

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Philip Garrett**

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**Case No.: FEC 14-410**

**TO:** Philip Garrett  
P.O. Box 10641  
St. Petersburg, FL 33733

David J. Zachem  
5127 Caesar Way S  
St. Petersburg, FL 33712

**NOTICE OF HEARING (INFORMAL HEARING)**

A hearing will be held in this case before the Florida Elections Commission on, **February 17, 2016 at 10:00 am, or as soon thereafter as the parties can be heard**, at the following location: **Florida State Conference Center, 555 West Pensacola Street, Room #108, Tallahassee, Florida 32306.**

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 2, 2016

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.

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STATE OF FLORIDA  
ELECTIONS COMMISSION

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

**Case No.: FEC 14-410**

v.

**Philip Garrett,  
Respondent.**

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**ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 26, 2015, in Tallahassee, Florida.

Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

**Counts 1-2:**

On or about October 31, 2014, Philip Garrett violated Section 106.143(1)(a), Florida Statutes, when he paid for and distributed political advertisements that contained express advocacy but did not include the proper disclaimers.

**Count 3:**

On or about June 14, 2014, Philip Garrett violated Section 106.19(1)(b), Florida Statutes, when he failed to report a contribution required to be reported by Chapter 106.

**Count 4:**

On or about June 18, 2014, Philip Garrett violated Section 106.19(1)(b), Florida Statutes, when he failed to report a

contribution required to be reported by Chapter 106.

**Count 5:**

On or about September 8, 2014, Philip Garrett violated Section 106.19(1)(b), Florida Statutes, when he failed to report a contribution required to be reported by Chapter 106.

**Count 6:**

On or about October 2, 2014, Philip Garrett violated Section 106.19(1)(b), Florida Statutes, when he failed to report a contribution required to be reported by Chapter 106.

**Counts 7-8:**

On or about October 31, 2014, Philip Garrett violated Section 106.19(1)(b), Florida Statutes, when he failed to report contributions required to be reported by Chapter 106.

**Count 9:**

On or about June 14, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Count 10:**

On or about June 18, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Count 11:**

On or about June 20, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Counts 12-13:**

On or about August 16, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Counts 14-15:**

On or about August 18, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Count 16:**

On or about September 8, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Count 17:**

On or about September 11, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Counts 18-19:**

On or about September 16, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Count 20:**

On or about October 2, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Count 21:**

On or about October 3, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Counts 22-23:**

On or about October 31, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**DONE AND ORDERED** by the Florida Elections Commission on August 26, 2015.



M. Scott Thomas, Chairman  
Florida Elections Commission

Copies furnished to:  
Stephanie J. Cunningham, Assistant General Counsel  
Philip Garrett, Respondent  
David J. Zachem, Complainant

### NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by consent order where you and Commission staff agree to resolve the violation(s) and agree to the amount of the fine. The consent order is then presented to the Commission for its approval. To discuss a consent order, contact the FEC attorney identified in the Order of Probable Cause.

Second, you may request an informal hearing held before the Commission, if you do not dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to make written or oral arguments to the Commission concerning the legal issues related to the violation(s) and the potential fine. At the request of Respondent, the Commission will consider and determine willfulness at an informal hearing. Otherwise, live witness testimony is unnecessary.

Third, you may request a formal hearing held before an administrative law judge in the Division of Administrative Hearings (DOAH), if you dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to present evidence relevant to the violation(s) listed in this order, to cross-examine opposing witnesses, to impeach any witness, and to rebut the evidence presented against you.

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

To request a hearing, please send a written request to the Commission Clerk, Donna Ann

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

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

In Re: Phillip Garrett

Case No.: FEC 14-410

TO: Phillip Garrett  
P.O. Box 10641  
St. Petersburg, FL 33733

David J. Zachem  
5127 Caesar Way S  
St. Petersburg, FL 33712

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

A hearing will be held in this case before the Florida Elections Commission on **August 26, 2015, at 11:00 am, or as soon thereafter as the parties can be heard**, at the following location: **Senate Office Building, Room 110-S, 404 South Monroe Street, Tallahassee, FL 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  
August 11, 2015





**FLORIDA ELECTIONS COMMISSION**

**107 W. Gaines Street, Suite 224**

**Collins Building**

**Tallahassee, Florida 32399-1050**

**(850) 922-4539**

May 29, 2015

Philip Garrett  
Post Office Box 10641  
St. Petersburg, FL 33733

RE: Case No.: FEC 14-410; Respondent: Philip Garrett

Dear Mr. Garrett:

The Florida Elections Commission at its last regularly scheduled meeting was unable to hear this case. Therefore, this case has been rescheduled for its next meeting, which is scheduled for August 18-19, 2015 in Tallahassee. A notice of hearing will be mailed approximately 14 days before the hearing.

If you have any questions, please contact us at the number listed above or at [fec@myfloridalegal.com](mailto:fec@myfloridalegal.com)

Sincerely,

*/s/Amy McKeever Toman*  
Executive Director

AMT/dam  
cc: David J Zachem, Complainant

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

In Re: Phillip Garrett

Case No.: FEC 14-410

TO: Phillip Garrett  
P.O. Box 10641  
St. Petersburg, FL 33733

David J. Zachem  
5127 Caesar Way S  
St. Petersburg, FL 33712

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

A hearing will be held in this case before the Florida Elections Commission on **May 20, 2015, at 11:00 am, or as soon thereafter as the parties can be heard**, at the following location: **Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee FL 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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**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.

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See further instructions on the reverse side.

Amy McKeever Toman  
Executive Director  
Florida Elections Commission  
May 5, 2015

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.

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

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

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

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

In Re: Philip Garrett

Case No.: FEC 14-410

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the sworn complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Sections 106.143(1)(a), 106.19(1)(b), and 106.19(1)(c), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on March 9, 2015, the following facts and law support this staff recommendation:

1. On October 31, 2014, the Florida Elections Commission ("Commission") received a sworn complaint from David J. Zachem ("Complainant"), alleging that Philip Garrett ("Respondent") violated Chapter 106, Florida Statutes.

2. Respondent was a 2014 candidate for State Representative, District 70. Respondent's Statement of Candidate form ("DS-DE 84") was filed on June 12, 2014. (ROI Exhibit 14)<sup>1</sup>

3. By letter dated December 31, 2014, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

**Section 106.143(1)(a), Florida Statutes:** Philip Garrett, 2014 candidate for Florida House of Representatives, District 70, paid for and displayed political advertisements that contained express advocacy but did not include proper disclaimers.

**Section 106.19(1)(b), Florida Statutes:** Philip Garrett, 2014 candidate for Florida House of Representatives, District 70, failed to report contributions required to be reported by Chapter 106, Florida Statutes, as alleged in the complaint.

**Section 106.19(1)(c), Florida Statutes:** Philip Garrett, 2014 candidate for Florida House of Representatives, District 70, falsely reported or deliberately failed to include information in one or more campaign treasurer reports, as alleged in the complaint.

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<sup>1</sup> The Report of Investigation is referred to herein as "ROI."

4. Complainant alleged that Respondent violated Florida's election laws by distributing political advertisements without the proper disclaimers, and by failing to report contributions received and expenditures made during his campaign

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

5. Complainant alleged that Respondent violated Florida's election laws by failing to include proper disclaimers on two political advertisements. The first political advertisement at issue is a large one-sided palm card which contains language that expressly advocates for the election of a candidate: "VOTE PHILIP GARRETT Florida House of Representatives District 70 NOVEMBER 4TH . . . ." The palm card does not contain a political disclaimer. (ROI Exhibit 1)

6. The second political advertisement at issue is a small two-sided palm card which contains language that expressly advocates for the election of a candidate: "VOTE PHILIP GARRETT FL HOUSE OF REP. DISTRICT 70 November 4, 2014 . . ." The palm card does not contain a political disclaimer. (ROI Exhibit 2)

7. Respondent acknowledged that his campaign published the two palm cards that were submitted with the complaint. Respondent stated that he created the palm cards with another individual whose name he could not recall. Respondent claimed that there was a disclaimer on the large palm card. (ROI Exhibit 15, page 2)

8. Respondent provided a copy of a large two-sided palm card. It is identical to the large one-sided palm card with the addition of a letter to supporters on the back side of the palm card. The palm card contains the following political disclaimer: "Political advertisement approved and paid for by the Philip Garrett Campaign for FL House District 70." (ROI Exhibit 4) The political disclaimer is deficient as it fails to identify Respondent's political affiliation.

9. Commission staff sent Respondent an affidavit requesting further information regarding the individual who assisted in creating the palm cards and regarding the discrepancy between the similar palm cards, but Respondent failed to respond to the affidavit. (ROI Exhibit 5)

10. Respondent failed to include the required political disclaimer on two political advertisements and therefore, it appears that Respondent violated Section 106.143(1)(a), Florida Statutes, on two occasions.

**Alleged Violation: Section 106.19(1)(b), Florida Statutes**

11. Complainant alleged that Respondent violated Florida's election laws by failing to report campaign contributions during 11 reporting periods. The reporting periods at issue begin with the 2014 P1 Report (from June 12, 2014) and end with the 2014 G4 Report (through October 3, 2014). During these 11 reporting periods a waiver was filed for each period. (ROI Exhibit 6)

12. A subpoena was issued to Respondent's designated campaign depository to ascertain whether any contributions were received during the relevant reporting periods. A summary of the unreported contributions is shown in Table 1, below. (ROI Exhibits 8 & 13)

<b>TABLE 1: UNREPORTED CONTRIBUTIONS RECEIVED BY RESPONDENT</b>				
<b>Date Deposited</b>	<b>Report/Cover Period Deposit Occurred</b>	<b>Contributor</b>	<b>Contribution Type</b>	<b>Amount</b>
06/14/14	2014 P1 Report 06/12/14 – 06/20/14	Unknown	Cash	\$1,195.00
06/18/14	2014 P1 Report 06/12/14 – 06/20/14	Unknown	Cash	\$40.00
09/08/14	2014 G2 Report 08/30/14 – 09/12/14	Unknown	Cash	\$320.00
10/02/14	2014 G4 Report 09/27/14 – 10/03/14	Unknown	Cash	\$200.00
	<b>TOTAL</b>			<b>\$1,755.00</b>

13. Additionally, as a review of Respondent's bank records does not show an expenditure that appears to be associated with the two palm cards, and as Good Guys Signs, who printed other advertisements for Respondent, stated that it was not responsible for printing the palm cards, it appears that the two palm cards referenced in the above allegation should have been reported as in-kind contributions (ROI Exhibits 9 & 13)

14. Respondent stated that he did not receive any contributions and that he believed that he did not have to file any reports if he used his own money. He also stated that he filed waivers "to buy more time" in order to learn how to use the Division's electronic filing system (ROI Exhibit 15, page 2)

15. On November 14, 2014, Respondent filed his 2014 P1, G2, and G4 reports disclosing the four contributions set forth in Table 1, above. (ROI Exhibits 10-12) Respondent's reports did not reflect any in-kind contributions for the two palm cards

16. Respondent was required to report any contributions he received for the purpose of influencing the results of an election, but failed to do so on six occasions.

