

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Leadership Now

Case No.: FEC 16-489

TO: John Reid, Esquire
Dickens Reid PLLC
517 E. College Avenue
Tallahassee, FL 32301

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

NOTICE OF HEARING (AUTOMATIC FINE)

A hearing will be held in this case before the Florida Elections Commission on, **February 28, 2017 at 11:00 am, or as soon thereafter as the parties can be heard**, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

If you are the Respondent, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard.

If you are the Complainant, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

If you are an Appellant, and you have requested a hearing, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Ann Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
February 13, 2017

Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106.265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld.

If this is a hearing to consider a **consent order before a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed and become public. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the case will remain confidential, unless confidentiality has been waived.

If this is a hearing to consider a **consent order after a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the Respondent will be entitled to another hearing to determine if the Respondent committed the violation(s) alleged.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However, the Respondent may not call witnesses to testify.

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

**FLORIDA ELECTIONS COMMISSION
CASE REPORT**

Case Number: FEC-16-489

NAME: LEADERSHIP NOW

DATE APPEAL RECEIVED: 8/16/16

DATE REPORT DUE: 7/22/16 (2016 P2A)

DATE OF ELECTRONIC RECEIPT: 7/29/16

DATE FILING OFFICER RECEIVED REPORT: 7/29/16

NUMBER OF DAYS LATE: 7

AMOUNT OF FINE: \$1,000.00

FINE BASED ON: () NUMBER OF DAYS () 25% OF RECEIPTS (X) 25% OF EXPENDITURES

TOTAL RECEIPTS FOR REPORTING PERIOD: \$0

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$4,000.00

DATE FIRST NOTIFICATION WAS SENT: 7/25/16

CANDIDATE []	STATE [X]
PC [X]	DISTRICT []
CCE []	COUNTY []
POLITICAL PARTY []	CITY []
ECO []	

SUMMARY: Leadership Now is a political committee (PC) registered with the State of Florida. The PC's chair and treasurer is Ms. Sofia Gil. The appeal is being handled by attorney Mr. John Laurance Reid.

The PC is appealing the fine claiming that unusual circumstances existed that caused the 2016 P2A Report to be untimely filed. According to Mr. Reid, "the failure to timely file the campaign report 2016-P2A-16 was due to a computer glitch through the state Electronic Filing System Access (EFS) and was not the fault of the Respondent. The report in question was filed on the correct day but applied to the incorrect period, because EFS prompted the user for the incorrect period. Thus, campaign report 2016-P2A-16 was recorded as seven (7) days late".

- The 2016 P2A Report covers the time period from 7/9/16 through 7/15/16.
- The 2016 P2A Queued-Transactions Report reflects that this report was created on 7/15/16 at approximately 7:45 pm, before being filed on 7/29/16 at approximately 9:34 pm.

PRIOR CASES: None

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Keith Planner - Firm Manager
kp@dickensreid.com

TO: Mr. Cole H. Kekelis, Esq.
Assistant General Counsel
Florida Elections Commission

DATE: February 09, 2017

Mr. Cedric Oliver
Investigation Specialist
Florida Elections Commission

FROM: John Laurance Reid, Esq.
Leadership NOW

CC:

RE: Leadership NOW (Case Nos.: FEC 16-446 and FEC 16-489)
Appeal of fines for 2016-P1A-16 and 2016-P2A-16 reports

The Respondent, LEADERSHIP NOW, timely filed its Notice of Appeal, pursuant to section 106.07(8)(c), *Florida Statutes* (2016) and Rule 2B-1.005, *Florida Administrative Code*, on August 16, 2016. This memorandum provides the legal arguments available to the Respondent under section 106.07(8)(c), *Florida Statutes* (2016) and Rule 2B-1.055, *Florida Administrative Code* for appealing fines assessed for failure to timely file campaign finance reports and requested those fines be waived. The applicable supporting documentation has been made available as exhibits to this memorandum.

I. **FEC 16-446 (2016-P1A-16) – Due on July 08, 2016 – Fine: \$1,907.25**

A. **ISSUE:** Whether the fine assessed against Leadership Now in the amount of \$1,907.25 for its failure to timely file campaign report 2016-P2A-16 should be WAIVED.

B. **RULE:** The applicable Florida Statutes and Florida Administrative Code provide for the waiver of fines for failure to timely file a campaign finance report due to unusual circumstances. The applicable rule, Rule 2B-1.0055, *Florida Administrative Code*, provides examples, but clearly states that what defines “unusual circumstances” is not limited to this list.

