaimer.

7. At any time, did you advise the candidate as to the costs you incurred in creating the website? () Yes (X) No. If so, when (on what date) and how? Verbally, in-writing, etc.

The only cost incurred that was not reported was for the domains. Unfortunately I did not report this to the campaign.

8. Did you ever seek reimbursement from the campaign for expenses you incurred in creating the website? () Yes (X) No.

This was a grassroots campaign to fight corruption. I had never been involved in a campaign before, and I am sorry if any oversight happened. After David signed up to run against the incumbent, the Relentless for Progress PAC was shut down – a positive step hailed by our community. The entire campaign was a bit of a whirlwind and I did not expect to receive any money, only a good outcome based on hard work. We were able to stop a major corruption issue in Miami Beach. In hindsight I should have listed the website domain as a loan for a two-month period.

EXHIBIT 7 (2 of 3)

I HEREBY SWEAR OR AFFIRM THAT THE FORGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

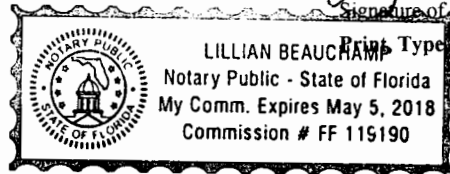
David Cold

Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 14th day of April, 2016

Lillian Beauchamp

Signature of Notary Public - State of Florida



Print Type or Stamp Commissioned Name of Notary Public

Personally Known _____ or Produced Identification _____

Type of Identification Produced: Florida Drivers License

Case Investigator: KS

EXHIBIT 7 (3 of 3)

FIGHTING TO PROTECT OUR QUALITY OF LIFE

Wieder



FOR MAYOR OF MIAMI BEACH

MEET DAVID

VOLUNTEER

NEWS

CONTRIBUTE

A New Day for N

EXHIBIT 8 (102)

Stand With David

First Name

Last Name

Email

JOIN US



**Root Out
Corruption**

Make our city work
for its residents, not
special interests



**Manage
Growth**

Promote responsible
initiatives which
protect our quality of
life



**Focus on
Resiliency**

Develop climate
change resilience at
the local, state, and
national level

David Wieder for Mayor of Miami Beach 2015 © 2015.

EXHIBIT 8 (2 of 2)

FIGHTING TO PROTECT OUR QUALITY OF LIFE

Wieder



FOR MAYOR OF MIAMI BEACH

PLATFORM

ENDORSEMENTS

MEET DAVID

VOLUNTEER

NEWS

[Why I'm Running for Mayor](#) | [What I Stand For](#)

A New Day for M

EXHIBIT 9 (1 of 3)

Stand With David

First Name

Last Name

Email

JOIN US



Root Out Cor- ruption

Make our city work for its residents, not special interests



Manage Growth

Promote responsible initiatives which protect our quality of life



Focus on Resil- iency

Develop climate change resilience at the local, state, and national level

Latest News

Please see my newsletter about why **Commissioner Kristen Rosen Gonzalez** is the right choice for Miami Beach. If you haven't yet voted, tomorrow's vote is critical to ensuring residents have a voice at City Hall.



Election Day is Tomorrow: Vote Kristen Rosen Gonzalez #44

us11.campaign-archive2.com

EXHIBIT

9 (203)

Dear Neighbor: Tomorrow is Election Day for the Group IV runoff, pitting Mayor Levine's hand-picked candidate Betsy Perez against Miami Herald-endorsed Kristen Rosen Gonzalez

4 months ago

Political Advertisement Paid for and Approved
by David Wieder for Mayor

EXHIBIT 9 (3 of 3)

AFFIDAVIT OF FILING OFFICER

Case Number: **FEC 15-430**

STATE OF FLORIDA
County of Miami-Dade

FEC 15-430
2015-08-12 12:47

Rafael Granado, being duly sworn, says:

1. This affidavit is made upon my personal knowledge.
2. I am of legal age and competent to testify to the matters stated herein. I am currently employed by City of Miami Beach as City Clerk.
3. Please check each item provided to the candidate or his staff, and list the date that the item was provided. (If the item is published by the Division of Elections, it is unnecessary to provide a copy of the item. If your office published the item, please send a copy of the item with this affidavit.)