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

17. Complainant alleged that Respondent violated Florida's election laws by deliberately failing to include information required by Chapter 106 when he failed to report campaign contributions and expenditures during 11 reporting periods. The reporting periods at issue begin with the 2014 P1 Report (from June 12, 2014) and end with the 2014 G4 Report (through October 3, 2014). During these 11 reporting periods a waiver was filed for each period. (ROI Exhibit 6)

18. A subpoena was issued to Respondent's designated campaign depository to ascertain whether any contributions were received or expenditures were made during the relevant

reporting periods. A summary of the unreported contributions is shown in Table 1, above. (ROI Exhibits 8 & 13)

19. A summary of the unreported expenditures is shown in Table 2, below (ROI Exhibits 7 & 13)

TABLE 2: COMPARISON OF RESPONDENT'S CTRS WITH BANK RECORDS				
Date Filed	Reporting Period	Information on CTR	Information from bank	Comments
07/06/14	06/12/14 – 06/20/14 Original 2014 P1	• No contributions or expenditures reported	• \$1,187.88 check #503 on 06/20/14 to Department of State for qualifying fee	• A report was filed to replace the waiver on 11/14/14 to disclose transactions noted in Tables 1 and 2 (ROI Exhibit 10)
08/23/14	08/09/14 – 08/21/14 Original 2014 P7	• No contributions or expenditures reported	• \$13.19 debit on 08/16/14 for POS Withdrawal Sunoco • \$5.00 debit on 8/16/14 withdrawal/transfer to account [REDACTED] • \$10.17 debit on 8/18/14 POS Withdrawal WAWA • \$10.00 debit on 8/18/14 POS Withdrawal Marathon Petro	• A report was not filed to replace the waiver to disclose transactions
09/27/14	08/30/14 – 09/12/14 Original 2014 G2	• No contributions or expenditures reported	• \$241.82 debit on 09/11/14 POS Withdrawal Good Guys Signs	• A report was filed to replace the waiver on 11/14/14 to disclose transactions noted in Tables 1 and 2 (ROI Exhibit 11)
09/27/14	09/13/14 – 09/26/14 Original 2014 G3	• No contributions or expenditures reported	• \$11.56 debit on 09/16/14 POS Withdrawal Redbox DVD Rental • \$5.00 withdrawal on 09/16/14 withdrawal/transfer to account [REDACTED]	• A report was not filed to replace the waiver to disclose transactions
10/05/14	09/27/14 – 10/03/14 Original 2014 G4	• No contributions or expenditures reported	• \$241.82 debit on 10/03/14 POS Withdrawal Good Guys Signs	• A report was filed to replace the waiver on 11/14/14 to disclose transactions noted in Tables 1 and 2 (ROI Exhibit 12)

20. Additionally, as a review of Respondent's bank records does not show an expenditure that appears to be associated with the two palm cards, and as Good Guys Signs, who printed other advertisements for Respondent, stated that it was not responsible for printing the palm cards, it appears that the two palm cards referenced in the above allegation should have been reported as in-kind contributions. (ROI Exhibits 9 & 13)

21. Respondent stated that he did not receive any contributions and that he believed that he did not have to file any reports if he used his own money. He also stated that he filed waivers "to buy more time" in order to learn how to use the Division's electronic filing system (ROI Exhibit 15, page 2) Respondent did not specifically state why he failed to report his campaign expenditures but generally stated that he had difficulty understanding how to use the Division's electronic filing system. (ROI Exhibit 3)

22. On November 14, 2014, Respondent filed his 2014 P1, G2, and G4 reports disclosing the four contributions<sup>2</sup> set forth in Table 1, above and three of the nine expenditures set forth in Table 2, above. (ROI Exhibits 10-12) Respondent's reports did not reflect any in-kind contributions for the two palm cards.

23. Chapter 106 requires candidates to report any contributions received and any expenditures made for the purpose of influencing the results of an election. Respondent deliberately failed to include information required by Chapter 106 on fifteen occasions when he failed to disclose contributions received and expenditures made as set forth in Tables 1 & 2, above, as well as the two palm cards.

24. "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)

25. The facts set forth above show that Respondent was a 2014 candidate for State Representative, District 70. Respondent paid for and distributed palm cards which failed to include political disclaimers on two occasions. Respondent was required to report any contributions he received for the purpose of influencing the results of an election, but failed to do so on six occasions. Respondent also deliberately failed to include information required by Chapter 106, on fifteen occasions when he failed to disclose contributions received and expenditures made

Based upon these facts and circumstances, I recommend that the Commission find probable cause to charge Respondent with violating the following:

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<sup>2</sup> There is a slight discrepancy with regard to the qualifying fee check



**Counts 1-2:**

On or about October 31, 2014, Philip Garrett violated Section 106.143(1)(a), Florida Statutes, when he paid for and distributed political advertisements that contained express advocacy but did not include the proper disclaimers.

**Count 3:**

On or about June 14, 2014, Philip Garrett violated Section 106 19(1)(b), Florida Statutes, when he failed to report a contribution required to be reported by Chapter 106.

**Count 4:**

On or about June 18, 2014, Philip Garrett violated Section 106.19(1)(b), Florida Statutes, when he failed to report a contribution required to be reported by Chapter 106.

**Count 5:**

On or about September 8, 2014, Philip Garrett violated Section 106 19(1)(b), Florida Statutes, when he failed to report a contribution required to be reported by Chapter 106.

**Count 6:**

On or about October 2, 2014, Philip Garrett violated Section 106 19(1)(b), Florida Statutes, when he failed to report a contribution required to be reported by Chapter 106.

**Counts 7-8:**

On or about October 31, 2014, Philip Garrett violated Section 106 19(1)(b), Florida Statutes, when he failed to report contributions required to be reported by Chapter 106.

**Count 9:**

On or about June 14, 2014, Philip Garrett violated Section 106 19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Count 10:**

On or about June 18, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Count 11:**

On or about June 20, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Counts 12-13:**

On or about August 16, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Counts 14-15:**

On or about August 18, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Count 16:**

On or about September 8, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Count 17:**

On or about September 11, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Counts 18-19:**

On or about September 16, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Count 20:**

On or about October 2, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

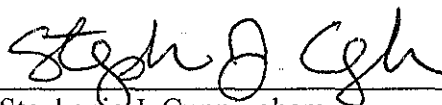
**Count 21:**

On or about October 3, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

**Counts 22-23:**

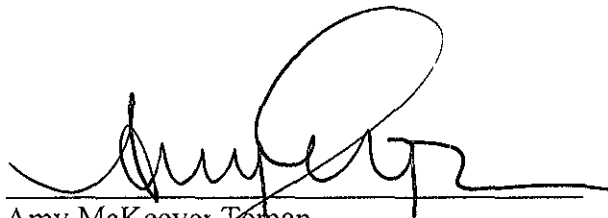
On or about October 31, 2014, Philip Garrett violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106.

Respectfully submitted on March 25, 2015.



Stephanie J. Cunningham  
Assistant General Counsel

I reviewed this Staff Recommendation this 25<sup>th</sup> day of March 2015.



Amy McKeever Toman  
Executive Director

**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**Case No.: FEC 14-410**

**Respondent: Philip Garrett**

**Complainant: David J. Zachem**

On October 31, 2014, the Florida Elections Commission received a sworn complaint alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statutes:

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

Section 106 19(1)(b), Florida Statutes, failure of a person or organization to report a contribution required to be reported by Chapter 106, Florida Statutes; and

Section 106 19(1)(c), Florida Statutes, prohibiting a person or organization from falsely reporting or deliberately failing to report information required by Chapter 106, Florida Statutes

**I. Preliminary Information:**

1 Respondent was a candidate for State Representative, District 70; he was defeated in the 2014 general election.

2. Complainant is a resident of St. Petersburg, Pinellas County, Florida.

3. Respondent's filing officer is Kristi Reid-Bronson, Chief, Bureau of Election Records, Division of Elections.

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

4. I investigated whether Respondent violated this section of election laws by publishing two campaign advertisements without a disclaimer

5. Complainant alleges in his complaint that Respondent published campaign advertisements with a "unique paid for tag" that does not meet "the requirements of the statute." Complainant provided two of Respondent's advertisements to support his complaint

6. The first advertisement is a one-sided palm card; the top of the card states, "Vote Philip Garrett Florida House of Representatives District 70 November 4<sup>th</sup>" and contains a photograph of Respondent. The bottom of the card lists Respondent's commitments and states, in part, "Support the Candidate" and "No one political party can deliver you, but unity can. Vote!" A post office box address, telephone number, and website address are provided; however, there is no disclaimer on the

card. To view a copy of the one-sided palm card, please refer to Exhibit 1.

7. The second advertisement is a two-sided palm card; one side of the card states, in part, "Let's Restore the Public's Faith Vote Garrett," and contains a photograph of Respondent. The other side lists Respondent's position on certain issues and states, in part, "Vote November 4<sup>th</sup> 2014 Philip Garrett." There is no disclaimer on either side of the card. To view a copy of the two-sided palm card, please refer to Exhibit 2.

8. I interviewed Respondent by telephone on January 20, 2015. Respondent stated he and "another lady" created the advertisements for his campaign; Respondent could not recall the name of the person who helped him with his advertisements. According to Respondent, the one-sided palm card depicted in Exhibit 1 was actually a two-sided palm card that had a disclaimer on the bottom of both sides of the card. However, when asked about the two-sided palm card depicted in Exhibit 2 Respondent replied, "I'm not sure," and did not provide any further information.

9. Respondent submitted a written response that was received by the Commission on January 26, 2015, in which he stated, "... I have never knowingly, purposely, intentionally, maliciously violate (*sic*) any election law. As a first time candidate I did not understand and did not have knowledge of all the laws and rules and practice and procedures. Forgive me for not knowing." To view a copy of Respondent's written response, please refer to Exhibit 3.

10. Respondent provided a copy of a campaign palm card with his written response. One side of the card is identical to the advertisement depicted in Exhibit 1; however, there is an incorrect disclaimer at the bottom of the card which reads "Political advertisement approved and paid for by the Philip Garrett Campaign for FL House District 70." The other side of the card appears to be an open letter to potential voters, and contains the same incorrect disclaimer at the bottom of the card. To view a copy of the palm card provided by Respondent, please refer to Exhibit 4.

11. On February 3, I sent Respondent an affidavit asking him to provide the name, address and telephone number of the person who helped him with his advertisements. The affidavit also asked Respondent to explain the discrepancy between Exhibits 1 and 4, and to explain the reason there is no disclaimer on Exhibit 2.<sup>1</sup> As of the date of this report, Respondent has not returned the affidavit and the affidavit has not been returned by the post office as undeliverable. To view a copy of the affidavit, please refer to Exhibit 5.

12. No record of Respondent having previously violated this section of law was found.

### III. Alleged Violation of Section 106.19(1)(b), Florida Statutes:

13. I investigated whether Respondent violated this section of election laws by failing to report contributions.

14. Complainant states in his complaint, "On 11 occasions [Respondent] has failed to report any income yet he has spent monies." Complainant provided a copy of Respondent's Campaign Finance Activity which appears to have been downloaded from the Division's website on October 7, 2014, and a copy of a campaign check that appears to have been issued from Respondent's campaign account for Respondent's qualifying fee.

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<sup>1</sup> Copies of Exhibits 1 and 2 were attached to the affidavit.

15. Review of the campaign finance activity printout provided by Complainant reflects Respondent filed waivers-of-report for 11 reporting periods beginning with the 2014 P1 report covering the period June 12, 2014 through June 20, 2014, and ending with the 2014 G4 report covering the period September 27, 2014 through October 3, 2014. To view a copy of Respondent's campaign finance activity provided by Complainant, please refer to Exhibit 6.

16. Review of the qualifying fee check provided by Complainant reflects a check was written from Respondent's campaign account on June 17, 2014, which was during the 2014 P1 report covering the period June 12, 2014 through June 20, 2014. However, according to Respondent's campaign finance activity (Exhibit 6) Respondent did not receive any contributions prior to, or after he wrote the campaign check for his qualifying fee. To view a copy of Respondent's qualifying fee check provided by Complainant, please refer to Exhibit 7.

17. To clarify whether Respondent had any contributions during the 11 reporting periods Complainant referenced in his complaint, I subpoenaed and reviewed Respondent's campaign account records. Table 1 summarizes the contributions Respondent received and the reporting periods during which it appears the contributions should have been reported. To view copies of the relevant campaign account records, please refer to Exhibit 8.

<b>TABLE 1: UNREPORTED CONTRIBUTIONS RECEIVED BY RESPONDENT</b>				
<b>Date Deposited</b>	<b>Report/Cover Period Occurred</b>	<b>Contributor</b>	<b>Contribution Type</b>	<b>Amount</b>
06/14/14	2014 P1 Report 06/12/14 – 06/20/14	Unknown	Cash	\$1,195.00
06/18/14	2014 P1 Report 06/12/14 – 06/20/14	Unknown	Cash	\$40.00
09/08/14	2014 G2 Report 08/30/14 – 09/12/14	Unknown	Cash	\$320.00
10/02/14	2014 G4 Report 09/27/14 – 10/03/14	Unknown	Cash	\$200.00
	<b>TOTAL</b>			<b>\$1,755.00</b>

18. With respect to Respondent's palm cards (Exhibits 1, 2, and 4), according to Respondent's campaign treasurer's reports and campaign account records the only expenditures for campaign advertising were to Good Guys Signs. In an e-mail dated March 2, 2015, Tom Tucky of Good Guys Signs stated they were not responsible for printing the palm cards<sup>2</sup>. Because there are no other expenditures from Respondent's campaign account that appear to be associated with campaign advertising, it appears the palm cards should have been reported as in-kind contributions. To view a copy of Mr. Tucky's e-mail, please refer to Exhibit 9.

19. During the telephone interview on January 20, 2015, Respondent stated he "struggled through the process" and was "up until 2:00 in the morning" trying to learn the system. According to Respondent, the process was overwhelming and he "couldn't call anyone." Respondent acknowledged he filed waivers-of-report "to buy more time" to learn the process. Respondent added he thought he read somewhere that he did not have to file anything if he used his own money.