C. **ANALYSIS:** The campaign report 2016-P1A-16 was due on July 08, 2016, but filed seven (7) days late due to confusion by the Respondent’s agent. The individual responsible for filing the campaign reports was familiar with campaign reports for individual candidates, which at the time were requiring reports on a bi-weekly basis. Political committees were requiring weekly reports. The agent of the Respondent filed campaign report 2016-P1-16 on July 01, 2016 and proceeded to report the subsequent transactions at the conclusion of a two-week span.

The Florida Legislature amended the applicable statute following the 2012 election cycle in the wake of the numerous controversies surrounding the now extinct Committees of Continuous Existence (CCEs). During the 2013 Legislative Session, lawmakers passed House Bill 569, which, inter alia, amended the time requirements for filing campaign reports for political committees. The 2016 election cycle was the second time these new time requirements had been utilized, but the first time for the individual overseeing the campaign reports for Leadership NOW.

D. **CONCLUSION:** The fine assessed against Leadership NOW for its failure to timely file campaign finance report for period 2016-P2A-16 should be WAIVED due to unusual circumstances.

II. FEC 16-489 (2016-P2A-16) – Due on July 22, 2016 – Fine: \$1,000.00

A. **ISSUE:** Whether the fine assessed against Leadership Now in the amount of \$1,000 for its failure to timely file campaign report 2016-P2A-16 should be WAIVED.

B. RULE: The applicable Florida Statutes and Florida Administrative Code provide for the waiver of fines for failure to timely file a campaign finance report due to unusual circumstances, such as when the error is caused by a computer or equipment failure.

C. ANALYSIS: The failure to timely file the campaign report 2016-P2A-16 was due to a computer glitch through the state Electronic Filing System Access (EFS) and was not the fault of the Respondent. The report in question was filed on the correct day but applied to the incorrect period, because EFS prompted the user for the incorrect period. Thus, campaign report 2016-P2A-16 was recorded as seven (7) days late.

The campaign report in question, 2016-P2A-16, was due on July 22, 2016, but was filed on July 29, 2016. (See Exhibit "A") The Respondent attempted to report these transactions on July 22, 2016, but the Division's EFS prompted the Respondent's agent to and then later applied it to period 2016-P3-16.

The campaign report that was due on July 29, 2016, 2016-P3-16, was filed on July 22, 2016. (See Exhibit "B") You can see from the EFS record that the original campaign report 2016-P2A-16 is identical to that originally applied to report 2016-P3-16. The latter report was subsequently amended as evidenced by the record. A summary of the filed reports shows that the Respondent made a good faith attempt to file on July 22, 2016; however, the transactions were applied to the subsequent period. (See Exhibit "C") A final review of the campaign transactions available through the Division of Elections' database shows the corrections made. (See Exhibit "D")

D. CONCLUSION: The fine assessed against Leadership NOW for its failure to timely file campaign finance report for period 2016-P2A-16 should be WAIVED due to unusual circumstances because the failure was due to a computer glitch outside the control of the committee and which could not have been anticipated.

III. Mitigating Factors For Consideration

Pursuant to state law, the Florida Elections Commission is authorized to waive a fine in whole or in part. FLA. STAT. § 106.07(8)(c) (2016). When determining the amount of the fine to be waived, the Commission must consider mitigating and aggravating factors. *Id.* The factors to be considered include the gravity of the act or omission, any previous history of similar acts or omissions, the appropriateness of such penalty to the financial resources of the political committee, and whether the political committee has shown good faith in attempting to comply with state law. FLA. STAT. § 106.265(2) (2016).

A. "The gravity of the act or omission[.]" FLA. STAT. § 106.265(2)(a) (2016).

In both cases, the violations were minimal. Additionally, the amounts of transactions were so low that the penalties were determined by calculating 25-percent of the total expenditures as the daily fines would have been greater in amount.

For the violation involving campaign report 2016-P1A-16, the report was filed a mere seven (7) late due to a misunderstanding related to the recent change in the applicable statute. These transactions occurred well before the primary election and were promptly reported through the Division's EFS access. Thus, no party was prejudiced by a lack of transparency. All transactions were available to the public nearly two (2) months prior to the primary election.

As for the violation involving campaign report 2016-P2A-16, the Respondent argues that the act was not grave as the agent attempted to file on the correct day but was prompted to an incorrect period by the Divisions' EFS.

