STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: SBMC PAC		Case No.: FEC 16-011	
TO:	SBMC PAC Julie Clements, Chair 1762 Southcove Point	Division of Elections 500 S Bronough Street, Room 3 Tallahassee, FL 32399	16
	Jacksonville, FL 32259		

CDMC DAG

NOTICE OF HEARING (CONSENT ORDER)

A hearing will be held in this case before the Florida Elections Commission on, March 13, 2018 at 10:00 am, or as soon thereafter as the parties can be heard, at the following location: Augustus B. Turnbull Conference Center, 555 West Pensacola Street, Room 103, Tallahassee, Florida 32301.

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 26, 2018 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

Florida Elections Commission, Petitioner,

v.

Agency Case No.: FEC 16-011

F.O. No.: FOFEC

SBMC PAC, Respondent.

CONSENT FINAL ORDER

Respondent, SBMC PAC, 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

- On January 13, 2016, the Commission received a referral from the Division of Elections alleging that Respondent violated Florida's election laws.
- 2. On December 15, 2017, the Commission entered an Order of Probable Cause finding there was probable cause to charge the Respondent with three counts of violating Section 106.07(7), Florida Statutes.
- 3. Respondent has expressed a desire to enter into negotiations directed toward reaching a consent agreement.
 - 4. Respondent and staff stipulate to the following facts:
 - a. Respondent is a political committee registered with the Division of Elections.

- b. Respondent failed to notify the filing officer in writing on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the 2015 M1, 2015 M4, and 2015 M11 reporting periods.
- c. On February 20, 2015, Respondent filed a notice of no reportable activity for the 2015 M1 reporting period. On May 22, 2015, Respondent filed a notice of no reportable activity for the 2015 M4 reporting period, and on December 16, 2015, Respondent filed a notice of no reportable activity for the 2015 M11 reporting period.

CONCLUSIONS OF LAW

- 5. The Commission has jurisdiction over the parties to and subject matter of this cause, pursuant to Section 106.26, Florida Statutes.
- 6. The Commission staff and the Respondent stipulate that staff can prove the facts in paragraph four above by clear and convincing evidence and to the Commission's ability to impose a civil penalty in this case.

ORDER

- The Respondent and the staff of the Commission have entered into this Consent
 Order freely and voluntarily.
- The Respondent shall bear its own attorney's fees and costs that are in any way associated with this case.
 - 9. The Commission will consider this Consent Order at its next available meeting.
- 10. Respondent voluntarily waives the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal this Consent Order.

11. This Consent 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 Order is necessary, venue shall be in Leon County, Florida, and Respondent shall pay all fees and costs associated with enforcement.

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

PENALTY

WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent violated Section 106.07(7), Florida Statutes, on three occasions and imposes a \$150 civil penalty.

Therefore, it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$150, inclusive of fees and costs. The civil penalty shall be paid by cashier's check or money order, good for at least 120 days, or attorney trust account check. The civil penalty shall be payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

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Post PC CO FEC Case # 16-011

	Respondent hereby agrees and consents to the terms of this Consent Order on $\frac{12/21/17}{}$.
	SBMC PAC Julie Clements, Chair 1762 Southcove Point Jacksonville, Florida 32259
	Commission staff hereby agrees and consents to the terms of this Consent Order on
	January 9, 2018.
	amle_
	Eric M. Lipman
	General Counsel Florida Elections Commission
	107 West Gaines Street
	The Collins Building, Suite 224
	Tallahassee, Florida 32399-1050
	Approved by the Florida Elections Commission at its regularly scheduled meeting held
on	, 2018, in Tallahassee, Florida.
	M. Scott Thomas, Chairman
	Florida Elections Commission
Conies	s furnished to:

Copies furnished to: Eric M. Lipman, General Counsel SBMC PAC, Respondent Division of Elections, Complainant A REGIONS

Personal Money Order

61-1/620 2103954551

Security Feature Details Back

PAY TO THE ORDER OF

12/28/2017

FLORIDA ELECTIONS COMMISSION

VOID IF OVER US \$1,000

ONE HUNDRED FIFTY DOLLARS AND 00 CENTS

\$150.00

SBMC PAC FOR AGENCY EASE NO. FIEC 16-011

Purchaser's Signature

Branch FL00296 CC296100

TILED

17 DEC 15 AM 9: 45

STATE OF FLORIDA
ELECTIONS COMMISSION

STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

Florida Elections Commission, Petitioner,

v. Case No.: FEC 16-011
SBMC PAC,
Respondent.

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on November 28, 2017, in Tallahassee, Florida.

On September 9, 2017, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

Count 1:

On or about February 10, 2015, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before February 10, 2015, that Respondent would not be filing a 2015 M1 Report on the prescribed due date.

Count 2:

On or about May 11, 2015, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before May 11, 2015, that Respondent would not be filing a 2015 M4 Report on the prescribed due date.

Count 3:

On or about December 10, 2015, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before December 10, 2015, that Respondent would not be filing a 2015 M11 Report on the prescribed due date.

DONE AND ORDERED by the Florida Elections Commission on November 28, 2017.

M. Scott Thomas, Chairman Florida Elections Commission

Copies furnished to: Eric M. Lipman, General Counsel

SBMC PAC, Respondent Division of Elections, Complainant

NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by <u>consent order</u> where you and Commission staff agree to resolve the violation(s)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 <u>informal hearing</u> held before the Commission, if you <u>do not</u> 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 <u>formal hearing</u> held before an administrative law judge in the Division of Administrative Hearings (DOAH), if you dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to present evidence relevant to the violation(s) listed in this order, to cross-examine opposing witnesses, to impeach any witness, and to rebut the evidence presented against you.

If you do not elect to resolve the case by consent order or request a formal hearing at the DOAH or an informal hearing before the Commission within 30 days of the date this Order of Probable Cause is filed with the Commission, the case will be sent to the Commission for a formal or informal hearing, depending on whether the facts are in dispute. The date this order was filed appears in the upper right-hand corner of the first page of the order.

To request a hearing, please send a written request to the Commission Clerk, Donna Ann Malphurs. The address of the Commission Clerk is 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-1050. The telephone number is (850) 922-4539. The Clerk will provide you with a copy of Chapter 28-106, *Florida Administrative Code*, and other applicable rules upon request. No mediation is available.

STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

Casa No. EEC 16 011

III RE: SDIVIC PAC		/	Case No.: FEC 10-011
TO:	SBMC PAC Tim Howe, Chair 154 West 5th Street		Division of Elections 500 S Bronough Street, Room 316 Tallahassee, FL 32399
	Jacksonville, FL 32206-4422		

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, November 28, 2017 at 10:00 am, or as soon thereafter as the parties can be heard, at the following location: 412 Knott Building, Pat Thomas Committee Room, 404 South Monroe Street, 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.

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See further instructions on the reverse side.

Amy McKeever Toman

Executive Director Florida Elections Commission November 13, 2017

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Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, he must provide the Commission with written proof of his financial resources at the hearing. A financial affidavit form is available from the Commission Clerk.

STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: SBMC PAC	Case No.: FEC 16-0		
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STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.07(7)**, **Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on August 3, 2017, the following facts and law support this staff recommendation.

- 1. On January 13, 2016, the Florida Elections Commission ("Commission") received a referral from the Division of Elections ("Division") alleging that SBMC PAC ("Respondent") violated Chapter 106, Florida Statutes.
- 2. Respondent is a political committee registered with the Division. On November 10, 2014, Respondent's Statement of Organization of Political Committee form and initial Appointment of Campaign Treasurer and Designation of Campaign Depository for Political Committees form ("DS-DE 6") were filed with the Division. Annie Howe was identified as the Respondent's chairman and Dee Kirby was appointed as its treasurer. (ROI Exhibit 1, page 1 and Attachment A)¹
- 3. By letter dated November 14, 2014, Kristi Reid Bronson, Chief, Bureau of Election Records, sent a letter to Respondent notifying it that the name of the organization had been placed on the Division's active committee list as a political committee. The letter advised Respondent that all political committees filing reports with the Division are required to use the electronic filing system ("EFS") and provided Respondent with a user identification number and initial password to access to the EFS. (ROI Exhibit 2, page 1)²
- 4. Ms. Bronson's November 14, 2014 letter further advised Respondent that all of the Division's publications and reporting forms were on the Division's website and directed Respondent to print a copy of Chapter 106, Florida Statutes, the 2014 Political Committee Handbook ("Handbook"), the 2014 Calendar of Reporting Dates, and other documents. (ROI Exhibit 2, page 3)

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

² Kristi Reid Bronson is now known as Kristi Reid Willis.

- 5. Respondent filed a second DS-DE 6 with the Division on May 7, 2015. Tim Howe was identified as Respondent's chairman and Mark Wilkinson was appointed as Respondent's treasurer. (ROI Exhibit 1, page 2)³
- 6. On May 8, 2015, Ms. Bronson sent Respondent's new treasurer, Mark Wilkinson, a letter containing a confidential pin number to access the EFS. The letter also stated that all of the Division's publications and reporting forms were on the Division's website and directed Mr. Wilkinson to print a copy of Chapter 106, Florida Statutes, the Handbook, the *Calendar of Reporting Dates*, and other documents. (Attachment C)
- 7. On May 25, 2017, the Executive Director sent Respondent notification that Commission staff would investigate the following alleged violations:

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

- 2015 M1
- 2015 M4
- 2015 M11
- 8. Page 18 of the Handbook states:

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

(Section 106.07, F.S.)

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

(Section 106.0705, F.S.)