<sup>2</sup> Copies of Exhibits 1, 2, and 4 were attached to an e-mail sent to Mr. Tucky asking if Good Guys Signs printed the palm cards

20. In his written response (Exhibit 3) Respondent stated, "I had the understanding if you did not have contributions to report you could file for a waiver. I also thought that you could make corrections and revisions during the election process. There were times when I logged in but could not figure out how to enter and save information. I could not organize my time in efforts to learn the system and could not afford to hire an accountant or anyone to help."

21. I reviewed Respondent's reports currently on file with his filing officer. Review of the reports reflects that Respondent filed reports for the 2014 P1, 2014 G2, and 2014 G4 reporting periods to disclose the contributions summarized in Table 1 on November 14, 2014, approximately two weeks after the complaint was filed with the Commission.<sup>3</sup> To view copies of Respondent's 2014 P1, 2014 G2, and 2014 G4 reports, please refer to Exhibits 10, 11 and 12, respectively.

22. No record of Respondent having previously violated this section of law was found.

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

23. I investigated whether Respondent violated this section of election laws by failing to disclose campaign contributions and expenditures on his campaign treasurer's reports.

24. To review the circumstances regarding Respondent's alleged unreported contributions, please refer to paragraphs 14 through 21 of this report.

25. Complainant also alleges Respondent failed to report expenditures for his campaign advertisements and other items.

26. Based upon review of Respondent's campaign account records, Table 2 summarizes Respondent's unreported expenditures that appear to have occurred during the 11 reporting periods Complainant referenced in his complaint.<sup>4</sup> To view the relevant account records, please refer to Exhibit 13

TABLE 2: COMPARISON OF RESPONDENT'S CTRs WITH BANK RECORDS				
Date Filed	Reporting Period	Information on CTR	Information from bank	Comments
07/06/14 <sup>5</sup>	06/12/14 – 06/20/14 Original 2014 P1	• No contributions or expenditures reported	• \$1,187.88 check #503 to Department of State for qualifying fee	• A report was filed to replace the waiver on 11/14/14 to disclose transactions noted in Tables 1 and 2 (Exhibit 10)

**This space intentionally left blank**

<sup>3</sup> Respondent's reports, filed to replace waivers, do not reflect in-kind contributions for the palm cards.

<sup>4</sup> Respondent's unreported contributions were previously summarized in Table 1, and the in-kind contribution for Respondent's palm cards was previously discussed in paragraph 18. The relevant campaign account records were previously provided as Exhibit 7

<sup>5</sup> The 2014 P1 report was due June 26, 2014, making Respondent's report nine days late. However, because Respondent originally filed a waiver-of-report he was not fined for the untimely filing of this report.

08/23/14 <sup>6</sup>	08/09/14 – 08/21/14 Original 2014 P7	• No contributions or expenditures reported	<ul style="list-style-type: none"> <li>• \$13.19 debit on 08/16/14 for POS Withdrawal Sunoco</li> <li>• \$5.00 debit on 8/16/14 withdrawal/transfer to account [REDACTED]</li> <li>• \$10.17 debit on 8/18/15 POS Withdrawal WAWA</li> <li>• \$10.00 debit on 8/18/14 POS Withdrawal Marathon Petro</li> </ul>	• A report was <b>not</b> filed to replace the waiver to disclose transactions
09/27/14 <sup>7</sup>	08/30/14 – 09/12/14 Original 2014 G2	• No contributions or expenditures reported	• \$241.82 debit on 09/11/14 POS Withdrawal Good Guys Signs	• A report was filed to replace the waiver on 11/14/14 to disclose transactions noted in Tables 1 and 2 (Exhibit 11)
09/27/14	09/13/14 – 09/26/14 Original 2014 G3	• No contributions or expenditures reported	<ul style="list-style-type: none"> <li>• \$11.56 debit on 09/16/14 POS Withdrawal Redbox DVD Rental</li> <li>• \$5.00 withdrawal on 09/16/14 withdrawal/transfer to account * [REDACTED]</li> </ul>	• A report was <b>not</b> filed to replace the waiver to disclose transactions
10/05/14	09/27/14 – 10/03/14 Original 2014 G4	• No contributions or expenditures reported	• \$241.82 debit on 10/03/14 POS Withdrawal Good Guys Signs	• A report was filed to replace the waiver on 11/14/14 to disclose transactions noted in Tables 1 and 2 (Exhibit 12)

27 As previously noted in paragraph 18, it also appears Respondent failed to disclose in-kind contributions for his palm cards.

28 To review Respondent's responses regarding his contributions and expenditures, please refer to Respondent's written response (Exhibit 3), and paragraph 19 of this report.

29 No record of Respondent having previously violated this section of law was found.

#### V. FEC History:

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

#### Conclusion:

31 On March 2, 2015, I left Respondent a voicemail asking that he return my call for the purpose of a final interview. As of the date of this report, Respondent has not returned my call and as

<sup>6</sup> The 2014 P7 report was due August 22, 2014, making Respondent's report one day late. However, because Respondent filed a waiver-of-report he was not fined for the untimely filing.

<sup>7</sup> The 2014 G2 report was due September 19, 2014, making Respondent's report eight days late. However, because Respondent originally filed a waiver-of-report he was not fined for the untimely filing of this report.



previously noted Respondent has not returned an affidavit.

32. During the January 20, 2015 telephone interview, Respondent was adamant that nothing he did was intentional and stated this was his first time running for office. Respondent stated he did not know the rules and he never intentionally broke any laws. Respondent added he was not "lying" or "trying to cheat." Respondent asked that the Commission understand his "problem."

33. When asked if he read Chapter 106, Florida Statutes, and/or the Candidate and Campaign Treasurer Handbook, Respondent admitted he had not and stated his personal commitments did not allow him time to read the materials. Respondent signed his Statement of Candidate form on June 7, 2014. To view a copy of the Statement of Candidate, please refer to Exhibit 14.

34. The Investigative Phone Log is provided as Exhibit 15.

35. During my investigation of the allegations contained in the sworn complaint, I found Respondent may have made an unauthorized expenditure for a Redbox DVD rental. However, because this information was not available to Complainant at the time the complaint was filed, I did not investigate this information.

Respectfully submitted on March 9, 2015,



Tracie Aulet  
Investigation Specialist

**Current address of Respondent**

Mr. Philip Garrett  
Post Office Box 10641  
Saint Petersburg, FL 33733

**Current address of Complainant**

Mr. David J. Zachem  
5127 Caesar Way S.  
St. Petersburg, FL 33712

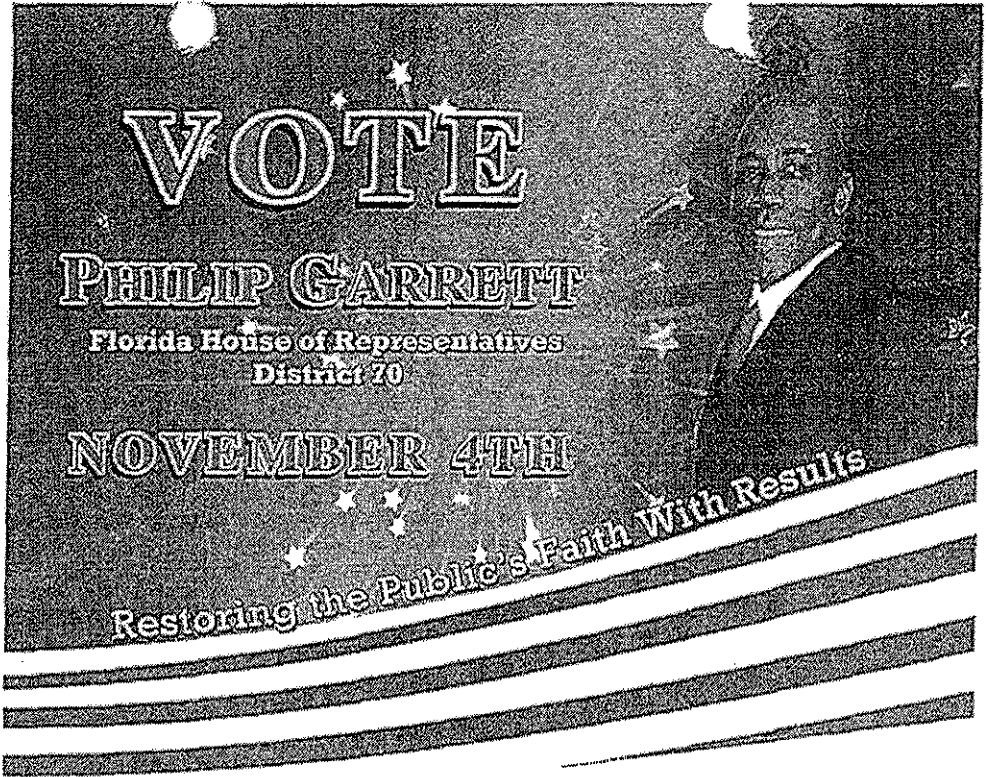
**Name and Address of Filing Officer:**

Ms. Kristi Reid-Bronson, Chief  
Bureau of Election Records  
500 South Bronough Street  
Tallahassee, FL 32399

Copy furnished to: Mr. David Flagg, Investigations Manager

**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**Philip Garrett -- FEC 14-410**

<b>LIST OF EXHIBITS</b>	
<b>Exhibits #s</b>	<b>Description of Exhibits</b>
Exhibit 1	One-sided palm card without disclaimer
Exhibit 2	Two-sided palm card without disclaimer
Exhibit 3	Respondent's written response
Exhibit 4	Two-sided palm card with disclaimer
Exhibit 5	Letter to Respondent requesting affidavit dated 2/3/15
Exhibit 6	Campaign finance activity printed 10/7/14
Exhibit 7	Respondent's qualifying fee check dated 6/17/14
Exhibit 8	Campaign account deposits
Exhibit 9	E-mail from Tom Tucky dated 3/2/15
Exhibit 10	Amended 2014 P1 Report
Exhibit 11	Amended 2014 G2 Report
Exhibit 12	Amended 2014 G4 Report
Exhibit 13	Campaign account monthly bank statements
Exhibit 14	Statement of Candidate signed 6/7/14
Exhibit 15	Investigative phone log



**Committed to:**

- Quality early childhood education
- Support for parents engaged in their child's education
- Quality tutoring in schools
- Job growth through manufacturing and career building
- Business development
- Increasing minimum wage
- Lower government fees
- Affordable housing

**PHILIP GARRETT**  
 for Florida House of Representatives  
 District 70

*Support the Candidate*

SEND DONATIONS TO VOTE GARRETT  
 P O BOX 10641  
 ST PETERSBURG FL 33733  
 VISIT [VOTEGARRETT2014@GOFUNDME.COM](mailto:VOTEGARRETT2014@GOFUNDME.COM)

**NO ONE POLITICAL PARTY CAN DELIVER YOU, BUT UNITY CAN. VOTE!**  
 For Info: 813-331-9777 | [votegarrett.com](http://votegarrett.com) | [votegarrett@facebook.com](mailto:votegarrett@facebook.com)

EXHIBIT 1

**LET'S RESTORE  
THE PUBLIC'S  
FAITH  
VOTE GARRETT**

**THE  
CURRENT REPRESENTATIVE HAS:**

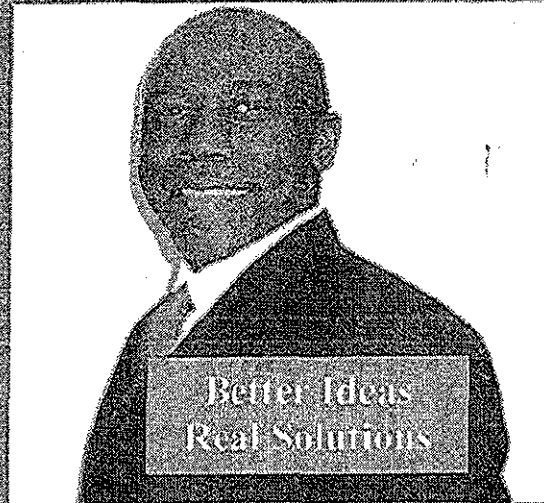
**\$157,000 IN UNPAID TAXES**

**OVER 50 FAILED BILLS**

**A BANKRUPTCY**

*Been Voted Out as Leader of the  
House Democratic Caucus in 2013.*

**SAME BAD BEHAVIOR  
MORE BAD NEWS**



**VOTE**

**PHILIP GARRETT  
FL HOUSE OF REP.  
DISTRICT 70  
November 4, 2014**

EXHIBIT 2 pg. 1 of 2

- Quality Early Childhood Education.
- Support for Parents engaged in their child's education.
- Quality After School Tutoring.
- Increased funding for Youth Arts and Recreation.
- Job growth through manufacturing and career building.
- Transportation Development.
- Lower government fees.
- Affordable Housing.



