

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Tom Alte

Case No.: FEC 15-459

TO: Mark Herron, Esquire
Messer Caparello PA
PO Box 15579
Tallahassee, FL 32317-5579

James Donelon
6800 Park Street South, # 802
South Pasadena, FL 33707

NOTICE OF HEARING (CONSENT ORDER)

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

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
February 26, 2018

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

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

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

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

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

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

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

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

v.

**Agency Case No.: FEC 15-459
F.O. No.: FOFEC <#>**

**Thomas A. Alte, Jr.,
Respondent.**

CONSENT FINAL ORDER

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

FINDINGS OF FACT

1. On October 26, 2015, a complaint was filed with the Commission alleging that Respondent violated Florida's election laws.
2. On December 15, 2017, the Commission entered an Order of Probable Cause finding there was probable cause to charge the Respondent with one count of violating Section 106.08(1)(a), Florida Statutes, one count of violating Section 106.19(1)(a), Florida Statutes, and one count of violating Section 106.143(1)(c), Florida Statutes.
3. Respondent has expressed a desire to enter into negotiations directed toward reaching a consent agreement.
4. Respondent and staff stipulate to the following facts:
 - a. Respondent is the chairperson and treasurer for Florida Voters

Fund, a political committee registered with the Division of Elections.

b. Respondent is also a co-founder and manager for Blue Ticket Consulting, LLC, a Florida limited liability company which provides campaign consulting services.

c. Blue Ticket Consulting, LLC provided campaign consulting services to Lisa Wheeler-Brown's 2015 campaign for Saint Petersburg City Council, District 7.

d. On or around October 6, 2015, Florida Voters Fund published an advertisement.

e. Florida Voters Fund paid \$17,488.54 for the advertisement.

f. The advertisement contained the following disclaimer: "Paid electioneering communication paid for by Florida Voters Fund, PO Box 16061, St. Petersburg, FL 33733."

CONCLUSIONS OF LAW

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

6. The Commission staff and the Respondent stipulate that staff can prove the facts in paragraph four above by clear and convincing evidence and to the Commission's ability to impose a civil penalty in this case.

ORDER

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

8. The Respondent shall bear his own attorney's fees and costs that are in any way

associated with this case.

9. The Commission will consider this Consent Order at its next available meeting.

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

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

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

PENALTY

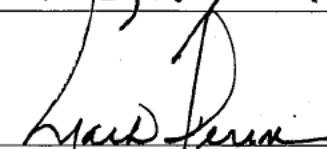
WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent violated Sections 106.08(1)(a), 106.19(1)(a), and 106.143(1)(c), Florida Statutes, and imposes a civil penalty in the amount of \$750.

Therefore, it is

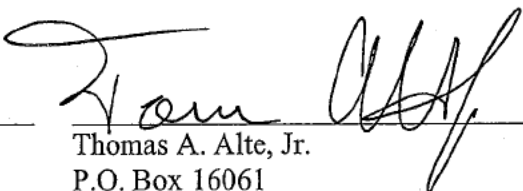
ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of **\$750**, inclusive of fees and costs. The civil penalty shall be paid cashier's check or money order, good for at least 120 days, or attorney trust account check. The civil penalty shall be payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

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

5 February 2018




Mark Herron
Messer Caparello, P.A.
P.O. Box 15579
Tallahassee, FL 32317



Thomas A. Alte, Jr.
P.O. Box 16061
St. Petersburg, FL 33733

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

February 6, 2018



Stephanie J. Cunningham
Assistant General Counsel
Florida Elections Commission
107 West Gaines Street
The Collins Building, Suite 224
Tallahassee, FL 32399-1050

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

on _____, in Tallahassee, Florida.

M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, Assistant General Counsel
Mark Herron, Attorney for Respondent
James Donelon, Complainant



CASHIER'S CHECK

02/01/2018

61-1/620

5503933647

BLUE TICKET CONSULTING /

Purchaser / Purchased For

SEVEN HUNDRED FIFTY DOLLARS AND 00 CENTS

PAY TO THE ORDER OF FLORIDA ELECTIONS COMMISSION

\$750.00

Regions Bank

Anna Seguito
Authorized Signature



Branch FL00173
CC173100



FILED

17 DEC 15 AM 9:45

STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 15-459

v.

**Thomas A. Alte, Jr.,
Respondent.**

ORDER OF PROBABLE CAUSE

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

On October 31, 2017, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

Count 1:

On or around October 6, 2015, Thomas A. Alte, Jr., as chairperson and treasurer for Florida Voters Fund, violated Section 106.08(1)(a), Florida Statutes, when he made a contribution in excess of the limits prescribed by Section 106.08, Florida Statutes, to Lisa Wheeler-Brown, a 2015 candidate for Saint Petersburg City Council, District 7.

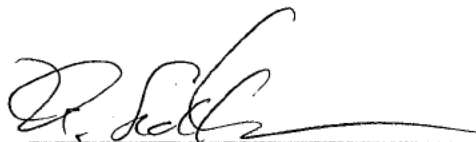
Count 2:

On or about October 6, 2015, Thomas A. Alte, Jr., as manager for Blue Ticket Consulting, LLC, violated Section 106.19(1)(a), Florida Statutes, when he accepted a contribution in excess of the limits prescribed by Section 106.08, Florida Statutes.

Count 3:

On or about October 6, 2015, Thomas A. Alte, Jr., as chairperson and treasurer for Florida Voters Fund, violated Section 106.143(1)(c), Florida Statutes, when he paid for and published political advertisements that contained express advocacy but did not include proper disclaimers.

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



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, Assistant General Counsel
Mark Herron, Attorney for Respondent
James Donelon, 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: Tom Alte

Case No.: FEC 15-459

TO: Mark Herron, Esquire
Messer Caparello PA
PO Box 15579
Tallahassee, FL 32317-5579

James Donelon
6800 Park Street South, # 802
South Pasadena, FL 33707

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **November 28, 2017 at 10:00 am, or as soon thereafter as the parties can be heard**, at the following location: **412 Knott Building, Pat Thomas Committee Room, 404 South Monroe Street, Tallahassee, Florida 32399.**

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

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

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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: Thomas A. Alte, Jr. /

Case No.: FEC 15-459

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Sections 106.08(1)(a), 106.143(1)(c), and 106.19(1)(a), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on September 25, 2017, the following facts and law support this staff recommendation:

1. On October 26, 2015, the Florida Elections Commission ("Commission") received a sworn complaint from James Donelon ("Complainant"), alleging that Thomas A. Alte, Jr. ("Respondent") violated Chapter 106, Florida Statutes.

2. Respondent is the chairperson and treasurer for Florida Voters Fund, a political committee registered with the Division of Elections. (ROI Exhibits 2 & 3)¹ Respondent is also a co-founder and manager for Blue Ticket Consulting, LLC, a Florida limited liability company which provides campaign consulting services. (ROI Exhibit 1, pages 1 & 2)

3. By letter dated March 11, 2016, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

Section 106.08(1)(a), Florida Statutes: Respondent, in his capacity as chairman and treasurer of *Florida Voters Fund*, a political committee, made one or more excessive contributions to Lisa Wheeler-Brown's 2015 campaign for election to the Saint Petersburg City Council, as alleged in the complaint.

Section 106.143(1)(c), Florida Statutes: Respondent, in his capacity as chairman and treasurer of *Florida Voters Fund*, a political committee, paid for and distributed a political advertisement that contained express advocacy but did not include a proper disclaimer, as alleged in the complaint.

Section 106.19(1)(a), Florida Statutes: Respondent, in his capacity as manager of *Blue Ticket Consulting, LLC*, which managed Lisa Wheeler-Brown's 2015 campaign for election to the Saint Petersburg City Council, accepted from *Florida Voters Fund*

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

one or more contributions in excess of the limits prescribed by Section 106.08, Florida Statutes, as alleged in the complaint.

Alleged Violation: Section 106.08(1)(a), Florida Statutes

4. Complainant alleged that Respondent, as chairperson and treasurer for Florida Voters Fund, violated Florida's election laws by making a contribution in excess of the limits prescribed by Section 106.08, Florida Statutes. More specifically, Complainant alleged that Respondent made an excessive in-kind contribution to Telisha Brown a/k/a Lisa Wheeler-Brown's 2015 campaign for Saint Petersburg City Council, District 7, in the form of a political advertisement that expressly advocated for the defeat of her only opponent, Winthrop "Will" Newton, and thereby for the election of Ms. Wheeler-Brown.

5. Under Section 106.08(1)(a)2., Florida Statutes, a person who makes a contribution in excess of \$1,000 to a candidate for city council commits a violation of Florida's election laws. The contribution limit applies to each election, with the primary and general election being treated as separate elections so long as the candidate is not unopposed. The race for Saint Petersburg City Council, District 7, had a general election on August 25, 2015, with a run-off election on November 3, 2015.

6. Complainant provided a copy of an advertisement that contains express advocacy stating in part, "THE NEGATIVE NEWTON BROTHERS THEY SAY NO! TO EVERYTHING GOOD. Wengay and Will Have a Favorite Word ... NO! Especially When It Comes to Moving St. Pete Forward. . . . Moving our city forward is about working with . . . the City Council, . . . Say NO to the Negative Newton Brothers. . . ." (ROI Exhibit 5, page 1)

7. Respondent provided an invoice dated October 6, 2015 showing that the advertisement cost \$17,488.54 (ROI Exhibit 5, page 3) The advertisement contains the following disclaimer: "Paid electioneering communication paid for by Florida Voters Fund, . . ." (ROI Exhibit 5, page 1)

8. Respondent stated that the mailer did not use language directly instructing the recipient who to vote for or against, but rather encouraging the recipient to reject the negative outlook of the Newton brothers. Respondent stated that as chairperson for Florida Voters Fund he was responsible for making contributions to the Lisa Wheeler-Brown campaign and made sure only to donate \$1,000 per election. He stated that as manager of Blue Ticket Consulting, LLC that he was involved with discussion about general strategy related to Ms. Wheeler-Brown's campaign. He stated that Blue Ticket Consulting, LLC provided general strategy consulting including communications, fundraising, and outreach. (ROI Exhibit 6, page 3)

9. The advertisement was mailed on or around October 6, 2015, within 60 days prior to the run-off election for Saint Petersburg City Council, District 7. However, it refers to Winthrop Newton, a candidate for Saint Petersburg City Council, District 7, but also to Mr. Newton's brother, Wengay Newton, a 2016 candidate for State Representative, District 70, and former Saint Petersburg City Councilmember for District 7. At the time the advertisement ran, the only candidates for Saint Petersburg City Council, District 7 were Winthrop "Will" Newton

and Lisa Wheeler-Brown so opposing, rejecting, or “saying no” to Winthrop Newton meant electing Lisa Wheeler-Brown.

10. The advertisement expressly advocates for the defeat of Winthrop “Will” Newton, and thereby, the election of Lisa Wheeler-Brown. The advertisement is not an electioneering communication as it contains express advocacy nor is it an independent expenditure as Respondent is also a manager for a political consulting firm that was hired by Lisa Wheeler-Brown’s campaign.

11. Respondent, as chairperson and treasurer for Florida Voters Fund, made an in-kind contribution to Lisa Wheeler-Brown’s campaign in excess of the limits prescribed by Section 106.08, Florida Statutes.

Alleged Violation: Section 106.19(1)(a), Florida Statutes

12. Complainant alleged that Respondent, as manager for Blue Ticket Consulting, LLC violated Florida’s election laws by accepting a contribution in excess of the limits prescribed by Section 106.08, Florida Statutes. More specifically, Complaint alleged that Respondent accepted an excessive in-kind contribution from himself, on behalf of Florida Voters Fund in the form of a political advertisement that expressly advocated for the defeat of Lisa Wheeler-Brown’s only opponent, Winthrop “Will” Newton, and thereby the election of Ms. Wheeler-Brown.

13. Under Section 106.19(1)(a), Florida Statutes, a campaign manager, agent, or person acting on behalf of a candidate, who knowingly and willfully accepts a contribution in excess of \$1,000 commits a violation of Florida’s election laws. The contribution limit applies to each election, with the primary and general election being treated as separate elections so long as the candidate is not unopposed. The race for Saint Petersburg City Council, District 7, had a general election on August 25, 2015, with a run-off election on November 3, 2015.

14. Respondent stated that as manager of Blue Ticket Consulting, LLC that he was involved with discussion about general strategy related to Ms. Wheeler-Brown’s campaign. He stated that Blue Ticket Consulting, LLC provided general strategy consulting including communications, fundraising, and outreach. He stated that Blue Ticket Consulting, LLC also handled compliance and provided campaign treasurer’s reports to Ms. Wheeler-Brown’s treasurer for her approval. (ROI Exhibit 6, pages 3 & 4)

15. Based on the above analysis, the advertisement is a political advertisement and an excessive in-kind contribution from Respondent, on behalf of Florida Voters Fund, to Lisa Wheeler-Brown’s campaign, which was managed by Respondent’s campaign consulting firm, Blue Ticket Consulting, LLC. Respondent in his dual role had knowledge of the excessive in-kind contribution and accepted it on behalf of the campaign.

16. Respondent, as manager for Blue Ticket Consulting, LLC, accepted an in-kind contribution from himself, on behalf of Florida Voters Fund, in excess of the limits prescribed by Section 106.08, Florida Statutes.

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

17. Complainant alleged that Respondent, as chairperson and treasurer for Florida Voters Fund, violated Florida's election laws by failing to include proper disclaimers on political advertisements.

18. Based on the above analysis, the advertisement at issue is not an electioneering communication nor an independent expenditure but a political advertisement, and therefore, is required to contain a political advertisement disclaimer.

19. Respondent stated that as chairperson of the political committee, Florida Voters Fund, he was responsible for approving the disclaimer language on the mailer. (ROI Exhibit 6, page 3) The disclaimer on the advertisement states: "Paid electioneering communication paid for by Florida Voters Fund, . . ." (ROI Exhibit 5, page 1)

20. Under Section 106.143(1)(c), Florida Statutes, political advertisements are required to be marked with the proper statutory disclaimer ("paid political advertisement" or "pd. pol. adv."), the name and address of the persons paying for the advertisement, and state whether the advertisement was paid for or provided in kind.

21. Respondent, as chairperson and treasurer for Florida Voters Fund, paid for and published political advertisements that did not contain proper disclaimers.

22. "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).

23. The facts set forth above show that Respondent is the chairperson and treasurer for Florida Voters Fund, a political committee registered with the Division of Elections, and is also a co-founder and manager for Blue Ticket Consulting, LLC, a Florida limited liability company which provides campaign consulting services. Respondent, as chairperson and treasurer for Florida Voters Fund, made an in-kind contribution to Lisa Wheeler-Brown's campaign in excess of the limits prescribed by Section 106.08, Florida Statutes. Respondent, as manager for Blue Ticket Consulting, LLC, accepted an in-kind contribution from himself, on behalf of Florida Voters Fund, in excess of the limits prescribed by Section 106.08, Florida Statutes. Respondent, as chairperson and treasurer for Florida Voters Fund, paid for and published political advertisements that did not contain proper disclaimers.

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

Count 1:

On or around October 6, 2015, Thomas A. Alte, Jr., as chairperson and treasurer for Florida Voters Fund, violated Section 106.08(1)(a), Florida Statutes, when he made a contribution in excess of the limits prescribed by Section 106.08, Florida Statutes, to Lisa Wheeler-Brown, a 2015 candidate for Saint Petersburg City Council, District 7.

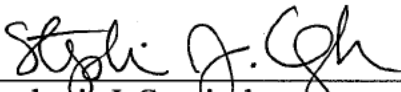
Count 2:

On or about October 6, 2015, Thomas A. Alte, Jr., as manager for Blue Ticket Consulting, LLC, violated Section 106.19(1)(a), Florida Statutes, when he accepted a contribution in excess of the limits prescribed by Section 106.08, Florida Statutes.

Count 3:

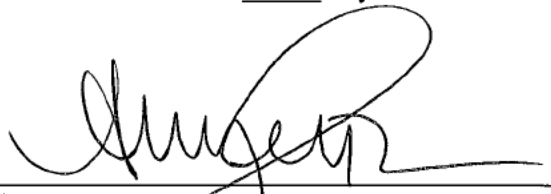
On or about October 6, 2015, Thomas A. Alte, Jr., as chairperson and treasurer for Florida Voters Fund, violated Section 106.143(1)(c), Florida Statutes, when he paid for and published political advertisements that contained express advocacy but did not include proper disclaimers.

Respectfully submitted on October 31, 2017.



Stephanie J. Cunningham
Assistant General Counsel

I reviewed this Staff Recommendation this 31st day of October 2017.



Amy McKeever Toman
Executive Director

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 15-459

Respondent: Tom Alte
Counsel for Respondent: Mark Herron

Complainant: Jim Donelon
Counsel for Complainant: None

On October 26, 2015, the Florida Elections Commission (“Commission”) received a sworn complaint alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statutes:

Section 106.08(1)(a)2., Florida Statutes, prohibiting a person from making a contribution to a candidate in excess of \$1,000 for each election;

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

Section 106.19(1)(a), Florida Statutes, prohibiting a person or organization from accepting a contribution in excess of the legal limits.