B. "Any previous history of similar acts or omissions[.]" FLA. STAT. § 106.265(2)(b) (2016).

The violation involving campaign report 2016-P1A-16 was the first act or omission committed by the Respondent. The committee was in existence for a short

period, and its amounts of transactions were relatively low compared to other political committees.

C. "The appropriateness of such penalty to the financial resources of the persons, political committee, affiliated party committee, electioneering communications organization, or political party[.]" FLA. STAT. § 106.265(2)(c) (2016).

As previously stated, the political committee LEADERSHIP NOW was in operation for a short time and raised and spent a relatively low amount of money. The committee raised and spent a total of \$26,880 and has ceased operations since the reporting period ending on September 16, 2016.

Since the political committee is in the process of becoming inactive with the Florida Division of Elections and has a current bank account balance of zero, the Respondent respectfully argues that penalties of nearly \$3,000 would not be appropriate in this case.

D. "Whether the person, political committee, affiliated party committee, electioneering communications organization, or political party has shown good faith in attempting to comply with the provisions of this chapter or chapter 104." FLA. STAT. § 106.265(2)(d) (2016).

The Respondent LEADERSHIP NOW has continuously acted in good faith, commonly contacting the help desk at the Florida Division of Elections for assistance in complying with chapters 104 and 106. The Respondents does not face any allegations of, nor has been accused of, any improprieties regarding electioneering. The two isolated cases that bring the Respondent before the Florida Elections Commission are arguably due to unusual circumstances and clearly not intentional.

IV. The Future of Respondent LEADERSHIP NOW

Subsequent to the imposition of fines, the Respondent changed the positions of Chairman and Treasurer. Sofia Gil, who currently holds both positions, is currently in the process of permanently closing the political committee LEADERSHIP NOW (64760-PAC) as all funds raised have been exhausted.

The Respondent respectfully asks the Florida Elections Commission to consider the permanent closure of the committee as a mitigating factor available under section 106.265, *Florida Statutes* (2016) in favor of reducing or waiving the fines assessed for the two violations in question if Respondent is not entitled to such favorable action on the merits.

On behalf of the Respondent LEADERSHIP NOW, I greatly the opportunity to present additional facts and rationales in support of our case before the Florida Elections Commission. If you have any questions, please do not hesitate to contact me at (850) 629-4302 or via email at jr@dickensreid.com.

Filed Report Summary

Home Filings Transactions Print Queue Campaign Account Sign Out Help

Summary of all filings received

Report: 2016 - P2A - 16 2016 General Election Covers: 7/9/2016-7/15/2016 Due: 7/22/2016

Amended Last Review: Reviewed:
 Waiver Complete:
 Filed Date: File Status:

Transactions	Contributions	Amount	Expenditures	Amount
1	Cash and Checks:	0.00	Monetary:	4,000.00
	Loans:	0.00	Transfers to Off Acct:	0.00
	Total Monetary:	0.00	Total Monetary:	4,000.00
	In-Kind Contributions:	0.00	Other Distributions:	0.00

Activity this report

Orig Report Submit Date: By:

Contributions	Amount	Expenditures	Amount
Cash and Checks:	0.00	Monetary:	4,000.00
Loans:	0.00	Transfers to Off Acct:	0.00
Total Monetary:	0.00	Total Monetary:	4,000.00
In-Kind Contributions:	0.00	Other Distributions:	0.00

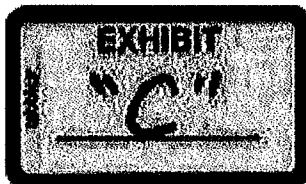


The table below lists all campaign finance treasurer reports that have been *Filed* with the Department of State, Division of Elections. Filed reports may not be edited, but may be amended.

Select a report by clicking on the Sequence Number.

Seq	Report Year	Election ID	Report Type	Date Filed	Complete Status	Amended	Items In Queue
19	2016	20161108-GEN	P5	08/12/2016	Complete Detail Records	N	
18	2016	20161108-GEN	P4	08/04/2016	No Detail Records Found	N	
17	2016	20161108-GEN	P3	07/22/2016	Incomplete Detail Records	Y	
16	2016	20161108-GEN	P2A	07/29/2016	Complete Detail Records	N	
15	2016	20161108-GEN	P2	07/15/2016	Complete Detail Records	N	
14	2016	20161108-GEN	P1A	07/15/2016	Complete Detail Records	N	
13	2016	20161108-GEN	P1	06/30/2016	Complete Detail Records	N	
12	2016	20161108-GEN	M5	06/10/2016	No Detail Records Found	N	
11	2016	20161108-GEN	M4	05/09/2016	No Detail Records Found	N	