(ROI Exhibit 3, pages 1 and 4)

On April 30, 2015, the Division received a DS-DE 6 appointing Mr. Wilkinson as its new treasurer. However, Respondent's DS-DE 6 was incomplete because Respondent's chairman did not sign the document. (Attachment B)

- 9. Pages 12, 13, 45, and 46 of the *Political Committee EFS User's Guide* ("Guide") explain the steps a political committee should take to notify the Division in writing on the prescribed reporting date that no report will be filed for the reporting period using the EFS. Specifically, at the top of page 13, the Guide instructs the user to click the box next to "Waiver" if there is no financial activity to report. (ROI Exhibit 4)
 - 10. Section 106.07(7), Florida Statutes, provides:

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

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

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2015 M1	01/01/15 - 01/31/15	02/10/15	02/20/15	104
2015 M4	04/01/15 - 04/30/15	05/11/15	05/22/15	11
2015 M11	11/01/15 — 11/30/15	12/10/15	12/16/15	6

(ROI Exhibit 5, pages 1 and 2; Attachment D; and ROI Paragraph 7)

12. Mr. Wilkinson offered several reasons why he did not timely file Respondent's Notification for the 2015 M1 reporting period. However, Mr. Wilkinson was not Respondent's treasurer on the due date for Respondent to file a Notification for the 2015 M1 reporting period and, therefore, he was not responsible for its filing. (ROI Exhibit 1, ROI Exhibit 6, Phone Log Entry 4; and ROI Exhibit 8, page 2)⁵

On April 9, 2015, Respondent filed a 2015 M1 Report listing a \$5,000 contribution. (ROI Exhibit 5, pages 3 and 4; ROI Exhibit 7)

Mr. Wilkinson's appointment as Respondent's treasurer became effective when the Division received Respondent's May 7, 2015 DS-DE 6. §106.021(2), Fla. Stat.

- 13. However, Mr. Wilkinson was Respondent's treasurer on the due date for Respondent to file its Notification for the 2015 M4 reporting period and was responsible to ensure Respondent's Notification was timely filed, which he failed to do. Mr. Wilkinson told Investigator Wade that he did not timely file Respondent's Notification for the 2014 M4 reporting period because he was an accountant, the 2015 M4 reporting period was during tax season, and he was extremely busy. In his July 28, 2017 affidavit ("Affidavit"), Mr. Wilkinson stated that he took a vacation after tax season and missed filing Respondent's Notification. (ROI Exhibit 1, page 2; ROI Exhibit 6, Phone Log Entry 4; ROI Exhibit 8, page 2; and Attachment D)
- 14. Mr. Wilkinson was not sure why he filed Respondent's Notification for the 2015 M11 reporting period late. He speculated that maybe he was on vacation. (ROI Exhibit 6, Phone Log Entry 4 and ROI Exhibit 8, page 2)
- 15. In his Affidavit, Respondent's treasurer also stated he did not print or read Chapter 106, Florida Statutes, however, he printed and read the Political Committee Handbook, and he printed the Calendar of Reporting Dates. (ROI Exhibit 8, page 1)
- 16. "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).
- 17. The above facts show Respondent is a political committee that registered with the Division on November 10, 2014. Respondent failed to timely file its Notification for the 2015 M1 reporting period. Respondent's current treasurer who was appointed on May 7, 2015, gave several reasons why he did not timely file Respondent's Notification for the 2015 M1 reporting period. However, Mr. Wilkinson was not Respondent's treasurer on the due date for filing Respondent's 2015 M1 Notification and he was not responsible for timely filing the Notification. Nonetheless, Respondent was required to timely file a Notification for the 2015 M1 reporting period, which it failed to do.
- 18. The above facts also show Mr. Wilkinson was appointed as Respondent's treasurer on May 7, 2015, and was responsible for filing Respondent's Notification for the 2014 M4 reporting period, which he failed to do. Mr. Wilkinson told Investigator Wade that he was an accountant, was very busy during the 2015 M4 reporting period, and was on vacation when Respondent's Notification for the 2015 M4 reporting period was due. Additionally, Mr. Wilkinson did not remember why he failed to timely file Respondent's Notification for the 2015 M11 reporting period and speculated that he may have been on vacation.

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

Count 1:

On or about February 10, 2015, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before February 10, 2015, that Respondent would not be filing its 2015 M1 Report on the prescribed due date.

Count 2:

On or about May 11, 2015, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before May 11, 2015, that Respondent would not be filing its 2015 M4 Report on the prescribed due date.

Count 3:

On or about December 10, 2015, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before December 10, 2015, that Respondent would not be filing its 2015 M11 Report on the prescribed due date.

Respectfully submitted on September 9, 2017.

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Eric M. Lipman General Counsel

I have reviewed this Staff Recommendation on the Way of September 2017.

Amy McKeever Toman

Executive Director

STATEMENT OF ORGANIZATION OF POLITICAL COMMITTEE

(PLEASE TYPE)

OFFICE USE ONLY RECEIVED STATE DEPARTMENT OF STATE

2014 NOV 10 PM 4: 08

DIVISION OF ELECTIONS TALLAHASSEE, FL

1. Full Name of Committee

SBMC PAC

Telephone

904-419-3205

Mailing Address (include city, state and zip code)

8833 Perimeter Park Blvd., Suite 1104, Jacksonville, FL 32216

Street Address (include city, state and zip code)

8833 Perimeter Park Blvd., Suite 1104, Jacksonville, FL 32216

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

Name of Affiliated or Connected Organization	Mailing Address	Relationship
Southside Business Men's Club	8833 Perimeter Park Blvd., Suite 1104, Jacksonville, FL 32216	Affiliated civic organization.

3. Area, Scope and Jurisdiction of the Committee

Support candidates, statewide and legislative, that value the importance of small business to the community.

4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.) Sustainable growth for the business community.

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

Full Name	Mailing Address	Committee Title or Position	
Dee Kirby	8833 Perimeter Park Blvd., Suite 1104, Jacksonville, FL 32216	Treasurer	

DS-DE 5 (Rev. 06/11) - Rule 1S-2.017

(continued on reverse side)

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, If Any (include chairman's name)				
Full Name Mailing Addr		ess Committee Title or Posi		Title or Position
Annie Howe 9802 Old Baymeadows I Jacksonville, FL 32256		Road,	Chair	
	Office Sought and Party Affilia (if none, please indicate)	ation Each Candidat	te or Other Indiv	idual that this
Full Name	Mailing Address	Office	Sought	Party
To be determined.				
8. List Any Issues this Com	mittee is Supporting: N/A			
List Any Issues this Com				
9. If this Committee is Supp N/A	orting the Entire Ticket of a	Party, Give Name of	Party	
	on, What Disposition will be vill be returned to (ita amount.
11. List all Banks, Safety De	posit Boxes, or Other Depos	itories Used for Co	mmittee Funds	
Name of Bank or Depos	itory & Account Number		Mailing Address)
First Atlantic Bank		1325 Hendricks Ave Jacksonville, Fl 32207		
12. List all Reports Require and Positions of Such C	d to be Filed by this Commit Officials, If Any	tee with Federal Offi	icials and the Na	ımes, Addresses
Report Title	Dates Required to be Filed	Name & Position of	Official I	Mailing Address
N/A				
STATE OF Florida	Duval	COUNTY		
Annie Howe . certify that the information in this Statement of				
x llll	Organization is complete, frue and correct. 10/22/2014 Signature of Chairman of Political Committee Date			

DS-DE 5 (Rev. 06/11) - Rule 1S-2.017

page 2

APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN **DEPOSITORY FOR POLITICAL COMMITTEES**

(Sections 106.011(1) and 106.021(1), F.S.)

DEPARTMENT OF STATE

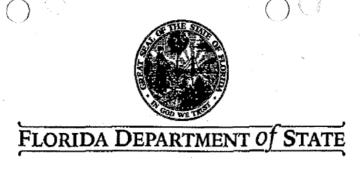
2015 APR 30 PH 3: 57

DIVISION OF ELECTIONS TAL ... AHASSEE, FL

CHECK APPROPRIATE BOX:		INCO	MPLE	OFFICE USE ONLY
Original Appointment of Treasurer	Reappoin	tment of Treasurer		Deputy Treasurer
1. Committee or Organization			2. Telephone	
SBMC PAC			(904) 419-3	205
Name of Treasurer or Deputy Treasurer 4.	Email (optional)		5. Telephone (o	ptional)
Mark Wilkinson mark	@wilkcpa.c	om	(904) 419-3	205
6. Mailing Address 8833 Perimeter Park Blvd.	, Suite 1	104, Jacks	sonville, F	L 32216
7. Street Address 8833 Perimeter Park Blv	d., Suit	e 1104, Ja	acksonvi	le, FL 32216
8. The following bank has been designated as the	X Prin	nary Depository	Seconda	ry Depository
9. Name of Bank		10. Street Address		
First Atlantic Bank		1325 Her	ndricks A	ve
11. City	······································	12. State		13. Zip Code
Jacksonville		FI		32207
14. Signature of Chairman		15. Name of Chair Tim Howe		e)
Campaign Trea	surer's Ac	ceptance of A	ppointment	
Mark Wilkinson			, do hereb	y accept the appointment as
(Please Print of treasurer for SBMC)	PAC			
UNDER PENALTIES OF PERJURY, I DECL ACCEPTANCE OF APPO	ARE THAT I H	Committee or Organiz AVE SEAD THE FO THAT THE PACTS	REGOING CAME	PAIGN TREASURER'S
1/7/2015	X	Mazi		
Date		Signature of Camp	aign Treasurer or	Deputy Treasurer

DS-DE 6 (Rev. 7/10)

Signature of Campaign Treasurer or Deputy Treasurer
ATTACHMENT B



Governor

KEN DETZNER
Secretary of State

May 8, 2015

Mark Wilkinson, Treasurer SBMC PAC (64415) 8833 Perimeter Park Boulevard, Suite 1104 Jacksonville, Florida 32216

Dear Mr. Wilkinson:

Your appointment as treasurer for SBMC PAC was filed in this office on May 7, 2015. Enclosed is a security envelope containing your confidential pin number to access the Division's Electronic Filing System (EFS) for submitting campaign treasurer's reports.

All of the Division's publications and forms are available on the Division of Elections' website at http://elections.myflorida.com. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapter 106, Florida Statutes, *Political Committee Handbook*, Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code.