I. Preliminary Information:

1. Respondent Tom Alte a/k/a Thomas Aubourn Alte Jr., is a founder of *Blue Ticket Consulting, LLC*, (“BTC”), a limited liability company registered with the Florida Division of Corporations since July 14, 2014. Respondent and Meagan Salisbury, co-founder of BTC, are the managers of this company. BTC is in the business of providing consulting services and campaign management for political candidates. To review its Articles of Incorporation and Annual Reports, refer to Exhibit 1.

2. Respondent is the chairman of *Florida Voters Fund*, (“FVF”), a political committee (“PC”) registered with the Division of Elections (“DOE”)¹ since January 16, 2015. FVF was organized to support and oppose candidates and issues, including candidates for municipal offices. To review its Statement of Organization for Political

¹ Each time the DOE places the name of an ECO or PC on its active list, an acknowledgment letter is sent to its chairman who is referred to the DOE’s publications and reporting forms available on the DOE’s website. Its chairman is instructed, “It’s your responsibility to read, understand, and follow the requirements of Florida’s election laws....”

Committee, and the filing officer's acknowledgment letter, refer to Exhibits 2 and 3, respectively.

3. Respondent was chairman of two now-defunct entities: *Pinellas Voters Fund*, an electioneering communications organization ("ECO") registered with the DOE on July 14, 2014; and *Pinellas Voters Fund PC*, a PC registered with the DOE on July 28, 2014. To review information regarding Respondent's service as chairman to an ECO and additional PCs, refer to Exhibit 4.

4. Respondent is also chairman of three active PCs, registered with the DOE since the filing of the instant complaint, promoting issues and candidates at all levels as follows: *Sunrise PAC*, registered since December 8, 2015; *Voter's Voice Fund*, registered with the DOE since October 4, 2016; and *Safer Stronger Florida*, registered with the DOE since July 12, 2017.

5. Respondent is represented by attorney Mark Herron of Messer Caparello, P.A., in Tallahassee, Florida.

6. Complainant is a resident of Pinellas County, Florida, and past president of a local political club (2007-2009).

7. Ms. Lisa Wheeler-Brown,² a first-time candidate, and former president of the Council of Neighborhood Associations, and Winthrop "Will" Newton, a retired firefighter, were 2015 city council candidates, in Saint Petersburg, Florida, to replace city council member Wengay Newton, Will Newton's brother, who served two four-year terms for District 7, and was not eligible to run again due to term limits.

8. Ms. Wheeler-Brown faced Will Newton in the August 25, 2015, general election, and the November 3, 2015, run-off election.³

9. Wengay "Newt" Newton was a 2016 candidate for State Representative, District 70; he was elected in the November 8, 2016 general election.

10. BTC was hired by candidate Lisa Wheeler-Brown, on or about May 20, 2015, to manage her 2015 campaign for the Saint Petersburg City Council, District 7. Ms. Wheeler-Brown was elected in the November 3, 2015, run-off election, and sworn into office on January 2, 2016.

II. Alleged Violation of Section 106.08(1)(a)2., Florida Statutes:

² In June 2016, Ms. Wheeler-Brown re-married and is now known as Lisa Wheeler-Bowman.

³ According to a TBO.com online article published on August 25, 2015, the two candidates have differing views of the city's potential deal with the Tampa Bay Rays. The article suggests the winner in November could swing the balance as the current city council is deadlocked at 4-4 on the proposed deal between the city and the team. Wengay Newton who represented District 7 at the time of the article opposed the deal.

11. I investigated whether Respondent violated this section of the election laws by making an in-kind contribution of advertising in excess of the \$1,000-per-election limit to Lisa Wheeler-Brown, a 2015 candidate for the Saint Petersburg City Council, District 7. (Note: Respondent submitted, via Attorney Herron, the reverse side of the mail piece at issue which was not included in the instant complaint.) To review the two-sided mail piece at issue, and invoice totaling \$17,488.54, refer to Exhibit 5.

12. Complainant essentially alleges that Respondent, in his capacity as Chairman of FVF, made an in-kind contribution of advertising in excess of the \$1,000-per-election limit from FVF to candidate Lisa Wheeler-Brown.

13. Complainant says the text on the mail piece at issue, "Say NO to the Negative Newton Brothers," is the functional equivalent to stating that voters should "reject" them. Therefore, he alleges this speech is not an electioneering communication.⁴

14. Complainant also indicated the mail piece at issue, titled "The Negative Newton Brothers," does not qualify as an independent expenditure since Respondent is an agent of both FVF and candidate Lisa Wheeler-Brown's 2015 campaign.⁵

15. Complainant added, "One of the candidates attacked in the piece was Wengay Newton. He is not on the ballot until the 2016 primary election, nearly one year away...." (Note: as previously discussed in this report of investigation ("ROI"), Wengay Newton was a former city councilman who was term-limited out of office, and was a 2016 candidate for State Representative, District 70, in the August 30, 2016 primary election.)

16. In his Affidavit of Background Information dated May 2, 2016 ("Affidavit"), submitted via counsel, Respondent identified an expenditure on August 11 (2015) for a separate mailer from the campaign advertisement at issue, and included invoices and copies of the two-sided mail piece at issue plus additional mailers published by FVF. To review his Affidavit, refer to Exhibit 6, question number 13.

17. One of the additional mailers provided by Respondent was published prior to the 2015 general election and says, "Our Democratic Leaders Support Lisa Because She Has Fought for Our Community." Included in the mailer is a photograph of Ms. Wheeler-Brown with notable local elected officials and marked, "We Can Count On Lisa Wheeler-Brown." On the reverse side it says, "You can count on Lisa Wheeler-Brown to stand up

⁴ Pursuant to Section 106.011(8)(a), Florida Statutes, an electioneering communication refers to or depicts a clearly identified candidate for office without expressly advocating for the election or defeat of a candidate, and must be made within 30 days before a primary or special primary election or 60 days before any other election for the office sought by the candidate.

⁵ Section 106.011(12)(a), Florida Statutes, defines "Independent expenditure" as follows: "means an expenditure by a person for the purpose of expressly advocating the election or defeat of a candidate or the approval or rejection of an issue, which expenditure is not controlled by, coordinated with, or made upon consultation with, any candidate, political committee, or agent of such candidate or committee. An expenditure for such purpose by a person having a contract with the candidate, political committee, or agent of such candidate or committee in a given election period is not an independent expenditure."

for our community,” and includes a photograph of Ms. Wheeler-Brown with Ken Welch, Pinellas County Commissioner. Total cost for the mailer is \$4,044.14 including production and postage. The disclaimer indicates it’s a paid electioneering communication paid for by FVF. To review the relevant invoice and mailer, refer to Exhibit 6, pages 5 through 7.

18. Another mailer provided by Respondent, marked with a disclaimer indicating it is a paid electioneering communication paid for by FVF, was published on or about October 16, 2015, after the 2015 general election and less than 30 days before the run-off election, and after the mailer at issue, identifies Will Newton and says, “Living It Up and Having Taxpayers Pay Him for Days He Doesn’t Work,” “While Failing to Pay Taxes and Hiding Money,” and at the bottom of the mailer it says, “If Will Won’t Be Honest With Us Now, How Can We Trust Him on the City Council?” The reverse side of the mailer includes a photograph of Will Newton dressed in tropical leisure-wear and wearing a lifeguard ring buoy, and reads “Will Newton Beach Days With Our Tax Dollars.” Invoice # 2015-1938 identifies costs totaling \$9,300.00. To review the relevant invoice and the electioneering communication, refer to Exhibit 6, pages 11 through 13.

19. In his Affidavit (Exhibit 6, question number 13), Respondent explained that the mailer at issue, the “Negative Newton” piece, is found on their October 6 (2015) invoice. Invoice # 2015-1847 (Exhibit 5) identifies costs for 27,541 mailers including production at \$9,363.94, and postage at \$8,124.60, totaling \$17,488.54. Complainant asserts that the mail piece at issue is a political advertisement.

20. The two-sided mail piece at issue (Exhibit 5) reads as follows:

**THE NEGATIVE
NEWTON BROTHERS
THEY SAY NO!
TO EVERYTHING GOOD.**

**Wengay and Will Have a
Favorite Word ... NO!**

**Especially When It Comes
to Moving St. Pete Forward.**

They said **NO** to the Rays.

And **NO** to the Pier.

And **NO** to saving an African-American museum.

And **NO** to Mayor Kriseman’s vision for a
Stronger St. Pete.

Moving our city forward is about working with
Mayor Kriseman, the City Council, and the people
of St. Pete.

It’s about doing more than just saying no. It’s
about vision and leadership – things the Newtons
just don’t have.

Say **NO** to the Negative Newton Brothers.

Keep St. Pete Moving Forward.

21. Below the return address for FVF on the two-sided mail piece at issue (Exhibit 5) appears the following disclaimer: "Paid electioneering communication paid for by Florida Voters Fund, PO Box 16061, St. Petersburg, FL 33733."

22. On the reverse side of the mail piece at issue (Exhibit 5), the heading reads, "THE NEWTON BROTHERS," followed by two bobbleheads representing Wengay and Will Newton. At the bottom it says, "WENGAY AND WILL THEY SAY **NO** TO EVERYTHING!!!"

23. In his Affidavit, Respondent declared (Exhibit 6, question 23), the entire theme of the campaign advertisement at issue is about negativity from Will and Wengay Newton, and how they say 'No' to favorable initiatives in their city.

24. However, at the time the "Negative Newton" piece was published, on or about October 6, 2015 (less than 30 days before the November 3, 2015 run-off election), it appears Will Newton and Lisa Wheeler-Brown were the only two candidates in the November 3, 2015 municipal run-off election for District 7. Wengay Newton, Will Newton's brother, was a former city councilman who was term-limited out of office, and was a 2016 candidate for State Representative, District 70, in the August 30, 2016 primary election.

25. On May 4, 2017, by telephone, Matthew Matz, formerly with Mad Dog Mail, vendor for the campaign advertisement at issue, "The Negative Newton Brothers," affirmed he wrote the content regarding important campaign issues, and designed the mail piece in shop. He said after the mail piece was approved, it was emailed to "an election lawyer for review." Mr. Matz said "Johnny" (Bardine) would review the mailer to confirm it met statutory requirements prior to production. However, the website of Mr. Bardine's law firm makes no mention of election law as a specialty area. To review the phone log, refer to Exhibit 7, entry number 10. To review relevant pages of Mr. Bardine's law firm's website, refer to Exhibit 8.

26. During the telephone interview on May 4, 2017 (Exhibit 7, entry number 10), I asked Mr. Matz if he ever had any contact with the candidate regarding the mail piece at issue; he denied discussing this mailer with candidate Lisa Wheeler-Brown.

27. In his Affidavit, Respondent affirmed (Exhibit 6, question number 15), as chairman of the committee, he was responsible for approving the disclaimer language on the mailer.

28. And Respondent affirmed (Exhibit 6, question number 23), "'Say no to the negative Newtons' is about rejecting their consistently negative outlook on city issues as outlined extensively in the piece, and is not an explicit instruction on how to vote."

29. Respondent attested (Exhibit 6, question number 14), he contacted a local attorney, Johnny Bardine, "to be sure our communications were in compliance." (Note: Johnny J. Bardine has been a member of The Florida Bar since March 21, 2009; he practices primarily in consumer law, and including, but not limited to, foreclosure defense,

bankruptcy, and debt collection. Mr. Bardin's law firm website (Exhibit 8) makes no mention of election law as a specialty area.)

30. In his Affidavit (Exhibit 6, question number 18), when asked to respond to the allegation that he, in his capacity as chairman and treasurer of FVF, was responsible for making one or more excessive contributions to Lisa Wheeler-Brown's 2015 municipal campaign, Respondent offers that the mailer did not use language directly instructing the recipient who to vote for or against and his team agreed that this expenditure was within the law. They also agreed that the theme of the mail piece at issue "(that Will and Wengay Newton say 'no' to everything)" made it clear he and his team "were not instructing recipients how to vote, but rather encouraging them to reject the negative outlook the Newton brothers had on city politics, the Mayor, and the rest of council."

31. When asked whether anyone was responsible for making one or more alleged *excessive* contributions to Lisa Wheeler-Brown's 2015 municipal campaign for the mailer campaign advertisement at issue, Respondent offered (Exhibit 6, question 19), as chair of FVF, he was responsible for making contributions to Lisa Wheeler-Brown's campaign and ensuring donations did not exceed the \$1,000 per-election-limit pursuant to Florida law.

32. Respondent declared (Exhibit 6, question 21), "The Electioneering Communication from Florida Voters Fund does not count towards election limits."

33. As previously discussed in this ROI (Exhibit 1), Respondent is one of two principals of BTC, a political consulting business, managing Lisa Wheeler-Brown's 2015 election campaign. And it appears Respondent authorized the expenditure of funds from his political committee, FVF, totaling \$17,488.54, for the campaign advertisement at issue in support of Lisa Wheeler-Brown's campaign.

34. I found no record of previous complaints to indicate that Respondent has violated this section of Florida's election laws.

III. Alleged Violation of Section 106.143(1)(c), Florida Statutes:

35. I investigated whether Respondent violated this section of the election laws by failing to mark a two-sided mailer allegedly containing express advocacy with a proper disclaimer.

36. Complainant alleges that Respondent was required to mark a political advertisement by his political committee, FVF, with a proper disclaimer, but failed to do so. To review the alleged political advertisement at issue, refer to Exhibit 5.

37. To review information regarding this section of the election laws, refer to paragraphs 13 through 33 in this report.

38. I found no record of previous complaints to indicate that Respondent has violated this section of Florida's election laws.

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

39. I investigated whether Respondent violated this section of the election laws by accepting contributions in excess of the limits prescribed by section 106.08, Florida Statutes.

40. Complainant essentially alleges that Respondent, in his capacity as a manager of BTC, a company which provided campaign consulting and management for the 2015 election campaign of Lisa Wheeler-Brown, accepted an in-kind contribution with a value in excess of the \$1,000-per-election limit for an advertisement from FVF, on behalf of Ms. Wheeler-Brown's campaign.

41. To review information regarding this section of the election laws, refer to paragraphs 13 through 33 in this report.

42. As previously noted in this ROI, Respondent, as an agent of Lisa Wheeler-Brown's 2015 municipal campaign, would have been in a position to accept an in-kind contribution for campaign advertising, on behalf of Ms. Wheeler-Brown's campaign.

43. I found no record of previous complaints to indicate that Respondent has violated this section of Florida's election laws.

V. FEC History:

44. Respondent has no history of additional complaints filed against him with the Commission at the time of this complaint.

Conclusion:

45. On September 18, 2017, by email, Attorney Herron, requested to waive a final interview and will respond to my ROI in writing. To review the relevant email, refer to Exhibit 9.

46. As previously discussed in this ROI, on three occasions prior to the filing of the instant complaint, Respondent was instructed (Exhibit 3), "**It is your responsibility to read, understand, and follow the requirements of Florida's election laws....**"

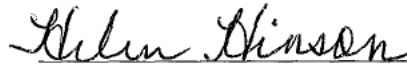
47. In his Affidavit (Exhibit 6, questions 4 through 12), Respondent affirmed he has never been a candidate and has not read Chapters 104 and 106, *Florida Statutes*; however, he read the *Candidate and Campaign Treasurer Handbook* in 2014, and has used it as a reference on a number of occasions since. Respondent indicated he spoke with staff at the Pinellas County Supervisor of Elections office, and the Saint Petersburg City Clerk to ask general questions about the interaction between political committees and campaigns in 2014.

48. During a telephone interview on September 21, 2017 (Exhibit 7, entry number 17), and confirmed by email, Mr. Chandrasa S. Srinivasa, Sr., Saint Petersburg City Clerk, indicated he never had any discussions with Respondent regarding interactions

between political committees and campaigns. To review the email thread, refer to Exhibit 10.

49. On September 22, 2017, by telephone (Exhibit 7, entry number 19), Jason Latimer at the Pinellas County SOEs office affirmed no current employees whose responsibilities in 2014 included responding to queries regarding issues related to political committees recalled speaking with Respondent.

Respectfully submitted on September 25, 2017.