**RESTORE  
THE  
PUBLIC'S FAITH**

**VOTE**

**NOVEMBER 4TH 2014**

**PHILIP GARRETT**

**Florida House of Representatives District 70**

**VOTEGARRETT@FACEBOOK or VOTEGARRET2014@GOFUNOME.COM 813-331-9777**

EXHIBIT 2 pg. 2 of 2

Philip Garrett

P.O. Box 10641

St. Petersburg FL 33733

Commission on Ethics

P.O. Box Drawer 15709

Tallahassee, FL 32317

RE: Case NO. : FEC 14-410; Respondent: Philip Garrett

Dear Sirs/Madams,

In response to the complaints of alleged violation(s) of Florida's election laws I must say I have never knowingly, purposely, intentionally, maliciously violate any election law. As a first time candidate I did not understand and did not have knowledge of all the laws and rules and practice and procedures. Forgive me for not knowing

I included a copy of the flyer I made which has the disclaimer which shows the wording used

I did file campaign finance information during and before the close of the election. The Florida Department of State, Division of Elections should have information of my filings. I had the understanding if you did not have any contributions to report you could file for a waiver. I also thought that you could make corrections and revisions during the election process. There were times when I logged in but could not figure how to enter and save information. I could not organize my time in efforts to learn the system and could not afford to hire an accountant or anyone to help

Please understand, this was my first time running for office and I did not knowingly, purposely, intentionally, or maliciously violate any election laws

Sincerely,

Philip Garrett

EXHIBIT 3

# VOTE

## PHILIP GARRETT

Florida House of Representatives  
District 70

### NOVEMBER 4TH

Restoring the Public's Faith With Results

**Committed to:**

- Quality early childhood education
- Support for parents engaged in their child's education
- Quality tutoring in schools
- Job growth through manufacturing and career building
- Business development
- Increasing minimum wage
- Lower government fees
- Affordable housing

**PHILIP GARRETT**  
for Florida House of  
Representatives  
District 70

*Support the candidate*

SEND DONATIONS TO VOTE GARRETT

P. O. BOX 10641

ST. PETERSBURG, FL 33733

VISIT [VOTEGARRETT2014@GOFUNDME.COM](mailto:VOTEGARRETT2014@GOFUNDME.COM)

NO ONE POLITICAL PARTY CAN DELIVER YOU. BUT UNITY CAN. VOTE!

For Info: 813-331-9777 | [votegarrett.com](http://votegarrett.com) | [votegarrett@facebook.com](https://www.facebook.com/votegarrett)

Political advertisement approved and paid for by the Philip Garrett Campaign for FL House District 70

EXHIBIT 4 pg. 1 of 2

**PHILIP  
GARRETT**  
for Florida House of  
Representatives  
District 70

Dear Supporter,

I am a husband of a beautiful wife and father of three great children. I have a B.A. Degree in American Studies from Eckerd College here in Saint Petersburg, Florida. I have been a civil servant for twenty-five years in the areas of Assessment and Finance. Working in the district for twelve years in efforts to support the future of our youth has given me experience in addressing their needs. I believe I can make a difference by being an all out advocate for our youth, parents, employees and businesses. I will spend my time as your representative helping our district grow and generating more funding that will help lighten the physical and financial load on families and businesses.

I will help young people and their parents become productive professionals in our community beginning with pre-school children by focusing on helping the state produce a quality early childhood education process. Parents have a tough task trying to successfully manage a family and a career. Many parents have approximately 40 hours out of 168 hours to spend with their children per week. In addition, parents face these challenges while earning low wages. I believe by lowering business fees for small business owners and increasing wages we can generate more support for the families of our community.

As your representative I will begin the process of redirecting our focus on career building for parents, quality preschool and a minimum wage increase. I also believe seniors need lower living cost and quality care. We must support the hard working families, seniors and businesses of our community. I will work for you.

Thank you for your support,

Philip Garrett  
for District 70 - Florida State House of Representative

**NO ONE POLITICAL PARTY CAN DELIVER YOU. BUT UNITY CAN. VOTE!**

For Info: 313-331-9777 | [votegarrett.com](http://votegarrett.com) | [votegarrett@facebook.com](https://www.facebook.com/votegarrett)

Political advertisement approved and paid for by the Philip Garrett Campaign for FL House District 70

EXHIBIT A pg. 2 of 2





**FLORIDA ELECTIONS COMMISSION**

The Collins Building  
107 West Gaines Street, Suite 224  
Tallahassee, Florida 32399-1050  
(850) 922-4539

February 3, 2015

Mr Philip Garrett  
Post Office Box 10641  
St Petersburg, FL 33733

**RE: Case No.: FEC 14-410**

Dear Mr. Garrett:

I have received a copy of your e-mail dated January 26, 2015, and the political advertisement containing a disclaimer that you recently submitted in this case. This information will be included in the case file that is available to the members of the Florida Elections Commission.

The Commission needs additional information concerning the complaint that was filed against you. Therefore, please complete the attached questionnaire, have it notarized, and return it to me at your earliest convenience but not later than February 17, 2015.

Thank you for your cooperation in this matter. Please let me know if you have any questions. My extension number is 114.

Sincerely,

A handwritten signature in cursive script that reads "Tracie Aulet".

Tracie Aulet  
Investigation Specialist

Enclosure: Affidavit of Background Information

**EXHIBIT** 5 pg. 1 of 6

**AFFIDAVIT OF BACKGROUND INFORMATION**

Case Number: FEC 14-410

STATE OF FLORIDA

County of \_\_\_\_\_

Philip Garrett, being duly sworn, says:

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name the candidate(s) you served as treasurer, the office(s) the candidate ran for, and the dates of the election(s).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Have you ever held the office of chairperson, treasurer, board member, or other similar position for a political committee? If so, please list the names and addresses of the committees and dates when you held the position.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Have you ever held the office of chairperson, treasurer, board member, or other similar position for a committee of continuous existence? If so, please list the name and addresses of the committees and dates when you held the position

\_\_\_\_\_  
\_\_\_\_\_

**EXHIBIT 5 pg. 2 of 6**

7. Have you ever prepared or signed a campaign treasurer's report? If so, please list the name of the candidate or committee whose report you prepared or signed.

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

9. During a telephone interview with Investigator Tracie Aulet on January 20, 2015, you stated you did not read Chapters 104 and 106, Florida Statutes, nor did you read *the Candidate and Campaign Treasurer Handbook*. Is this correct?

Yes  No

If this is correct, please clarify the reason(s) you did not read Chapters 104 and 106, Florida Statutes, or the *Candidate and Campaign Treasurer Handbook*. If this is not correct, please state which items you read and on what date you read them.

10. Please review Attachment A to this affidavit. On January 26, 2015, you provided a copy of what appears to be a similar advertisement. However, the palm card depicted in Attachment A is a palm card with content on one side of the card and it does not contain a disclaimer. The advertisement you provided is a palm card with content on both sides of the card and a disclaimer at the bottom.

Please explain the discrepancy between the palm card depicted in Attachment A and the palm card you submitted on January 26, 2015.

EXHIBIT 5 pg. 3 of 6

11. Please review Attachment B to this affidavit which is a copy of a two-sided palm card. Did your campaign publish this advertisement?

Yes  No

12. If yes, please explain the reason(s) this advertisement does not have a disclaimer. If no, please provide the name, address and telephone of the person or group responsible for publishing this advertisement on behalf of your campaign.

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13. During the telephone interview with Investigator Aulet on January 20, 2015, you stated you had assistance in creating the advertisement(s) for your campaign; however, you could not recall the name of the person who assisted you. Is this correct?

Yes  No

14. Since the interview, have you recalled who assisted you in making the advertisements? If so, please provide the name, address and telephone number of the person who assisted you in making your advertisements.

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15. What was the approximate cost of producing Attachments A and B? When (on what date) were these advertisements produced? Please provide copies of all invoices and/or receipts related to the production of Attachments A and B.

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16. Please explain the reason(s) the expenses related to the production of Attachments A and B were not disclosed on any of your campaign treasurer's reports

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17. Please explain the reason(s) your 2014 P1 report, which was originally filed on July 6, 2014, was not amended until November 14, 2015, to include the contributions and expenditure regarding your candidate qualifying fee.

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EXHIBIT 5 pg. 4 of 6

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18. Please explain the reason(s) your 2014 G2 report, which was originally filed on September 27, 2014, was not amended until November 14, 2015, to include the contributions and expenditure regarding your signs.

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19. Did you attempt to contact anyone at the Division of Elections for assistance in filing your original reports?

Yes  No

If yes, please state whom you contacted and what instructions if any, were given to you. If no, please explain why not.

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20. What prompted you to amend your 2014 P1 and 2014 G2 reports?

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21. Did anyone assist you in amending your 2014 P1 and 2014 G2 reports?

Yes  No

If yes, please provide the name, address and telephone number of the person who assisted you.

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22. Did you receive the acknowledgment letter sent from the Division of Elections dated June 13, 2014?

Yes  No

**EXHIBIT 5 pg. 5 of 6**

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

\_\_\_\_\_  
**Signature of Affiant**

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
Signature of Notary Public - State of Florida  
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known \_\_\_\_\_ or Produced Identification \_\_\_\_\_

Type of Identification Produced: \_\_\_\_\_  
\_\_\_\_\_

Case Investigator: ta

EXHIBIT 5 pg. 6 of 6



**Florida Department of State  
Division of Elections**

**2014 General Election  
Philip Garrett (NPA)  
State Representative**

**Campaign Finance Activity**

*Note: The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections About the Campaign Finance Data Base.*

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
<b>W</b>	06/12/2014 - 06/20/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	06/21/2014 - 07/04/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	07/05/2014 - 07/18/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	07/19/2014 - 07/25/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	07/26/2014 - 08/01/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	08/02/2014 - 08/08/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	08/09/2014 - 08/21/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	08/22/2014 - 08/29/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	08/30/2014 - 09/12/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	09/13/2014 - 09/26/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	09/27/2014 - 10/03/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>⊙</b>	<b>All Dates (Totals)</b>	0 00	0 00	0 00	0 00	0 00	0 00

Note: <sup>(E)</sup> 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](#)

**EXHIBIT** 6

RECEIVED  
DEPARTMENT OF STATE  
14 JUN 18 AM 10:23  
DIVISION OF ELECTIONS  
TALLAHASSEE, FL



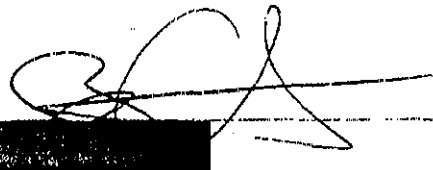
Name	PHILIP GARRETT POLITICAL CAMPAIGN		
Account No	[REDACTED]	Date	6/17/14
			63 8279/2631 217
Pay to the Order of	Department of State	\$	1,187.88
	One Thousand One Hundred Eighty Seven <sup>88</sup> / <sub>100</sub>	Dollars	
	GTE Federal Credit Union, d/b/a GTE Financial Tampa, Florida Merchant Verification: 813-964-1055		
For	Qualifying District 70		
	[REDACTED]		MP

EXHIBIT 7





Branch: St Petersburg  
DateTime: 06-14-2014 09:56:48 AM  
Business Essentials Checking  
Trans Eff Date: 06-14-2014  
Transaction: New Account Deposit  
Account #: [REDACTED]  
Amount: \$1,195.00  
EL \$1,195.00  
Current Balance: \$1,195.00  
Amt: \$1,195.00 Available: 06-14-2014  
B#:206 NN#:4170 CB#:132 T#:1298  
Trans#:2500 NNName:008064375C72

Philip Garrett Political Campaign  
Think GTE for your Home loan!

EXHIBIT 8 pg. 1 of 4



Branch: Midtown St Petersburg  
DateTime: 06-18-2014 10:36:18 AM  
Business Essentials Checking  
Trans Eff Date: 06-18-2014  
Transaction: Deposit  
Account # [REDACTED]  
Amount: \$40.00  
EL \$40.00  
Current Balance: \$1,235.00  
Amt: \$40.00 Available: 06-18-2014  
B#:261 NN#:4177 CB#:1896 T#:6321  
Trans#:2501 NNName:008064373531

Philip Garrett Political Campaign  
Think GTE for your Home loan!