[Go To Multiple Uniform Contribution Reports](#)





**Florida Department of State
Division of Elections**

Leadership Now

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							
	Filing Period	Monetary	Loans	InKind	Expend	Other	Transfers
W	06/01/2015 - 06/30/2015	0.00	0.00	0.00	0.00	0.00	0.00
W	07/01/2015 - 07/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
W	08/01/2015 - 08/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
W	09/01/2015 - 09/30/2015	0.00	0.00	0.00	0.00	0.00	0.00
W	10/01/2015 - 10/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
W	11/01/2015 - 11/30/2015	0.00	0.00	0.00	0.00	0.00	0.00
W	12/01/2015 - 12/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2016 - 01/31/2016	0.00	0.00	0.00	0.00	0.00	0.00
○	02/01/2016 - 02/29/2016	5,000.00	0.00	0.00	3,620.00	0.00	0.00
○	03/01/2016 - 03/31/2016	0.00	0.00	0.00	1,000.00	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
○	06/01/2016 - 06/24/2016	24,000.00	0.00	0.00	15.00	0.00	0.00
○	06/25/2016 - 07/01/2016	0.00	0.00	0.00	7,629.00	0.00	0.00
○	07/02/2016 - 07/08/2016	0.00	0.00	0.00	3,607.00	0.00	0.00
○	07/09/2016 - 07/15/2016	0.00	0.00	0.00	4,000.00	0.00	0.00



<input type="radio"/>	07/16/2016 - 07/22/2016	0.00	0.00	0.00	2,000.00	0.00	0.00
W	07/23/2016 - 07/29/2016	0.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	07/30/2016 - 08/05/2016	5,000.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	08/06/2016 - 08/12/2016	0.00	0.00	0.00	5,000.00	0.00	0.00
<input type="radio"/>	08/13/2016 - 08/25/2016	-7,120.00	0.00	0.00	9.00	0.00	0.00
W	08/26/2016 - 08/26/2016	0.00	0.00	0.00	0.00	0.00	0.00
W	08/27/2016 - 09/02/2016	0.00	0.00	0.00	0.00	0.00	0.00
W	09/03/2016 - 09/09/2016	0.00	0.00	0.00	0.00	0.00	0.00
W	09/10/2016 - 09/16/2016	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	All Dates (Totals)	26,880.00	0.00	0.00	26,880.00	0.00	0.00

Note: ^(E) indicates that report was filed electronically

X Indicates that detail has not been released

W Indicates that a waiver was filed and **L** Indicates that a loan report was filed

Select Detail Type

Contributions

Select Sort Order

Date(Ascending)

Select Output Type

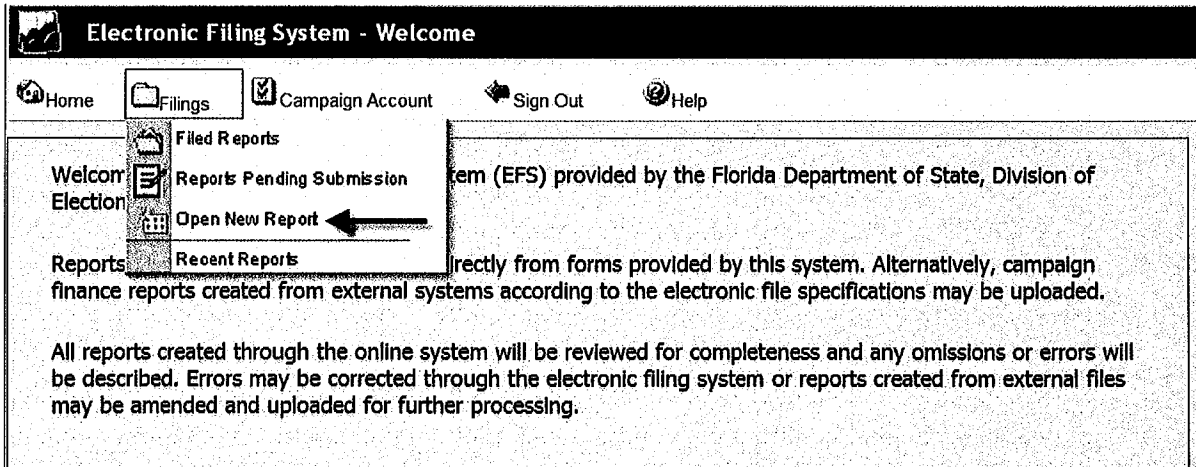
Display On Screen

[Query the Campaign Finance Data Base](#)

[\[Department of State\]](#) [\[Division of Elections\]](#) [\[Candidates and Races\]](#) [\[Campaign Finance Information\]](#)


Create a New Report by Data Entry


From the Welcome Screen, click  Filings and then  Open New Report



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

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


Election Cycle: 


Report Type: 

Coverage Period: Due Date:

Special Election Report Waiver

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

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

Click  arrow next to **Report Type** and select the report type that corresponds to the appropriate cover period and due date.