Helen Hinson
Investigation Specialist

Current address of Respondent

Mr. Tom Alte
Post Office Box 16061
Saint Petersburg, Florida 33733-6061

Current address of Complainant

Mr. Jim Donelon
6800 Park Street, Suite 802
South Pasadena, Florida 33707-2199

Current Address of Respondent's Atty.:

Mr. Mark Herron
Messer Caparello, P.A.
Post Office Box 15579
Tallahassee, Florida 32317-5579

Name and Address of Filing Officer:

Ms. Kristi R. Willis, Chief
Bureau of Election Records
500 South Bronough Street, Room 316
Tallahassee, Florida 32399-0250

Copy furnished to:

Mr. David B. Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Tom Alte -- FEC 15-459

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Articles of Incorporation and Annual Reports for <i>Blue Ticket Consulting, LLC</i>
Exhibit 2	Statement of Organization for Political Committee for <i>Florida Voters Fund</i>
Exhibit 3	Filing Officer's acknowledgment letter for <i>Florida Voters Fund</i>
Exhibit 4	Respondent's service as chairman to an ECO and PCs
Exhibit 5	The mailer at issue, and relevant invoice, Invoice # 2015-1847
Exhibit 6	Respondent's Affidavit of Background Information dated May 2, 2016, and enclosures submitted via Attorney Herron
Exhibit 7	Phone Log
Exhibit 8	Relevant pages of website for Johnny J. Bardine's law firm
Exhibit 9	Email thread to Attorney Herron
Exhibit 10	Email thread to Saint Petersburg City Clerk dated September 21, 2017

**Electronic Articles of Organization
For
Florida Limited Liability Company**

L14000110727
FILED 8:00 AM
July 14, 2014
Sec. Of State
bbostick

Article I

The name of the Limited Liability Company is:
BLUE TICKET CONSULTING, LLC

Article II

The street address of the principal office of the Limited Liability Company is:
4430 14TH AVENUE NORTH
ST. PETERSBURG, FL. 33713

The mailing address of the Limited Liability Company is:
4430 14TH AVENUE NORTH
ST. PETERSBURG, FL. 33713

Article III

The name and Florida street address of the registered agent is:
HERSHKOWITZ & KUNITZER, P.A.
5039 CENTRAL AVENUE
ST. PETERSBURG, FL. 33710

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: HAL E. HERSHKOWITZ

EXHIBIT 1 (1 of 5)

Article IV

The name and address of person(s) authorized to manage LLC:

Title: MGR
THOMAS A ALTE JR.
4430 14TH AVENUE NORTH
ST. PETERSBURG, FL. 33713

Title: MGR
MEAGAN N SALISBURY
4430 14TH AVENUE NORTH
ST. PETERSBURG, FL. 33713

L14000110727
FILED 8:00 AM
July 14, 2014
Sec. Of State
bbostick

Article V

The effective date for this Limited Liability Company shall be:

07/14/2014

Signature of member or an authorized representative

Electronic Signature: THOMAS ALTE

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

2015 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L14000110727

Entity Name: BLUE TICKET CONSULTING, LLC

Current Principal Place of Business:

4430 14TH AVENUE NORTH
ST. PETERSBURG, FL 33713

Current Mailing Address:

4430 14TH AVENUE NORTH
ST. PETERSBURG, FL 33713

FEI Number: 47-1320585

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

HERSHKOWITZ & KUNITZER, P.A.
5039 CENTRAL AVENUE
ST. PETERSBURG, FL 33710 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: _____

Electronic Signature of Registered Agent

_____ Date

Authorized Person(s) Detail :

Title	MGR	Title	MGR
Name	ALTE, THOMAS A JR.	Name	SALISBURY, MEAGAN N
Address	4430 14TH AVENUE NORTH	Address	4430 14TH AVENUE NORTH
City-State-Zip:	ST. PETERSBURG FL 33713	City-State-Zip:	ST. PETERSBURG FL 33713

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath: that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: THOMAS ALTE

MANAGER

02/22/2015

Electronic Signature of Signing Authorized Person(s) Detail

Date

EXHIBIT 1 (3 of 5)

2016 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L14000110727

Entity Name: BLUE TICKET CONSULTING, LLC

Current Principal Place of Business:

4430 14TH AVENUE NORTH
ST. PETERSBURG, FL 33713

Current Mailing Address:

4430 14TH AVENUE NORTH
ST. PETERSBURG, FL 33713

FEI Number: 47-1320585

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

HERSHKOWITZ & KUNITZER, P.A.
5039 CENTRAL AVENUE
ST. PETERSBURG, FL 33710 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title MGR
Name ALTE, THOMAS A JR.
Address 4430 14TH AVENUE NORTH
City-State-Zip: ST. PETERSBURG FL 33713

Title MGR
Name SALISBURY, MEAGAN N
Address 4430 14TH AVENUE NORTH
City-State-Zip: ST. PETERSBURG FL 33713

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: THOMAS ALTE

MANAGER

03/06/2016

Electronic Signature of Signing Authorized Person(s) Detail

Date

EXHIBIT 1 (4 of 5)

2017 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L14000110727

Entity Name: BLUE TICKET CONSULTING, LLC

Current Principal Place of Business:

4430 14TH AVENUE NORTH
ST. PETERSBURG, FL 33713

Current Mailing Address:

4430 14TH AVENUE NORTH
ST. PETERSBURG, FL 33713

FEI Number: 47-1320585

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

HERSHKOWITZ & KUNITZER, P.A.
5039 CENTRAL AVENUE
ST. PETERSBURG, FL 33710 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: _____

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title	MGR	Title	MGR
Name	ALTE, THOMAS A JR.	Name	SALISBURY, MEAGAN N
Address	4430 14TH AVENUE NORTH	Address	4430 14TH AVENUE NORTH
City-State-Zip:	ST. PETERSBURG FL 33713	City-State-Zip:	ST. PETERSBURG FL 33713

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: THOMAS ALTE

CO-OWNER

01/11/2017

Electronic Signature of Signing Authorized Person(s) Detail

Date

EXHIBIT 1 (5 of 5)

**STATEMENT OF ORGANIZATION
OF POLITICAL COMMITTEE**

(PLEASE TYPE)

OFFICE USE ONLY
RECEIVED
DEPARTMENT OF STATE
2015 JAN 16 AM 10:36
GOVERNMENT OF FLORIDA
DIVISION OF ELECTIONS

1. Full Name of Committee

Florida Voters Fund

Telephone

217-257-6998

Mailing Address (include city, state and zip code)

PO Box 16061, St. Petersburg, FL 33733

Street Address (include city, state and zip code)

PO Box 16061, St. Petersburg, FL 33733

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

Name of Affiliated or
Connected Organization

Mailing Address

Relationship

None

None

None

3. Area, Scope and Jurisdiction of the Committee

Candidates and issues, statewide, legislative, multi-county, county, and municipal.

4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.)

Promoting issues and candidates at all levels

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

Full Name

Mailing Address

Committee Title or Position

Tom Alte

PO Box 16061
St. Petersburg, FL 33733

Treasurer

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, if Any (include chairman's name)			
Full Name	Mailing Address	Committee Title or Position	
Tom Alte	PO Box 16061 St. Petersburg, FL 33733	Chair	

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

Full Name	Mailing Address	Office Sought	Party
To be determined			

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

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

10. In the Event of Dissolution, What Disposition will be Made of Residual Funds?
Funds will be donated to a 501(c)3 organization.

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

Name of Bank or Depository & Account Number	Mailing Address
Regions Bank	3463 22nd Ave N St. Petersburg, FL 33713

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

Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address
Form 8871	Within 24 Hours	IRS	Ogden, UT
Form 990	Annually	IRS	Ogden, UT

STATE OF Florida Pinellas COUNTY

I, Tom Alte, certify that the information in this Statement of Organization is complete, true and correct.

X [Signature] Signature of Chairman of Political Committee 1/13/15 Date



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

January 16, 2015

Tom Alte, Chairperson
Florida Voters Fund
Post Office Box 16061
St. Petersburg, FL 33733

Dear Mr. Alte:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for **Florida Voters Fund**, which were placed on file in our office on January 16, 2015. This information appears to comply with the requirements of Section 106.03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **February 10, 2015**. The report will cover the period of January 1-31, 2015 (M1). All political committees that file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

Credentials and Sign-ons

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

EFS Website Address: <https://efs.dos.state.fl.us>
Identification Number: 64520



Division of Elections
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6240 • 850.245.6260 (Fax) election.dos.state.fl.us
Promoting Florida's History and Culture VivaFlorida.org



EXHIBIT 3 (1 of 3)

Tom Alte, Chairperson
January 16, 2015
Page Two

Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update information. The enclosed sealed envelopes provide you confidential pin numbers as the chairperson and as the treasurer.

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

Timely Filing

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

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

Electronic Receipts

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

Tom Alte, Chairperson
January 16, 2015
Page Three

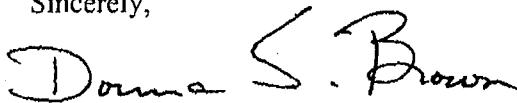
Instructions and Assistance

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

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

Please let me know if you need additional information.

Sincerely,



Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/ejr

Enclosures

[Back](#)

Committees

Search for Committee by Officer

[Committees]

Last Name: Alte

Officer: Chairperson

Containing Starting With Sounding Like RUN QUERY

Chairperson	Officer City Committee City	Committee	Type Status
Alte , Tom	St. Petersburg St. Petersburg	<u>Florida Voters Fund</u>	PAC Active
Alte , Tom	St. Petersburg St. Petersburg	<u>Pinellas Voters Fund</u>	ECO Closed
Alte , Tom	St. Petersburg St. Petersburg	<u>Pinellas Voters Fund PC</u>	PAC Closed
Alte , Tom	St. Petersburg St. Petersburg	<u>Safer Stronger Florida</u>	PAC Active
Alte , Tom	St. Petersburg St. Petersburg	<u>Sunrise PAC</u>	PAC Active
Alte , Tom	St. Petersburg St. Petersburg	<u>Voter's Voice Fund</u>	PAC Active

EXHIBIT 4 (1 of 13)

Committee Tracking System

Florida Voters Fund

Type:Political Committee

Status:Active

Address:Post Office Box 16061
St. Petersburg, FL 33733

Phone:(217)257-6998

Chairperson:Tom Alte

Treasurer:Tom Alte
Post Office Box 16061
St. Petersburg, FL 33733

Registered Agent:Tom Alte
Post Office Box 16061
St. Petersburg, FL 33733

Purpose:

Affiliates:

Campaign Finance Activity

Campaign Documents

EXHIBIT 4 (2 of 13)

Campaign Documents Search

Forms are available in Adobe's Acrobat PDF format for viewing or printing at your site. Accessing documents in PDF format requires use of [Adobe's Acrobat Reader](#), which may be installed free of charge.

Account Num				
Account Name				
Account Type	all			
Form Desc				
Election Id	all			
Office Desc				
Submit	Clear			
Name	Type	Received	Description	Select
Florida Voters Fund	PAC	02/20/17	Audit Letter	PDF
Florida Voters Fund	PAC	02/02/17	Audit Letter	PDF
Florida Voters Fund	PAC	10/11/16	Audit Letter	PDF
Florida Voters Fund	PAC	10/11/16	Late Report Letter	PDF
Florida Voters Fund	PAC	10/03/16	Fail to File Letter	PDF
Florida Voters Fund	PAC	09/26/16	Audit Letter	PDF
Florida Voters Fund	PAC	07/28/16	Audit Letter	PDF
Florida Voters Fund	PAC	07/18/16	Audit Letter	PDF
Florida Voters Fund	PAC	03/28/16	Response to Audit Letter	PDF
Florida Voters Fund	PAC	03/17/16	Audit Letter	PDF
Florida Voters Fund	PAC	01/04/16	Audit Letter	PDF
Florida Voters Fund	PAC	12/18/15	Audit Letter	PDF
Florida Voters Fund	PAC	12/11/15	Audit Letter	PDF
Florida Voters Fund	PAC	09/24/15	Audit Letter	PDF
Florida Voters Fund	PAC	09/14/15	Audit Letter	PDF
Florida Voters Fund	PAC	08/24/15	Audit Letter	PDF
Florida Voters Fund	PAC	08/11/15	Audit Letter	PDF
Florida Voters Fund	PAC	01/16/15	PAC Statement of Organization	PDF
Florida Voters Fund	PAC	01/16/15	PAC Appt of Campaign Treasurer	PDF
Florida Voters Fund	PAC	01/16/15	Registered Agent Appointment	PDF
Florida Voters Fund	PAC	01/16/15	Acknowledgment Letter	PDF
Florida Voters Fund	PAC	01/13/15	PAC Statement of Organization	PDF
Florida Voters Fund	PAC	01/13/15	PAC Appt of Campaign Treasurer	PDF
Florida Voters Fund	PAC	01/13/15	Registered Agent Appointment	PDF
Florida Voters Fund	PAC	01/08/15	PAC Statement of Organization	PDF
Florida Voters Fund	PAC	01/08/15	PAC Appt of Campaign Treasurer	PDF

EXHIBIT 4 (3 of 13)

Committee Tracking System

Pinellas Voters Fund

Type:Electioneering Communications Organization

Status:Closed

Address:4430 14th Avenue North
St. Petersburg, FL 33713

Phone:(217)257-6998

Chairperson:Tom Alte

Treasurer:Tom Alte

Registered Agent:Tom Alte

4430 14th Avenue North
St. Petersburg, FL 33713

Purpose:

Affiliates:

Campaign Finance Activity

Campaign Documents

EXHIBIT 4 (4 of 13)

Campaign Documents Search

Forms are available in Adobe's Acrobat PDF format for viewing or printing at your site. Accessing documents in PDF format requires use of [Adobe's Acrobat Reader](#), which may be installed free of charge.

Account Num					
Account Name					
Account Type	all				▼
Form Desc				▼	
Election Id	all				▼
Office Desc				▼	
Submit	Clear				
Name	Type	Received	Description	Select	
Pinellas Voters Fund	ECO	08/26/14	Pin/Password Reset Request	PDF	
Pinellas Voters Fund	ECO	08/20/14	Audit Letter	PDF	
Pinellas Voters Fund	ECO	08/11/14	Pin/Password Reset Request	PDF	
Pinellas Voters Fund	ECO	08/06/14	Audit Letter	PDF	
Pinellas Voters Fund	ECO	07/24/14	Response to Disbandment Letter	PDF	
Pinellas Voters Fund	ECO	07/22/14	Disbandment Letter	PDF	
Pinellas Voters Fund	ECO	07/15/14	Acknowledgment Letter	PDF	
Pinellas Voters Fund	ECO	07/14/14	ECO Statement of Organization	PDF	
Pinellas Voters Fund	ECO	07/14/14	Registered Agent Appointment	PDF	

EXHIBIT 4 (5 of 13)

Committee Tracking System

Pinellas Voters Fund PC

Type:Political Committee

Status:Closed

Address:Post Office Box 16061

St. Petersburg, FL 33733

Phone:(217)257-6998

Chairperson:Tom Alte

Treasurer:Tom Alte

Registered Agent:Tom Alte

4430 14th Avenue North

St. Petersburg, FL 33713

Purpose:

Affiliates:

Campaign Finance Activity

Campaign Documents

EXHIBIT 4(6 of 13)

Campaign Documents Search

Forms are available in Adobe's Acrobat PDF format for viewing or printing at your site. Accessing documents in PDF format requires use of [Adobe's Acrobat Reader](#), which may be installed free of charge.

Account Num				
Account Name				
Account Type	all			
Form Desc				
Election Id	all			
Office Desc				
Submit	Clear			
Name	Type	Received	Description	Select
Pinellas Voters Fund PC	PAC	03/04/15	Response to Disbandment Letter	PDF
Pinellas Voters Fund PC	PAC	03/03/15	Disbandment Letter	PDF
Pinellas Voters Fund PC	PAC	11/21/14	Change of Address / Officers	PDF
Pinellas Voters Fund PC	PAC	10/15/14	Audit Letter	PDF
Pinellas Voters Fund PC	PAC	09/16/14	Audit Letter	PDF
Pinellas Voters Fund PC	PAC	09/04/14	Audit Letter	PDF
Pinellas Voters Fund PC	PAC	09/02/14	Fail to File Letter	PDF
Pinellas Voters Fund PC	PAC	08/14/14	PAC Appt of Campaign Treasurer	PDF
Pinellas Voters Fund PC	PAC	07/28/14	PAC Statement of Organization	PDF
Pinellas Voters Fund PC	PAC	07/28/14	PAC Appt of Campaign Treasurer	PDF
Pinellas Voters Fund PC	PAC	07/28/14	Acknowledgment Letter	PDF
Pinellas Voters Fund PC	PAC	07/23/14	PAC Statement of Organization	PDF
Pinellas Voters Fund PC	PAC	07/23/14	PAC Appt of Campaign Treasurer	PDF
Pinellas Voters Fund PC	PAC	07/23/14	Registered Agent Appointment	PDF

EXHIBIT 4 (7 of 13)

Committee Tracking System

Safer Stronger Florida

Type:Political Committee

Status:Active

Address:Post Office Box 16061

St. Petersburg, FL 33733

Phone:(217)257-6998

Chairperson:Tom Alte

Treasurer:Tom Alte

Registered Agent:Tom Alte

33 4th Street North

Suite 206

St. Petersburg, FL 337010000

Purpose:

Affiliates:

Campaign Finance Activity

Campaign Documents

EXHIBIT 4(8 of 13)

Campaign Documents Search

Forms are available in Adobe's Acrobat PDF format for viewing or printing at your site. Accessing documents in PDF format requires use of Adobe's Acrobat Reader, which may be installed free of charge.