If you have questions concerning your campaign account or the EFS, you may call (850) 245-6280.

Sincerely,

Kristi Reid Bronson, Chief Bureau of Election Records

KRB/zjs

Enclosures

pc: Tim Howe, Chairperson

ATTACHMENT (





2015 Calendar of Reporting Dates

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

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

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

FLORIDA ELECTIONS COMMISSION

Report of Investigation for Failure to Notify Filing Officer

Case Number: FEC 16-011 Section 106.07(7), Florida Statutes, failure of a political committee that did not receive any

contributions or make any expenditures during a reporting period to notify timely the filing officer, in

writing, that no report is being filed

Respondent: SBMC PAC

Complainant: Division of Elections

Respondent Type:

☐ Candidate

Political Committee

I. Preliminary Information:

- 1. An appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 6) was filed on November 10, 2014, appointing Dee Kirby as treasurer. On May 7, 2015, Respondent filed an amended DS-DE 6, appointing Mark Wilkinson as the new treasurer. (Ex. 1)
- 2. An acknowledgement letter was mailed to the address provided on Respondent's DS-DE 6 on November 14, 2014 advising Respondent that all of the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the Political Committee Handbook, and the Calendar of Reporting Dates. (Ex. 2)
- 3. The acknowledgement letter also states, "An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports" and provides the telephone number for the Division's EFS Help Desk.
- 4. The Political Committee Handbook, discusses filing a waiver when there is no activity to disclose on page 18. (Ex. 3)
- 5. Pages 12, 13, 45, and 46 of the Political Committee EFS User's Guide discuss how to notify the Division on the prescribed reporting date that no report will be filed using the EFS. Specifically, page 13 instructs the user to click the box next to "waiver" if there is no activity to disclose. (Ex. 4)
- 6. In a telephone interview on April 2, 2014, Kristi R. Willis clarified that once the waiver box is chosen and a new report is opened as shown on page 12, the only available option on the report summary screen will be "Go To File Report" as shown on page 13. Choosing "Go To File Report" will take the user directly to the screens where the chairman/treasurer PINS are entered as shown on pages 45 and 46.

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

7. Respondent's filing history reflects the untimely filed notifications summarized below. (Ex. 5)

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2015 M1	01/01/15 - 01/31/15	02/10/15	02/20/15	See paragraph 8
2015 M4	04/01/15 - 04/30/15 🔻	05/11/15	05/22/15	
2015 M11	11/01/15 – 11/30/15	12/10/15	12/16/15	. 6

- 8. Although Respondent's treasurer, Mark Wilkinson, filed a notice-of-no-activity on February 20, 2015, he later filed a report disclosing that the committee received a contribution during the 2015 M1 reporting period. (According to the Queued Transaction Report, the 2015 M1 Report was filed on April 9. 2015.) During a telephone interview on August 3, 2017, Mr. Wilkerson explained that he initially thought the contribution was received and reported in December but he later discovered that the contribution was received in January. He stated that he tried to "amend the report [notification-of-no-activity]" but it took him several tries to figure out the electric filing system. To review the phone log, refer to Exhibit 6. To review the Queued Transaction Report, refer to Exhibit 7.
- 9. Respondent's chairman, Tim Howe, did not provide a written response to the referral; however, I interviewed him by telephone on July 28, 2017. He acknowledged that he was chairman from 2015 -2016 but added that he is not involved with the organization at this time. He stated that during his tenure he did not complete any of the campaign reports. He stated that he did not review or approve the campaign reports. He stated that the treasurer, Mark Wilkinson, handled everything. (Ex. 6)
- 10. During a telephone interview, Mr. Wilkinson acknowledged that he is responsible for filing the campaign reports and notifications-of-no-reports. He stated that he became treasurer in January of 2015. He stated that because the officers were transitioning, the notification-of-no-activity was filed late. He stated that he wasn't sure why the notifications for the 2015 M4 and M11 reporting periods were late. He offered that April is tax season and he stated that he is an accountant, so that's his busiest time. He speculated that he was probably on vacation in November. He stated that as a corrective measure he adds the due dates of reports to his personal calendar. (Ex. 6)

III. FEC History:

11. Respondent has not had any prior cases before the Commission.

Conclusion:

12. Mr. Wilkinson completed and returned the Affidavit of Background Information. In the affidavit, he stated that he received the acknowledgement letter from the Division of Election but he did not print Chapter 106, Florida Statutes, but he stated that he printed and read the *Political Committee Handbook*. (Ex. 8)

SIGNATURE OF INVESTIGATOR: Mayer B. Hagle Date: 8/3/17

FLORIDA ELECTIONS COMMISSION REPORT OF INVESTIGATION

SBMC PAC -- FEC 16-011

LIST OF EXHIBITS				
Exhibits #s Description of Exhibits				
Exhibit 1	DS-DE 6			
Exhibit 2	Acknowledgement Letter			
Exhibit 3	Exhibit 3 Relevant Pages of the Handbook			
Exhibit 4	Exhibit 4 Relevant Pages of the EFS Guide			
Exhibit 5	Filing History			
Exhibit 6	Phone Log			
Exhibit 7	Exhibit 7 Queued Transaction Report			
Exhibit 8	Exhibit 8 Affidavit of Background Information			



APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR POLITICAL COMMITTEES

(Sections 106.011(1) and 106.021(1), F.S.)

DS-DE 6 (Rev. 7/10)

RECEIVED DEPARTMENT OF STATE

2014 NOV 10 PM 4: 08

DIVISION OF ELECTIONS TAIL LAHASSEE, FL

CHECK APPROPRIATE BOX:			OFFICE USE ONLY
Original Appointment of Treasurer Reappointment	tment of Treasurer		Deputy Treasurer
1. Committee or Organization		2 Telephone	
SBMC PAC		(904) 419-3	205
Name of Treasurer or Deputy Treasurer 4 Email (optional)		5. Telephone (or	ptional)
Dee Kirby dee@wilkcpa.com		(904) 419-3	205
6 Mailing Address 8833 Perimeter Park Blvd., Suite 1	104, Jacks	sonville, F	L 32216
7. Street Address 8833 Perimeter Park Blvd., Suit	e 1104, Ja	acksonvil	lle, FL 32216
8. The following bank has been designated as the Prin	nary Depository	Secondar	ry Depository
9. Name of Bank	10 Street Address		
First Atlantic Bank	1325 Hendricks Ave		
11. City	12. State		13. Zip Code
Jacksonville /	FI		32207
14 Signature of Chairman	15. Name of Chair Annie Hov		e)
Campaign Treasurer's Ac	ceptance of A	ppointment	
ı. Dee Kirby		do hereb	y accept the appointment as
(Please Print or Type)			
treasurer or deputy treasurer for SBMC PAC	(Committee or Organiz	ation)	
UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAD ACCEPTANCE OF APPOINTMENT AND	AVE READ THE FO	REGOING CAMP	
10/22/2014 x	El kin	1	
Date	Signature of Campa	ign Treasurer or	Deputy Treasurer

EXHIBIT 1 pase 1 \$2

APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR POLITICAL COMMITTEES

(Sections 106.011(1) and 106.021(1), F.S.)

DEPARTMENT OF STATE

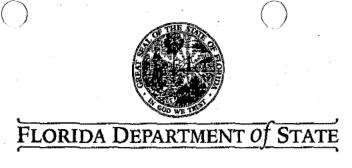
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DIVISION OF ELECTIONS
TAL AHASSEE, FL

			OFFICE MOS ON Y
CHECK APPROPRIATE BOX: Original Appointment of Treasurer Real	ppointment of Treasurer		Deputy Treasurer
Committee or Organization		2. Telephone	
SBMC PAC		(904) 419-3	3205
Name of Treasurer or Deputy Treasurer		5. Telephone (c	optional)
Mark Wilkinson mark@wilkcpa.com		(904) 419-3	3205
6. Mailing Address 8833 Perimeter Park Blvd., Suite	e 1104, Jack	sonville, I	FL 32216
7. Street Address 8833 Perimeter Park Blvd., S	uite 1104, J	acksonvi	lle, FL 32216
8. The following bank has been designated as the	Primary Depository	Seconda	ry Depository
9. Name of Bank	10. Street Address		
First Atlantic Bank	1325 He	1325 Hendricks Ave	
11. City	12. State)	13. Zip Code
Jacksonville	FI		32207
14. Signature of Chairman	15. Name of Chai	15. Name of Chairman (Print or Type)	
X /	Tim How	Э	-
Campaign Treasurer's Mark Wilkinson	Acceptance of A		by accept the appointment as
(Please Print or Type) treasurer or deputy treasurer for SBMC PAC			
treasurer or deputy treasurer for SBMC PAC	(Committee or Organia	zation)	
UNDER PENALTIES OF PERJURY, I DECLARE THAT ACCEPTANCE OF APPOINTMENT	I HAVE READ THE FO	REGOING CAMP	'AIGN TREASURER'S RUE
1/7/2015 X	MD/	1/2	~
Date	Signature of Camp	agn Freasurer or	Deputy Treasurer

DS-DE 6 (Rev. 7/10)

EXHIBIT 1 page 2 of 2



RICK SCOTT Governor

KEN DETZNER Secretary of State

November 14, 2014

Annie Howe, Chairperson SBMC PAC 9802 Old Baymeadows Road Jacksonville, Florida 32256

Dear Ms. Howe:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for SBMC PAC, which were placed on file in our office on November 10, 2014. This information appears to comply with the requirements of Section 106.03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on December 10, 2014. The report will cover the period of November 1-30, 2014 (M11). All political committees that file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

Credentials and Sign-ons

Below is the web address to access the EFS and the committee's user identification number. The enclosed sealed envelope contains the committee's initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential signon. The chairperson, campaign treasurer, and deputy treasurers are responsible for protecting this password from disclosure and are responsible for all filings using these credentials, unless the Division is notified that your credentials have been compromised.