EXHIBIT 8 pg. 2 of 4



Branch: Brandon  
DateTime: 09-08-2014 01:47:25 PM  
Business Essentials Checking  
Trans Eff Date: 09-08-2014  
Transaction: Deposit  
Account # [REDACTED]  
Amount: \$320.00  
Cash \$320.00  
Amt.: \$320.00 Available: 09-08-2014  
B#:230 NN#:4142 CB#:346 T#:5457  
Trans#:2507 NNName:008064372358

Philip Garrett Political Campaign  
Save a Trip & Try Deposit2GO!

EXHIBIT 8 pg. 3 of 4

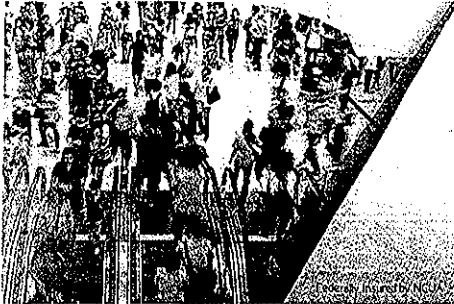


GTE Federal Credit Union  
 DBA GTE Financial  
 P.O. Box 172599  
 Tampa FL 33672-0599

813.871.2690  
 888.871.2690

Looking for a way to save on monthly expenses? Qualified members can now use Auto Harmony to refinance their GTE car loan without going through the time and cost of a traditional refi. You could also win a car payment FREE! Learn more at [gtefinancial.org/autoharmony](http://gtefinancial.org/autoharmony).

PHILIP GARRETT POLITICAL CAMPAIGN  
 3029 35TH TER S  
 SAINT PETERSBURG FL 33712-3728



### Avoid the Black Friday Crowd

Shop online to earn extra rewards with your GTE Credit Card. Earn bonus CURewards points for each dollar your spend at retailers like: **Macy's / Nike / UGG / Walmart**. Don't have a GTE Credit Card? Find out more and apply today at [gtefinancial.org/BlackFriday](http://gtefinancial.org/BlackFriday)

#### STATEMENT SUMMARY

Account Type	Account Number	Previous Balance	Ending Balance
Member Owner Share	[REDACTED]	\$5 00	\$5 00
Business Share	[REDACTED]	\$0 00	\$0 00
Business Essentials Checking	[REDACTED]	\$70 38	\$-69 42
Total Shares			\$-64 42
Total Loans			\$0 00
Total Statement Balances			\$-64 42

Avoid the \$5 monthly statement charge and get the same information online with eStatements

TRANS EFFECT MMDD MMDD	TRANSACTION DESCRIPTION	AMOUNT	NEW BALANCE
---------------------------	-------------------------	--------	-------------

Member Owner Share XXXXXXXX8816			
	Beginning Balance		\$5 00
	Ending Balance		\$5 00
	Dividends Paid 2014 On Member Owner Share	0.00	
	Annual Percentage Yield Earned:	0.00% for a 31 day period	
	Dividend Rate:	0.00%	

Business Share 7959			
	Beginning Balance		\$0 00
10/01	10/01	Withdrawal Mailed Statement Fee Mailed Statement Fee SEP-2014	\$-5 00
10/16	10/16	Descriptive Deposit Negative Balance Transfer from [REDACTED]	\$5 00
	Ending Balance		\$0 00
	Dividends Paid 2014 On Business Share	0.00	
	Annual Percentage Yield Earned:	0.00% for a 31 day period	
	Dividend Rate:	0.00%	

Business Essentials Checking 7967			
	Beginning Balance		\$70 38
→ 10/02	10/02	Deposit ITM-Ashley-1	\$200 00
10/03	10/03	Point Of Sale Withdrawal GOOD GUYS SIGNS TAMPA FLUS	\$-241 82
10/04	10/04	Point Of Sale Withdrawal MCDONALD'S F4801 TAMPA FLUS	\$-7 38
10/16	10/16	ATM Deposit GTE Financial 601 N. Ashley Dr. Tampa FLUS	\$900 00
10/16	10/16	Withdrawal Delq/Negative Bal Sweep Negative Balance Transfer to [REDACTED]	\$-5 00
			\$916 18



Re: FEC 14-410; Attention Tom Tucky  
Good Guys Signs  
to:  
Tracie Aulet  
03/02/2015 01:19 PM  
Show Details

History: This message has been replied to.

Hi Tracie

We did not make any "paper" products for Phillip Garrett. So, we did not make the palm/rack cards in question.

We did, however, make yard signs for him

Yard signs are the corrugated plastic material, with ink 1 or 2 sides

If you need any of those records, as there were 3 orders for yard signs, let me know

Tom Tucky  
Good Guys Signs  
(813) 447-4770

On Mon, Mar 2, 2015 at 12:45 PM, Tracie Aulet <[Tracie.Aulet@myfloridalegal.com](mailto:Tracie.Aulet@myfloridalegal.com)> wrote:

*(See attached file: Attachments A B C pdf)*

Dear Mr. Tucky,

Attached please find the palm card advertisements we discussed this morning. Please advise whether these advertisements were printed by Good Guys Signs. If so, please provide copies of any invoices, payment instruments (front and back), and any drafts of the advertisements you may have

Thank you for your time and attention to this matter. If you have any questions or concerns, please do not hesitate to contact me.

Regards,

Tracie L. Aulet  
Investigation Specialist II  
Florida Elections Commission  
The Collins Building, Suite 224  
107 West Gaines Street  
Tallahassee, FL 32399  
850-922-4539, Ext. 114 (Office)  
850-921-0783 (Fax)  
[tracie.aulet@myfloridalegal.com](mailto:tracie.aulet@myfloridalegal.com)

Please note that Florida has a broad public records law, and that all correspondence to me via e-mail may be subject to disclosure.

EXHIBIT 9

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

(1) Philip Garrett (2) 62650  
Candidate, Committee or Party Name I D Number

(3) Post Office Box 10641 St. Petersburg FL 33733  
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 06/12/2014 To 06/20/2014 Report Type: P1  
 Original  Amendment  Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$0 00
Loans	\$1 235 00
<i>Total Monetary</i>	\$1 235 00
In-Kind	\$0 00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$1,187 00
Transfers to Office Account	\$0 00
<i>Total Monetary</i>	\$1,187 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

**EXHIBIT 10 pg. 1 of 3**

Name: Philip Garrett

Report: 2014 P1

Period: 06/12/2014 to 06/20/2014

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

Seq #	Full Name (Last, Suffix First, Middle)	Contributor	Occupation	Amount
Date	Street Address & City, State, Zip	Type	In-Kind Description	Amend
1	GARRETT PHILIP	S		\$1,195 00
06/14/2014	3029 35TH TERRACE SOUTH SAINT PETERSBURG FL 33712	LOA		ADD
2	GARRETT PHILIP	S		\$40 00
06/18/2014	3029 35TH TERRACE SOUTH SAINT PETERSBURG FL 33712	LOA		ADD

EXHIBIT 10 pg. 2 of 3

Name: Philip Garrett

Report: 2014 P1

Period: 06/12/2014 to 06/20/2014

## \*\* Records in Filed Report \*\*

Seq # Date	Full Name (Last, Suffix First, Middle Street Address & City, State, Zip	Type	Purpose	Amount Amend
* 1 06/20/2014	FLORIDA DIVISION OF ELECTIONS R A GRAY BLDG 500 SOUTH BRONOUGH STREET TALLAHASSEE, FL 32399	X	CANDIDATE QUALIFYING FEE	\$1,187.00 ADD

EXHIBIT 10 pg. 3 of 3



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

(1) Philip Garrett (2) 62650  
Candidate, Committee or Party Name I D Number

(3) Post Office Box 10641 St. Petersburg FL 33733  
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 08/30/2014 To 09/12/2014 Report Type: G2

Original  Amendment  Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$0 00
Loans	\$320 00
<i>Total Monetary</i>	\$320 00
In-Kind	\$0 00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$241 82
Transfers to Office Account	\$0 00
<i>Total Monetary</i>	\$241 82

(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

**EXHIBIT 11 pg. 1 of 3**

Name: Philip Garrett

Report: 2014 G2

Period: 08/30/2014

to 09/12/2014

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

Seq #	Full Name (Last, Suffix First, Middle)	Contributor	Occupation	Amount
Date	Street Address & City, State, Zip	Type	In-Kind Description	Amend
1	GARRETT PHILIP	S		\$320 00
09/08/2014	3029 35TH TERRACE SOUTH SAINT PETERSBURG FL 33712	LOA		ADD

EXHIBIT 11 pg. 2 of 3

Name: Philip Garrett

Report: 2014 G2

Period: 08/30/2014 to 09/12/2014

## \*\* Records in Filed Report \*\*

Seq #	Full Name (Last, Suffix First, Middle Street Address & City, State, Zip	Type	Purpose	Amount
Date				Amend
* 1	GOOD GUYS SIGNS 1400 E HILLSBOROUGH AVE TAMPA, FL 33604	DIS	SIGNS	\$241.82
09/11/2014				ADD

EXHIBIT 11 pg. 3 of 3

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

(1) Philip Garrett (2) 62650  
Candidate, Committee or Party Name ID Number

(3) Post Office Box 10641 St. Petersburg FL 33733  
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 09/27/2014 To 10/03/2014 Report Type: G4

Original  Amendment  Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$0 00
Loans	\$200 00
<i>Total Monetary</i>	\$200 00
In-Kind	\$0 00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$241 82
Transfers to Office Account	\$0 00
<i>Total Monetary</i>	\$241 82

(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

**EXHIBIT 12 pg. 1 of 3**

Name: Philip Garrett

Report: 2014 G4

Period: 09/27/2014 to 10/03/2014

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

Seq #	Full Name (Last, Suffix First, Middle Street Address & City, State, Zip	Contributor	Occupation	Amount
		Type	In-Kind Description	Amend
* 1	GARRETT PHILIP 3029 35TH TERRACE SOUTH SAINT PETERSBURG FL 33712	S		\$200 00
		LOA		ADD

EXHIBIT 12 pg. 2 of 3

Name: Philip Garrett

Report: 2014 G4

Period: 09/27/2014 to 10/03/2014

## \*\* Records in Filed Report \*\*

Seq # Date	Full Name (Last, Suffix First, Middle Street Address & City, State, Zip	Type	Purpose	Amount
* 1	GOOD GUYS SIGNS 1400 E HILLSBOROUGH AVE TAMPA, FL 33604	DIS	SIGNS	\$241.82 ADD

EXHIBIT 12 pg. 30 of 3



GTE Federal Credit Union  
 DBA GTE Financial  
 P.O. Box 172599  
 Tampa FL 33672-0599

813.269.2690  
 888.871.2690

If the unexpected happens to your vehicle, Guaranteed Asset Protection (GAP) will cover the difference of what your insurance company will pay and how much you still owe on the loan. It's a simple and inexpensive way to really cover your bumper. Get more info at [gtefinancial.org/gap](http://gtefinancial.org/gap)

PHILIP GARRETT POLITICAL CAMPAIGN  
 3029 35TH TERR S  
 SAINT PETERSBURG FL 33712



### Super Fast Balance Transfers

As fast as a cheetah? You betcha. Transfer high-interest balances from other credit cards to your GTE Visa® right in GTE Online Banking. A few clicks and voila; you're saving money just like that. You smart cat, you.