Check	ITEM	DATE
X	Chapter 106, Florida Statutes (See attached letter #1)	8/31/2015
X	Candidate and Campaign Treasurer Handbook <u>Please indicate Year</u> <u>June 2015</u> (See attached letter #1)	8/31/2015

4. Relative to Chapter 106, Florida Statutes and the Candidate and Campaign Treasurer Handbook, how are these publications provided to the candidate and/or his staff?

- Publications are given directly to the candidate and/or his staff.
- Publications are available in the office, candidate and/or his staff are advised to pick-up the publications for themselves.
- Candidate and/or his staff are advised to download copies of the publications from county supervisor of elections' website or the Division of Elections' website.

Other, please explain. Mailed on 8/27/2015. Received on 8/31/2015. See letter #1

5. Did your office offer any candidate workshops or training seminars prior to the November 2015 election? () No () Yes. If yes, please list all workshops/training seminars that were attended by the candidate and/or his staff, along with the date of attendance. If a staff member attended for the candidate, list his/her name and position. If available, please attach a copy of any attendance sheets from the workshops/training seminars and if available, please provide a copy of the syllabus and outline for the workshops/seminars.

EXHIBIT 10 (1 of 5)

The Miami-Dade County Commission on Ethics and Public Trust held Campaign Seminars on March 11, 2015; June 11, 2015; July 11, 2015. It is unknown to the office if the candidate and/or his staff attended.

6. Does your office have any record of David S. Wieder having sought elective office within your jurisdiction prior to 2015 election? () Yes No. If yes, please list the previous office(s) he ran for, the date(s) of the election(s), and the result(s) of the election(s).

N/A

7. Does your office have any record of David S. Wieder having been named as a chairman or campaign treasurer of a political committee or electioneering communication organization within your jurisdiction? () Yes No. If yes, please list the name(s) of the committees.

N/A

8. Did you or any member from your staff have any conversations with David S. Wieder concerning a provision of Chapter 106, Florida Statutes at anytime during his 2015 campaign? () Yes No. If yes, please indicate whether the conversation was in person, in writing, or by telephone and the subject matter of the conversation. If applicable, please provide copies documenting the discussion.

N/A

9. If the candidate paid a qualifying fee with a campaign check, please provide a legible copy of the check.

Please see attached copy.

I SWEAR OR AFFIRM THAT THE INFORMATION CONTAINED IN THIS DOCUMENT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

EXHIBIT 10 (2 of 5)

[Handwritten Signature]
Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 23 day of
February, 2016

[Handwritten Signature]
Signature of Notary Public - State of Florida
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known or Produced Identification _____
Type of Identification Produced: _____

Case investigator: KS



EXHIBIT 10 (305)



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139
www.miamibeachfl.gov

OFFICE OF THE CITY CLERK, Rafael E. Granado, City Clerk
Tel: 305.673.7411, Fax: 305.673.7254
Email: CityClerk@miamibeachfl.gov

Sent Via Certified Mail
7009 1680 0000 0425 9579

August 27, 2015

David S. Wieder
1390 Bay Drive
Miami Beach, Florida 33141

Dear Mr. Wieder:

We are hereby acknowledging receipt of your Forms DS-DE 9 (Appointment of campaign Treasurer and Designation of Campaign Depository for Candidates) and DS-DE 84 (Statement of Candidate) for your candidacy for Miami Beach Mayor. The Office of the City Clerk received these Forms on August 26, 2015.

In reviewing Form DS-DE 9, we note that the information for Item 3 (Address) and Item 5 (E-mail Address) were left blank. Please submit an amended DS-DE 9 as soon as possible, which includes the omitted information.