EFS Website Address: https://efs.dos.state.fl.us

Identification Number: 64415





Annie Howe, Chairperson November 14, 2014 Page Two

Pin Numbers

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

Each political committee chairperson is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that the password is forgotten or lost. When you enter the campaign account screen, there will be a drop down box where you pick a question (such as What is your mother's maiden name?) and supply an answer. All passwords and answers to questions are stored as encrypted data and cannot be viewed by Division staff and given out over the phone. Please notify the Division if your credentials have been compromised.

Timely Filing

All reports must be completed and filed through the EFS no later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight, Eastern Standard Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any political committee failing to file a report on the designated due date is subject to a fine of \$50 per day for the first 3 days and, thereafter, \$500 per day for each day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Electronic Receipts

The person submitting the report on the EFS will be issued an electronic receipt indicating and verifying the report was filed. Each campaign treasurer's report filed by means of the EFS is considered to be under oath by the chairperson and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

Annie Howe, Chairperson November 14, 2014 Page Three

Instructions and Assistance

An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports. The Division of Elections will also provide assistance to all users by contacting the EFS Help Desk at (850) 245-6280.

All of the Division's publications and reporting forms are available on the Division of Elections' website at http://elections.myflorida.com. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapter 106, Florida Statutes, 2014 Political Committee Handbook, 2014 Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,

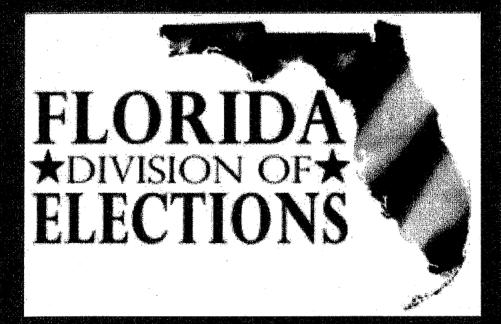
Kristi Reid Bronson, Chief Bureau of Election Records

KRB/ljr

Enclosures

pc: Dee Kirby, Treasurer

Political Committee Handbook



June 2014
Florida Department of State
Division of Elections
R. A. Gray Building,
Room 316
500 South Bronough Street
Tallahassee, FL 32399-0250
(850) 245-6240
http://elections.myflorida.com

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Waiver of Report

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

(Section 106.07, F.S.)

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

(Section 106.0705, F.S.)

Special Election Reports

When a special election is called to fill a vacancy in office, all political committees making contributions or expenditures to influence the results of the special election shall file campaign treasurers' reports with the filing officer on the dates set by the Department of State pursuant to Section 100.111, F.S.

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

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

(Section 106.07(1), F.S.)

Incomplete Reports

Note: The Division's Electronic Filing System will allow a committee to file an incomplete report, however, filing a report that is incomplete means filing a report that is not in compliance with the Florida Statutes.

If a campaign treasurer files a report that is deemed incomplete, he or she will be notified by the filing officer by certified mail, or by another method using a common carrier that provides a proof of delivery as to why the report is incomplete. The campaign treasurer must file an addendum to the incomplete report within seven days of notification. The addendum must include all necessary information to complete the report. Failure to file a complete report after notice constitutes a violation of Chapter 106, F.S.

(Section 106.07(2), F.S.)

Reporting Total Sums

Each campaign treasurer's report required by Chapter 106, F.S., shall contain the total sums of all loans, in-kind contributions, and other receipts, and total sums of all expenditures made during the reporting period. The reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

(Section 106.07, F.S.)

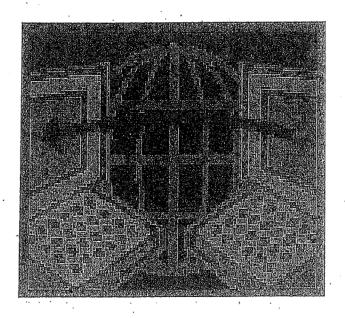
Reporting Contributions

Each report must contain:

- 1. Full name, address, specific occupation, amount, and date of each person making a contribution. Reports must provide as clear a description as practicable of the principal type of business conducted for corporations contributing. Occupations or principal type of business are not required if the contribution is \$100 or less.
- 2. Name, address, amount, and date of each political committee or organization making any transfer of funds.

Department of State Division of Elections

Political Committee EFS User's Guide



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

EFS HELP LINE: 850-245-6280

January 2011

Rule 1S-2.017, F.A.C.

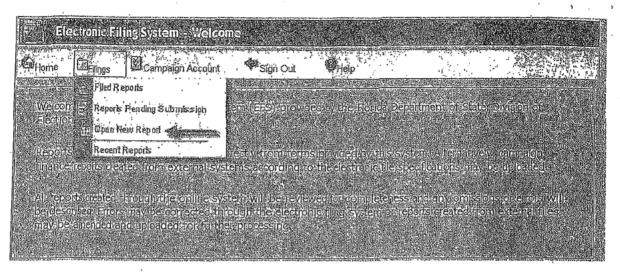
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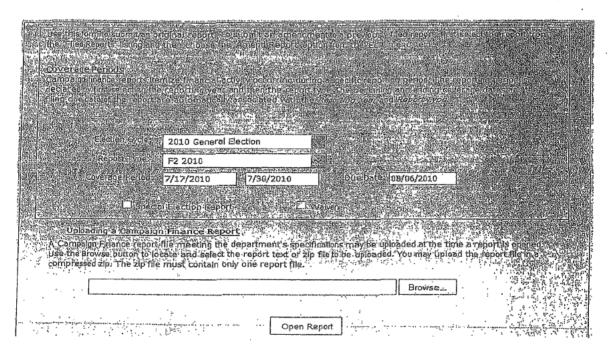
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Create a New Report by Data Entry

From the Welcome screen, click and then and then





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

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

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

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

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

*****NOTE****

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

NAME OF THE PARTY	Hanest print a till work of the time	CONTRACTOR THE PROPERTY OF THE PARTY OF THE	
Endion Cycle:	2010 General Election	1871	Here's Indiana and Arthur
	Service of the contract of the Contract	economic de la company	
THE REPORT TYPE	校 2010 .		Control Programme
Coverage Perlant	7/17/2010 7/30/20	10 Due Due Due	成是《08/06/2010
		Training the second street	
	相對時間 电影用数据时间 化多层原金管		SECTION FOR THE SECTION OF
建设加强市企工编书,基本通知证证	austra (1944), all and 1944 are recovered and all and 1947		

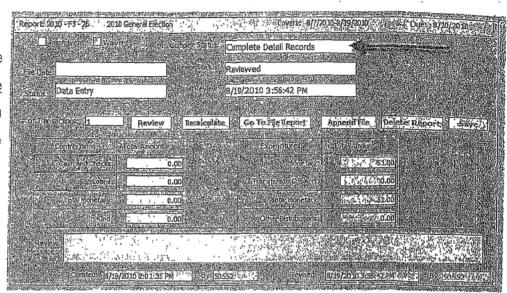
Click at the bottom of the screen. A Report Detail screen (view only) will appear. This screen will not indicate any activity until individual detail data is entered, saved and a review is performed.

Report; 2010 - G4-27 2010 General Election	ion	Covers: 10/16/2010-10/26/2010	Due: 10/29/2010
	Conorete Status : Incomplete D	stail Records	
(Sicile Dates	Reviewestants Not Reviewed		
Status: Data Entry	i ast leven		
#ofTransactions: 0 Review	Recalculate Go To fil	Report Append File	Delete Réport Saire
		nditúres Total Amount	
Contributions Total Amount	EXPE	SECTION AND AND AND AND AND AND AND AND AND AN	
Cashrand Checks:	0.00	Monetary: C	0.00
soans	0.00 Transfe	rs to Off Accti	0.00
Total Monetary:	0.00	otal Monetary: C	1.00
In-Kind:	0.00 Othe	10 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	.00
		54 5 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1	2 1 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2
Review Messages			2 1.7 2 1.2 4.2
	•		
Created: 10/26/2010 11:41:2	25 AM By: 50552	Revised: 10/26/2010 11:41:	

File the Report

If the Review Status is <u>Updated Detail - Needs Review</u> the report has not been reviewed since the last update. (See page 39 for instructions on how to submit the report to the system for review.)

If the status of the report is <u>Complete</u> <u>Detail Records</u>, you are ready to file the report.



Click on Go to File Report

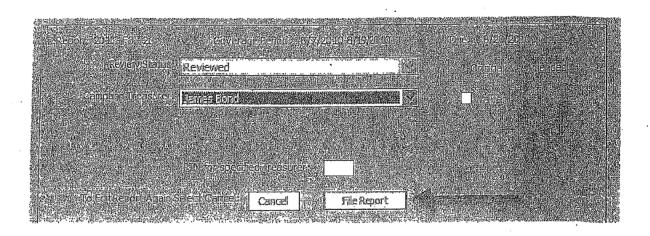
The chairperson enters his or her PIN, and then selects

Report Approved

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



The treasurer enters his PIN and then clicks



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

EXHIBIT 4 pass le 1 le



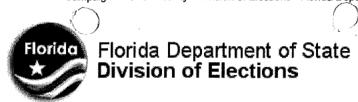
search | directory | contact us | 411 | subscribe | tour | help

Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup	Committ	ee Na	me: SBMC	PAC		,			
Name:		Acco	unt: 64415						
Election:	Date Due	Туре	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
	7/10/2017	М6	7/6/2017			71000000			· aid
Acct: 64415 .	6/12/2017	M5	6/5/2017						
Type: Committee	5/10/2017	M4	5/8/2017						
A construction of the cons	4/10/2017	МЗ	4/7/2017						
Search Reset	3/11/2017		3/7/2017						
	2/10/2017		2/5/2017						
	1/10/2017	M12	1/4/2017						
	12/12/2016	M11	12/7/2016						
	11/4/2016	D6	11/3/2016						
	11/4/2016	G7	11/4/2016						
	11/2/2016	D5	11/2/2016						
	11/1/2016	D4	11/1/2016						
	10/31/2016	D3	10/31/2016						
	10/30/2016	D2	10/30/2016						
	10/29/2016	D1	10/30/2016	CLO	1	\$0.00)	\$0.00	\$0.00
	10/28/2016	G6	10/25/2016						
	10/21/2016	G5	10/18/2016						
	. 10/14/2016	G4	10/12/2016						
1	10/7/2016	G3	10/5/2016						
	9/30/2016	G2A	9/28/2016						
	9/23/2016	G2	9/21/2016						
	9/16/2016	G1A	9/14/2016						
	9/9/2016	G1	9/7/2016						
	9/2/2016	P7A	8/31/2016						
	8/26/2016	P7	8/26/2016						
	8/19/2016	P6	8/17/2016						
•	8/12/2016	P5	8/10/2016						
	8/5/2016	P4	8/3/2016						
	7/29/2016	P3	7/27/2016						
	7/22/2016	P2A	7/20/2016						
	7/15/2016	P2	7/12/2016						
	7/8/2016	P1A	7/7/2016						
	7/1/2016	P1	7/7/2016	FEC	6	\$0.00)	\$0.00	\$0.00
	6/10/2016	М5	6/6/2016						
•	5/10/2016	M4	5/3/2016						
	4/11/2016		4/6/2016						
	3/10/2016	M2	3/6/2016						
	2/10/2016	M1	2/4/2016						
	1/11/2016								
			12/16/2015	FEC	6	\$0.00)	\$0.00	\$0.00
	11/10/2015								
	10/13/2015	М9	10/7/2015						
•	9/10/2015		9/8/2015						
	8/10/2015		8/7/2015						
	7/10/2015	M6	7/7/2015						
	EVLIDIT	-	Ľ .	. 0	41				*

6/10/2015	M5	6/8/2015					
5/11/2015	M4	5/22/2015	FEC	11	\$0.00	\$0.00	\$0.00
4/10/2015	МЗ	4/9/2015					
3/10/2015	M2	3/1/2015					
2/10/2015	M1	2/20/2015	FEC	10	\$0.00	\$0.00	\$0.00
1/12/2015	M12	1/7/2015					
12/10/2014	M11	12/8/2014					



SBMC PAC

Campaign Finance Activity

Note: The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections. About the Campaign Finance Data Base. If all contributions for a reporting period are less than 1 dollar Then they may not be displayed.

Contributions

M1

MH

P? [[

	1		Contributions					
		Filing Period	Monetary	Loans	InKind	Expend	Other	Transfers
	0	11/01/2014 - 11/30/2014	0.00	0.00	0.00	0.00	0.00	0.00
	()	12/01/2014 - 12/31/2014	5,000.00	0.00	0.00	0.00	0.00	0.00
	(0)	01/01/2015 - 01/31/2015	5,000.00	0.00	0.00	0.00	0.00	0.00
	0	02/01/2015 - 02/28/2015	0.00	0.00	0.00	1,000.00	0.00	0.00
-	(4)	03/01/2015 - 03/31/2015	0.00	0.00	0.00	2,500.00	0.00	0.00
-	W	04/01/2015 - 04/30/2015	0.00	0.00	0.00	0.00	0.00	0.00
	0	05/01/2015 - 05/31/2015	0.00	0.00	0.00	5,000.00	0.00	0.00
	W	06/01/2015 - 06/30/2015	0.00	0.00	0.00	0.00	0.00	0.00
	W	07/01/2015 - 07/31/2015	0.00	0.00	0.00	0.00	0.00	. 0.00
	W	08/01/2015 - 08/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
-	W	09/01/2015 - 09/30/2015	0.00	0.00	0.00	0.00	0.00	0.00
	W	10/01/2015 - 10/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
	W	11/01/2015 - 11/30/2015	0.00	0.00	0.00	0.00	0.00	0.00
	()	12/01/2015 - 12/31/2015	0.00	0.00	0.00	10.00	0.00	0.00
	W	01/01/2016 - 01/31/2016	0.00	0.00	0.00	0.00	0.00	0.00
	W	02/01/2016 - 02/29/2016	0.00	0.00	0.00	0.00	0.00	0.00
	W	03/01/2016 - 03/31/2016	0.00	0.00	0.00	0.00	0.00	0.00
	W	04/01/2016 - 04/30/2016	0.00	0.00	0.00	0.00	0.00	0.00
	W	05/01/2016 - 05/31/2016	0.00	0.00	0.00	0.00	0.00	0.00
	W	06/01/2016 - 06/24/2016	0.00	0.00	0.00	0.00	0.00	0.00
	W	06/25/2016 - 07/01/2016	0.00	0.00	0.00	0.00	0.00	0.00
	W	07/02/2016 - 07/08/2016	0.00	0.00	0.00	0.00	0.00	0.00
	W	07/09/2016 - 07/15/2016	0.00	0.00	0.00	0.00	0.00	0.00
	W	07/16/2016 - 07/22/2016	0.00	0.00	0.00	0.00	0.00	0.00
	W	07/23/2016 - 07/29/2016	0.00	0.00	0.00	0.00	0.00	0.00
	W	07/30/2016 - 08/05/2016	0.00	0.00	0.00	0.00	0.00	0.00
li	1	1		1.1.1	- 40	- 5 //		



Campaign Contributions

SBMC PAC

About the Campaign Finance Data Base

Rpt Yr Rpt Type Date	Amount Contributor Name	Address	City State Zip	0
2015 M1 01/07/2015	5,000.00 SOUTHSIDE BUSINESSMEN;S CLUB	PO BOX 5053	JACKSONVILLE, FL 32247	c
	5,000.00	•		
1 Contribution(s) Selected				
	Out of the O	annual on Cilonnas Data Dana		

[Department of State] [Division of Elections] [Candidates and Races] [Campaign Finance Information]

Exhibit -5, page 4 of 4

FLORIDA ELECTIONS COMMISSION PHONE LOG

Case No.: FEC 16-011

Respondent: SBMC PAC

Complainant: Division of Elections

1. **Date and time:** July 19, 2017 @ 10:11 a.m.

Name: Tim Howe, chair Phone #: 904-419-3205

Summary: I called Respondent's chair regarding the allegations in this case. He did not

answer; I left a message on the voice mail.

Memo to File? No Entered by: MBW

2. **Date and time:** July 28, 2017 @ 8:46 a.m.

Name: Tim Howe **Phone** #: 904-387-4041

Summary: Mr. Howe called me. He stated that he received the correspondence from our office. He stated that the phone number on the documents is the phone number to the club. He stated that no one monitors that; it's just an answering machine. I explained the issues in the referral. He stated that he is no longer involved in the organization. He stated that he was president of the Club in 2015 – 2016; therefore, he was also chairman of the PAC. He stated that he was not actively engaged in the PAC. I asked him to describe his duties. He stated that he approved the checks before they were issued but he was not involved in the filing of the reports that were sent to Tallahassee; he stated he did not fill out the report nor did he review or approve it. He stated that "Mark" (Mark Wilkerson, treasurer) did that. He stated that the PAC was formed to make contributions to various candidates but he's not certain if the PAC is still active. He stated that he would not feel comfortable completing the affidavit because he is not familiar with any of the document addressed on the affidavit. He stated that he would forward the information to Mark (Mr. Wilkinson).

Memo to File? No Entered by: MBW

3. **Date and time:** July 28, 2017 @ 2:22 p.m.

Name: Mark Wilkinson, treasurer

Phone #: 904-470-4010

Summary: Mr. Wilkinson called me at 1:25 p.m. and left a message on my voice mail. He explained that he was Respondent's treasurer. He stated that there was a change in the treasurers in 2015, which caused a mix-up regarding when the reports were due. He did not comment on why the 2016 P1. I called him back; he did not answer. I left a message on his voice mail.

Memo to File? No Entered by: MBW

4. **Date and time:** July 28, 2017 @ 2:50 p.m.

Name: Mark Wilkinson

Phone #: 904-470-4010

Summary: Mr. Wilkinson returned my call. I explained that the referrals from the Division involved the 2015 M1, M4 and M11 as well as the 2016 P1. I asked why the notifications were filed late.

He stated, "If I remember correctly, I took over from the previous treasurer in January (M1) so the Committee was transitioning. Therefore, it took a little while for me to figure things out. The M4 happened in April, which is tax season, I'm accountant so I was just extremely busy. I'm not sure what happened in November, maybe I was on vacation. The P1 was when the reports switched to weekly and I didn't realize it." He added that he has downloaded the reporting dates from the DOE website and imported the dates onto his calendar so now he gets a reminder when the reports are due. He stated that this method seems to be working.

Mr. Wilkinson asked that all future correspondence be sent to him and not Mr. Howe.

Memo to File? No Entered by: MBW

5. **Date and time:** August 1, 2017 @ 8:32 a.m.

Name: Mark Wilkinson, treasurer

Phone #: 904-470-4010

Summary: I called Mr. Wilkinson regarding the Affidavit of Background. He did not

answer; I left a message on his voice mail.

Memo to File? No Entered by: MBW

6. **Date and time:** August 1, 2017 @ 8:41 a.m.

Name: Mark Wilkinson Phone #: 904-470-4010

Summary: Mr. Wilkinson returned my call. I informed him that Mr. Howe's name appeared at the top of the affidavit but he signed it. I asked him to mark through Mr. Howe's name and write his name since he was the affiant. He agreed.

Memo to File? No Entered by: MBW

7. **Date and time:** August 3, 2017 @ 2:39 p.m.

Name: Mark Wilkinson Phone #: 904-470-4010

Summary: I called Mr. Wilkinson to clarify whether he filed a waiver or a report during the 2015 M1 reporting period. Mr. Wilkinson stated that 2015 is long ago but to the best that he can recall is that he was having a tough time trying to figure out what he was supposed to be doing as treasurer. He reiterated that to the best of his knowledge, he initially thought the contribution from the Club was received in December but he later realized that the contribution was made in January, then when he tried to "amend the report" but it took him a couple of tries before he figured out the electronic filing system.