Account Num					
Account Name					
Account Type	all	▼			
Form Desc		▼			
Election Id	all	▼			
Office Desc		▼			
Submit	<input type="button" value="Submit"/>	<input type="button" value="Clear"/>			
Name	Type	Received	Description	Select	
Safer Stronger Florida	PAC	07/14/17	Acknowledgment Letter	PDF	
Safer Stronger Florida	PAC	07/12/17	PAC Statement of Organization	PDF	
Safer Stronger Florida	PAC	07/12/17	PAC Appt of Campaign Treasurer	PDF	
Safer Stronger Florida	PAC	07/12/17	Registered Agent Appointment	PDF	

EXHIBIT 4 (9 of 13)

Committee Tracking System

Sunrise PAC

Type:Political Committee

Status:Active

Address:Post Office Box 16051

St. Petersburg, FL 33733

Phone:(217)257-6998

Chairperson:Tom Alte

Treasurer:Tom Alte

Registered Agent:Tom Alte

4430 14th Avenue North

St. Petersburg, FL 33713

Purpose:

Affiliates:

Campaign Finance Activity

Campaign Documents

EXHIBIT 4(10 of 13)

Campaign Documents Search

Forms are available in Adobe's Acrobat PDF format for viewing or printing at your site. Accessing documents in PDF format requires use of Adobe's Acrobat Reader, which may be installed free of charge.

Account Num				
Account Name				
Account Type	all	▼		
Form Desc	.	▼		
Election Id	all	▼		
Office Desc		▼		
Submit	<input type="button" value="Clear"/>			
Name	Type	Received	Description	Select
Sunrise PAC	PAC	08/29/17	Audit Letter	PDF
Sunrise PAC	PAC	03/21/17	Audit Letter	PDF
Sunrise PAC	PAC	02/14/17	Audit Letter	PDF
Sunrise PAC	PAC	11/21/16	Response to Audit Letter	PDF
Sunrise PAC	PAC	11/21/16	Response to Audit Letter	PDF
Sunrise PAC	PAC	10/11/16	Late Report Letter	PDF
Sunrise PAC	PAC	10/03/16	Fail to File Letter	PDF
Sunrise PAC	PAC	06/15/16	Audit Letter	PDF
Sunrise PAC	PAC	12/09/15	Acknowledgment Letter	PDF
Sunrise PAC	PAC	12/08/15	PAC Statement of Organization	PDF
Sunrise PAC	PAC	12/08/15	PAC Appt of Campaign Treasurer	PDF
Sunrise PAC	PAC	12/08/15	Registered Agent Appointment	PDF
Sunrise PAC	PAC	12/03/15	PAC Statement of Organization	PDF
Sunrise PAC	PAC	12/03/15	PAC Appt of Campaign Treasurer	PDF
Sunrise PAC	PAC	12/03/15	Registered Agent Appointment	PDF

EXHIBIT 4 (11 of 13)

Committee Tracking System

Voter's Voice Fund

Type:Political Committee

Status:Active

Address:Post Office Box 16061
St. Petersburg, FL 33733

Phone:(217)257-6998

Chairperson:Tom Alte

Treasurer:Tom Alte

Registered Agent:Tom Alte
4430 14th Avenue North
St. Petersburg, FL 337130000

Purpose:

Affiliates:

Campaign Finance Activity

Campaign Documents

EXHIBIT 4(12 of 13)

Campaign Documents Search

Forms are available in Adobe's Acrobat PDF format for viewing or printing at your site. Accessing documents in PDF format requires use of [Adobe's Acrobat Reader](#), which may be installed free of charge.

Account Num					
Account Name					
Account Type	all				▼
Form Desc				▼	
Election Id	all				▼
Office Desc				▼	
Submit	Clear				
Name	Type	Received	Description	Select	
Voter's Voice Fund	PAC	10/06/16	Acknowledgment Letter	PDF	
Voter's Voice Fund	PAC	10/04/16	PAC Statement of Organization	PDF	
Voter's Voice Fund	PAC	10/04/16	PAC Appt of Campaign Treasurer	PDF	
Voter's Voice Fund	PAC	10/04/16	Registered Agent Appointment	PDF	

EXHIBIT 4 (13 of 13)

Florida Voters Fund
PO Box 16061
St. Petersburg, FL 33733

PRESORTED
STANDARD
U.S. POSTAGE
PAID
TAMPA, FL
PERMIT #2245

Paid electioneering communication
paid for by Florida Voters Fund,
PO Box 16061, St. Petersburg, FL 33733.
FVF1502 ♻️ RECYCLED

THE NEGATIVE NEWTON BROTHERS

THEY SAY NO! TO EVERYTHING GOOD.



**Wengay and Will Have a
Favorite Word ... NO!
Especially When It Comes
to Moving St. Pete Forward.**

They said **NO** to the Rays.¹
And **NO** to the Pier.²
And **NO** to saving an African-American museum.³
And **NO** to Mayor Kriseman's vision for a Stronger
St. Pete.⁴

Moving our city forward is about working with
Mayor Kriseman, the City Council, and the people
of St. Pete.

It's about doing more than just saying no. It's
about vision and leadership - things the Newtons
just don't have.

**Say NO to the Negative Newton Brothers.
Keep St. Pete Moving Forward.**

Check the Facts: 1. Tampa Bay Times, 8/15/15 2. Saint Petersburg, 7/17/15 3. Public Event, 1/31/15 4. Tampa Bay Times, 9/28/15

EXHIBIT 5(1 of 3)

THE NEWTON BROTHERS



**WENGAY AND WILL
THEY SAY NO TO
EVERYTHING!!!**

EXHIBIT 5(2 of 3)

Mad Dog Mail, Inc.
 5542 First Coast Highway, Suite 300
 Fernandina Beach, FL 32034 US
 (904)310-6409



INVOICE

BILL TO
 Florida Voters Fund
 PO Box 16061
 St. Petersburg, FL 33733

INVOICE # 2015-1847
DATE 10/06/2015

DATE	ACCOUNT SUMMARY	AMOUNT
08/11/2015	Balance Forward	\$0.00
10/06/2015	Payments and credits already applied to this invoice	-17,488.54
	Other payments and credits between 07/2015 and 10/06/2015	0.00
	New charges (details below)	17,488.54
	Total Amount Due	\$0.00

PAID

ACTIVITY	QTY	AMOUNT
Production FVF1502	27,541	9,363.94
Postage	27,541	8,124.60

TOTAL OF NEW CHARGES 17,488.54
 BALANCE DUE **\$0.00**

WIRE INSTRUCTIONS
 Bank: Bank of America, 1822 S 8th Street, Fernandina Beach, FL 32034
 ABA Routing: 026009593
 Account Number: 898064196418
 For Further Credit: Mad Dog Mail, Inc.

EXHIBIT 5 (3 of 3)

AFFIDAVIT OF BACKGROUND INFORMATION
Case Number: FEC 15-459

STATE OF FLORIDA
County of Pinellas

Thomas A. Alte, Jr., 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 Blue Ticket Consulting as Co-Founder and Political Consultant.

3. *The questions that follow relate to alleged violations of Sections 106.08(1)(a), 106.143(1)(c), and 106.19(1)(a), Florida Statutes, identified in a sworn complaint submitted to the offices of the Florida Elections Commission. Please provide your responses to the following questions:*

4. Have you ever run for public office? () Yes or (X) No. If so, please name the office(s) you ran for; the date(s) of the election(s); and the outcome of the election(s); also, include any races from which you withdrew as a candidate noting if you withdrew before or after qualifying.

5. Have you ever been appointed to act as a campaign treasurer or deputy treasurer for a candidate? (X) Yes or () No. If so, please name the candidate(s) you served as treasurer or deputy treasurer including your candidacy, if applicable; the office(s) the candidate ran for; and the dates of the election(s).

Treasurer for David Gill for Congress in Illinois 13th District in 2012.

6. Have you ever held the office of chairperson or campaign treasurer (or deputy treasurer) for a political committee? (X) Yes or () No. If so, please list the names and addresses of the committees, the position you held, and dates you held the position(s).

Chair and Treasurer of Pinellas Voters Fund from 2014-2015. Chair and Treasurer of Florida Voters Fund from 2015 to present. Chair and Treasurer of Sunrise PAC from 2015 to present.

7. Have you read Chapter 104, *Florida Statutes*? () Yes or (X) No. If so, when did you read Chapter 104, *Florida Statutes*? _____

8. Have you read Chapter 106, *Florida Statutes*? () Yes or (X) No. If so, when did you read Chapter 106, *Florida Statutes*? _____

9. Do you possess a copy of the *Candidate and Campaign Treasurer Handbook*? (X) Yes or () No.

10. Have you read the *Candidate and Campaign Treasurer Handbook*? (X) Yes or () No.

11. If so, when did you read the *Candidate and Campaign Treasurer Handbook*?

I read through the handbook in 2014 and have used it as a reference on a number of occasions since.

12. What action did you take to determine your responsibilities as chairman and treasurer of a political committee and campaign consultant under Florida's election laws? (Specifically, please explain what you did to determine what was required of you during the 2015 municipal election cycle under Florida's election laws, such as the following: contact a local filing officer; contact the County Supervisor of Elections ("SOE"); contact the Florida Department of State, Division of Elections ("DOE"); contact an attorney with specific expertise in Florida's election laws; review documents provided by the filing officer; review documents available on the County SOE's website; review documents on the DOE's website; etc.) Please identify those you contacted and include the dates of the contacts, their name(s), contact information (email and mailing address and telephone contact numbers), and identify their responsibilities or area of expertise, if applicable.

In addition to conversations with our campaign team, I spoke with a worker at the Pinellas County Supervisor of Elections and the St. Petersburg City Clerk in 2014 to ask general questions about the interaction between Political Committees and campaigns.

13. It appears *Florida Voters Fund* (PAC) disclosed an expenditure dated August 11, 2015, totaling \$4,044.14, to Mad Dog Mail, for "Direct Mail," and type "ECC," electioneering communication(s).

a.) Please identify the amount of this expenditure that was attributable to the mailer political advertisement at issue ("Say NO to the Negative Newton Brothers..."), if applicable.

b.) Please provide copies of all invoices related to this expenditure.

c.) Please provide copies of all electioneering communications and/or political advertisements related to this expenditure.

d.) Please provide a copy (front and back) of the expenditure(s) to Mad Dog Mail.

The expenditure on August 11th is for a separate communication from the "Negative Newtons" piece. I've included invoices and copies of that mailer and all the mailers associated with this time frame. The expenditure for the "Negative Newton" mailer can be found on our October 6th invoice.

14. What were the political committee's (*Florida Voters Fund*) campaign procedures for approving a political advertisement during the 2015 municipal election campaign?

In addition to a general review of the Political Committee handbook, I spoke with our mail vendor Matt Martz and Jon Anderson at Mad Dog Mail about the requirements for our communications through the Florida Voters Fund. Matt can be reached at (561) 758-3848 or matt@maddogmail.com. Jon can be reached at (404) 406-2512 or jon@maddogmail.com. I also contacted a local attorney, Johnny Bardine, to be sure our communications were in compliance. Johnny can be reached at (727) 434-0349 or johnny@bardinelaw.com

EXHIBIT 6 (2 of 13)

15. Please identify (name, email and mailing addresses, and telephone numbers) who was responsible for providing and approving the disclaimer language on the mailer political advertisement at issue.

As chair of the committee, I am responsible for approving the disclaimer language on the mailer.

16. Please identify the vendor holding the USPS permit #2245, Tampa, FL, identified on the mailer political advertisement at issue in the instant complaint.

American Marketing in Tampa holds USPS permit #2245 in Tampa, FL.

17. Please identify and provide contact information (name, email and mailing addresses, and telephone numbers) for the vendor(s) responsible for publishing and distributing the political advertisement at issue in the instant complaint ("Say NO to the Negative Newton Brothers...") if other than Mad Dog Mail. Please include copies of all invoices and expenditures related to the mailer political advertisement at issue.

Mad Dog Mail was our only vendor associated with this mailer.

18. Please respond to the allegation that you, in your capacity as chairman and treasurer of *Florida Voters Fund*, a political committee, was responsible for making one or more *excessive* contributions to Lisa Wheeler-Brown's 2015 municipal campaign.

As the mailer did not use language directly instructing the recipient who to vote for or against, our team agreed that this expenditure was within the law. We also agreed that the thematic element of the piece (that Will and Wengay Newton say "no" to everything) made it clear legally that we were not instructing recipients how to vote, but rather encouraging them to reject the negative outlook the Newton brothers had on city politics, the Mayor, and the rest of council.

19. Please identify (name, email and mailing addresses, and telephone numbers) who was responsible for making one or more alleged *excessive* contributions to Lisa Wheeler-Brown's 2015 municipal campaign for the mailer political advertisement at issue.

As chair of Florida Voters Fund, I was responsible for making contributions to the Lisa Wheeler-Brown campaign. We made sure to only donate \$1,000 per election to the candidate as dictated by Florida law.

20. Please describe and identify your duties and responsibilities as manager of *Blue Ticket Consulting, LLC* relative to Lisa Wheeler-Brown's 2015 municipal campaign.

As manager of Blue Ticket Consulting, I was involved with discussions about general strategy related to Lisa Wheeler-Brown's campaign.

21. Please respond to the allegation that you, in your capacity as manager of *Blue Ticket Consulting, LLC*, was responsible for accepting from *Florida Voters Fund* one or more *excessive* contributions for Lisa Wheeler-Brown's 2015 municipal campaign.

Our firm handled the general strategic consulting for Lisa Wheeler-Brown's race including communications, fundraising, and outreach. While we didn't serve as her Treasurer, she was aware that she could accept up to \$1,000 per legal entity per election, including the donations we made from the Florida Voters Fund. The Electioneering Communication from Florida Voters Fund does not count towards election limits.

22. Please identify (name, email and mailing addresses, and telephone numbers) who was responsible for accepting one or more alleged *excessive* contributions for Lisa Wheeler-Brown's 2015 municipal campaign for the mailer political advertisement at issue.

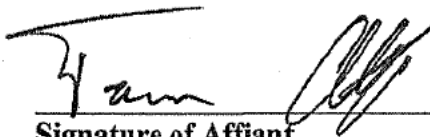
EXHIBIT 6 (3 of 13)

The candidate's mother, Shirley Wheeler was responsible for accepting contributions for the campaign. She can be reached at 727-768-3808. In practice, Blue Ticket handled compliance after we were hired and provided reports to Shirley Wheeler for approval.

23. Please provide any additional comments you wish to make regarding your knowledge of the letter political advertisement.

Our team made very clear that the entire theme of the piece in question is about negativity from Will and Wengay Newton and how they said "No" to favorable initiatives in our city. The statement in question "Say no to the negative Newtons" is about rejecting their consistently negative outlook on city issues as outlined extensively in the piece. It is not an explicit instruction on how to vote. We believe that any voter reading the piece understands that we're highlighting the negativity of the subjects and avoiding explicit instruction to "vote" for or against or to "elect" one candidate or the other.

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

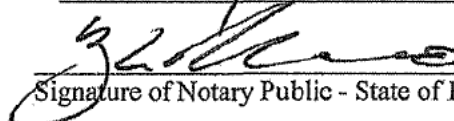


Signature of Affiant

Thomas Aubourn Alte Jr

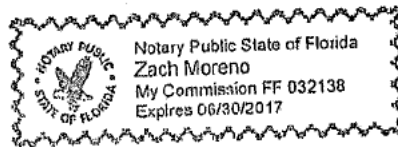
Please provide the full name of the Affiant as it appears on her/his I.D.

Sworn to (or affirmed) and subscribed before me this 2 day of May, 2016



Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known _____ or Produced Identification X

Type of Identification Produced: FL-DL

Case Investigator: HH

EXHIBIT 4(4 of 13)

Mad Dog Mail, Inc.
5542 First Coast Highway, Suite 300
Fernandina Beach, FL 32034 US
(904)310-6409



INVOICE

BILL TO
Florida Voters Fund
PO Box 16061
St. Petersburg, FL 33733

INVOICE # 2015-1751
DATE 08/11/2015

ACTIVITY	QTY	AMOUNT
Production FVF1501	3,532	3,002.20
Postage	3,532	1,041.94
BALANCE DUE		\$0.00

PAID

WIRE INSTRUCTIONS
Bank: Bank of America, 1822 S 8th Street, Fernandina Beach, FL 32034
ABA Routing: 026009593
Account Number: 898064196418
For Further Credit: Mad Dog Mail, Inc.

EXHIBIT 6 (5 of 13)

Florida Voters Fund
PO Box 16061
St. Petersburg, FL 33733

PRESORTED
STANDARD
U.S. POSTAGE
PAID
TAMPA, FL
PERMIT #2245

Paid electioneering communication
paid for by Florida Voters Fund,
PO Box 16061, St. Petersburg, FL 33733.
FVF1501

Our Democratic Leaders Support Lisa Because She Has Fought for Our Community.

Lisa Wheeler-Brown grew up and raised a family right here in South St. Pete. When her son, Cabretti, was murdered on our streets, she dedicated her life to making our community safer for her grandkids and all of our children. **As our City Councilwoman, you can count on Lisa to fight to create jobs for our families, improve our kids' schools and make our neighborhoods a safer place for our kids to grow up.**

Lisa Wheeler-Brown Is Endorsed by:

THE TAMPA
TRIBUNE

Tampa Bay
Times



Ken Welch, Pinellas County Commissioner | Rene Flowers, Pinellas County School Board Member
Karl Nurse, St. Petersburg City Councilman | Darden Rice, St. Petersburg City Councilwoman



We Can Count On Lisa Wheeler-Brown.