The **Cover Period** dates will automatically fill in based on the **Calendar of Election and Reporting Dates**. The end date can be changed for candidate termination reports.

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

DEPARTMENT OF STATE,
DIVISION OF ELECTIONS,

Petitioner,

v.

Case No: _____

LEADERSHIP NOW,

Respondent.
_____ /

NOTICE OF APPEAL OF FINES
ASSESSED BY THE FLORIDA DIVISION OF ELECTIONS

COMES NOW, the Respondent, LEADERSHIP NOW, by and through the undersigned counsel, and in compliance with Rule 2B-1.005, *Florida Administrative Code*, states the following:

1. The main address for Respondent, LEADERSHIP NOW, is 125 Owenshire Circle, Kissimmee, FL 34744-4744.
2. Leadership Now is a Florida political committee, PAC No.: 64760.
3. Please forward all correspondence to John Reid at Dickens Reid PLLC, 517 E. College Ave. Tallahassee, FL 32301, Tel.: 850-629-4302.
4. A Notice of Imposition of Fine Issued by the Filing Officer, dated July 18, 2016 and August 08, 2016, was received by Respondent on or about July 25, 2016 and August 15, 2016, respectively. (See Respondent's Exhibits A and B.)
 - a. The fine was imposed for a late campaign treasurer's report that was due on July 08, 2016.

b. The fine to be imposed against LEADERSHIP NOW for the campaign treasurer's report due on July 08, 2016, hereinafter referred to as "July 8th Fine", is in the amount of \$1,907.25.

c. Respondent wishes to appeal the imposition of this fine.

5. A Notice of Imposition of Fine Issued by the Filing Officer, dated August 01, 2016, was received by Respondent on or about August 08, 2016. (See Respondent's Exhibit C.)

a. The fine was imposed for a late campaign treasurer's report that was due on July 22, 2016.

b. The fine to be imposed against LEADERSHIP NOW for the campaign treasurer's report due on July 22, 2016, hereinafter referred to as "July 22nd Fine", is in the amount of \$1,000.00.

c. Respondent wishes to appeal the imposition of this fine.

6. Respondent received the most recent Notices of Imposition of Fine Issued by the Filing Officer on or about August 08, 2016 and August 15, 2016.

7. The Florida Division of Elections has not assigned a case number to these fines. The PAC number for LEADERSHIP NOW is 64760.

8. A Notice of Appeal and Request for Hearing for July 8th Fine and July 22nd Fine is timely filed by Respondent on August 16, 2016.

(Intentionally left blank.)

RESPECTFULLY SUBMITTED, on this 16th day of August, 2016.

/s/ John Laurance Reid

JOHN LAURANCE REID

Attorney for Respondent

Florida Bar Number: 0317070

Dickens Reid PLLC

517 E. College Ave.

Tallahassee, Florida 32301

Tel.:850-629-4302

Fax.: 850-224-2030

Email: jr@dickensreid.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent to Ms. Donna Malphurs, Agency Clerk, Florida Elections Commission, via email at fec@myfloridalegal.com, and to the Florida Division of Elections, via email at DivElections@dos.state.fl.us, on August 16, 2016.

/s/ John Laurance Reid

JOHN LAURANCE REID

Attorney for Respondent

Florida Bar Number: 0317070

Dickens Reid PLLC

517 E. College Ave.

Tallahassee, Florida 32301

Tel.:850-629-4302

Fax.: 850-224-2030

Email: jr@dickensreid.com



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

August 1, 2016

Norma Estrada, Treasurer
Leadership Now
125 Owenshire Circle
Kissimmee, FL 34744-4744

PAC 64760

Dear Ms. Estrada:

The campaign treasurer's report that was due on July 22, 2016, was filed on July 29, 2016. By law, you are automatically assessed a late fine of \$1,000.00.