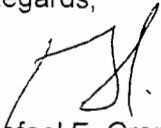
The following documents are enclosed for your review:

1. 2015 City of Miami Beach Candidate Handbook, which contains:
 - a. General Municipal Election Information / How to Begin Your Campaign
 - b. Important Dates and Deadlines
 - c. Miami-Dade County Elections Department – Guidelines to Successful Campaign Treasurer's Reports
 - d. Election Signs
 - e. Paid Campaign Workers Participating In Absentee Ballot Activities
 - f. Most Commonly Used Forms (Appendix A)
 - g. Miami Beach City Charter – Article VI. – Elections (Sections 6.01 through 6.04)
 - h. Miami Beach City Code – Division 5 – Campaign Finance Reform (Sections 2-487 through 2-490)
 - i. Miami Beach City Code – Article IV. – Temporary Signs (Sections 138-131 through 138-140)
 - j. Miami-Dade County Code – Section 12-14.1 – Absentee Ballot Campaigning Reporting Requirement
2. "A Compilation of the Election Laws of the State of Florida" – Revised September 2014 – Florida Division of Election. (Includes Chapter 106 of the Florida Statutes.)

3. "Candidate & Campaign Treasurer Handbook" – June 2015 – Florida Department of State, Division of Elections.
4. Save the Dates – MBTV Candidate Presentation Rehearsal and Live Video Recording Schedules.
5. Courtesy Reminder Card – Important Dates & Deadlines.
6. Courtesy Reminder Card - Candidate Qualifying Period – September 8, 2015 to September 11, 2015; 8:30 a.m. to 5:00 p.m.

If you have any questions or need additional information, please contact this office at any time.

Regards,



Rafael E. Granado
City Clerk

REG/lh

Enclosure

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

RECEIVED

2015 AUG 26 PM 12:45

CITY CLERK'S OFFICE

I, David S. Wieder

candidate for the office of Miami Beach Mayor

have been provided access to read and understand the requirements of

-Chapter 106, Florida Statutes.

X 
Signature of Candidate

8/24/2015
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

February 4, 2016

David S. Wieder
1390 Bay Drive
Miami Beach, FL 33141

RE: Case No.: FEC 15-430; Respondent: David S. Wieder

Dear Mr. Wieder:

On October 5, 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 106.021(1)(a), Florida Statutes: David Wieder, a candidate for Mayor for the City of Miami Beach in the 2015 municipal election, incurred one or more campaign expenses before appointing a treasurer or designating a campaign depository, as alleged in the complaint.

Section 106.11(4), Florida Statutes: David Wieder, a candidate for Mayor for the City of Miami Beach in the 2015 municipal election, incurred one or more campaign expenses, without sufficient funds on deposit in the campaign depository, as alleged in the complaint.

Section 106.143(1)(a), Florida Statutes: David Wieder, a candidate for Mayor for the City of Miami Beach in the 2015 municipal election, distributed a political advertisement (a website) that contained express advocacy but did not include a proper disclaimer, as alleged in the complaint.

Section 106.19(1)(d), Florida Statutes: David Wieder, a candidate for Mayor for the City of Miami Beach in the 2015 municipal election, made or authorized one or more expenditures prohibited by Chapter 106, Florida Statutes as alleged in the complaint.

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 **Keith Smith**, the investigator assigned to this case.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/enr

DAVID S. WIEDER, P.A.
Attorney at Law

ER
DM

2015 OCT 21 P 12: 21

October 10, 2015

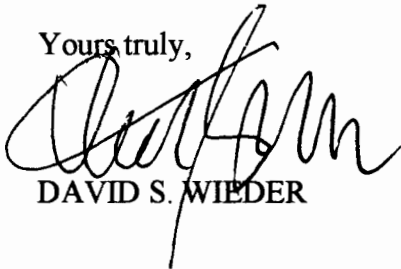
Erin Riley
Deputy Agency Clerk
Florida Elections Commission
107 W. Gaines St.
Collins Building
Tallahassee, FL 32399-1050

Re: Case 15-430; Respondent David S. Wieder

Dear Ms Riley:

Please be advised that I WAIVE Confidentiality in this matter.

Yours truly,



DAVID S. WIEDER



Fw: FEC 15-430 Respondent: David S. Wieder
Florida Elections Commission to: Erin Riley

10/15/2015 10:50 AM

----- Forwarded by Florida Elections Commission/OAG on 10/15/2015 10:50 AM -----

From: Wiederlaw <dwieder@wiederlaw.com>
To: fec@myfloridalegal.com
Date: 10/15/2015 09:56 AM
Subject: Fwd: FEC 15-430 Respondent: David S. Wieder

Begin forwarded message:

From: Wiederlaw <dwieder@wiederlaw.com>
Subject: FEC 15-430 Respondent: David S. Wieder
Date: October 15, 2015 at 9:48:57 AM EDT
To: fee@myfloridalegal.com

Dear Ms Riley:

Please accept this email as my response to the above-captioned complaint.

