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**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**FLORIDA ELECTIONS COMMISSION,  
PETITIONER,**

v.

**AGENCY CASE No.: FEC 09-154  
FEC 09-214  
F.O. No.: FOFEC: 11-006W**

**MARIA MARI,  
RESPONDENT.**

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**CONSENT FINAL ORDER**

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

**FINDINGS OF FACT**

1. On March 29, 2010, and March 31, 2010, the staff of the Commission issued Staff Recommendations, recommending to the Commission that there was probable cause to believe that the Florida Election Code was violated.<sup>1</sup>

2. On May 28, 2010, in case number FEC-09-154, the Commission entered an Order of Probable Cause finding that there was probable cause to charge the Respondent with the following violations:

**Count 1**

On or about January 12, 2009, Respondent violated Section 106.07(1), Florida Statutes, when she failed to file timely with the filing officer United Faculty of Miami-Dade College COPE's 2008 Q4 report listing all contributions received and all expenditures made, by or on behalf of the political committee.

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<sup>1</sup> The Staff Recommendation in FEC 09-154 was issued on March 31, 2010, and the Staff Recommendation in FEC 09-214 was issued on March 29, 2010.

**Count 2:**

Between August 30, 2008, and May 20, 2009, Respondent violated Section 106.07(3), Florida Statutes, when Respondent failed to file an addendum to United Faculty of Miami-Dade College Cope's 2008 F3 report after receiving notice from Division of Elections that the report was incomplete

3. On May 28, 2010, in case number FEC-09-214, the Commission entered an Order of Probable Cause finding that there was probable cause to charge the Respondent with the following violations:

**Count 1**

Respondent violated Section 106.07(2)(b)1., Florida Statutes, when Respondent failed to file an addendum to United Faculty of Miami-Dade College Cope's 2009 Q1 report within three days of receiving notice from Division of Elections that the report was incomplete.

**Count 2**

Respondent violated Section 106.07(2)(b)1., Florida Statutes, when Respondent failed to file an addendum to United Faculty of Miami-Dade College Cope's 2009 Q2 report within three days of receiving notice from Division of Elections that the report was incomplete.

4. On September 4, 2010, the Respondent was served with a copy of the Order of Probable Cause.

5. The Respondent and the staff stipulate to the following facts:

a. Respondent was the treasurer for the United Faculty of Miami-Dade College COPE ("Committee").

b. Respondent failed to timely file the Committee's 2008 Q4 campaign report.

c. Respondent failed to file an addendum to the Committee's 2008 F3, 2009 Q1, and 2009 Q2 campaign reports after receiving notice from the Division of Elections

the reports were incomplete.

### **CONCLUSIONS OF LAW**

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

7. The Commission staff and the Respondent stipulate that the Commission could prove the elements of the violations charged in the Order of Probable Cause by clear and convincing evidence.

### **ORDER**

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

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

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

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

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

13. If the Commission does not receive the signed Consent Order within 20 days of the date Respondent or her attorney received this order, the staff withdraws this offer of

settlement and will proceed with the case.

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

15. Respondent shall remit to the Commission a fine in the amount of \$750 by money order, cashier's check, or attorney trust account check. The fine shall be paid to the Florida Elections Commission, 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida, 32399-1050, as a condition precedent to the Commission's execution of this Consent Order.

#### **PENALTY**

**WHEREFORE**, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated Section 106.07(1), Florida Statutes, on one occasion, 106.07(3), Florida Statutes, on one occasion, and Section 106.07(2)(b)1., Florida Statutes on two occasions. Respondent is fined \$750 for the violations..

Therefore it is

**ORDERED** that the Respondent shall remit to the Commission a civil penalty in the amount of \$750, inclusive of fees and costs, by money order, cashier's check, or attorney trust account check. The civil penalty shall be paid to the Florida Elections Commission, 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

The **Respondent** hereby agrees and consents to the terms of this Order on \_\_\_\_\_, 2010.



\_\_\_\_\_  
Maria Mari  
9515 SW 136 Street

Miami, FL 33176

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

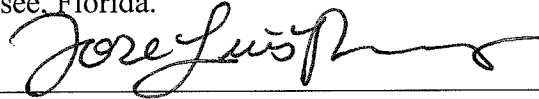
November 15, 2010.



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

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

on ~~May~~ FEBRUARY 15, ~~2010,~~ <sup>2011</sup> in Tallahassee, Florida.



Chairman  
Florida Elections Commission

FEBRUARY 15, 2011

Date

Copies furnished to:

Eric M. Lipman, General Counsel  
Maria Mari, Respondent