Learn more at  
[gtefinancial.org/superfast](http://gtefinancial.org/superfast)

#### STATEMENT SUMMARY

Account Type	Account Number	Previous Balance	Ending Balance
Member Owner Share	[REDACTED]	\$0 00	\$5 00
Business Share	[REDACTED]	\$0 00	\$0 00
Business Essentials Checking	[REDACTED]	\$0 00	\$47 12
Total Shares			\$52 12
Total Loans			\$0 00
Total Statement Balances			\$52 12

Avoid the \$5 monthly statement charge and get the same information online with eStatements

TRANS EFFECT	TRANSACTION DESCRIPTION	AMOUNT	NEW BALANCE
--------------	-------------------------	--------	-------------

MMDD	MMDD		
<b>Member Owner Share XXXXXXXX8816</b>			
		Beginning Balance	\$0 00
06/15	06/14	Eff. 06-14 Descriptive Deposit Minimum Membership Balance Transfer \$5 from Share Acct	5 00
		Ending Balance	\$5 00
		Dividends Paid 2014 On Member Owner Share	0.00
		Annual Percentage Yield Earned:	0.00% for a 16 day period
		Dividend Rate:	0.00%

<b>Business Share 7959</b>			
		Beginning Balance	\$0 00
06/14	06/14	New Account Deposit	5.00
06/15	06/14	Withdrawal Eff. 06-14 Minimum Membership Balance Transfer \$5 to Member Owner Share	-5.00
		Ending Balance	\$0 00
		Dividends Paid 2014 On Business Share	0.00
		Annual Percentage Yield Earned:	0.00% for a 17 day period
		Dividend Rate:	0.00%

<b>Business Essentials Checking 7967</b>			
		Beginning Balance	\$0 00
06/14	06/14	New Account Deposit	1,195.00
06/18	06/18	Deposit	40.00
06/20	06/20	Withdrawal Check 503-92217226	-1,187.88
			\$47.12

**EXHIBIT 13 pg. 1 of 8**

**STATEMENT PERIOD**

06/14/2014 06/30/2014

**PAGE**

2 OF 2

**MEMBER NUMBER**

TRANS MMDD	EFFECT MMDD	TRANSACTION DESCRIPTION				AMOUNT	NEW BALANCE
		Ending Balance					\$47.12
No.	Amount	No.	Amount	No.	Amount	No.	Amount
503	1,187.88						

\* Indicates check out of sequence

Dividends Paid 2014 On Business Essentials Checking 0.00

Annual Percentage Yield Earned: 0.00% for a 17 day period

Dividend Rate: 0.00%

1 Withdrawals = 1,187.88 2 Deposits = 1,235.00

**FINANCE CHARGE COMPUTATION**

If you have a loan, the due dates on your statement may change if you are delinquent or if you are paid ahead. The amount of the FINANCE CHARGE on an open-end credit plan is determined by multiplying the daily balance in each loan account by the Daily Periodic Rate. The daily balance shall be computed by taking the beginning balance of each day, adding new advances, and subtracting any payments or credits. Consumer Loans: a late fee will be charged if full payment is not received within 10 days of the due date. Home Equity Lines of Credit- a late fee will be charged if full payment is not received within 15 days of the due date.

**ABOUT YOUR OPEN-END CREDIT ACCOUNTS**

If you think your statement is wrong with regard to a loan transaction or if you need more information about a loan transaction on your statement, write us at GTE Financial, P O Box 172599, Tampa, FL 33672-0599 as soon as possible. We must hear from you no later than 60 business days after we sent you the first statement on which the error or problem appeared. You can telephone us, but doing so will not preserve your rights.

In your letter give us the following information:

- 1 Your name and account number.
- 2 The dollar amount of the suspected error.
- 3 Describe the error and explain, as clearly as you can, why you believe there is an error. If you need more information describe the item you are not sure about.

You do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts of your statement that are not in question. While we investigate your question we cannot report you as delinquent or take any action to collect the amount you question.

EXHIBIT 13 pg. 2 of 8





GTE Federal Credit Union  
 DBA GTE Financial  
 P.O. Box 172599  
 Tampa FL 33672-0599

813 871 2690  
 888 871 2690

Want your mortgage or rent paid for a year?! There are 10 groovy ways to get entered into GIE Pays for Your Pad for a Year contest. Rack up entries now thru Nov 7! See all the sweet details at [gtefinancial.org/groovy](http://gtefinancial.org/groovy).

PHILIP GARRETT POLITICAL CAMPAIGN  
 3029 35TH TERR S  
 SAINT PETERSBURG FL 33712

Want your mortgage or rent paid for a year?!  
**There are 10 groovy ways to get entered into GTE Pays for Your Pad for a Year contest.**  
 Start with opening a New Free Checking + Direct Deposit!  
**That's 3 entries, no jive.**  
 Learn how to rack up more entries thru Nov 7.  
[gtefinancial.org/groovy](http://gtefinancial.org/groovy)

**STATEMENT SUMMARY**

Account Type	Account Number	Previous Balance	Ending Balance
Member Owner Share	[REDACTED]	\$5 00	\$5 00
Business Share	[REDACTED]	\$0 00	\$0 00
Business Essentials Checking	[REDACTED]	\$47 12	\$8 76
Total Shares			\$13 76
Total Loans			\$0 00
Total Statement Balances			\$13 76

Avoid the \$5 monthly statement charge and get the same information online with eStatements

**TRANS EFFECT MMDD MMDD TRANSACTION DESCRIPTION AMOUNT NEW BALANCE**

**Member Owner Share XXXXXXXX8816**

Beginning Balance			\$5 00
Ending Balance			\$5 00
Dividends Paid 2014 On Member Owner Share	0.00		
Annual Percentage Yield Earned:	0 00% for a 31 day period		
Dividend Rate:	0 00%		

**Business Share 7959**

Beginning Balance			\$0 00
08/01 08/01	Withdrawal Mailed Statement Fee Mailed Statement Fee	-5 00	\$-5 00
	JUL-2014		
08/16 08/16	Descriptive Deposit Negative Balance Transfer from [REDACTED]	5 00	\$0 00
Ending Balance			\$0 00
Dividends Paid 2014 On Business Share	0.00		
Annual Percentage Yield Earned:	0 00% for a 31 day period		
Dividend Rate:	0 00%		

**Business Essentials Checking 7967**

Beginning Balance			\$47 12
08/15 08/16	Point Of Sale Withdrawal SUNOCO 0613441501 ST PETERSBURGFLUS	-13 19	\$33 93
08/16 08/16	Withdrawal Delq/Negative Bal Sweep Negative Balance Transfer to [REDACTED]	-5 00	\$28 93
08/18 08/18	Point Of Sale Withdrawal WAWA 5122 0005 TAMPA FLUS	-10 17	\$18 76
08/18 08/18	Point Of Sale Withdrawal MARATHON PETRO0962 TAMPA FLUS	-10 00	\$8 76
Ending Balance			\$8 76

EXHIBIT 13 pg 3 of 8

TRANS MMDD	EFFECT MMDD	TRANSACTION DESCRIPTION	AMOUNT	NEW BALANCE
		Dividends Paid 2014 On Business Essentials Checking	0.00	
		Annual Percentage Yield Earned: 0.00% for a 31 day period		
		Dividend Rate: 0.00%		
		3 Withdrawals = 33.36 0 Deposits = 0.00		

**FINANCE CHARGE COMPUTATION**

If you have a loan, the due dates on your statement may change if you are delinquent or if you are paid ahead. The amount of the FINANCE CHARGE on an open-end credit plan is determined by multiplying the daily balance in each loan account by the Daily Periodic Rate. The daily balance shall be computed by taking the beginning balance of each day, adding new advances, and subtracting any payments or credits. Consumer Loans: a late fee will be charged if full payment is not received within 10 days of the due date. Home Equity Lines of Credit: a late fee will be charged if full payment is not received within 15 days of the due date.

**ABOUT YOUR OPEN-END CREDIT ACCOUNTS**

If you think your statement is wrong with regard to a loan transaction or if you need more information about a loan transaction on your statement, write us at GTE Financial, P.O. Box 172599, Tampa, FL 33672-0599 as soon as possible. We must hear from you no later than 60 business days after we sent you the first statement on which the error or problem appeared. You can telephone us, but doing so will not preserve your rights.

In your letter, give us the following information:

- 1 Your name and account number.
- 2 The dollar amount of the suspected error.
- 3 Describe the error and explain, as clearly as you can, why you believe there is an error. If you need more information, describe the item you are not sure about.

You do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts of your statement that are not in question. While we investigate your question, we cannot report you as delinquent or take any action to collect the amount you question.

EXHIBIT 13 pg. 4 of 8

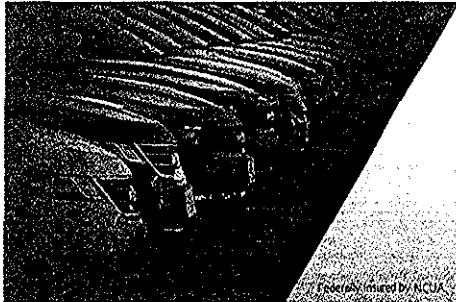


GTE Federal Credit Union  
 DBA GTE Financial  
 P.O. Box 172599  
 Tampa, FL 33672-0599

813 871 2690  
 888 871 2690

Want your mortgage or rent paid for a year?! There are 10 groovy ways to get entered into GTE Pays for Your Pad for a Year contest. Rack up entries now thru Nov 7! See all the sweet details at [gtefinancial.org/groovy](http://gtefinancial.org/groovy).

PHILIP GARRETT POLITICAL CAMPAIGN  
 3029 35TH TER S  
 SAINT PETERSBURG FL 33712-3728



**Oct. 18 Car Sale!**  
 Get entered to win your home free for a year, up to  
**\$24,000!**  
 Shop Cars. Finance. Drive away -- all online.  
[gtefinancial.org/Digit](http://gtefinancial.org/Digit)

**STATEMENT SUMMARY**

Account Type	Account Number	Previous Balance	Ending Balance
Member Owner Share	[REDACTED]	\$5 00	\$5 00
Business Share	[REDACTED]	\$0 00	\$0 00
Business Essentials Checking	[REDACTED]	\$8 76	\$70 38
Total Shares			\$75 38
Total Loans			\$0 00
Total Statement Balances			\$75 38

Avoid the \$5 monthly statement charge and get the same information online with eStatements

**TRANS EFFECT      TRANSACTION DESCRIPTION      AMOUNT      NEW BALANCE**

TRANS EFFECT	TRANSACTION DESCRIPTION	AMOUNT	NEW BALANCE
<b>Member Owner Share XXXXXXXX8816</b>			
	Beginning Balance		\$5 00
	Ending Balance		\$5 00
	Dividends Paid 2014 On Member Owner Share 0.00		
	Annual Percentage Yield Earned: 0 00% for a 30 day period		
	Dividend Rate: 0 00%		
<b>Business Share 7959</b>			
	Beginning Balance		\$0 00
09/01	09/01 Withdrawal Mailed Statement Fee Mailed Statement Fee AUG-2014	-5 00	\$-5 00
09/16	09/16 Descriptive Deposit Negative Balance Transfer from [REDACTED]	5 00	\$0 00
	Ending Balance		\$0 00
	Dividends Paid 2014 On Business Share 0.00		
	Annual Percentage Yield Earned: 0 00% for a 30 day period		
	Dividend Rate: 0 00%		
<b>Business Essentials Checking 7967</b>			
	Beginning Balance		\$8 76
09/08	09/08 Deposit	320 00	\$328 76
09/11	09/11 Point Of Sale Withdrawal GOOD GUYS SIGNS TAMPA FLUS	-241 82	\$86 94
09/16	09/16 Point Of Sale Withdrawal REDBOX *DVD RENTAL 866-733-2693 ILUS	-11 56	\$75 38
09/16	09/16 Withdrawal Delq/Negative Bal Sweep Negative Balance Transfer to [REDACTED]	-5 00	\$70 38
	Ending Balance		\$70 38

**EXHIBIT 13 pg. 5 of 8**

**STATEMENT PERIOD**

09/01/2014 09/30/2014

**PAGE**

2 OF 2

**MEMBER NUMBER**TRANS EFFECT  
MMDD MMDD**TRANSACTION DESCRIPTION****AMOUNT NEW BALANCE**

Dividends Paid 2014 On Business Essentials Checking 0.00  
 Annual Percentage Yield Earned: 0.00% for a 30 day period  
 Dividend Rate: 0.00%  
 2 Withdrawals = 253.38 1 Deposits = 320.00

**FINANCE CHARGE COMPUTATION**

If you have a loan, the due dates on your statement may change if you are delinquent or if you are paid ahead. The amount of the FINANCE CHARGE on an open-end credit plan is determined by multiplying the daily balance in each loan account by the Daily Periodic Rate. The daily balance shall be computed by taking the beginning balance of each day, adding new advances, and subtracting any payments or credits. Consumer Loans: a late fee will be charged if full payment is not received within 10 days of the due date. Home Equity Lines of Credit: a late fee will be charged if full payment is not received within 15 days of the due date.

**ABOUT YOUR OPEN-END CREDIT ACCOUNTS**

If you think your statement is wrong with regard to a loan transaction or if you need more information about a loan transaction on your statement, write us at GTE Financial, P O Box 172599, Tampa, FL 33672-0599 as soon as possible. We must hear from you no later than 60 business days after we sent you the first statement on which the error or problem appeared. You can telephone us, but doing so will not preserve your rights.

In your letter give us the following information:

- 1 Your name and account number.
- 2 The dollar amount of the suspected error.
- 3 Describe the error and explain, as clearly as you can, why you believe there is an error. If you need more information describe the item you are not sure about.

You do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts of your statement that are not in question. While we investigate your question we cannot report you as delinquent or take any action to collect the amount you question.

EXHIBIT 13 pg. 6 of 8



GTE Federal Credit Union  
 DBA GTE Financial  
 P.O. Box 172599  
 Tampa, FL 33672-0599

813 871 2690  
 888 871 2690

Looking for a way to save on monthly expenses? Qualified members can now use Auto Harmony to refinance their GTE car loan without going through the time and cost of a traditional refi. You could also win a car payment FREE! Learn more at [gtefinancial.org/autoharmony](http://gtefinancial.org/autoharmony).