1. The complaint is without merit because an unpaid volunteer reserved the website without my knowledge.
2. The nominal expense was reimbursed to him, and noted in the September report.
3. The inadvertent omission of the disclaimer has been remedied and was unintentional.

Please understand that the complainant, Juan-Carlos Planas is known for his frivolous complaints, and this is a part of a conscious and continuing attempt at intimidation, worthy of sanctions against him and whatever client he represents, presumably Philip Levine.

The complainant clearly made no inquiry concerning these matters, filed a frivolous complaint and should therefore be reprimanded and the complaint dismissed.

F.S. 106.25 states, in pertinent part, as follows:

(8) Any person who files a complaint pursuant to this section while knowing that the allegations contained in such complaint are false or without merit commits a misdemeanor of the first degree,

punishable as provided in s. 775.082 or s. 775.083

If you are in need of a signed response by US Mail, please advise. Otherwise please accept this as my formal response under F.S. 106.25 (4)(b)

Yours truly,

David S. Wieder, Esq.

DAVID S. WIEDER, P.A.

MIAMI BEACH OFFICE: 300 -71st Street, Suite 545 Miami Beach, FL 33141 ☎

P.305.866.7551/305.371.7111 ☎ F 305.861.3238 ✉ dwieder@wiederlaw.com

www.wiederlaw.com

[blog: www.wiederlaw.blogspot.com](http://blog.wiederlaw.blogspot.com)

This email is for the use of the intended recipient(s) only. If you have received this email in error, please notify the sender immediately and then delete it. If you are not the intended recipient, you must not keep, use, disclose, copy or distribute this email

without the author's prior permission. We have taken precautions to minimize the risk of transmitting software viruses, but we advise you to carry out your own virus checks on any attachment to this message. We cannot accept liability for any loss or damage caused by software viruses. The information contained in this communication may be confidential and may be subject to the attorney-client privilege. If you are the intended recipient and you do not wish to receive similar electronic messages from us in future then please respond to the sender to this effect.



Fw: FEC 15-430 Respondent: David S. Wieder
Florida Elections Commission to: Erin Riley

10/15/2015 10:51 AM

----- Forwarded by Florida Elections Commission/OAG on 10/15/2015 10:51 AM -----

From: Wiederlaw <dwieder@wiederlaw.com>
To: fec@myfloridalegal.com
Date: 10/15/2015 10:14 AM
Subject: Fwd: FEC 15-430 Respondent: David S. Wieder

Dear Ms. Riley,

I had previously sent both a letter waiving confidentiality in this matter, but also an email. But you may not have received the email because I had a typographical error on the email. I did sent a regular letter doing so by US Mail, so please note that confidentiality has been waived.

Thank you.

Yours truly,

David S. Wieder, Esq.

DAVID S. WIEDER, P.A.

MIAMI BEACH OFFICE: 300 -71st Street, Suite 545 Miami Beach, FL 33141 ☎

P.305.866.7551/305.371.7111 ☎ F 305.861.3238 ✉ dwieder@wiederlaw.com

www.wiederlaw.com

[blog: www.wiederlaw.blogspot.com](http://blog.wiederlaw.blogspot.com)

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Begin forwarded message:

From: Wiederlaw <dwieder@wiederlaw.com>
Subject: Fwd: FEC 15-430 Respondent: David S. Wieder
Date: October 15, 2015 at 9:56:33 AM EDT
To: fec@myfloridalegal.com

Begin forwarded message:

From: Wiederlaw <dwieder@wiederlaw.com>
Subject: FEC 15-430 Respondent: David S. Wieder
Date: October 15, 2015 at 9:48:57 AM EDT
To: fee@myfloridalegal.com

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Please accept this email as my response to the above-captioned complaint.

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If you are in need of a signed response by US Mail, please advise. Otherwise please accept this as my formal response under F.S. 106.25 (4)(b)

Yours truly,

David S. Wieder, Esq.