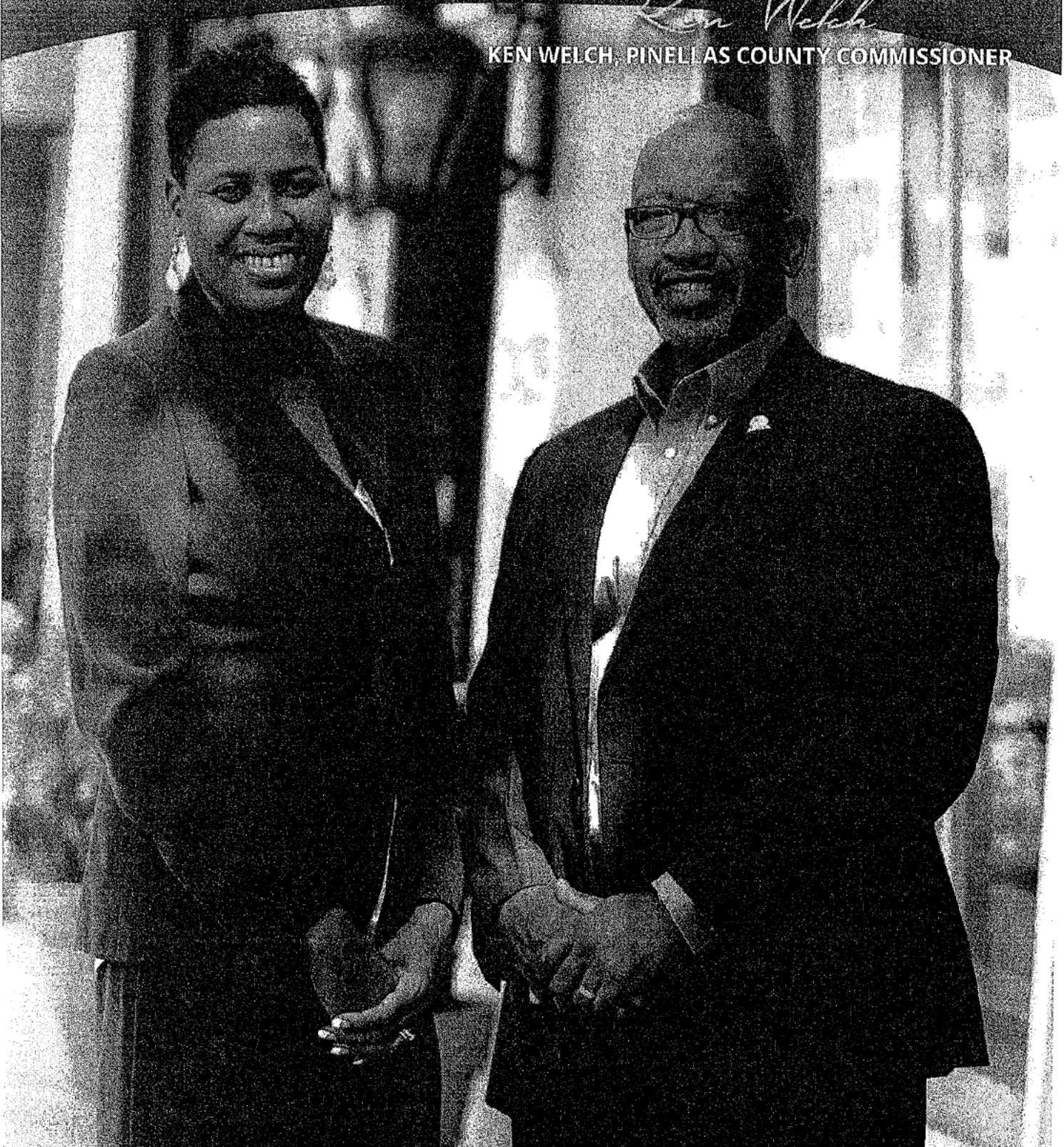
A Tragic Story. A Passion for Making Our Neighborhoods Safer.

EXHIBIT 6 (6 of 13)

“You can count on Lisa Wheeler-Brown
to stand up for our community.”

Ken Welch

KEN WELCH, PINELLAS COUNTY COMMISSIONER



Mad Dog Mail, Inc.
 5542 First Coast Highway, Suite 300
 Fernandina Beach, FL 32034 US
 (904)310-6409



INVOICE

BILL TO
 Florida Voters Fund
 PO Box 16061
 St. Petersburg, FL 33733

INVOICE # 2015-1847
DATE 10/06/2015

DATE	ACCOUNT SUMMARY	AMOUNT
08/11/2015	Balance Forward	\$0.00
10/06/2015	Payments and credits already applied to this invoice	-17,488.54
	Other payments and credits between 07/01/2015 and 10/06/2015	0.00
	New charges (details below)	17,488.54
	Total Amount Due	\$0.00

PAID

ACTIVITY	QTY	AMOUNT
Production FVF1502	27,541	9,363.94
Postage	27,541	8,124.60


TOTAL OF NEW CHARGES 17,488.54
BALANCE DUE **\$0.00**

WIRE INSTRUCTIONS
 Bank: Bank of America, 1822 S 8th Street, Fernandina Beach, FL 32034
 ABA Routing: 026009593
 Account Number: 898064196418
 For Further Credit: Mad Dog Mail, Inc.

EXHIBIT 6 (8 of 13)

Florida Voters Fund
PO Box 16061
St. Petersburg, FL 33733

PRESORTED
STANDARD
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PAID
TAMPA, FL
PERMIT #2245

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paid for by Florida Voters Fund,
PO Box 16061, St. Petersburg, FL 33733.
FVF1502  100%

THE NEGATIVE NEWTON BROTHERS

THEY SAY NO! TO EVERYTHING GOOD.



**Wengay and Will Have a
Favorite Word ... NO!
Especially When It Comes
to Moving St. Pete Forward.**

They said **NO** to the Rays.¹
And **NO** to the Pier.²
And **NO** to saving an African-American museum.³
And **NO** to Mayor Kriseman's vision for a Stronger
St. Pete.⁴

Moving our city forward is about working with
Mayor Kriseman, the City Council, and the people
of St. Pete.

It's about doing more than just saying no. It's
about vision and leadership - things the Newtons
just don't have.

**Say NO to the Negative Newton Brothers.
Keep St. Pete Moving Forward.**

Check the Facts: 1. Tampa Bay Times, 8/15/15 2. Saint Petersburg, 7/17/15 3. Public Event, 1/31/15 4. Tampa Bay Times, 9/28/15

EXHIBIT 6 (9 of 13)

THE NEWTON BROTHERS



**WENGAY AND WILL
THEY SAY NO TO
EVERYTHING!!!**

Mad Dog Mail, Inc.
 5542 First Coast Highway, Suite 300
 Fernandina Beach, FL 32034 US
 (904)310-6409



INVOICE

BILL TO

Florida Voters Fund
 PO Box 16061
 St. Petersburg, FL 33733

INVOICE # 2015-1938
DATE 10/16/2015

DATE	ACCOUNT SUMMARY	AMOUNT
10/06/2015	Balance Forward	\$0.00
10/16/2015	Payments and credits already applied to this invoice	-9,300.00
	Other payments and credits between 10/6/2015 and 10/16/2015	0.00
	New charges (details below)	9,300.00
	Total Amount Due	\$0.00

PAID

ACTIVITY	QTY	AMOUNT
Production	12,000	5,760.00
FVF1504		
Postage	12,000	3,540.00

TOTAL OF NEW CHARGES 9,300.00
BALANCE DUE **\$0.00**

WIRE INSTRUCTIONS
 Bank: Bank of America, 1822 S 8th Street, Fernandina Beach, FL 32034
 ABA Routing: 026009593
 Account Number: 898064196418
 For Further Credit: Mad Dog Mail, Inc.

DEBIT 6 (1 of 13)

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PO Box 16061, St. Petersburg, FL 33733.
FVF1504 ♻️



Will Newton

Living It Up and Having Taxpayers Pay Him for Days He Doesn't Work

We don't know if Will was actually hanging out at the beach, but we do know that as a firefighter, Will Newton abused the system and got paid tax dollars for work he didn't do! Then-Fire Chief Jim Large was so concerned that Will Newton was having other firefighters work his shifts, they had to change the policy.

Tampa Bay Times 12/13/2013

"[Fire Chief Jim Large] was concerned with just one firefighter: then-union president Will Newton 'He was never there,' Large said."

While Failing to Pay Taxes and Hiding Money

Even worse, the Tampa Bay Times just reported not only that Will Newton owed \$32,140 in back taxes, but he is refusing to tell voters what the source of that income was.²

Tampa Bay Times 10/13/2015

"When twice asked in person at a Tuesday news conference about the source of his income, Newton remained silent with a small smile on his face as he shrugged his shoulders with raised palms."

**If Will Won't Be Honest With Us Now,
How Can We Trust Him on the City Council?**



Will Newton

Beach Days ^{With} Our Tax Dollars

FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 15-459

Respondent: Tom Alte

Complainant: James Donelon

1. **Date and time:** 04/14/16; 1:30 p.m.
Name: Mark Herron, Esq.—Counsel for Respondent
Phone #: 850-222-0720
Summary: I phoned, identified myself, asked his legal assistant Cindy if I may speak with Mr. Herron; I explained to Mr. Herron that I have an affidavit-questionnaire for his client to complete and I wish to email it; I confirmed Mr. Herron's email address. He agreed that two to three weeks is a reasonable time to respond.
Memo to File? No
Entered by: HH
2. **Date and time:** 04/15/16; 8:55 a.m.
Name: James Donelon—Complainant
Phone #: 727-483-2239
Summary: I phoned, identified myself and Complainant noted it had been awhile since he filed the complaint; I noted that delays may be caused by service issues, etc. I explained our process, indicating that an investigation may take 3-6 months to complete, is confidential, and the next communication from Commission staff will be a NOH once the investigation is completed, and the case is placed on the Commission's agenda. If Complainant wishes to make a public records request for documents after they become public, he may do so and final orders will be available on DOAH's website. Complainant asked, "Is that it?" I affirmed.
Memo to File? No
Entered by: HH
3. **Date and time:** 10/31/16; 11:30 a.m.
Name: 2015 candidate Telisha Wheeler-Brown a/k/a Lisa Wheeler-Brown and n/k/a The Honorable (City Councilwoman) Lisa Wheeler-Bowman
Phone #: 727-906-6238 (personal cell)
Summary: I phoned, reached her voice-mailbox, identified myself, and requested she return my call.
Memo to File? No
Entered by: HH
4. **Date and time:** 11/21/16; 11:11 a.m.
Name: Mark Herron, Esq.—Counsel for Respondent
Phone #: 850-222-0720
Summary: I phoned Mr. Herron's law office and spoke with Cindy Lowell, his legal assistant; I identified myself, requested to speak with Mr. Herron and she informed me that

EXHIBIT 7 (1 of 6)

Mr. Herron was not in but was expected later; I provided my contact number and identified his client and the relevant case number.

Memo to File? No

Entered by: HH

5. **Date and time:** 11/21/16; 2:56 p.m.
Name: Mark Herron, Esq.—Counsel for Respondent
Phone #: 850-222-0720
Summary: Mr. Herron returned my call; I briefly reviewed my findings indicating it does not appear to be an independent expenditure since Respondent was an agent of Lisa Wheeler-Brown's campaign; and the attorney Respondent consulted was not an election law expert as I reviewed the practice areas identified on Mr. Bardine's website. Mr. Herron expressed agreement regarding Attorney Bardine. I pointed out the invoice and disclosure of the expenditure place the publication of the political advertisement on or about October 6, 2015, leading up to (within 30 days of) the November 2015 runoff between Will Newton and Lisa Wheeler-Brown. I asked if he and his client wished to settle; Mr. Herron said they were relying on the theme that there were no "magic words" (see *Buckley*) used requiring an electoral action or express advocacy but he would discuss it with his client.
Memo to File? No
Entered by: HH
6. **Date and time:** 11/22/16;
Name: 2015 candidate Telisha Wheeler-Brown a/k/a Lisa Wheeler-Brown and n/k/a The Honorable (City Councilwoman) Lisa Wheeler-Bowman
Phone #: 727-893-7010 (city council office) (Judy Tenison, administrative aide)
Summary: I phoned and left message for R to return my call.
Memo to File? No
Entered by: HH
7. **Date and time:** 05/04/17; 1:15 p.m.
Name: 2015 candidate Telisha Wheeler-Brown a/k/a Lisa Wheeler-Brown and n/k/a The Honorable (City Councilwoman) Lisa Wheeler-Bowman
Phone #: 727-906-6238 (cell)
Summary: I phoned, requested to speak with Lisa Bowman, she responded and acknowledged that I had reached her; she explained that she was in council meeting, recognized my number and stepped outside, did not know when their meeting would end, but agreed to call me later today if they ended before 5:00 p.m., or "first thing tomorrow." I identified my work schedule and she agreed to return my call.
Memo to File? No
Entered by: HH
8. **Date and time:** 05/04/17; 4:22 p.m.
Name: Matthew Martz, employee for vendor, Mad Dog Mail
Phone #: 561-758-3848 (cell)
Summary: I phoned, heard voice-mailbox message confirming I had reached Mr. Martz, and left a message, identifying myself by name, title, agency, requested he return my call regarding Mad Dog Mail Invoice # 2015-1847, and provided my contact number.

EXHIBIT 7 (2 of 6)

Memo to File? No

Entered by: HH

9. **Date and time:** 05/04/17; 4:22 p.m.

Name: 2015 candidate Telisha Wheeler-Brown a/k/a Lisa Wheeler-Brown and n/k/a The Honorable (City Councilwoman) Lisa Wheeler-Bowman

Phone #: 727-906-6238 (cell)

Summary: She returned my call, noting she was picking up her granddaughter, and I should continue talking even if I heard other conversations; I asked if she ever had any discussions with Tom Alte (Blue Ticket Consulting) regarding the "Negative Newton Brothers" advertisement, additional Newton Brothers advertisements or any advertisements; she said she did not. She explained that Meagan Salisbury (Blue Ticket Consulting) was her campaign manager and very hands on; Meagan (Salisbury) directed her to focus on being a candidate, and Meagan (Salisbury) did everything else. I asked Ms. Wheeler-Bowman if I may email a questionnaire to her for her to complete and return to me regarding relevant issues; she agreed, and provided her email address: lbowman0624@gmail.com. I explained that I will call when I have the questionnaire ready to email to her; she agreed that would be best, and asked if the questionnaire had to be printed; I confirmed. She confirmed her mother served as her campaign treasurer.

Memo to File? No

Entered by: HH

10. **Date and time:** 05/04/17; 4:30 p.m.

Name: Matthew Martz, former employee for vendor, Mad Dog Mail

Phone #: 561-758-3848 (cell)

Summary: Mr. Martz returned my call, explained that he is no longer with Mad Dog Mail, since November 2016, but agreed to discuss the invoice with me; I thanked him for returning my call. Mr. Martz explained he does not have access to his emails since leaving Mad Dog Mail, and it has caused several problems for him, but after I identified the mailer as "The Negative Newton Brothers" he affirmed he wrote the content regarding important campaign issues, and designed the mail piece in shop. He said after the mail piece was approved, it was emailed to "an election lawyer for review." He did not recall the specific attorney; I suggested it was Johnny Bardine. Mr. Martz confirmed, and said "Johnny" would review the mailer to confirm it met statutory requirements prior to production. I asked if he ever had any contact with the candidate regarding this mail piece; he denied discussing this mailer with candidate Lisa Wheeler-Brown. I thanked him for his time and asked if I may call again if I have additional questions; he confirmed and indicated this was the best number to reach him.

Memo to File? No

Entered by: HH

11. **Date and time:** 05/09/17; 11:45 a.m.

Name: The Honorable (2015 candidate) Telisha Brown a/k/a Lisa Wheeler-Brown and n/k/a Lisa Wheeler-Bowman

Phone #: 727-906-6238 (cell)

EXHIBIT 7(3 of 6)

Summary: I called to give her a heads-up about my sending a questionnaire to her yesterday; I requested she complete and return it to me by the due date provided in my correspondence.

Memo to File? No

Entered by: HH

12. **Date and time:** 06/22/17; 5:20 p.m.

Name: Shirley Jean Wheeler, campaign treasurer for candidate Lisa Wheeler-Brown

Phone #: 727-906-6238

Summary: I phoned, and after several rings a voice-mail message indicated I have reached someone whose voice-mailbox has not been set up yet, and to try my call again, later.

Memo to File? No

Entered by: HH

13. **Date and time:** 08/14/17; 4:34 p.m.

Name: Shirley Jean Wheeler, campaign treasurer for 2015 candidate Lisa Wheeler-Brown

Phone #: 727-906-6238

Summary: I phoned Ms. Wheeler, and after several rings a voice-mail message indicated I should leave a message; I identified myself, explained that I have sent a questionnaire to her by email and mail that should be completed and returned by August 28, 2017 (two weeks); I provided my contact number; and explained how she may reach me after normal business hours.

Memo to File? No

Entered by: HH

14. **Date and time:** 09/07/17; 11:40 a.m.

Name: The Honorable (2015 candidate) Telisha Brown a/k/a Lisa Wheeler-Brown n/k/a Councilwoman Lisa Wheeler-Bowman.