PHILIP GARRETT POLITICAL CAMPAIGN  
 3029 35TH TER S  
 SAINT PETERSBURG FL 33712-3728



### Avoid the Black Friday Crowd

Shop online to earn extra rewards with your GTE Credit Card. Earn bonus CURewards points for each dollar your spend at retailers like: **Macys / Nike / UGG / Walmart**. Don't have a GTE Credit Card? Find out more and apply today at [gtefinancial.org/BlackFriday](http://gtefinancial.org/BlackFriday)

#### STATEMENT SUMMARY

Account Type	Account Number	Previous Balance	Ending Balance
Member Owner Share	[REDACTED]	\$5 00	\$5 00
Business Share	[REDACTED]	\$0 00	\$0 00
Business Essentials Checking	[REDACTED]	\$70 38	\$-69 42
Total Shares			\$-64 42
Total Loans			\$0 00
Total Statement Balances			\$-64 42

Avoid the \$5 monthly statement charge and get the same information online with eStatements

TRANS EFFECT MMDD MMDD	TRANSACTION DESCRIPTION	AMOUNT	NEW BALANCE
---------------------------	-------------------------	--------	-------------

**Member Owner Share XXXXXXXX8816**

	Beginning Balance		\$5 00
	Ending Balance		\$5 00
	Dividends Paid 2014 On Member Owner Share	0.00	
	Annual Percentage Yield Earned:	0.00% for a 31 day period	
	Dividend Rate:	0.00%	

**Business Share 7959**

	Beginning Balance		\$0 00	
10/01	10/01	Withdrawal Mailed Statement Fee Mailed Statement Fee SEP-2014	-5 00	\$-5 00
10/16	10/16	Descriptive Deposit Negative Balance Transfer from [REDACTED]	5 00	\$0 00
	Ending Balance		\$0 00	
	Dividends Paid 2014 On Business Share	0.00		
	Annual Percentage Yield Earned:	0.00% for a 31 day period		
	Dividend Rate:	0.00%		

**Business Essentials Checking 7967**

	Beginning Balance		\$70 38	
10/02	10/02	Deposit ITM-Ashley-1	200 00	\$270 38
10/03	10/03	Point Of Sale Withdrawal GOOD GUYS SIGNS TAMPA FLUS	-241 82	\$28 56
10/04	10/04	Point Of Sale Withdrawal MCDONALD'S F4801 TAMPA FLUS	-7 38	\$21 18
10/16	10/16	ATM Deposit GTE Financial 601 N Ashley Dr Tampa FLUS	900 00	\$921 18
10/16	10/16	Withdrawal Delq/Negative Bal Sweep Negative Balance Transfer to [REDACTED]	-5 00	\$916 18

Tranzact

GTE FCU d/b/a GTE Financial

263182794

Share Draft - View Image

Sequence	Capture Date	Member No.	Check No.	Amount	Hi/Lo	Return Reason	Return Date
92217226	06/20/2014	██████████7967	503	\$1,187.88	L		

29654

Name PHILIP GARRETT POLITICAL CAMPAIGN 62650

Account No. ██████████7967 Date 6/17/14 63-8278/2631 217

Pay to the Order of Department of State \$ 1,187.88

One Thousand One Hundred Eighty Seven <sup>88</sup>/<sub>100</sub> Dollars

**Agte** financial  
GTE Federal Credit Union,  
d/b/a GTE Financial  
Tampa, Florida  
Member's Verification: 813-684-1080

For Qualifying District 70

*[Signature]*



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Date: 06/17/14



EXHIBIT 13 pg. 8 of 8

**STATEMENT OF  
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

RECEIVED  
DEPARTMENT OF STATE  
OFFICE USE ONLY  
2014 JUN 12 AM 10:06  
DIVISION OF ELECTIONS  
TALLAHASSEE, FL

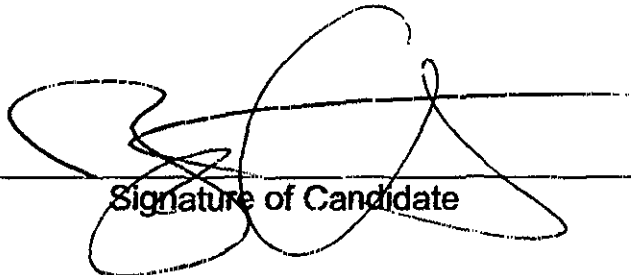
I, Philip Garrett,

candidate for the office of State House of Representative District 70;

have been provided access to read and understand the requirements of

Chapter 106, Florida Statutes.

X



Signature of Candidate

06-07-2014

Date

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

**FLORIDA ELECTIONS COMMISSION  
PHONE LOG  
Case No.: FEC 14-410**

**Respondent: Philip Garrett**

**Complainant: David J. Zachem**

1. **Date and time:** January 8, 2015; 9:10 a.m.  
**Name:** GIE Federal Credit Union  
**Phone #:** 813-871-2690  
**Summary:** I spoke with Keri and inquired as to how I should send a subpoena for bank documents. Keri stated the subpoena could be sent by mail, fax or e-mail. I asked if it should be by certified mail; she stated that would be fine. I asked which should be used; Keri stated the address is 711 East Henderson Avenue, Tampa, Florida 33602, attention Compliance Department.  
**Memo to File?** No  
**Entered by:** ta
  
2. **Date and time:** January 9, 2015; 10:41 a.m.  
**Name:** Complainant  
**Phone #:** 727-866-3558  
**Summary:** There was no answer; I left a voicemail asking C to return my call. I was calling to discuss complaint.  
**Memo to File?** No  
**Entered by:** ta
  
3. **Date and time:** January 9, 2015; 11:49 a.m.  
**Name:** Complainant  
**Phone #:** returned my call  
**Summary:** I introduced myself as the investigator assigned to investigate his complaint and asked if he had any additional questions or concerns. C stated the basis of his complaint is that it is "not possible" to spend money without contributions and in the spirit of "who gave it, who got it" and as a member of the community he saw R advertisements; he wanted to know "who is contributing to this guy." C commented that he saw R reports with no contributions and he "was there when all that passed" regarding who gave it, who got it. C stated he would probably be present for the pc hearing; I advised C that he would receive a notice of hearing and suggested he contact the Commission Clerk when he received the notice to let her know he would be attending.  
**Memo to File?** No  
**Entered by:** ta
  
4. **Date and time:** January 20, 2015; 11:02 a.m.  
**Name:** Respondent  
**Phone #:** 813-331-9777  
**Summary:** I introduced myself as the investigator assigned to investigate the complaint filed against him. I asked R if he received the Commission's letters; he stated he just came from the post office. R stated it was his first time running; he didn't know the rules; he

**EXHIBIT 15 pg. 1 of 2**



"couldn't call anyone;" the process was "overwhelming;" he didn't get any contributions; and he thought he read somewhere that he did not have to file anything if he used his own money R remarked that he was up until 2:00 in the morning trying to learn the system and that he filed waivers "to buy more time" to learn the process. R stated he doesn't get any money and he "struggled through the process;" he asked that the Commission understand his "problem" I asked R if he received the acknowledgment letter with his PIN and password; he responded "I got a lot of information." I asked R if he read Chapters 104 and/or 106, Florida Statutes; he stated "not yet" and added he was "going home to read it now." R stated he works; his wife works two jobs; and he has three children; therefore, he had no time to read anything. R remarked his campaign played no factor in the election; he had no support; and he was a one man show. R stated he was not lying or trying to cheat; R offered unsolicited comments that there is "a lot of arrogance in politics" and stated he was not trying to break any laws. R stated he ran because "nobody's trying to do anything" about things going on in his community and "I believed I could make a difference." I asked R if he received a copy of the complaint; he stated yes. R confirmed that his campaign published the two advertisements that were with the complaint; according to R there is a disclaimer on the larger advertisement. R stated he and another lady made the flyers themselves; however, when I asked R for the name of the person who helped him with the advertisement R stated he couldn't remember who she was. R was adamant that nothing he did was intentional and stated this was the first time he's ever run; R commented "I feel like a criminal" and this is "hurtful" R stated he "never intentionally broke any laws" and this was overwhelming. I asked R about the second advertisement; R replied "I'm not sure" and reiterated his position that he did not do this deliberately. R agreed to provide a written response to the allegations and a copy of the advertisement that has the disclaimer on it.

**Memo to File?** No

**Entered by:** ta

5. **Date and time:** March 2, 2015; 11:37 a.m.

**Name:** Respondent

**Phone #:** 813-331-9777

**Summary:** There was no answer; I left a voicemail asking R to return my call. I was calling to ascertain whether R was going to return the affidavit, and/or conduct final interview.

**Memo to File?** No

**Entered by:** ta

6. **Date and time:** March 2, 2015; 11:56 a.m.

**Name:** Good Guys Signs

**Phone #:** 813-447-4770

**Summary:** I spoke with Tom Tucky and explained I was calling in reference to some palm card advertisements printed by R campaign. I asked Mr. Tucky if I could e-mail him copies of the cards and if he could in turn verify whether Good Guys Signs printed the cards. Mr. Tucky agreed to review the cards; he gave his e-mail address as [goodguyssigns@gmail.com](mailto:goodguyssigns@gmail.com).

**Memo to File?** No

**Entered by:** ta

**EXHIBIT** 15 pg. 2 of 2



**FLORIDA ELECTIONS COMMISSION**

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

December 31, 2014

Philip Garrett  
P.O. Box 10641  
St Petersburg, FL 33733

**RE: Case No.: FEC 14-410; Respondent: Philip Garrett**

Dear Mr. Garrett:

On October 31, 2014, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more legally sufficient allegations. The Commission staff will investigate the following alleged violations:

**Section 106.143(1)(a), Florida Statutes:** Philip Garrett, 2014 candidate for Florida House of Representatives, District 70, paid for and displayed political advertisements that contained express advocacy but did not include proper disclaimers.

**Section 106.19(1)(b), Florida Statutes:** Philip Garrett, 2014 candidate for Florida House of Representatives, District 70, failed to report contributions required to be reported by Chapter 106, Florida Statutes, as alleged in the complaint.

**Section 106.19(1)(c), Florida Statutes:** Philip Garrett, 2014 candidate for Florida House of Representatives, District 70, falsely reported or deliberately failed to include information in one or more campaign treasurer reports, as alleged in the complaint.

You may respond to the allegations above by filing a notarized statement providing any information regarding the facts and circumstances surrounding the allegations. Your response will be included as an attachment to the investigator's report.

When we conclude the investigation, a copy of the Report of Investigation will be mailed to you at the above address. You may file a response to the report within 14 days from the date the report is mailed to you. Based on the results of the investigation, legal staff will make a written recommendation to the Commission on whether there is probable cause to believe you have violated Chapter 104 or 106, Florida Statutes. A copy of the Staff Recommendation will be

mailed to you and you may file a response within 14 days from the date the recommendation is mailed to you. Your timely filed response(s) will be considered by the Commission when determining probable cause

The Commission will then hold a hearing to determine whether there is probable cause to believe you have violated Chapters 104 or 106, Florida Statutes. You and the complainant will receive a notice of hearing at least 14 days before the hearing. The notice of hearing will indicate the location, date, and time of your hearing. You will have the opportunity to make a brief oral statement to the Commission, but you will not be permitted to testify or call others to testify, or introduce any documentary or other evidence.


At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement.

**The Report of Investigation, Staff Recommendation, and Notice of Hearing will be mailed to the above address as this letter. Therefore, if your address changes, you must notify this office of your new address. Otherwise, you may not receive these important documents. Failure to receive the documents will not delay the probable cause hearing.**

Under section 106 25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you unless you waive confidentiality in writing. The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her.