You have 20 days from the receipt of this notice to either:

1. Pay the fine to the Florida Division of Elections (For a candidate only, a fine is not an allowable campaign expenditure and must be paid from personal funds) at:

*Florida Division of Elections
R.A. Gray Building, Room. 316
500 South Bronough Street
Tallahassee, Florida 32399-025011*

2. Appeal the fine to the Florida Elections Commission (See Rules 2B-1.005 and 2B-1.0055, Florida Administrative Code) at:

*Florida Elections Commission
107 West Gaines Street, Ste. 224
Tallahassee, Florida 32399-0150*

If you appeal, please send a copy also to the Florida Division of Elections so that you will not receive further notices from the Division about this matter.

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

July 25, 2016

Norma Estrada, Treasurer
Leadership Now
125 Owenshire Circle
Kissimmee, FL 34744-4744

PAC 64760

Dear Ms. Estrada:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was July 22, 2016.

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

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

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

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

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

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

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

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

(1) Leadership Now (2) 64760
Candidate, Committee or Party Name I.D. Number

(3) 125 Owenshire Circle Kissimmee FL 34744
Address (number and street) City State Zip Code
 Check box if address has changed since last report

(4) Check appropriate box(es):
 Candidate (office sought):
 Political Committee Check If PC has DISBANDED
 Committee of Continuous Existence Check If CCE has DISBANDED
 Party Executive Committee

(5) REPORT IDENTIFIERS

Cover Period: From 07/09/2016 To 07/15/2016 Report Type: P2A
 Original Amendment Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$0.00
Loans	\$0.00
<i>Total Monetary</i>	\$0.00
In-Kind	\$0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$4,000.00
Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$4,000.00

(8) Other Distributions

Certification

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

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

Name of Treasurer Deputy Treasurer

X
Signature

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

Name of Candidate Chairman (PC/PTY Only)

X
Signature

ID:

CAMPAIGN MEASURER'S REPORT - ITEMIZED CONTRIBUTIONS

Name: Leadership Now

Report: 2016 P2A

Period: 07/09/2016

to 07/15/2016

** Records in Filed Report **

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

ID: 64760

CAMPAIGN MEASURER'S REPORT - ITEMIZED EXPENDITURES

Page 1 of 1

Name: Leadership Now

Report: 2016 P2A

Period: 07/09/2016

to 07/15/2016

** Records in Filed Report **

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Purpose	Amount Amend
1 07/12/2016	RICO MAR PRODUCTIONS 730 MICHIGAN ST ORLANDO, FL 32806	MON	MARKETING	\$4,000.00

ID:

CAMPAIGN MEASURER'S REPORT - ITEMIZED DISBURSEMENTS

Name: Leadership Now

Report: 2016 P2A

Period: 07/09/2016

to 07/15/2016

**** Records in Filed Report ****

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

ID:

CAMPAIGN FINANCIAL SURER'S REPORT - ITEMIZED CONTRIBUTIONS

Name: Leadership Now

Report: 2016 P2A

Period: 07/09/2016 to 07/15/2016

**** Records in Filed Report ****

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



Queued Items for 2016-P2A

Account: 64760

Leadership Now

Rpt Seq: 16

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	64760	7/15/2016 7:45:56 PM	7/15/2016 7:45:56 PM
Recalc Pending Report Total	Processing Complete	64760	7/29/2016 9:33:39 PM	7/29/2016 9:33:39 PM
File Pending Report	Processing Complete	64760	7/29/2016 9:34:09 PM	7/29/2016 9:34:09 PM



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Committee Name: Leadership Now

Name:

Account: 64760

Election:

Acct:

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
10/21/2016	G5		SNT	0	\$0.00		\$0.00	\$0.00
10/14/2016	G4		SNT	0	\$0.00		\$0.00	\$0.00
10/7/2016	G3		SNT	0	\$0.00		\$0.00	\$0.00
9/30/2016	G2A		SNT	0	\$0.00		\$0.00	\$0.00
9/23/2016	G2	9/19/2016						
9/16/2016	G1A	9/19/2016	CLO	3	\$0.00		\$0.00	\$0.00
9/9/2016	G1	9/7/2016						
9/2/2016	P7A	9/2/2016						
8/26/2016	P7	8/26/2016						
8/19/2016	P6	8/19/2016						
8/12/2016	P5	8/12/2016						
8/5/2016	P4	8/4/2016						
7/29/2016	P3	7/22/2016						
7/22/2016	P2A	7/29/2016	APP	7	\$1,000.00		\$1,000.00	\$0.00
7/15/2016	P2	7/15/2016						
7/8/2016	P1A	7/15/2016	APP	7	\$1,907.25		\$1,907.25	\$0.00
7/1/2016	P1	6/30/2016						
6/10/2016	M5	6/10/2016						
5/10/2016	M4	5/9/2016						
4/11/2016	M3	4/10/2016						
3/10/2016	M2	3/6/2016						
2/10/2016	M1	2/8/2016						
1/11/2016	M12	1/10/2016						
12/10/2015	M11	12/7/2015						
11/10/2015	M10	11/3/2015						
10/13/2015	M9	10/12/2015						
9/10/2015	M8	9/7/2015						
8/10/2015	M7	8/9/2015						
7/10/2015	M6	7/9/2015						