Memo to File? No Entered by: MBW

EXHIBIT 6 page 2 g.3

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

Queued Items for 2015-M1

Account: 64415

SBMC PAC

Rpt Seq: 4

ProcessDescription	Status	Submitter	Created	LastUpdate
Create Pending Report	Processing Complete	64415	2/20/2015 6:05:29 AM	2/20/2015 6:05:29 AM
File Pending Report	Processing Complete	64415	2/20/2015 6:06:04 AM	2/20/2015 6:06:06 AM
Review Filed Report	Processing Complete	64415	3/1/2015 4:06:31 PM	3/1/2015 4:06:31 PM
Amend Filed Report	Processing Complete	64415	3/14/2015 2:05:41 PM	3/14/2015 2:05:41 PM
Recalc Pending Report Total	Processing Complete	64415	3/14/2015 2:06:49 PM	3/14/2015 2:06:49 PM
Recalc Pending Report Total	Processing Complete	64415	3/14/2015 2:11:25 PM	3/14/2015 2:11:25 PM
Review Pending Report	Processing Complete	64415	3/14/2015 2:12:11 PM	3/14/2015 2:12:11 PM
Recalc Pending Report Total	Processing Complete	64415	3/14/2015 2:24:27 PM	3/14/2015 2:24:27 PM
Review Pending Report	Processing Complete	64415	3/14/2015 2:24:44 PM	3/14/2015 2:24:44 PM
File Pending Report	Processing Complete	64415	4/9/2015 8:41:49 PM	4/9/2015 8:41:49 PM
Amend Filed Report	Processing Complete	644,15	4/20/2015 2:27:13 PM	4/20/2015 2:27:13 PM
Review Pending Report	Processing Complete	64415	4/20/2015 2:30:32 PM	4/20/2015 2:30:32 PM
File Pending Report	Processing Complete	64415	4/20/2015 2:32:25 PM	4/20/2015 2:32:25 PM

	the first distance in the man at present in present of the first of th
STATE OF FLORIDA County of Duval Mark Wilkinson	
Fint Howe, being duly sworn, says: 1. This affidavit is made upon my p	rersonal knowledge.
	it to testify to the matters stated herein. I am currently
employed by SBMC PAC	as Treasurer
(EFS) PIN and password, and instructing	gement letter containing your Electronic Filing System gyou to print Chapter 106, Florida Statutes, the <i>Political</i> ar of Reporting Dates from the Division of Elections'
⊠ Yes □ No	
4. Did you print Chapter 106, Flori letter?	de Statutes, per the instructions in the acknowledgement
☐ Yes 🖾 No	
5. Did you read Chapter 106, Flori letter?	da Statutes, per the instructions in the acknowledgement.
☐ Yes 🖾 No	
6. Did you print the <i>Political</i> acknowledgement letter?	Committee Handbook, per the instructions in the
🗴 Yes 🔲 No	
7. Did you read the <i>Political</i> acknowledgement letter?	Committee Handbook, per the instructions in the
X Yes □ No	
8, Did you print the Calendar acknowledgement letter?	of Reporting Dates, per the instructions in the
X Yes No	
9. Did you read and/or print the EF	S.User's Guide?
	in the first indicate in the second of the first in the second of the se

Aff of R Failure to Northy (03/15)

:	TYes No
	11. If yes, please list the items below with a brief description of the information you received from these documents:
	12. The committee filed several notifications of no report with the filing officer after the deadline. Please explain why the committee was late filing notifications for the following periods.
:	2015 M1 I took over as Treasurer at the beginning of 2015. So I was ju
•.	learning when reports were due.
:	
	April 15th. I took vacation after tax season. I was recovering tax season and missed filing this report. 2015 M11 I will be honest that I am not sure why this report was late.
	2015 P1 The timing of the reports changed and I did not realized this
	happened. It changed from weekly to more often as the election was closer. Since then I am downloading the filing calendar and
٠.	happened. It changed from weekly to more often as the election

I HEREBY SWEAR OR AFFIRM THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO Sworn to (or affirmed) and subscribed before me this 26 Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known

Type of Identification Produced:

Case Investigator: MBW

Aff of R Fallure to Notify (03/15)

· · · · · · · · · · · · · · · · · · ·)RMA]		
STATE OF FLORIDA County of Duval Mark Wilkinson Fint Rows, being duly sworn	i, saysi				
1. This affidavit is made					
2. I am of legal age and employed by SBMC PAC	competent to testi	fy to the matte	rs state easur	dherein.Iar ex	n currently
 Did you receive the a (EFS) PIN and password, and Committee Handbook, and the website? 	instructing you to	print Chapter 1	06, Flor	ida Statutes, t	ne Political
X Yes No					
4. Did you print Chapter letter?	106, Florida Statu	es, per the inst	cuctions	in the acknov	vledgement
☐ Yes ☒ No					
5. Did you read Chapter letter?	106, Florida Statut	es, per the inst	ructions	in the acknow	vledgement
☐ Yes 🏻 No					
6. Did you print the acknowledgement letter?	Political Commit	tee Handbook	, per	the instructio	ons in the
X Yes 🗌 No					
7. Did you read the acknowledgement letter?	Political Commit	tee Handbook	, per	the instructio	ns in the
🗵 Yes 🗌 No					
8. Did you print the acknowledgement letter?	Calendar of Re	porfing Dates,	per	the instruction	ns in the
🗓 Yes 🔲 No					
9. Did you read and/or p	rint the EFS User's	Guide?			
er and a comment of the comment of t	conserve proglammanae anners a con-	i	a, a a abrilgi		
🛚 Yes 🔲 No					

11. If yes, please list the items below with a brief description of the information	
received from these documents:	you
12. The committee filed several notifications of no report with the filing officer after deadline. Please explain why the committee was late filing notifications for the folloperiods.	r the wing
2015 M1	
I took over as Treasurer at the beginning of 2015. So I was learning when reports were due.	jus
tax season and missed filing this report. 2015 M11 I will be honest that I am not sure why this report was late	
2015 PI	
The timing of the reports changed and I did not realized the happened. It changed from weekly to more often as the elect	
was closer. Since then I am downloading the filing calendar	and
sure I have reminders when all reports are due.	and

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

Signature of Affia

Sworn to (or affirmed) and subscribed before me this 26

House of Notery Public - State of Blorida

Print, Type, or Stamp Commissioned Name of Natury Public

Holly McAllister
MY COMMISSION # FF944562
EXPIRES: December 16, 2019

Personally Known

Type of Identification Produced:

Aff of R Fallure to Notify (03/15)

Case Investigator: MBW



FLORIDA ELECTIONS COMMISSION

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

www.fec.state.fl.us; fec@myfloridalegal.com

May 25, 2017

SBMC PAC Attn: Tim Howe, Chair 154 West 5th Street Jacksonville, FL 33206-4422

RE: Case No.: FEC 16-011; Respondent: SBMC PAC

Dear Mr. Howe:

On January 13, 2016, the Florida Elections Commission received a complaint alleging that your committee 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 violation:

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

- 2015 M1
- 2015 M4
- 2015 M11

When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will make a written recommendation (Staff Recommendation or SR) to the Commission as to whether there is probable cause to charge respondent with violating Chapters 104 or 106, Florida Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold one or more hearings to determine whether the alleged violations occurred and, if so, the amount of the fine to be imposed. You and the complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

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

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website (www.fec.state.fl.us). If you have additional questions, please contact Margie Wade, the investigator assigned to this case.

Sincerely,

Amy McKeever Toman

Executive Director

AMT/dam

DIVISION OF ELECTIONS FEC NOTICE FORM

To FEC from Division of Elections

2016 JAN 13 A 9 21

Name:

SBMC PAC

Account Number: 64415

Chairperson:

Tim Howe

Treasurer:

Mark Wilkinson

Registered Agent: Mark Wilkinson

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to Sections 106.07(8)(d), 106.22(7), and 106.25(2), Florida Statutes. An apparent violation of Chapter 106, Florida Statutes, has occurred based upon repeated late filings or failure to file notifications to the filing officer in writing that no report was being filed on the prescribed reporting date under s. 106.07(7).

2015 M1

2015 M4

2015 M11

Sent By:

Kristi Reid Bronson

Date:

December 28, 2015

APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR

POLITICAL COMMITTEES (Sections 106.011(1) and 106.021(1), F.S.)