DAVID S. WIEDER, P.A.

MIAMI BEACH OFFICE: 300 -71st Street, Suite 545 Miami Beach, FL 33141 ☎

P.305.866.7551/305.371.7111 ☎ F 305.861.3238 ✉ dwieder@wiederlaw.com

www.wiederlaw.com

[blog: www.wiederlaw.blogspot.com](http://blog.wiederlaw.blogspot.com)

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STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-1050
Telephone Number: (850) 922-4539
www.fec.state.fl.us

CONFIDENTIAL COMPLAINT FORM

2015 OCT -5 A 11: 58

The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom the complaint is brought.

1. PERSON BRINGING COMPLAINT:

Name: Juan-Carlos Planas, Esq. Work Phone: (305) 929-8500
Address: 18851 NE 29 Avenue, Suite 303 Home Phone: (850) 980-6542
City: Aventura County: Miami-Dade State: FL Zip Code: 33180

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

A person can be an individual, political committee, committee of continuous existence, political party, electioneering communication organization, club, corporation, partnership, company, association, or any other type of organization. (If you intend to name more than one individual or entity, please file multiple complaints.)

Name of individual or entity: David Wieder
Address: 1390 Bay Drive Phone: (305) 371-7111
City: Miami Beach County: Miami-Dade State: FL Zip Code: 33141

If individual is a candidate, list the office or position sought: Miami Beach Mayor

Have you filed this complaint with the State Attorney's Office? (check one) Yes No

3. ALLEGED VIOLATION(S):

Please list the provisions of The Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigation the following provisions: Chapter 104, Chapter 106, and Section 105.071, Florida Statutes. Also, please include:

- ✓ The facts and actions that you believe support the violations you allege,
- ✓ The names and telephone numbers of persons you believe may be witnesses to the facts,
- ✓ A copy or picture of the political advertisements you mention in your statement,
- ✓ A copy of the documents you mention in your statement, and
- ✓ Other evidence that supports your allegations.

See Attached sheet with Exhibits

Additional materials attached (check one)? Yes No

4. OATH

STATE OF FLORIDA

COUNTY OF Miami-Dade

I swear or affirm, that the above information is true and correct to the best of my knowledge.

[Handwritten signature]

Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 28th day of
September, 2015

[Handwritten signature: Stacy Santiago]

Signature of Officer Authorized to Administer Oaths or Notary public.



STACY SANTIAGO
MY COMMISSION # FF 104982
EXPIRES: June 28, 2018
Bonded Thru Budget Notary Services

(Print, Type, or Stamp Commissioned Name of Notary Public)
Personally known Or Produced Identification
Type of Identification Produced _____

RECORDED
2015 OCT -5 A 11:59

Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.

Complaint against David Wieder with the Florida Elections Commission

David S. Wieder ("WIEDER") is a candidate for City of Miami Beach Mayor (See Exhibit "A", Campaign paperwork of David Weider) WEIDER has violated several campaign finance laws, all in regard to his campaign website.

On August 25, 2015 WIEDER had not yet filed his paperwork to run for Mayor, yet incurred an unlawful campaign expense by publishing a website, www.wiederformayor.com, for his campaign. (See Exhibit "B", printout of First Weider Campaign Website.) WIEDER mailed his filing papers to Miami Beach City Hall on August 25th and they arrived on August 26, 2015. (See composite Exhibit "C", campaign filing papers of David Wieder and priority mail envelope)

F.S. §106.11 prohibited WIEDER from posting his campaign website until after the Miami Beach clerk had properly accepted his filing papers as he could not have paid for the operation of the website as he had no campaign account and could not spend lawfully spend money on the website. Furthermore, in his following campaign report covering the time from the inception of his campaign until August 31, 2015, WIEDER filed a waiver of activity. (See Exhibit "D", waiver of campaign activity) Without any funds in his account, WIEDER could not pay for his website and thus incurred an unlawful campaign expense without money or funds in his campaign to pay for the website.