If you have any questions or need additional information, please contact **Tracie Aulet**, the investigator assigned to this case

Sincerely,



Amy McKeever Ioman  
Executive Director

AMT/enr

4-410

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

RECEIVED

2014 OCT 31 P 12: 56

CONFIDENTIAL COMPLAINT FORM

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

1. PERSON BRINGING COMPLAINT:

Name: David J. Zachem Work Phone: (727) 510980  
Address: 5127 Caesar Way S. Home Phone: (727) 8663558  
City: St. Petersburg County: Pinellas State: FL Zip Code: 33712

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

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

Name of individual or entity: Philip Garrett  
Address: Post Office Box 10641 Phone: ( )  
City: St Petersburg County: Pinellas State: FL Zip Code: 33733

If individual is a candidate, list the office or position sought: Canadidate District 70 (62650)

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

3. ALLEGED VIOLATION(S):

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

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

1. Failure to report campaign income. On 11 occasions Mr Garrett has failed to report income.
  2. Failure to report expenditures.
  3. Failure to support law on paid for tag.
  4. Misrepresentation of facts.
- see encosures

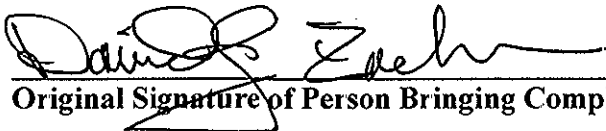
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Additional materials attached (check one)?  Yes  No


**4. OATH**

**STATE OF FLORIDA**  
**COUNTY OF** Pinellas

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

  
Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 30th day of October, 2014

  
Signature of Officer Authorized to Administer Oaths or Notary public



**KIMBERLY S. SIMONI**  
**NOTARY PUBLIC**  
**STATE OF FLORIDA**  
**Comm# FF112514**  
**Expires 4/14/2018**

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known  Or Produced Identification

Type of Identification Produced \_\_\_\_\_

RECEIVED  
2014 OCT 31 P 12:56  
STATE OF FLORIDA  
ELECTIONS COMMISSION

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

ORIGINAL



*Lachem & Associates, Inc.*

5127 CAESAR WAY S • ST. PETERSBURG, FL 33712 • 727-510-9830 • FAX 727-866-9338 FLORIDA  
djzachem@earthlink.net

COMMISSION ON ETHICS

10/13/14

By Overnight Delivery

OCT 15 2014

RECEIVED

Commission on Ethics

P.O. Drawer 15709

Tallahassee, FL 32317-5709

Sirs,

RE: Philip Garrett candidate for House District 70

This is a complaint regarding the violations of Philip Garrett. The facts support the following ethic violations:

1. Failure to report campaign income. On 11 occasions Mr. Garrett has failed to report any income yet he has spent monies.
2. Failure to report campaign expenses. On 11 occasions Mr. Garrett has failed to report any expenditure yet he has displayed campaign signs, hand outs yard signs, and other items.
3. Mr. Garrett has developed his own unique paid for tag that does not come close to identifying the requirements of the statute.
4. Mr. Garrett has misrepresented facts in his campaign material. His statements regarding "unpaid taxes" and "failed bills" are not supported by the facts.

These are just a few of the items Mr. Garrett's campaign has deviated from Florida law, rules, and the facts that has created a culture of serious and continuous violations. I have enclosed materials that will on their face support this complaint.

I live in this district and file this independently of any campaign or party.

Thank you,

David J. ~~Zachem~~, ASA, CFE, CES

000003

STATE OF FLORIDA  
COMMISSION ON ETHICS  
P. O. DRAWER 15709, TALLAHASSEE, FLORIDA 32317-5709

FLORIDA  
COMMISSION ON ETHICS

OCT 15 2014

RECEIVED

# COMPLAINT

## ORIGINAL

### 1. PERSON BRINGING COMPLAINT:

Name: David J. Zachem Telephone Number: (727) 510-9830

Address: 5127 Caesar Way S.

City: St. Petersburg County: Pinellas Zip Code: 33712

### 2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

Current or former public officer, public employee, candidate, or lobbyist - please use one complaint form for each person you wish to complain against:

Name: Philip Garrett Telephone Number: \_\_\_\_\_

Address: Post Office Box 10641

City: St. Petersburg County: Pinellas Zip Code: 33733

Title of office or position held or sought: Candidate for State Representative, District 70 (62650)

### 3. STATEMENT OF FACTS:

Please explain your complaint fully, either on the reverse side of this form or on additional sheets, providing a detailed description of the facts and the actions of the person named above. Include relevant dates and the names and addresses of persons whom you believe may be witnesses. If you believe that a particular provision of Article II, Section 8, Florida Constitution (the Sunshine Amendment) or of Part III, Chapter 112, Florida Statutes (the Code of Ethics for Public Officers and Employees) has been violated, please state the specific section(s). Please do not attach copies of lengthy documents; if they are relevant, your description of them will suffice. Also, please do not submit video tapes or audio tapes.

### 4. OATH

I, the person bringing this complaint, do depose on oath or affirmation and say that the facts set forth in the foregoing complaint and attachments thereto are true and correct to the best of my knowledge and belief.

STATE OF FLORIDA  
COUNTY OF Pinellas

Sworn to (or affirmed) and subscribed before me  
this 14th day of October

20 14, by David Zachem  
(name of person making statement)

Kimberly S. Simoni  
(Signature of Notary Public - State of Florida)

Kimberly S. Simoni  
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known  OR Produced Identification   
Type of Identification Produced:

David J. Zachem  
SIGNATURE OF COMPLAINANT





Linda McKee Robison

*Chair*

Stanley M. Weston

*Vice Chair*

Michelle Anchors

Matthew F. Carlucci

Michael Cox

I. Martin Ford

Tom Freeman

Wiley Horton

Susan Horovitz Maurer

Virilindia Doss

*Executive Director*

C. Christopher Anderson, III

*General Counsel/*

*Deputy Executive Director*

State of Florida  
COMMISSION ON ETHICS  
P.O. Drawer 15709  
Tallahassee, Florida 32317-5709

325 John Knox Road  
Building E, Suite 200  
Tallahassee, Florida 32303

(850) 488-7864 Phone

(850) 488-3077 (FAX)

[www.ethics.state.fl.us](http://www.ethics.state.fl.us)

*"A Public Office is a Public Trust"*

October 16, 2014

David J. Zachem  
Lachem & Associates, Inc.  
5127 Caesar Way South  
St. Petersburg, Florida 33712

Dear Mr. Zachem,

I am returning the complaint you filed against candidate for Florida House of Representatives Phillip Garrett, because the Ethics Commission does not have jurisdiction to address your concerns. Your complaint relates to alleged violations of the campaign finance and elections laws. The Commission on Ethics does not have jurisdiction over those laws—its jurisdiction is limited to the financial disclosure and conflict of interest laws found in Chapter 112, Florida Statutes and Article II, Section 8. You may wish to look at the website of the Florida Elections Commission at [www.fec.state.fl.us](http://www.fec.state.fl.us) to ascertain whether that entity may have jurisdiction.

Sincerely,

A handwritten signature in cursive script, appearing to read "Virilindia Doss".

Virilindia Doss  
Executive Director  
Florida Commission on Ethics

VAD/mlb

Enclosure: Complaint

000005





**Florida Department of State  
Division of Elections**

**2014 General Election  
Philip Garrett (NPA)  
State Representative**

**Campaign Finance Activity**

**Note:** The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections [About the Campaign Finance Data Base](#)

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
<b>W</b>	06/12/2014 - 06/20/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	06/21/2014 - 07/04/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	07/05/2014 - 07/18/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	07/19/2014 - 07/25/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	07/26/2014 - 08/01/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	08/02/2014 - 08/08/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	08/09/2014 - 08/21/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	08/22/2014 - 08/29/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	08/30/2014 - 09/12/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	09/13/2014 - 09/26/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>W</b>	09/27/2014 - 10/03/2014	0 00	0 00	0 00	0 00	0 00	0 00
<b>●</b>	<b>All Dates (Totals)</b>	0 00	0 00	0 00	0 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  
 ▼

Select Sort Order  
 ▼

Select Output Type  
 ▼

[Query the Campaign Finance Data Base](#)

000006


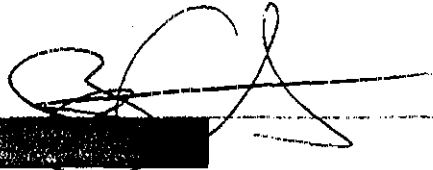
[\[Department of State\]](#) [\[Division of Elections\]](#) [\[Candidates and Races\]](#) [\[Campaign Finance Information\]](#)

000007

RECEIVED  
DEPARTMENT OF STATE

14 JUN 18 AM 10:23

DIVISION OF ELECTIONS  
TALLAHASSEE, FL

Name	PHILIP GARRETT POLITICAL CAMPAIGN	
Account No.	[REDACTED]	Date 6/17/14
Pay to the Order of	Department of State	\$ 1,187.88
	One Thousand One Hundred Eighty Seven <sup>88</sup> / <sub>100</sub> Dollars	
	GTE Federal Credit Union d/b/a GTE Financial Tampa, Florida Merchant Verification: 813-994-1055	
For	Qualifying District 70	[REDACTED]

000008



## FLORIDA DEPARTMENT OF STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

June 20, 2014

Philip Garrett, Candidate for  
State Representative, District 70 (62650)  
Post Office Box 10641  
St Petersburg, FL 33733

Dear Mr. Garrett:

The Division is in receipt of the enclosed check in the amount of \$25.00 which was received in our office on June 18, 2014. Your check in the amount of \$1,187.88, which is the qualifying fee for State Representative (NPA), was also received on June 18, 2014. Therefore, I am returning the check for \$25.00 to you.

If you have any questions, please do not hesitate to contact this office at (850) 245-6280

Sincerely,

Kristi Reid Bronson, Chief  
Bureau of Election Records

KRB/dsb

Enclosure



Division of Elections  
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399  
850.245.6200 • 850.245.6217 (Fax) [election.dos.state.fl.us](http://election.dos.state.fl.us)  
Promoting Florida's History and Culture [VivaFlorida.org](http://VivaFlorida.org)



000009

Name Philip Garrett Political Campaign

Account No. [REDACTED] 6/17/14 Date

217

Pay to the Order of Department of State \$ 25.00

Twenty five <sup>00</sup>/<sub>100</sub> Dollars



GTE Federal Credit Union,  
d/b/a GTE Financial  
Tampa, Florida  
Merchant Verification: 813-564-1050



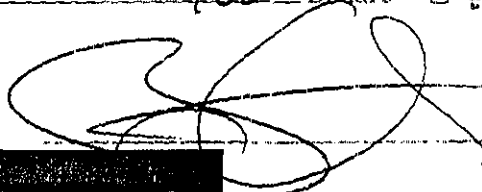
*[Handwritten Signature]*

For Application fee

[REDACTED]

000010

RECEIVED  
DEPARTMENT OF STATE  
14 JUN 18 AM 10:23  
DIVISION OF ELECTIONS  
TALLAHASSEE, FL

Name Philip GARRET Political Campaign  
Account No [REDACTED] Date 6/17/14 63-8279/2631  
217  
Pay to the Order of Department of State \$25.00  
Twenty five <sup>00</sup>/<sub>100</sub> Dollars   
 GTE Federal Credit Union,  
d/b/a GTE Financial  
Tampa, Florida  
Merchant Verification: 813-564-1055  
For Application fee [REDACTED] 

0000-1


# VOTE

## PHILIP GARRETT

Florida House of Representatives  
District 70

### NOVEMBER 4TH

Restoring the Public's Faith With Results



**Committed to:**

- Quality early childhood education
- Support for parents engaged in their child's education
- Quality tutoring in schools
- Job growth through manufacturing and career building
- Business development
- Increasing minimum wage
- Lower government fees
- Affordable housing

**PHILIP GARRETT**  
for Florida House of Representatives  
District 70

Support the Candidate

SEND DONATIONS TO **VOTE GARRETT**

P. O. BOX 10641

ST. PETERSBURG, FL 33733

VISIT [VOTEGARRETT2014@GOFUNDME.COM](mailto:VOTEGARRETT2014@GOFUNDME.COM)


NO ONE POLITICAL PARTY CAN DELIVER YOU. BUT UNITY CAN. VOTE!  
For Info: 813-331-9777 | [votegarrett.com](http://votegarrett.com) | [votegarrett@facebook.com](https://www.facebook.com/votegarrett)

## LET'S RESTORE THE PUBLIC'S FAITH VOTE GARRETT

**THE CURRENT REPRESENTATIVE HAS:**

- \$157,000 IN UNPAID TAXES
- OVER 50 FAILED BILLS
- A BANKRUPTCY

*Been Voted Out as Leader of the House Democratic Caucus in 2013*



Better Ideas  
Real Solutions

**VOTE PHILIP GARRETT**  
FL HOUSE OF REP.

000012

- Quality Early Childhood Education.
- Support for Parents engaged in their child's education.
- Quality After School Tutoring.
- Increased funding for Youth Arts and Recreation.
- Job growth through manufacturing and career building.
- Transportation Development.
- Lower government fees.
- Affordable Housing.



**RESTORE  
THE  
PUBLIC'S FAITH**

**VOTE**

**NOVEMBER 4TH 2014**

**PHILIP GARRETT**

**Florida House of Representatives District 70**

**VOTEGARRETT@FACEBOOK or VOTEGARRET2014@GOFUNDME.COM 813-331-9777**