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

June 12, 2015

Norma Estrada, Chairperson
Leadership Now
125 Owenshire Circle
Kissimmee, Florida 34744

Dear Ms. Estrada:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for **Leadership Now**, which were placed on file in our office on June 12, 2015. 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 **July 10, 2015**. The report will cover the period of June 1-30, 2015 (M6). All political committees that file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

Credentials and Sign-ons

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

EFS Website Address: <https://efs.dos.state.fl.us>
Identification Number: 64760

Division of Elections

R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6240 • 850.245.6260 (Fax) dos.myflorida.com/elections/
Promoting Florida's History and Culture VivaFlorida.org



Norma Estrada, Chairperson
June 12, 2015
Page Two

Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update information. The enclosed sealed envelopes contain your confidential pin numbers.

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

Timely Filing

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

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

Electronic Receipts

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

Norma Estrada, Chairperson
June 12, 2015
Page Three

Instructions and Assistance

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

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

Please let me know if you need additional information.

Sincerely,



Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/ljr

Enclosures

**STATEMENT OF ORGANIZATION
OF POLITICAL COMMITTEE**

(PLEASE TYPE)

OFFICE USE ONLY
RECEIVED
DEPARTMENT OF STATE
2015 JUN 11 AM 9:25
DIVISION OF ELECTIONS

1. Full Name of Committee		Telephone
Leadership Now		321-209-2868
Mailing Address (include city, state and zip code)		
125 Owenshire Cir Kissimmee FL 34744		
Street Address (include city, state and zip code)		
125 Owenshire Cir Kissimmee FL 34744		
2. Affiliated or Connected Organizations (includes other committees of continuous existence and political committees)		
Name of Affiliated or Connected Organization	Mailing Address	Relationship
None	None	None
3. Area, Scope and Jurisdiction of the Committee		
Statewide, Legislative, Multi-County, Municipal, Local Candidates and issues		
4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.)		
Government, Education		
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
Norma Estrada	125 Owenshire Cir Kissimmee FL 34744	Chair/Treasurer

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

Full Name	Mailing Address	Committee Title or Position
Norma Estrada	125 Owenshire Cir Kissimmee FL 34744	Chair/Treasurer

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

Full Name	Mailing Address	Office Sought	Party
To Be Determined			

8. List Any Issues this Committee is Supporting: To be determined

List Any Issues this Committee is Opposing: To be determined

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

NA

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

Return contributions to donors or donate to a 501 (c) 3

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

Name of Bank or Depository & Account Number	Mailing Address
Bank of America	1200 Osceola Parkway Kissimmee FL 34741

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

Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address
Form 8871 Form 1120 POL	within 24 hours Annual	IRS IRS	Ogden, Utah Ogden, Utah

STATE OF Florida Osceola COUNTY

I, Norma Estrada, certify that the information in this Statement of

Organization is complete, true and correct.

X Norma Estrada
Signature of Chairman of Political Committee

6-9-15
Date

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

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2015 JUN 11 AM 9:25
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CHECK APPROPRIATE BOX:

OFFICE USE ONLY

Original Appointment of Treasurer Reappointment of Treasurer Deputy Treasurer

1. Committee or Organization Leadership Now		2. Telephone (321) 209-2868	
3. Name of Treasurer or Deputy Treasurer Norma Estrada		4. Email (optional) ()	
5. Telephone (optional) ()			
6. Mailing Address 125 Owenshire Cir Kissimmee FL 34744			
7. Street Address 125 Owenshire Cir Kissimmee FL 34744			
8. The following bank has been designated as the <input checked="" type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository			
9. Name of Bank Bank of America		10. Street Address 1200 Osceola Parkway	
11. City Kissimmee		12. State FL	13. Zip Code 34741
14. Signature of Chairman <input checked="" type="checkbox"/> <i>Norma Estrada</i>		15. Name of Chairman (Print or Type) Norma Estrada	

Campaign Treasurer's Acceptance of Appointment

I, Norma Estrada, do hereby accept the appointment as
(Please Print or Type)
treasurer or deputy treasurer for Leadership Now
(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.