Recently, WIEDER has changed the design and style of his website to add his new campaign logo. (See Exhibit "E", recent website of David Wieder) Whether or not WIEDER has raised contributions for his campaign since September 1, 2015 will not be known until October 10, 2015 when his new campaign report is published. It will be interesting to see if he lists the campaign website as an expense. What is known now, however, is that WIEDER'S new website does not contain a proper disclaimer required of all political advertising as per F.S. §106.143.

As such, WEIDER has violated several sections of Chapter 106 of the Florida Statutes all relating to his campaign website.

EXHIBIT “A”

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

RECEIVED

2015 AUG 26 PM 12:45

CITY CLERK'S OFFICE

I, David S. Wieder

candidate for the office of Miami Beach Mayor

have been provided access to read and understand the requirements of

-Chapter 106, Florida Statutes.

X 
Signature of Candidate

8/24/2015
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).

EXHIBIT “B”

David Wieder for Mayor of Miami Beach

Bringing Integrity back to Miami Beach

David S. Wieder Announces Candidacy For Miami Beach Mayor

For Immediate Release

David S. Wieder Announces Candidacy For Miami Beach Mayor

Over-development and ethics issues are focus of campaign

[August 26, 2015, Miami Beach] — David S. Wieder is pleased to announce his candidacy for Mayor of Miami Beach.

A long-time member of the Miami Beach community, Historic Preservation Board chair and respected lawyer, Wieder's proven commitment to the city creates a strong foundation from which to lead the city in a better direction.

Like many residents, Wieder has grown increasingly concerned about ethical conflicts within city hall in the last two years — especially those related to development and no-bid and single-bid contracts.

“These questionable projects have a long-lasting impact on our city and have been sped through the city's approval process. They contribute to over-development that benefits a few special interests to the detriment of residents,” Wieder said.

Recent revelations of an investigation into the Relentless for Progress PAC run by Commissioner Jonah Wolfson and assisted by Mayor Phillip Levine have only added to the mistrust.

In a tribute to Wieder's judgment and people skills, both developers and preservationists equally respect his opinion as a board member and chair of the City of Miami Beach Historic Preservation Board. The board oversees major development and restoration projects in the city's twelve historic districts for conformance to the Beach's historic appropriateness codes.

Wieder's excellent reputation as a lawyer is evidenced by his pre-eminent Martindale-Hubbell AV rating. The highest rating obtainable by an attorney, this rating is achieved through recognition of his colleagues and judges.

"It is a particularly fine honor to be rated so well by my colleagues," he says. "I enjoy living up to people's trust. Because actions speak louder than words, it's important to earn people's respect through your actions."

Additionally, Wieder's service on the Florida Bar's Unauthorized Practice of Law and Grievance Committees has propelled Wieder to protect the public from attorneys who have violated their public and professional trust.

Wieder holds two certificates of meritorious public service from the Florida Bar and one from the Dade County Bar Association and has served as chair of the City of Miami Beach Debarment Committee, the quasi-judicial board that determines whether contractors can continue to be eligible to bid on city projects, based on past improper conduct or criminality.

Additionally, he served as treasurer of the American Jewish Committee.

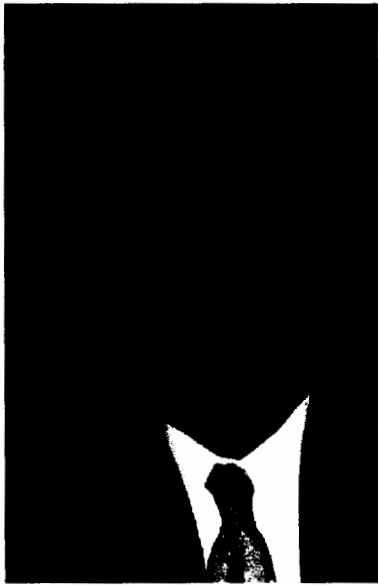
Wieder is the son of pioneer Miami hotel business parents, who owned the Martinique hotel in North Beach for many years. He graduated from North Beach Elementary, Nautilus Junior High, and Miami Beach Senior High School. He attended the University of Florida, graduated from the University of Miami and the New England School of Law in Boston, Massachusetts. After finishing law school, Wieder lived in Paris with his French-born wife, Catherine, before returning to work in New York and later back home to Miami Beach. A father and grandfather, Wieder has his own practice in North Beach as a litigator.