Phone #: 727-906-6238

Summary: I phoned, reached her voice-mailbox and while I was leaving a message, she called me, I recognized her number on my caller I.D.; I disconnected from her voice-mailbox and reached Ms. Wheeler-Bowman. Ms. Wheeler-Bowman said her first campaign manager, "Nick" (Janovsky), used her campaign debit card (she did not use it); and made cash withdrawals rather than check expenditures to his business Strategic Campaigns; Ms. Wheeler-Bowman said she never wanted a campaign debit card, but because he had more campaign experience she "trusted Nick." Ms. Wheeler-Bowman said Nick Janovsky made cash withdrawals that he disclosed as "MON" for payments to his business, "Strategic Campaigns." Ms. Wheeler-Bowman said she never wanted to handle her campaign finances, because she didn't know what she was doing; therefore, Nick (Janovsky) was her campaign consultant and campaign treasurer, and handled everything.

Ms. Wheeler-Bowman said later after Mr. Janovsky left her campaign, her mother, Shirley Jean Wheeler, and Meagan (Salisbury) (co-founder of Blue Ticket Consulting) handled everything. Ms. Wheeler-Bowman explained the first three months of the campaign (with Nick in charge) were "hell." Ms. Wheeler-Bowman noted on one occasion Nick (Janovsky) was very rude to a campaign contributor as the individual was contributing a small \$ amount. Ms. Wheeler-Bowman said she and Nick went their separate ways, and Meagan (Salisbury)

EXHIBIT 7(4 of 6)

(Blue Ticket Consulting) became her campaign manager. Ms. Wheeler-Bowman said Meagan (Salisbury) and her mother tag-teamed and worked well together. I explained I had attempted to reach her campaign treasurer, her mother Ms. Wheeler, by telephone during my investigation; I called her cell phone number and received message that her voice-mailbox was not set up; and asked Ms. Wheeler-Bowman did Ms. Wheeler has a home phone number; Ms. Wheeler-Bowman said she did not have a home number, but provided 727-768-3808, same number I had called earlier, as best number to reach her mother, Shirley Jean Wheeler. Ms. Wheeler-Bowman again thanked me for my professionalism and courtesies.

Memo to File? No

Entered by: HH

15. **Date and time:** 09/21/17; 9:57 a.m.

Name: Chandrasaha S. Srinivasa, St. Petersburg City Clerk

Phone #: 727-893-7202

Summary: I phoned and reached his voice-mailbox; I identified myself, provided my contact number, requested he return my call regarding Tom Alte, campaign consultant and co-founder of Blue Ticket Consulting and chairman of a number of political committees registered with the DOE; again, I provided my contact number.

Memo to File? No

Entered by: HH

16. **Date and time:** 09/21/17; 10:15 a.m.

Name: Gloria, Pinellas County SOE's office

Phone #: 727-464-8683

Summary: I phoned, identified myself, requested to speak with Ms. Clark, SOE; Gloria said she would direct my call to her assistant after placing my call on a brief hold; however, Gloria returned and said she was away from her desk and would direct my call to Jason Latimer. After a brief pause Jason Latimer asked how he may help me; I identified myself, explained Tom Alte, a political consultant with Blue Ticket Consulting, and chairman of a number of political committees registered with the DOE, indicated he asked general questions about interactions between political committees and campaigns in 2014 with staff, and I wish to confirm this; Jason Latimer said there were two staff members who would know and they were out of the office, on flights today, and he would not be able to respond until next week; I explained that was a problem as I needed the information sooner than next week if possible; Jason Latimer said "sooner rather than later," and I confirmed same. He asked for my contact number; I provided same, and also provided my email address to facilitate a timely response to my query.

Memo to File? No

Entered by: HH

17. **Date and time:** 09/21/17; 10:44 a.m.

Name: Chandrasaha S. Srinivasa, St. Petersburg City Clerk

Phone #: 727-893-7202 (caller I.D.)

Summary: He returned my call, we exchanged what impact Hurricane Irma had on us personally, and I asked if he had any interaction with Thomas A. Alte Jr. (Respondent) in 2014; Mr. Srinivasa explained he has been city clerk since August 2014 and the former city clerk retired so he's unable to speak about any interactions she had, etc. He said he never

EXHIBIT 7(5 of 6)

had any discussions with Respondent regarding interactions between political committees and campaigns, responsibilities or issues with any political committees; he indicated that local political committees have been formed to respond to local issues such as the pier or local referendum issues rather than candidates; he added that Respondent signed on as campaign treasurer for two local 2017 candidates (Mayor Kriseman and Councilwoman Darden J. Rice, District 4).

Mr. Srinivasa noted that he has spoken with Meagan Salisbury, co-founder of Blue Ticket Consulting, about candidates (2015 candidate Lisa Wheeler-Brown), but not about political committees. He explained the 2015 election cycle was his first as city clerk; he had 2017 primary election and has upcoming 2017 general election. He asked if he needed to complete an affidavit affirming same; I explained I would note our conversation indicating he had no interaction with Respondent regarding political committees and/or campaigns until he signed on as campaign treasurer for 2017 candidates (Mayor Rick Kriseman and Councilmember Darden J. Rice, District 4, for their 2017 campaigns).

Memo to File? No

Entered by: HH

18. **Date and time:** 09/22/17; 8:44 a.m.

Name: Jason Latimer, Communications Director, Pinellas County SOEs office

Phone #: UNK

Summary: He returned my call, I was away from my desk, heard my phone ringing, when I returned to my desk, his call had been directed to my voice-mailbox; he identified himself, explained he has a response to my query, requested I return his call and provided his phone number, PH: 727-464-4988.

Memo to File? No

Entered by: HH

19. **Date and time:** 09/22/17; 9:10 a.m.

Name: Jason Latimer, Communications Director, Pinellas County SOEs office

Phone #: 727-464-4988

Summary: I returned his call; Jason Latimer explained he spoke with current employees who were on staff in 2014, and would have been responsible for responding to queries regarding any issues related to PCs and ECOs, and no one recalled speaking with Respondent. We both agreed without more information from Respondent, specifically names of the staff members with whom he spoke in 2014, current staff of this office whose responsibilities in 2014 included responding to queries regarding PCs and ECOs, had no recollection of speaking with Respondent.

Memo to File? No

Entered by: HH

20. **Date and time:**

Name:

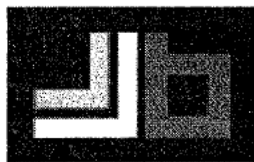
Phone #:

Summary:

Memo to File? No

Entered by:

EXHIBIT 7 (6 of 6)



The Law Office of Johnny J. Bardine, P.A. ^(/)

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Practice Areas

The Law Office of Johnny J. Bardine, P.A., is a law firm based in St. Petersburg, Florida, which has as its mission only one goal: to help you resolve your legal problems quickly, efficiently, and favorably. We strive to offer the best representation in a variety of practice areas. Whether navigating an unpleasant divorce, assisting with estate planning, or understanding your rights in a same-sex relationship, we can help. Take a moment to explore what we can offer. Call (727) 289-7281 to set up a free consultation in our St. Petersburg office.

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EXHIBIT 8 (1 of 6)

- **[Prenuptial Agreements for Same-Sex Couples \(/practice-areas,prenuptial-agreements-for-same-sex-couples\)](#)**

Email (<mailto:?subject=Check out the Practice Areas page on the The Law Office of Johnny J. Bardine P.A. site&body=The%20Law%20Office%20of%20Johnny%20J.%20Bardine%2C%20P.A.%2C%20is%20a%20law%20firm%20based%20in%20St.%20Petersburg%2C%20Florida%2C%20which%20has%20...%0A%0Ahttp%3A%2F%2Fbardinelaw.com%2Fpractice-areas>) Tweet Like 11

Contact Us

Johnny J. Bardine
Attorney at Law

721 1st Avenue N, Suite 200
St. Petersburg, FL 33701
Office: (727) 289-7281
johnny@bardinelaw.com (<mailto:johnny@bardinelaw.com>)

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Johnny J. Bardine
Attorney at Law

EXHIBIT 8(2 of 6)

721 1st Avenue N, Suite 200

St. Petersburg, FL 33701

Office: (727) 289-7281

johnny@bardinelaw.com (<mailto:johnny@bardinelaw.com>)

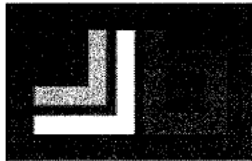
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About

Prior to becoming an attorney, Johnny interned at the Magistrate's Court in Camberwell Green in London and taught high school English in Hamamatsu, Shizuoka, Japan, for a year before beginning his career at Stetson University College of Law. Following graduation from law school, he worked as a law clerk for the Law Offices of Suzanne Wolfe Martin in Prague, Czech Republic, where he was involved in international commercial arbitration and cross-national contractual disputes. He returned to the United States in 2007 where he worked as a legal consultant for a nationally renowned criminal justice consulting firm, specializing in the area of pretrial rights and jail overcrowding. In 2008, Johnny took a hiatus from legal work to be a field organizer for the successful Obama for America presidential campaign.

While in law school, Johnny was active in student government, serving as Student Bar Association class representative throughout his law school career. He was president of the International Law Society and took an active role in several other student organizations. He was a Certified Legal Intern for the State Attorney's Office of the Sixth Judicial Circuit of Florida, where he prosecuted misdemeanor crimes. He also participated on Stetson's 13th Annual Willem C. Vis International Commercial Moot team, where he co-wrote a legal brief that placed third worldwide.

EXHIBIT 8(4 of 6)

Johnny practices primarily in consumer law, including, but not limited to, foreclosure defense, bankruptcy, and debt collection. He also deals with all facets of international law. Further, Johnny offers legal representation to small businesses and handles commercial entity incorporation. He is available for representation in all general civil matters.

Education:

American University, B.A., Political Science Stetson University College of Law, J.D.

Memberships:

- Florida Bar Association
- American Bar Association
- St. Petersburg Bar Association

Court Admissions:

U.S. District Court for the Middle District of Florida

Community Involvement:

- Member, Pier Advisory Task Force for the City of St. Petersburg
- Board Member, Faith House
- Member, St. Petersburg Chamber of Commerce

[Email \(mailto:?subject=Check out the About page on the The Law Office of Johnny J. Bardine P.A. site&body=Add%20your%20about%20page%20contents%20here...%0A%0Ahttp%3A%2F%2Fbardinelaw.com%2Fabout\)](mailto:?subject=Check%20out%20the%20About%20page%20on%20the%20The%20Law%20Office%20of%20Johnny%20J.%20Bardine%20P.A.%20site&body=Add%20your%20about%20page%20contents%20here...%0A%0Ahttp%3A%2F%2Fbardinelaw.com%2Fabout) [Tweet](#)

Contact Us

Johnny J. Bardine
Attorney at Law

721 1st Avenue N, Suite 200
St. Petersburg, FL 33701
Office: (727) 289-7281

johnny@bardinelaw.com (mailto:johnny@bardinelaw.com)

Name	Email	<input type="button" value="Submit"/>
Phone	Comments	

EXHIBIT 8(5 of 6)

Connect



Bardine Kin...

Like Page



The Law Office of Johnny J. Bardine, P.A. ⁽¹⁾

Johnny J. Bardine
Attorney at Law

721 1st Avenue N, Suite 200

St. Petersburg, FL 33701

Office: (727) 289-7281

johnny@bardinelaw.com (<mailto:johnny@bardinelaw.com>)

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- [News \(/news\)](#)
- [Contact \(/contact\)](#)

Facebook (<https://www.facebook.com/pages/The-Law-Office-of-Johnny-J-Bardine-PA/158636874169055?ref=ts>) Twitter (<https://twitter.com/#!/bardinelaw>)

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EXHIBIT 8 (6 of 6)

RE: CONFIDENTIAL - Case No.: FEC 15-459

Helen Hinson to: Mark Herron

09/18/2017 06:00 PM

Mr. Herron,

Thank you.

Helen Hinson
Investigation Specialist
Florida Elections Commission
The Collins Building, Ste. 224
107 West Gaines Street
Tallahassee, FL 32399-1050
helen.hinson@myfloridalegal.com
PH: 850.922.4539, extension 115
FAX: 850.921.0783
www.fec.state.fl.us

Please note: Florida has a very broad public records law. Written communications to or from me regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

Mark Herron <mherron@lawfla.com> wrote on 09/18/2017 05:59:42 PM:

> From: Mark Herron <mherron@lawfla.com>
> To: Helen Hinson <Helen.Hinson@myfloridalegal.com>
> Date: 09/18/2017 05:59 PM
> Subject: RE: CONFIDENTIAL - Case No.: FEC 15-459
>
> Written response will work for me.
>
> Mark Herron
> Messer Caparello
> Telephone: (850) 222-0720
> Direct: (850) 425-5217
> Cell: (850) 567-4878
> Email: mherron@lawfla.com
>
>
> From: Helen Hinson [mailto:Helen.Hinson@myfloridalegal.com]
> Sent: Monday, September 18, 2017 5:58 PM
> To: Mark Herron <mherron@lawfla.com>
> Subject: CONFIDENTIAL - Case No.: FEC 15-459
>
> Mark Herron
> Messer Caparello, P.A.
> Post Office Box 15579
> Tallahassee, FL 32317
> PH: 850.222.0720
>
> RE: Case No.: FEC 15-459
> Tom Alte
>
> Dear Mr. Herron:
>

EXHIBIT 9 (1 of 2)

> Please let me know when you may be available this week for a final
> interview regarding the instant case (I am unavailable Wednesday
> afternoon, 09/20/17), or if you prefer, please let me know you wish
> to provide a written response to my ROI in lieu of a final interview.
>
> Thank you in advance for your assistance in resolving this matter.
> Helen Hinson
> Investigation Specialist
> Florida Elections Commission
> The Collins Building, Ste. 224
> 107 West Gaines Street
> Tallahassee, FL 32399-1050
> helen.hinson@myfloridalegal.com
> PH: 850.922.4539, extension 115
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> public records and are available to the public and media upon request unless
> the information is subject to a specific statutory exemption.
> Therefore, your e-mail message may be subject to public disclosure.

RE: CONFIDENTIAL - Case No.: FEC 15-459

Helen Hinson to: Chandrahasa S. Srinivasa

09/21/2017 01:36 PM

Dear Mr. Srinivasa:

Thank you for taking your time to assist me in this matter.

Helen Hinson
Investigation Specialist
Florida Elections Commission
The Collins Building, Ste. 224
107 West Gaines Street
Tallahassee, FL 32399-1050
helen.hinson@myfloridalegal.com
PH: 850.922.4539, extension 115
FAX: 850.921.0783
www.fec.state.fl.us

Please note: Florida has a very broad public records law. Written communications to or from me regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

"Chandrahasa S. Srinivasa" <Chandrahasa.Srinivasa@stpete.org> wrote on 09/21/2017 12:10:32 PM:

> From: "Chandrahasa S. Srinivasa" <Chandrahasa.Srinivasa@stpete.org>
> To: Helen Hinson <Helen.Hinson@myfloridalegal.com>
> Date: 09/21/2017 12:10 PM
> Subject: RE: CONFIDENTIAL - Case No.: FEC 15-459
>
> Dear Ms. Hinson:
>
> This email confirms our phone conversation as memorialized in your email.
>
>
> Best Regards,
>
> Chan Srinivasa, Sr., MBA
> City Clerk, Director
> City of St. Petersburg
> 175 Fifth Street North
> St. Petersburg, FL 33701
> Office: (727) 893-7202
> Chandrahasa.Srinivasa@stpete.org
>
> [Under Florida Statute 119 (Public Records) your email
> communications may be subject to public disclosure.]
>
>
> From: Helen Hinson [mailto:Helen.Hinson@myfloridalegal.com]
> Sent: Thursday, September 21, 2017 12:06 PM
> To: Chandrahasa S. Srinivasa <Chandrahasa.Srinivasa@stpete.org>
> Subject: CONFIDENTIAL - Case No.: FEC 15-459
>

EXHIBIT 10(1 of 2)

> Chandrahasa S. Srinivasa
> St. Petersburg City Clerk
> 175 Fifth Street North
> St. Petersburg, FL 33701
> PH: 727.893.7202

> Dear Mr. Srinivasa:

> Thank you for returning my call and speaking with me this morning
> regarding Thomas A. Alte Jr., co-founder of Blue Ticket Consulting
> and chairman of several political committees registered with the
> Division of Elections. To memorialize our telephone conversation
> regarding Tom Alte, and my queries to you regarding his alleged
> general questions to you in 2014 about interactions between
> political committees and campaigns, you indicated you did not speak
> with Mr. Alte regarding interactions between political committees
> and campaigns in 2014. You noted that local political committees
> address issues such as the pier or a local referendum issue rather
> than any interactions with (for or against) local candidates.
> However, you indicated Mr. Alte is currently campaign treasurer for
> two 2017 municipal candidates, and you may have had interactions
> with him regarding his duties as campaign treasurer to these 2017
> candidates (Mayor Kriseman and Councilwoman Darden J. Rice, District
> 4). You did note that Meagan Salisbury, co-founder of Blue Ticket
> Consulting, did speak with you regarding one or more 2015 municipal
> candidates(s) (Lisa Wheeler-Brown). Also, you indicated that you
> began your tenure as city clerk in August 2014, and the former city
> clerk retired.