RECEIVED DEPARTMENT OF STATE

2014 NOV 10 PM 4: 08

DIVISION OF ELECTIONS TALLAHASSEE, FL

CHECK APPROPRIATE BOX:			OFFICE USE ONLY			
Original Appointment of Treasurer Reappointment	ntment of Treasurer		Deputy Treasurer			
1. Committee or Organization		2 Telephone				
SBMC PAC		(904) 419-3	205			
Name of Treasurer or Deputy Treasurer	1)	5. Telephone (o	ptional)			
Dee Kirby dee@wilkcpa.co	om	(904) 419-3	205			
6 Mailing Address 8833 Perimeter Park Blvd., Suite 1104, Jacksonville, FL 32216						
7. Street Address 8833 Perimeter Park Blvd., Suite 1104, Jacksonville, FL 32216						
8. The following bank has been designated as the Pri	mary Depository	Secondar	y Depository			
9. Name of Bank	10 Street Address					
First Atlantic Bank	1325 Her	ndricks Av	ve			
11. City	12. State		13. Zip Code			
Jacksonville /	FI		32207			
14 Signature of Chairman	15. Name of Chair Annie Ho		3)			
Campaign Treasurer's Ag	ceptance of A	ppointment				
, Dee Kirby		, do hereb	y accept the appointment as			
(Please Print or Type) treasurer or deputy treasurer for SBMC PAC						
acadator or acpary treatment for	(Committee or Organiz	ation)				
UNDER PENALTIES OF PERJURY, I DECLARE THAT I H ACCEPTANCE OF APPOINTMENT AND						
10/22/2014 x	Il kn					
Date	Signature of Campa	ign Treasurer or I	Deputy Treasurer			

DEPARTIONERIE OBESONLY REGISTERED AGENT STATEMENT OF APPOINTMENT 2014 NOV 10 PM 4: 08 (Section 106.022, F.S.) DIVISION OF ELECTIONS TAL ...AHASSEE, FL ✓ Original Appointment Change of Appointment Change of Mailing Address Change of Physical Address Registered Agent and Office Information Name Telephone Mark Wilkinson 904-419-3205 Street Address 8833 Perimeter Park Blvd., Suite 1104 City Zip Code State Jacksonville FL 32216 Mailing Address 8833 Perimeter Park Blvd., Suite 1104 Zip Code State 32216 FL Jacksonville I accept this appointment and confirm that I am familiar with and accept the obligations of the position as set forth in Section 106.022, F.S. I also understand that I may resign this appointment by executing a written statement of resignation and filing it with the applicable filing officer. 10/22/2014 Signature of Registered Agent Date Former Registered Agent and Office Information (for changes only) Name Telephone Street Address City Zip Code State Committee or Organization Information Name of Committee or Organization SBMC PAC Street Address Telephone 8833 Perimeter Park Blvd., Suite 1104 904-419-3205 City Zip Code State 32216 Jacksonville FL

10/22/2014

Printed Name of Chairperson

Annie Howe



Governor

KEN DETZNER Secretary of State

November 14, 2014

Annie Howe, Chairperson SBMC PAC 9802 Old Baymeadows Road Jacksonville, Florida 32256

Dear Ms. Howe:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for SBMC PAC, which were placed on file in our office on November 10, 2014. This information appears to comply with the requirements of Section 106.03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **December 10, 2014**. The report will cover the period of November 1-30, 2014 (M11). All political committees that file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

Credentials and Sign-ons

Below is the web address to access the EFS and the committee's user identification number. The enclosed sealed envelope contains the committee's initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential signon. The chairperson, campaign treasurer, and deputy treasurers are responsible for protecting this password from disclosure and are responsible for all filings using these credentials, unless the Division is notified that your credentials have been compromised.

EFS Website Address:

https://efs.dos.state.fl.us

Identification Number:

64415





Annie Howe, Chairperson November 14, 2014 Page Two

Pin Numbers

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

Each political committee chairperson is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that the password is forgotten or lost. When you enter the campaign account screen, there will be a drop down box where you pick a question (such as What is your mother's maiden name?) and supply an answer. All passwords and answers to questions are stored as encrypted data and cannot be viewed by Division staff and given out over the phone. Please notify the Division if your credentials have been compromised.

Timely Filing

All reports must be completed and filed through the EFS no later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight, Eastern Standard Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any political committee failing to file a report on the designated due date is subject to a fine of \$50 per day for the first 3 days and, thereafter, \$500 per day for each day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Electronic Receipts

The person submitting the report on the EFS will be issued an electronic receipt indicating and verifying the report was filed. Each campaign treasurer's report filed by means of the EFS is considered to be under oath by the chairperson and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

Annie Howe, Chairperson November 14, 2014 Page Three

Instructions and Assistance

An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports. The Division of Elections will also provide assistance to all users by contacting the EFS Help Desk at (850) 245-6280.

All of the Division's publications and reporting forms are available on the Division of Elections' website at http://elections.myflorida.com. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapter 106, Florida Statutes, 2014 Political Committee Handbook, 2014 Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,

Kristi Reid Bronson, Chief Bureau of Election Records

KRB/ljr

Enclosures

pc: Dee Kirby, Treasurer



DEPARTMENT OF STATE

2015 APR 30 PM 3: 57

DIVISION OF ELECTIONS
TAL AMASSEE, FL

January 1, 2015

RE: Chairman Change

To Whom it Concerns,

Please accept this letter as certification of the election of Chairman of SBMC PAC for 2015. Pursuant to the By-laws of the organization Tim Howe whose address is 154 W 5th St Jacksonville Fl 32206 will serve as SBMC PAC Chairman for the year 2015.

Sincerely,

Annie Howe, Outgoing Chairman



RICK SCOTT Governor KEN DETZNER Secretary of State

May 1, 2015

Tim Howe, Chairperson SBMC PAC (64415) 154 West 5th Street Jacksonville, Florida 32206

Dear Mr. Howe:

Your appointment as chairperson for SBMC PAC was filed in this office on April 30, 2015. Enclosed is a security envelope containing your confidential password and pin number to access the Division's Electronic Filing System (EFS). You will need to advise the treasurer and any deputy treasurer(s) of the new password in order for them to have access to the EFS.

All of the Division's publications and reporting forms are available on the Division of Elections' website at http://elections.myflorida.com. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapter 106, Florida Statutes, *Political Committee Handbook*, Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code.

If you have questions concerning your campaign account or the EFS, you may call (850) 245-6280.

Sincerely,

-Kristi Reid Bronson, Chief Bureau of Election Records

KRB/zis

Enclosures

pc: Dee Kirby, Treasurer





APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR POLITICAL COMMITTEES

POLITICAL COMMITTEES

(Sections 106.011(1) and 106.021(1), F.S.)

DEPARTMENT OF STAIL

2015 MAY -7 AM 9: 43

DIVISION OF ELECTIONS
TAL AHASSEE, FI

OFFICE USE ONLY CHECK APPROPRIATE BOX: Reappointment of Treasurer Original Appointment of Treasurer Deputy Treasurer 1. Committee or Organization 2. Telephone SBMC PAC (904) 419-3205 3. Name of Treasurer or Deputy Treasurer 5. Telephone (optional) 4. Email (optional) Mark Wilkinson mark@wilkcpa.com (904) 419-3205 6. Mailing Address 8833 Perimeter Park Blvd., Suite 1104, Jacksonville, FL 32216 7. Street Address 8833 Perimeter Park Blvd., Suite 1104, Jacksonville, FL 32216 8. The following bank has been designated as the Secondary Depository 9. Name of Bank 10. Street Address First Atlantic Bank 1325 Hendricks Ave 11. City 12. State 13. Zip Code Jacksonville FΙ 32207 15. Name of Chairman (Print or Type) 14. Signature of Chairman Tim Howe Campaign Treasurer's Acceptance of Appointment Mark Wilkinson , do hereby accept the appointment as (Please Print or Type) SBMC PAC treasurer or deputy treasurer for (Committee or Organization) UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE. 1/7/2015 X

Signature of Campaign Treasurer or Deputy Treasurer

Date



RICK SCOTT Governor KEN DETZNER
Secretary of State

May 8, 2015

Mark Wilkinson, Treasurer SBMC PAC (64415) 8833 Perimeter Park Boulevard, Suite 1104 Jacksonville, Florida 32216

Dear Mr. Wilkinson:

Your appointment as treasurer for SBMC PAC was filed in this office on May 7, 2015. Enclosed is a security envelope containing your confidential pin number to access the Division's Electronic Filing System (EFS) for submitting campaign treasurer's reports.

All of the Division's publications and forms are available on the Division of Elections' website at http://elections.myflorida.com. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapter 106, Florida Statutes, *Political Committee Handbook*, Calendar of Reporting Dates, and Rule 18-2.017, Florida Administrative Code.

If you have questions concerning your campaign account or the EFS, you may call (850) 245-6280.

Sincerely,

Kristi Reid Bronson, Chief Bureau of Election Records

KRB/zjs

Enclosures

pc: Tim Howe, Chairperson





AFFIDAVIT

STATE OF FLORIDA County of Leon

Kristi Reid Bronson, being duly sworn, says:

- 1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division). In that capacity, I oversee the Division's duties related to the filing of campaign finance reports. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
- 2. I am of legal age and competent to testify to the matters stated herein.
- 3. SBMC PAC (64415) is a Political Committee registered with the Division. On November 10, 2014, SBMC PAC filed the DSDE 5 and 6 with the Division of Elections indicating that Annie Howe was the chairperson and Dee Kirby was treasurer for the committee. On April 30, 2015, SBMC PAC filed a letter with the Division of Elections indicating that Tim Howe was chairperson for the committee. On May 7, 2015, SBMC PAC filed the DSDE 6 with the Division of Elections indicating that Mark Wilkinson was treasurer for the committee (See attached documents and acknowledgment letter).
- 4. The 2015 M1 campaign treasurer's report was due on February 10, 2015. Mr. Wilkinson filed this report on February 20, 2015. (See attached file receipt).
- 5. The 2015 M4 campaign treasurer's report was due on May 11, 2015. Mr. Wilkinson filed this report on May 22, 2015. (See attached file receipt).
- 6. The 2015 M11 campaign treasurer's report was due on December 10, 2015. Mr. Wilkinson filed this report on December 16, 2015. (See attached file receipt).

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

KATHLEEN SCOTT
MY COMMISSION # FF 235326
EXPIRES: May 27, 2019
Bonded Thru Notary Public Underwriters

Sworn to (or affirmed) and subscribed before me this 28th day

of December, 2015.

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known

STATEMENT OF ORGANIZATION OF POLITICAL COMMITTEE

(PLEASE TYPE)

OFFICE USE ONLY
OFFICE VED STATE

2014 NOV 10 PM 4: 08

DIVISION OF ELECTIONS TALLAHASSEE, FL

1. Full Name of Committee

SBMC PAC

Telephone

904-419-3205

Mailing Address (include city, state and zip code)

8833 Perimeter Park Blvd., Suite 1104, Jacksonville, FL 32216

Street Address (include city, state and zip code)

8833 Perimeter Park Blvd., Suite 1104, Jacksonville, FL 32216

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

Name of Affiliated or Connected Organization	Mailing Address	Relationship
Southside Business Men's Club	8833 Perimeter Park Blvd., Suite 1104, Jacksonville, FL 32216	Affiliated civic organization.