6-9-15
Date

Norma Estrada
Signature of Campaign Treasurer or Deputy Treasurer

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2016 SEP 22 AM 10:09

Leadership Now
125 Owenshire Cir
Kissimmee, Florida 34744

DIVISION OF ELECTIONS

September 19, 2016

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

RE: Leadership Now Change Treasurer, Registered Agent and Chair

Dear Ms. Bronson,

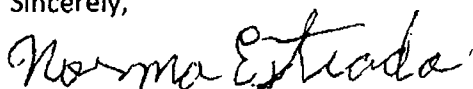
I am submitting Form DS-DE 41, Registered Agent Statement of Appointment, DS-DE 6 Appointment of Campaign Treasurer, for the Florida registered committee, *Leadership Now*.

With this letter I am resigning as the Chair and treasurer of Leadership Now. As of September 20, 2016 I will no longer be chair or the treasurer for Leadership Now and our organization has elected Sofia Gil the new chair. Below you will see the new chairs contact information.

Sofia Gil
PO Box 452472
Kissimmee FL 34745
321-209-2868
paccommittees@gmail.com

I appreciate your prompt attention to this matter.

Sincerely,



Norma Estrada
Chair

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

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DIVISION OF ELECTIONS

CHECK APPROPRIATE BOX:

OFFICE USE ONLY

Original Appointment of Treasurer Reappointment of Treasurer Deputy Treasurer

1. Committee or Organization Leadership Now		2. Telephone (321) 209-2868	
3. Name of Treasurer or Deputy Treasurer Sofia Gil		4. Email (optional) paccmittees@gmail.com	
5. Telephone (optional) ()			
6. Mailing Address PO Box 452472 Kissimmee FL 34745			
7. Street Address 1627 E Vine St Kissimmee FL 34744			
8. The following bank has been designated as the <input checked="" type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository			
9. Name of Bank Centennial Bank		10. Street Address 625 N Central Ave	
11. City Kissimmee		12. State FL	13. Zip Code 34741
14. Signature of Chairman X <i>Norma Estrada</i>		15. Name of Chairman (Print or Type) Norma Estrada	
Campaign Treasurer's Acceptance of Appointment			
I, <u>Sofia Gil</u> do hereby accept the appointment as			
<small>(Please Print or Type)</small>			
treasurer or deputy treasurer for		<u>Leadership Now</u>	
<small>(Committee or Organization)</small>			
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.			
<u>9/19/16</u> Date		X <i>Sofia Gil</i> Signature of Campaign Treasurer or Deputy Treasurer	

HISTORY NOTES
Leadership Now - 64760

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
51463	12/21/2016 11:09:00 AM		zjsantos
Disbandment: I spoke with an attorney representing the PAC and he informed me that the PAC is trying to track down Ms. Gil to disband it.			
51367	12/13/2016 2:00:00 PM		zjsantos
RE: Returned Mail I left another voicemail for Ms. Gil explaining that we still have returned mail for her and to please give us a call back so we can verify her address or instruct her how to update it.			
50872	10/25/2016 11:46:00 AM		zjsantos
RE: Returned Mail I left a voicemail for Ms. Gil explaining that we have returned mail for her and to please give us a call back so we can verify her address or instruct her how to update it.			
50601	9/30/2016 3:53:00 PM		zjsantos
RE: Credential Check I attempted to call the number on file twice and got no answer, I left a voicemail reminding them that there is a report due today and to please call us back if they have not received their credentials yet.			



FEC 16-446 & 16-489
Cole Kekelis to: jr

01/19/2017 01:05 PM

Mr. Reid:

Please give me a call at your earliest convenience regarding the above-referenced cases.

My number is 850-922-4539.

You have filed an appeal of the auto-fines levied on your client in these two cases, but have not articulated a basis for the appeals. That is, you have not explained why you believe the fines should not be upheld.

In December, we spoke about this, and you indicated that you would be providing such information to our office soon.

For your information, as stated in the letter sent to your attention dated January 9, 2017, "Unless good cause is shown, the Commission will not consider at the hearing any written document unless it has been filed with the Commission Clerk at least ten days before the hearing."

Sincerely,

Cole Kekelis
Florida Elections Commission