> Please confirm this is your recollection of our telephone
> conversation this morning or indicate needed corrections by return email.

> Thank you in advance for your assistance in resolving this matter.
> Please let me know if you have any questions.

> Helen Hinson
> Investigation Specialist
> Florida Elections Commission
> The Collins Building, Ste. 224
> 107 West Gaines Street
> Tallahassee, FL 32399-1050
> helen.hinson@myfloridalegal.com
> PH: 850.922.4539, extension 115
> FAX: 850.921.0783
> www.fec.state.fl.us

> Please note: Florida has a very broad public records law. Written
> communications to or from me regarding state business constitute
> public records and are available to the public and media upon request unless
> the information is subject to a specific statutory exemption.
> Therefore, your e-mail message may be subject to public disclosure.

> Your Sunshine City

RE: CONFIDENTIAL - Case No.: FEC 15-459 

Helen Hinson to: Mark Herron

09/18/2017 06:00 PM

Mr. Herron,

Thank you.

Helen Hinson
Investigation Specialist
Florida Elections Commission
The Collins Building, Ste. 224
107 West Gaines Street
Tallahassee, FL 32399-1050
helen.hinson@myfloridalegal.com
PH: 850.922.4539, extension 115
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Mark Herron <mherron@lawfla.com> wrote on 09/18/2017 05:59:42 PM:

> From: Mark Herron <mherron@lawfla.com>
> To: Helen Hinson <Helen.Hinson@myfloridalegal.com>
> Date: 09/18/2017 05:59 PM
> Subject: RE: CONFIDENTIAL - Case No.: FEC 15-459
>
> Written response will work for me.
>
> Mark Herron
> Messer Caparello
> Telephone: (850) 222-0720
> Direct: (850) 425-5217
> Cell: (850) 567-4878
> Email: mherron@lawfla.com
>
>
> From: Helen Hinson [mailto:Helen.Hinson@myfloridalegal.com]
> Sent: Monday, September 18, 2017 5:58 PM
> To: Mark Herron <mherron@lawfla.com>
> Subject: CONFIDENTIAL - Case No.: FEC 15-459
>
> Mark Herron
> Messer Caparello, P.A.
> Post Office Box 15579
> Tallahassee, FL 32317
> PH: 850.222.0720
>
> RE: Case No.: FEC 15-459
> Tom Alte
>
> Dear Mr. Herron:
>

> Please let me know when you may be available this week for a final
> interview regarding the instant case (I am unavailable Wednesday
> afternoon, 09/20/17), or if you prefer, please let me know you wish
> to provide a written response to my ROI in lieu of a final interview.

>
> Thank you in advance for your assistance in resolving this matter.

> Helen Hinson

> Investigation Specialist

> Florida Elections Commission

> The Collins Building, Ste. 224

> 107 West Gaines Street

> Tallahassee, FL 32399-1050

> helen.hinson@myfloridalegal.com

> PH: 850.922.4539, extension 115

> FAX: 850.921.0783

> www.fec.state.fl.us

>

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> communications to or from me regarding state business constitute
> public records and are available to the public and media upon request unless
> the information is subject to a specific statutory exemption.
> Therefore, your e-mail message may be subject to public disclosure.

RE: CONFIDENTIAL - Case No.: FEC 15-459

Helen Hinson to: Mark Herron

05/10/2016 08:52 AM

Mr. Herron,

Thank you.

Helen Hinson

Investigation Specialist
Florida Elections Commission
The Collins Building, Ste. 224
107 West Gaines Street
Tallahassee, FL 32399-1050
helen.hinson@myfloridalegal.com
PH: 850.922.4539, extension 115
FAX: 850.921.0783
www.fec.state.fl.us

Please note: Florida has a very broad public records law. Written communications to or from me regarding state business constitute public records and are available to the public and media upon request **unless** the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

Mark Herron <mherron@lawfla.com> wrote on 05/10/2016 07:28:20 AM:

> From: Mark Herron <mherron@lawfla.com>
> To: 'Helen Hinson' <Helen.Hinson@myfloridalegal.com>
> Date: 05/10/2016 07:28 AM
> Subject: RE: CONFIDENTIAL - Case No.: FEC 15-459
>
> Here it is.
>
> Mark Herron
> Messer Caparello
> 2618 Centennial Place
> Tallahassee, FL 32308
>
> Telephone: (850) 222-0720
> Direct Fax: (850)558-0659
>
> Email: mherron@lawfla.com
>
> [image removed]
>
>
> From: Helen Hinson [mailto:Helen.Hinson@myfloridalegal.com]
> Sent: Monday, May 09, 2016 11:11 AM
> To: Mark Herron
> Subject: Re: CONFIDENTIAL - Case No.: FEC 15-459
>
> Dear Mr. Herron:
>
> Do you have a response? Please let me know at your earliest convenience.
> Helen Hinson
> Investigation Specialist
> Florida Elections Commission

> The Collins Building, Ste. 224
> 107 West Gaines Street
> Tallahassee, FL 32399-1050
> helen.hinson@myfloridalegal.com
> PH: 850.922.4539, extension 115
> FAX: 850.921.0783
> www.fec.state.fl.us

>
> Please note: Florida has a very broad public records law. Written
> communications to or from me regarding state business constitute
> public records and are available to the public and media upon request unless
> the information is subject to a specific statutory exemption.
> Therefore, your e-mail message may be subject to public disclosure.

>
> Helen Hinson/OAG wrote on 04/14/2016 02:01:19 PM:

>
> > From: Helen Hinson/OAG
> > To: mherron@lawfla.com
> > Date: 04/14/2016 02:01 PM
> > Subject: CONFIDENTIAL - Case No.: FEC 15-459

> >
> > Mark Herron
> > Messer Caparello, P.A.
> > Post Office Box 15579
> > Tallahassee, FL 32317
> > PH: 850.222.0720

> >
> > RE: Case No.: FEC 15-459

> >
> > Dear Mr. Herron:

> >
> > As we discussed this afternoon by telephone, I have enclosed an
> > affidavit-questionnaire for your client Tom Alte (a/k/a Thomas A.
> > Alte, Jr.). Please return the completed questionnaire to me by the
> > close of business on May 5, 2016.

> >
> > [attachment "Affidavit of R additional info - FEC 15-459.docx"
> > deleted by Helen Hinson/OAG]

> >
> > Thank you in advance for your assistance in resolving this matter.

> >
> > Helen Hinson
> > Investigation Specialist
> > Florida Elections Commission
> > The Collins Building, Ste. 224
> > 107 West Gaines Street
> > Tallahassee, FL 32399-1050
> > helen.hinson@myfloridalegal.com
> > PH: 850.922.4539, extension 115
> > FAX: 850.921.0783
> > www.fec.state.fl.us

> >
> > Please note: Florida has a very broad public records law. Written
> > communications to or from me regarding state business constitute
> > public records and are available to the public and media upon request
unless
> > the information is subject to a specific statutory exemption.
> > Therefore, your e-mail message may be subject to public
> disclosure. [attachment "ALTE 2016-05-03 Affidavit of Background
> Info.pdf" deleted by Helen Hinson/OAG]

AFFIDAVIT OF BACKGROUND INFORMATION
Case Number: FEC 15-459

STATE OF FLORIDA
County of Pinellas

Thomas A. Alte, Jr., 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 Blue Ticket Consulting as Co-Founder and Political Consultant.
3. *The questions that follow relate to alleged violations of Sections 106.08(1)(a), 106.143(1)(c), and 106.19(1)(a), Florida Statutes, identified in a sworn complaint submitted to the offices of the Florida Elections Commission. Please provide your responses to the following questions:*
4. Have you ever run for public office? () Yes or (X) No. If so, please name the office(s) you ran for; the date(s) of the election(s); and the outcome of the election(s); also, include any races from which you withdrew as a candidate noting if you withdrew before or after qualifying.

5. Have you ever been appointed to act as a campaign treasurer or deputy treasurer for a candidate? (X) Yes or () No. If so, please name the candidate(s) you served as treasurer or deputy treasurer including your candidacy, if applicable; the office(s) the candidate ran for; and the dates of the election(s).

Treasurer for David Gill for Congress in Illinois 13th District in 2012.

6. Have you ever held the office of chairperson or campaign treasurer (or deputy treasurer) for a political committee? (X) Yes or () No. If so, please list the names and addresses of the committees, the position you held, and dates you held the position(s).

Chair and Treasurer of Pinellas Voters Fund from 2014-2015. Chair and Treasurer of Florida Voters Fund from 2015 to present. Chair and Treasurer of Sunrise PAC from 2015 to present.

7. Have you read Chapter 104, *Florida Statutes*? () Yes or (X) No. If so, when did you read Chapter 104, *Florida Statutes*? _____

8. Have you read Chapter 106, *Florida Statutes*? () Yes or (X) No. If so, when did you read Chapter 106, *Florida Statutes*? _____

9. Do you possess a copy of the *Candidate and Campaign Treasurer Handbook*? (X) Yes or () No.

10. Have you read the *Candidate and Campaign Treasurer Handbook*? (X) Yes or () No.

11. If so, when did you read the *Candidate and Campaign Treasurer Handbook*?

I read through the handbook in 2014 and have used it as a reference on a number of occasions since.

12. What action did you take to determine your responsibilities as chairman and treasurer of a political committee and campaign consultant under Florida's election laws? (Specifically, please explain what you did to determine what was required of you during the 2015 municipal election cycle under Florida's election laws, such as the following: contact a local filing officer; contact the County Supervisor of Elections ("SOE"); contact the Florida Department of State, Division of Elections ("DOE"); contact an attorney with specific expertise in Florida's election laws; review documents provided by the filing officer; review documents available on the County SOE's website; review documents on the DOE's website; etc.) Please identify those you contacted and include the dates of the contacts, their name(s), contact information (email and mailing address and telephone contact numbers), and identify their responsibilities or area of expertise, if applicable.

In addition to conversations with our campaign team, I spoke with a worker at the Pinellas County Supervisor of Elections and the St. Petersburg City Clerk in 2014 to ask general questions about the interaction between Political Committees and campaigns.

13. It appears *Florida Voters Fund* (PAC) disclosed an expenditure dated August 11, 2015, totaling \$4,044.14, to Mad Dog Mail, for "Direct Mail," and type "ECC," electioneering communication(s).

a.) Please identify the amount of this expenditure that was attributable to the mailer political advertisement at issue ("Say NO to the Negative Newton Brothers..."), if applicable.

b.) Please provide copies of all invoices related to this expenditure.

c.) Please provide copies of all electioneering communications and/or political advertisements related to this expenditure.

d.) Please provide a copy (front and back) of the expenditure(s) to Mad Dog Mail.

The expenditure on August 11th is for a separate communication from the "Negative Newtons" piece. I've included invoices and copies of that mailer and all the mailers associated with this time frame. The expenditure for the "Negative Newton" mailer can be found on our October 6th invoice.

14. What were the political committee's (*Florida Voters Fund*) campaign procedures for approving a political advertisement during the 2015 municipal election campaign?

In addition to a general review of the Political Committee handbook, I spoke with our mail vendor Matt Martz and Jon Anderson at Mad Dog Mail about the requirements for our communications through the Florida Voters Fund. Matt can be reached at (561) 758-3848 or matt@maddogmail.com. Jon can be reached at (404) 406-2512 or jon@maddogmail.com. I also contacted a local attorney, Johnny Bardine, to be sure our communications were in compliance. Johnny can be reached at (727) 434-0349 or johnny@bardinelaw.com

15. Please identify (name, email and mailing addresses, and telephone numbers) who was responsible for providing and approving the disclaimer language on the mailer political advertisement at issue.

As chair of the committee, I am responsible for approving the disclaimer language on the mailer.

16. Please identify the vendor holding the USPS permit #2245, Tampa, FL, identified on the mailer political advertisement at issue in the instant complaint.

American Marketing in Tampa holds USPS permit #2245 in Tampa, FL.

17. Please identify and provide contact information (name, email and mailing addresses, and telephone numbers) for the vendor(s) responsible for publishing and distributing the political advertisement at issue in the instant complaint ("Say NO to the Negative Newton Brothers...") if other than Mad Dog Mail. Please include copies of all invoices and expenditures related to the mailer political advertisement at issue.

Mad Dog Mail was our only vendor associated with this mailer.

18. Please respond to the allegation that you, in your capacity as chairman and treasurer of *Florida Voters Fund*, a political committee, was responsible for making one or more *excessive* contributions to Lisa Wheeler-Brown's 2015 municipal campaign.

As the mailer did not use language directly instructing the recipient who to vote for or against, our team agreed that this expenditure was within the law. We also agreed that the thematic element of the piece (that Will and Wengay Newton say "no" to everything) made it clear legally that we were not instructing recipients how to vote, but rather encouraging them to reject the negative outlook the Newton brothers had on city politics, the Mayor, and the rest of council.

19. Please identify (name, email and mailing addresses, and telephone numbers) who was responsible for making one or more alleged *excessive* contributions to Lisa Wheeler-Brown's 2015 municipal campaign for the mailer political advertisement at issue.

As chair of Florida Voters Fund, I was responsible for making contributions to the Lisa Wheeler-Brown campaign. We made sure to only donate \$1,000 per election to the candidate as dictated by Florida law.

20. Please describe and identify your duties and responsibilities as manager of *Blue Ticket Consulting, LLC* relative to Lisa Wheeler-Brown's 2015 municipal campaign.

As manager of Blue Ticket Consulting, I was involved with discussions about general strategy related to Lisa Wheeler-Brown's campaign.

21. Please respond to the allegation that you, in your capacity as manager of *Blue Ticket Consulting, LLC*, was responsible for accepting from *Florida Voters Fund* one or more *excessive* contributions for Lisa Wheeler-Brown's 2015 municipal campaign.

Our firm handled the general strategic consulting for Lisa Wheeler-Brown's race including communications, fundraising, and outreach. While we didn't serve as her Treasurer, she was aware that she could accept up to \$1,000 per legal entity per election, including the donations we made from the Florida Voters Fund. The Electioneering Communication from Florida Voters Fund does not count towards election limits.

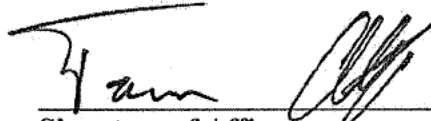
22. Please identify (name, email and mailing addresses, and telephone numbers) who was responsible for accepting one or more alleged *excessive* contributions for Lisa Wheeler-Brown's 2015 municipal campaign for the mailer political advertisement at issue.

The candidate's mother, Shirley Wheeler was responsible for accepting contributions for the campaign. She can be reached at 727-768-3808. In practice, Blue Ticket handled compliance after we were hired and provided reports to Shirley Wheeler for approval.

23. Please provide any additional comments you wish to make regarding your knowledge of the letter political advertisement.

Our team made very clear that the entire theme of the piece in question is about negativity from Will and Wengay Newton and how they said "No" to favorable initiatives in our city. The statement in question "Say no to the negative Newtons" is about rejecting their consistently negative outlook on city issues as outlined extensively in the piece. It is not an explicit instruction on how to vote. We believe that any voter reading the piece understands that we're highlighting the negativity of the subjects and avoiding explicit instruction to "vote" for or against or to "elect" one candidate or the other.

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

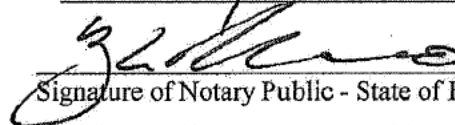


Signature of Affiant

Thomas Aubourn Alte Jr

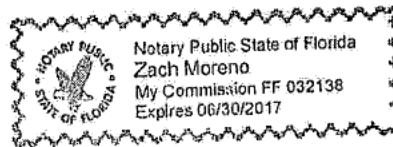
Please provide the full name of the Affiant as it appears on her/his I.D.

Sworn to (or affirmed) and subscribed before me this 2 day
of May, 2016



Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known _____ or Produced Identification X

Type of Identification Produced: FL-DL

Case Investigator: HH

Mad Dog Mail, Inc.
5542 First Coast Highway, Suite 300
Fernandina Beach, FL 32034 US
(904)310-6409



INVOICE

BILL TO
Florida Voters Fund
PO Box 16061
St. Petersburg, FL 33733

INVOICE # 2015-1751
DATE 08/11/2015



ACTIVITY	QTY	AMOUNT
Production FVF1501	3,532	3,002.20
Postage	3,532	1,041.94
BALANCE DUE		\$0.00

PAID

WIRE INSTRUCTIONS
Bank:Bank of America, 1822 S 8th Street, Fernandina Beach, FL 32034
ABA Routing: 026009593
Account Number: 898064196418
For Further Credit:Mad Dog Mail, Inc.

Florida Voters Fund
PO Box 16061
St. Petersburg, FL 33733

PRESORTED
STANDARD
U.S. POSTAGE
PAID
TAMPA, FL
PERMIT #2245

Paid electioneering communication
paid for by Florida Voters Fund,
PO Box 16061, St. Petersburg, FL 33733.
FVF1501  

Our Democratic Leaders Support Lisa Because She Has Fought for Our Community.