###

Contact: David Wieder Campaign

press@wiederformayor.com

“Paid Political Advertisement Paid for and approved by David Wieder for Mayor”



📅 August 25, 2015 💬 Leave a comment

Political Advertisement Paid for and Approved by David Weider for Mayor

EXHIBIT “C”

- Mailbox Services
- Digital Printing & Document Services
- Online Printing at theupsstore.com/print
- Notary Services
- Shipping & Freight Services
- Packing by our Certified Packing Experts
- Packaging Materials & Moving Supplies




The UPS Store



The UPS Store

Environnement

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

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

(PLEASE PRINT OR TYPE)

2015 AUG 26 PM 12:15

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 S. Wieder

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

4. Telephone

(305) 371-7111

5. E-mail address

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

Miami Beach Mayor

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 N/A 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 S. Wieder

11. Mailing Address

1390 Bay Drive

12. Telephone

(305) 371-7111

13. City

Miami Beach

14. County

Miami-Dade

15. State

FL

16. Zip Code

33141

17. E-mail address

dwieder@wiederlaw.com

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

19. Name of Bank

City National Bank of Florida

20. Address

300 71st Street

21. City

Miami Beach

22. County

Miami-Dade

23. State

FL

24. Zip Code

33141

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

8/24/2015

26. Signature of Candidate

X 

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

I, David S. Wieder, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer

8/24/15

Date

X 
Signature of Campaign Treasurer or Deputy Treasurer

EXHIBIT “D”

WAIVER OF REPORT

(Section 106.07(7), F.S.)

(PLEASE TYPE)

RECEIVED

2015 SEP 10 PM 2:52

OFFICE USE ONLY
CITY CLERK'S OFFICE

David S. Wieder

Name

Mayor

Office Sought

300 71st Street Suite 545

Address

Miami Beach, FL, 33141

City

State

Zip Code

Candidate

Political Committee

Electioneering Communications Organization

Party Executive Committee

Check here if address has changed since last report.

Check here if PC or ECO has DISBANDED and will no longer file reports.

TYPE OF REPORT (Check Appropriate Box and Complete Applicable Line beneath Box)

MONTHLY REPORT

PRIMARY ELECTION

GENERAL ELECTION

OTHER REPORT TYPE

Indicate report #

MX 2015 ADB

Indicate report #

P

Indicate report #

G

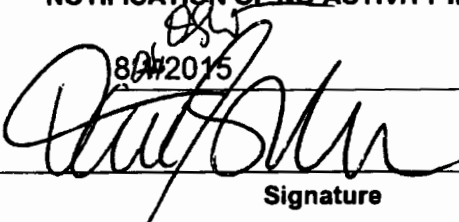
Indicate report type and # as applicable:

TERMINATION REPORT

SPECIAL ELECTION

NOTIFICATION OF NO ACTIVITY IN CAMPAIGN ACCOUNT FOR THE REPORTING PERIOD OF

X

8/1/2015


Signature

THROUGH 8/31/2015

9/10/2015

Date

X

Signature

Date

REQUIRED SIGNATURES FOR:

Candidates:

Candidate and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

Political Committees:

Chairman and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

Electioneering Communications Organizations:

Treasurer (s. 106.0703(4)(c), F.S.)

Party Executive Committees:

Treasurer and Chairman (s. 106.29(2), F.S.)

In any reporting period when there has been no activity in the account (no funds expended or received) the filing of the required report is waived. However, the filing officer must be notified in writing on the prescribed reporting date that no report is being filed.

EXHIBIT "E"

FIGHTING TO PROTECT OUR QUALITY OF LIFE

Wieder



FOR MAYOR OF MIAMI BEACH

MEET DAVID

VOLUNTEER

NEWS

CONTRIBUTE

A New Day for N

Stand With David

First Name

Last Name

Email

JOIN US



Root Out Corruption

Make our city work
for its residents, not
special interests



Manage Growth

Promote responsible
initiatives which
protect our quality of
life



Focus on Resiliency

Develop climate
change resilience at
the local, state, and
national level

David Wieder for Mayor of Miami Beach 2015 © 2015.