3. Area, Scope and Jurisdiction of the Committee

Support candidates, statewide and legislative, that value the importance of small business to the community.

- 4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.) Sustainable growth for the business community.
- 5. Identify by Name, Address and Position, the Custodian of Books and Accounts (include treasurer's name)

Full Name	Mailing Address	Committee Title or Position	
Dee Kirby	8833 Perimeter Park Blvd., Suite 1104, Jacksonville, FL 32216	Treasurer	

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the								
	ny (include chairman's name) Mailing Addr)	**					
Annie Howe	9802 Old Baymeadows Jacksonville, FL 32256			The Of Position				
7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)								
Full Name	Mailing Address	Office Sou	ught	Party				
To be determined.								
8. List Any Issues this Committee is Supporting: N/A List Any Issues this Committee is Opposing: N/A								
9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party								
	10. In the Event of Dissolution, What Disposition will be Made of Residual Funds? Residual funds will be returned to contributors at a pro rata amount.							
11. List all Banks, Safety D	eposit Boxes, or Other Depos	sitories Used for Comm	nittee Funds					
Name of Bank or Depo	sitory & Account Number	Ma	lailing Address					
First Atlantic Bank 1087062		1325 Hendricks Ave Jacksonville, Fl 32207						
12. List all Reports Required to be Filed by this Committee with Federal Officials and the Names, Addresses and Positions of Such Officials, If Any								
Report Title	Dates Required to be Filed	Name & Position of Off	ificial M	ailing Address				
N/A								
STATE OF Florida		Duval COUNTY						
, Annie Howe	<u> </u>	, certify that the inforr	mation in this S	Statement of				
Organization is complete, fruit	e and correct. hairman of Political Committee	10	/22/2014 Da	te				



FLORIDA DEPARTMENT OF STATE

Ken Detzner Secretary of State

DIVISION OF ELECTIONS

June 11, 2015

Mark Wilkinson, Treasurer SBMC PAC 8833 Perimeter Park Boulevard Suite 1104 Jacksonville, FL 32216-2216

PAC 64415

Dear Mr. Wilkinson:

The notification that you had no reportable activity for the report deadline of February 10, 2015, was not filed until February 20, 2015. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

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

Sincerely,

Kristi Reid Bronson, Chief

Bureau of Election Records

wt Ruid P

Treasurer Report Status

ID: **64415**

Name: SBMC PAC

Report: 2015 - M1 - 4

Election: 2016 General Election

Covers: 1/1/2015-1/31/2015

Due: 2/10/2015

Print Date: 12/22/2015 9:58:18 AM

🗹 Amended 💆 Waiver

Filed: 2/20/2015 6:06:03 AM

File Status: Filed Report

Reviewed: 4/20/2015

Review Status: Reviewed

Detail Complete: Complete Detail Records

File Method: Web Filed

Number of Detail Records

Contributions:

Expenditures:

Fund Transfers:

Distributions:

Pending Queued Items: 0

Entry Method: Web Data Entry

To Print Report: Right Click Mouse and Select 'Print'



FLORIDA DEPARTMENT OF STATE

Ken Detzner Secretary of State

DIVISION OF ELECTIONS

June 11, 2015

Mark Wilkinson, Treasurer SBMC PAC 8833 Perimeter Park Boulevard Suite 1104 Jacksonville, FL 32216-2216

PAC 64415

Dear Mr. Wilkinson:

The notification that you had no reportable activity for the report deadline of May 11, 2015, was not filed until May 22, 2015. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

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

Sincerely,

Kristi Reid Bronson, Chief Bureau of Election Records

The D. A. Cour Duilding Deem 216. A. 600 South December Stonet - Tollaborate El. 20200 0060 - 18500 046 1044

Treasurer Report Status

ID: **64415**

Name: SBMC PAC

Report: 2015 - M4 - 6

Election: 2016 General Election

Covers: 4/1/2015-4/30/2015

Due: 5/11/2015

Print Date: 12/22/2015 10:20:58 AM

Filed: 5/22/2015 1:49:45 PM

File Status: Filed Report

Reviewed: 5/6/2015

Review Status: Reviewed

Detail Complete: No Detail Records Found

File Method: Web Filed

Contributions:

Number of Detail Records

Entry Method: Web Data Entry

Expenditures:

Fund Transfers:

Pending Queued Items: 0

Distributions:

To Print Report: Right Click Mouse and Select 'Print'



FLORIDA DEPARTMENT OF STATE Ken Detzner Secretary of State

DIVISION OF ELECTIONS

December 21, 2015

Mark Wilkinson, Treasurer SBMC PAC 8833 Perimeter Park Boulevard Suite 1104 Jacksonville, FL 32216-2216

PAC 64415

Dear Mr. Wilkinson:

The notification that you had no reportable activity for the report deadline of December 10, 2015, was not filed until December 16, 2015. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

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

Sincerely.

Kristi Reid Bronson, Chief Bureau of Election Records

cc: Tim Howe, Chairperson

Treasurer Report Status

ID: **64415**

Name: SBMC PAC

Report: 2015 - M11 - 13

Election: 2016 General Election

Covers: 11/1/2015-11/30/2015

Due: 12/10/2015

Print Date: 12/22/2015 10:23:25 AM

■ Amended Waiver

Filed: 12/16/2015 3:40:37 PM

File Status: Filed Report

Reviewed: 12/16/2015

Review Status: Reviewed

Detail Complete: No Detail Records Found

File Method: Web Filed

Entry Method: Web Data Entry

Number of Detail Records

Contributions:

Expenditures:

Fund Transfers:

Distributions:

Pending Queued Items: 0

To Print Report: Right Click Mouse and Select 'Print'

Committee

Tracking

System

SBMC PAC

Type: Political Committee

Status: Active

Address: 8833 Perimeter Park

Boulevard Suite 1104

Jacksonville, FL 32216

Phone: (904)419-3205

Chairperson: Tim Howe

154 West 5th Street Jacksonville, FL 32206

Treasurer: Mark Wilkinson

8833 Perimeter Park

Boulevard Suite 1104

Jacksonville, FL 32216

Registered Mark Wilkinson

Agent: 8833 Perimeter Park

Boulevard Suite 1104

Jacksonville, FL 322160000

Purpose:

Affiliates:

Campaign Finance Activity

Campaign Documents

HISTORY NOTES SBMC PAC - 64415

Unique ID

Date Recorded

Last Edited Date

Orginally Recorded By

43096

5/19/2015 3:16:00 PM

dsbrown

RE: Credential Request Form

Called Mr. Howe and left message that the division had received his CRF. He called back several hours later. He needed the password reset. I reset the password and gave him the information. I advised him to create recovery questions in EFS. He did not need his PIN. I told him he would need to get the treasurer's PIN from Mr. Wilkinson. He asked if there was anything else he needed and I said, yes, you need to file your report that is in pending because it is past due. He said he was going to file it now.

42964

5/12/2015 9:40:00 AM

zjsantos

RE: Credential Request

I spoke with Mr. Howe and he stated he believes they received their credentials in the mail a few days ago, I told him if not call us back and we will release them to him over the phone as we already have received a Credential Request Form for thier PAC back on 5/7/15.

42797

5/4/2015 10:31:00 AM

zisantos

RE: Incomplete DS-DE6

I spoke with Mr. Howe and also an additional member of the PAC regarding the incomplete DS-DE6 and told them we will need a new corrected one submitted to us and also a Resignation/Removal Letter from the current Chairperson or Treasurer before we can Reappoint Mr Wikinson as the Primary Treasurer.

41501

2/26/2015 12:50:00 PM

EJRowlette

Re: Returned mail

As I pulled up the account on CanCom, I noticed that the Chairperson's address on CanCom was not the address on the label. Address on label returned was 9802 Old Baymeadows Road Jacksonville, FL 32256. I will remail this "Fail to File" letter using the address on CanCom (8833 Perimeter Park Blvd. Suite 1104, Jacksonville, FL 32216 . ejr

40714

1/6/2015 2:37:00 PM

eirowlette

1/6/15

I telephoned the number on CanCom but got a voice mail. I left the message for them to file the 2014 M11 report. Ejr

40691

1/5/2015 4:22:00 PM

jvquinn

Re: Call from E. Rowlette

Ms. Annie Howe contacted the help desk in regards to a message that Erika left. Ms. Howe explained that DOS is sending the mail to the correct address. She stated that she did not know why the postal service would return the mail. She also stated that she will try to get in contact with the postal srevice to see why the mail is returned.

40681

1/5/2015 2:45:00 PM

ejrowlette

Re: Returned mail, Ms. Annie Howe, Chairperson

I tried to reach Ms. Howe from the number listed on CanCom. I got a voice message. I left the message that the address we have on file for her, 9802 Old Baymeadows Road, Jacksonville, FL 32256, was not working and thus we received her returned mail. I asked her to please update this information with us. Ejr

40680

1/5/2015 2:39:00 PM

ejrowlette

Re: Returned mail for Ms. Kirby, Treasurer

I attempted to reach Ms. Kirby to inform her of the returned mail. I got a voice message. I left the message that the address we have on file for her, 8833 Perimeter Park Blvd. Suite 1104 Jacksonville, FL. 32216, was not working. I asked that she update her address with us and invited her to call us here at the division if we could help her do so. Ejr

HISTORY NOTES SBMC PAC - 64415

Unique ID

Date Recorded

Last Edited Date

Orginally Recorded By

40568

12/24/2014 2:27:00 PM

EJRowlette

Re: Returned mail

We received returned mail for the Treasurer. Upon closer inspection, the chairperson and treasurer have the same address, but there has been no returned mail for the Chairperson. Donna and I looked on Camcom and saw that "Boulevard" was typed on the line for 2nd address on the treasurer's page but not on the chair's page. I will make corrections to CanCom and make a new mailing address label for this audit letter and mail it out today. Ejr