Lisa Wheeler-Brown grew up and raised a family right here in South St. Pete. When her son, Cabretti, was murdered on our streets, she dedicated her life to making our community safer for her grandkids and all of our children. **As our City Councilwoman, you can count on Lisa to fight to create jobs for our families, improve our kids' schools and make our neighborhoods a safer place for our kids to grow up.**

Lisa Wheeler-Brown Is Endorsed by:

THE TAMPA
TRIBUNE

Tampa Bay
Times



Ken Welch, Pinellas County Commissioner | Rene Flowers, Pinellas County School Board Member
Karl Nurse, St. Petersburg City Councilman | Darden Rice, St. Petersburg City Councilwoman



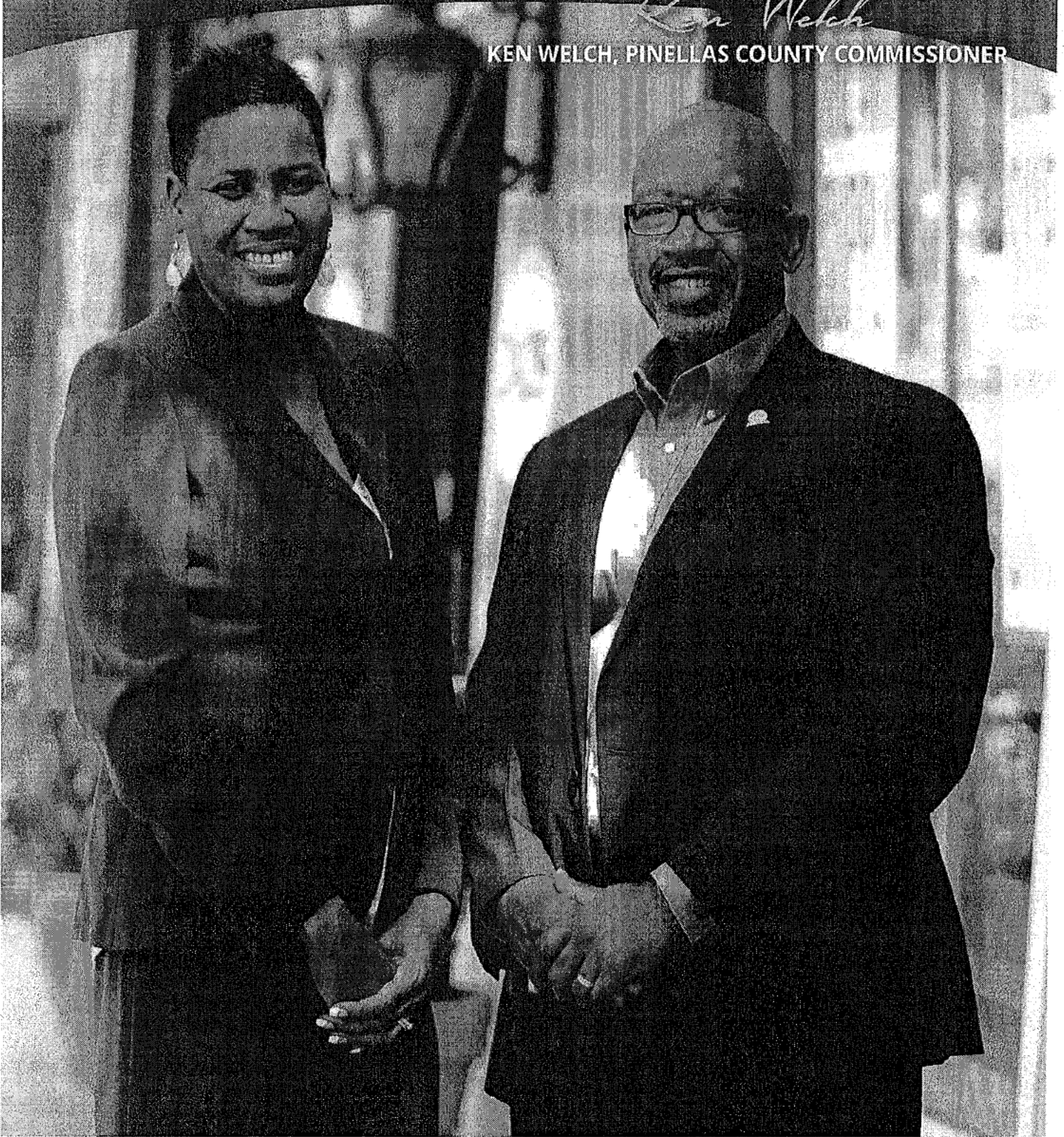
We Can Count On Lisa Wheeler-Brown.

A Tragic Story. A Passion for Making Our Neighborhoods Safer.

“You can count on Lisa Wheeler-Brown
to stand up for our community.”

Ken Welch

KEN WELCH, PINELLAS COUNTY COMMISSIONER



Mad Dog Mail, Inc.
 5542 First Coast Highway, Suite 300
 Fernandina Beach, FL 32034 US
 (904)310-6409



INVOICE

BILL TO
 Florida Voters Fund
 PO Box 16061
 St. Petersburg, FL 33733

INVOICE # 2015-1847
DATE 10/06/2015

DATE	ACCOUNT SUMMARY	AMOUNT
08/11/2015	Balance Forward	\$0.00
10/06/2015	Payments and credits already applied to this invoice	-17,488.54
	Other payments and credits between 07/1/2015 and 10/06/2015	0.00
	New charges (details below)	17,488.54
	Total Amount Due	\$0.00

PAID

ACTIVITY	QTY	AMOUNT
Production		
FVF1502	27,541	9,363.94
Postage		
	27,541	8,124.60

TOTAL OF NEW CHARGES 17,488.54
BALANCE DUE **\$0.00**

WIRE INSTRUCTIONS
 Bank: Bank of America, 1822 S 8th Street, Fernandina Beach, FL 32034
 ABA Routing: 026009593
 Account Number: 898064196418
 For Further Credit: Mad Dog Mail, Inc.

Florida Voters Fund
PO Box 16061
St. Petersburg, FL 33733

PRESORTED
STANDARD
U.S. POSTAGE
PAID
TAMPA, FL
PERMIT #2245

Paid electioneering communication
paid for by Florida Voters Fund,
PO Box 16061, St. Petersburg, FL 33733.
FVF1502 ♻️ FPO™

THE NEGATIVE NEWTON BROTHERS

THEY SAY NO! TO EVERYTHING GOOD.



**Wengay and Will Have a
Favorite Word ... NO!
Especially When It Comes
to Moving St. Pete Forward.**

They said **NO** to the Rays.¹
And **NO** to the Pier.²
And **NO** to saving an African-American museum.³
And **NO** to Mayor Kriseman's vision for a Stronger
St. Pete.⁴

Moving our city forward is about working with
Mayor Kriseman, the City Council, and the people
of St. Pete.

It's about doing more than just saying no. It's
about vision and leadership - things the Newtons
just don't have.

**Say NO to the Negative Newton Brothers.
Keep St. Pete Moving Forward.**

Check the Facts: 1. Tampa Bay Times, 8/15/15 2. Saint Petersburg, 7/17/15 3. Public Event, 1/31/15 4. Tampa Bay Times, 9/28/15

THE NEWTON BROTHERS



**WENGAY AND WILL
THEY SAY NO TO
EVERYTHING!!!**

Mad Dog Mail, Inc.
 5542 First Coast Highway, Suite 300
 Fernandina Beach, FL 32034 US
 (904)310-6409



INVOICE

BILL TO

Florida Voters Fund
 PO Box 16061
 St. Petersburg, FL 33733

INVOICE # 2015-1938

DATE 10/16/2015

DATE	ACCOUNT SUMMARY	AMOUNT
10/06/2015	Balance Forward	\$0.00
10/16/2015	Payments and credits already applied to this invoice	-9,300.00
	Other payments and credits between 07/01/2015 and 10/16/2015	0.00
	New charges (details below)	9,300.00
	Total Amount Due	\$0.00

PAID

ACTIVITY	QTY	AMOUNT
Production		
FVF1504	12,000	5,760.00
Postage	12,000	3,540.00

TOTAL OF NEW CHARGES 9,300.00
BALANCE DUE \$0.00

WIRE INSTRUCTIONS

Bank: Bank of America, 1822 S 8th Street, Fernandina Beach, FL 32034
 ABA Routing: 026009593
 Account Number: 898064196418
 For Further Credit: Mad Dog Mail, Inc.

Florida Voters Fund
PO Box 16061
St. Petersburg, FL 33733

PRESORTED
STANDARD
U.S. POSTAGE
PAID
TAMPA, FL
PERMIT #2245

Paid electioneering communication
paid for by Florida Voters Fund,
PO Box 16061, St. Petersburg, FL 33733.
FVF1504



Will Newton

Living It Up and Having Taxpayers Pay Him for Days He Doesn't Work

We don't know if Will was actually hanging out at the beach, but we do know that as a firefighter, Will Newton abused the system and got paid tax dollars for work he didn't do.¹ Then-Fire Chief Jim Large was so concerned that Will Newton was having other firefighters work his shifts, they had to change the policy.

Tampa Bay Times 12/13/2013

"[Fire Chief Jim Large] was concerned with just one firefighter: then-union president Will Newton 'He was never there,' Large said."

While Failing to Pay Taxes and Hiding Money

Even worse, the Tampa Bay Times just reported not only that Will Newton owed \$32,140 in back taxes, but he is refusing to tell voters what the source of that income was.²

Tampa Bay Times 10/13/2015

"When twice asked in person at a Tuesday news conference about the source of his income, Newton remained silent with a small smile on his face as he shrugged his shoulders with raised palms."

**If Will Won't Be Honest With Us Now,
How Can We Trust Him on the City Council?**



Will Newton

Beach Days With Our Tax Dollars



Re: CONFIDENTIAL - Case No.: FEC 15-459
 Mark Herron
 to:
 Helen Hinson
 05/09/2016 10:33 PM
 Hide Details
 From: Mark Herron <mherron@lawfla.com>
 To: Helen Hinson <Helen.Hinson@myfloridalegal.com>

Yes- I will forward on Tuesday

Sent from my iPhone

On May 9, 2016, at 11:10 AM, Helen Hinson <Helen.Hinson@myfloridalegal.com> wrote:

Dear Mr. Herron:

Do you have a response? Please let me know at your earliest convenience.

Helen Hinson
 Investigation Specialist
 Florida Elections Commission
 The Collins Building, Ste. 224
 107 West Gaines Street
 Tallahassee, FL 32399-1050
helen.hinson@myfloridalegal.com
 PH: 850.922.4539, extension 115
 FAX: 850.921.0783
www.fec.state.fl.us

Please note: Florida has a very broad public records law. Written communications to or from me regarding state business constitute public records and are available to the public and media upon request **unless** the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

Helen Hinson/OAG wrote on 04/14/2016 02:01:19 PM:

> From: Helen Hinson/OAG
 > To: mherron@lawfla.com
 > Date: 04/14/2016 02:01 PM
 > Subject: CONFIDENTIAL - Case No.: FEC 15-459
 >
 > Mark Herron
 > Messer Caparello, P.A.
 > Post Office Box 15579
 > Tallahassee, FL 32317
 > PH: 850.222.0720
 >
 > RE: Case No.: FEC 15-459
 >
 > Dear Mr. Herron:
 >
 > As we discussed this afternoon by telephone, I have enclosed an
 > affidavit-questionnaire for your client Tom Alte (a/k/a Thomas A.
 > Alte, Jr.). Please return the completed questionnaire to me by the
 > close of business on May 5, 2016.

>
> [attachment "Affidavit of R additional info - FEC 15-459.docx"
> deleted by Helen Hinson/OAG]
>
> Thank you in advance for your assistance in resolving this matter.
>
> Helen Hinson
> Investigation Specialist
> Florida Elections Commission
> The Collins Building, Ste. 224
> 107 West Gaines Street
> Tallahassee, FL 32399-1050
> helen.hinson@myfloridalegal.com
> PH: 850.922.4539, extension 115
> FAX: 850.921.0783
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FLORIDA ELECTIONS COMMISSION

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

March 11, 2016

Mark Herron, Esquire
Messer Capareello PA
P.O. Box 15579
Tallahassee, FL 32317

RE: Case No.: FEC 15-459; Respondent: Thomas A. Alte, Jr. – AMENDED LETTER OF LEGAL SUFFICIENCY

Dear Mr. Alte:

On October 26, 2015, the Florida Elections Commission received a complaint alleging that your client 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 106.08(1)(a), Florida Statutes: Respondent, in his capacity as chairman and treasurer of *Florida Voters Fund*, a political committee, made one or more excessive contributions to Lisa Wheeler-Brown's 2015 campaign for election to the Saint Petersburg City Council, as alleged in the complaint.

Section 106.143(1)(c), Florida Statutes: Respondent, in his capacity as chairman and treasurer of *Florida Voters Fund*, a political committee, paid for and distributed a political advertisement that contained express advocacy but did not include a proper disclaimer, as alleged in the complaint.

Section 106.19(1)(a), Florida Statutes: Respondent, in his capacity as manager of *Blue Ticket Consulting, LLC*, which managed Lisa Wheeler-Brown's 2015 campaign for election to the Saint Petersburg City Council, accepted from *Florida Voters Fund* one or more contributions in excess of the limits prescribed by Section 106.08, Florida Statutes, as alleged in the complaint.

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

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

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

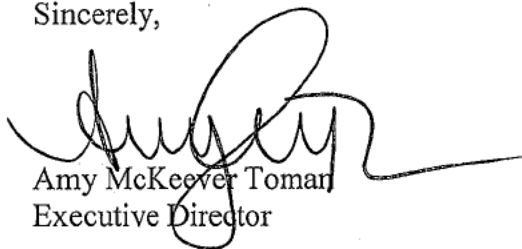
At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement.

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

Under section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you unless you waive confidentiality in writing. The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her.

If you have any questions or need additional information, please contact **Helen Hinson**, the investigator assigned to this case.

Sincerely,



Amy McKeever Tomar
Executive Director

AMT/enr

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

RECEIVED

FEC Case No. 15-459

2016 FEB 18 A 11: 24

In re: Tom Alte, Respondent.

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

NOTICE OF APPEARANCE

The undersigned is appearing as attorney for Tom Alte in connection with the above-referenced complaint.

Please serve copies of all pleadings, motions, correspondence, or other papers relating to this matter on the undersigned at the address set forth below.

Respectfully submitted on this 16th day of February, 2016, by:

Mark Herron

Digitally signed by Mark Herron
DN: cn=Mark Herron, o, ou,
email=mherron@lawfla.com, c=US
Date: 2016.02.16 08:26:17 -0500

MARK HERRON

Florida Bar Number: 0199737

Messer Caparello, P.A.

Post Office Box 15579

Tallahassee, FL 32317

Telephone: (850) 222-0720

Facsimile: (850) 558-0659

Email: mherron@lawfla.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing notice of appearance was forwarded by U.S. Mail and electronic mail to the Agency Clerk, Florida Elections Commission, Room 224, The Collins Building, 107 West Gaines Street, Tallahassee, FL 32399-1050, on this 16th day of February, 2016.

Mark Herron

Digitally signed by Mark Herron
DN: cn=Mark Herron, o, ou,
email=mherron@lawfla.com, c=US
Date: 2016.02.16 09:26:41 -0500



FEC Case 15-459

Mark Herron

to:

'Donna Malphurs'

02/16/2016 08:46 AM

Hide Details

From: Mark Herron <mherron@lawfla.com>

To: 'Donna Malphurs' <Donna.Malphurs@myfloridalegal.com>

1 Attachment



ALTE 2016-02-16 Notice of Appearance.pdf

See attached

Mark Herron

Messer Caparello

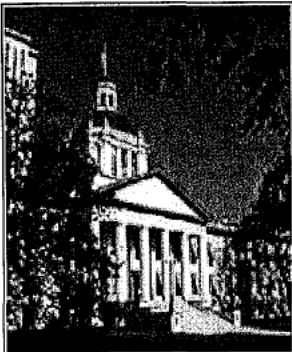
2618 Centennial Place

Tallahassee, FL 32308

Telephone: (850) 222-0720

Direct Fax: (850) 558-0659

Email: mherron@lawfla.com



Old Capitol

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

FEC Case No. 15-459

In re: Tom Alte, Respondent.

NOTICE OF APPEARANCE

The undersigned is appearing as attorney for Tom Alte in connection with the above-referenced complaint.

Please serve copies of all pleadings, motions, correspondence, or other papers relating to this matter on the undersigned at the address set forth below.

Respectfully submitted on this 16th day of February, 2016, by:

Mark Herron

Digitally signed by Mark Herron
DN: cn=Mark Herron, o, ou,
email=mherron@lawfla.com, c=US
Date: 2016.02.16 08:26:17 -05'00'

MARK HERRON

Florida Bar Number: 0199737

Messer Caparello, P.A.

Post Office Box 15579

Tallahassee, FL 32317

Telephone: (850) 222-0720

Facsimile: (850) 558-0659

Email: mherron@lawfla.com

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Mark Herron

Digitally signed by Mark Herron
DN: cn=Mark Herron, o, ou,
email=mherron@lawfla.com, c=US
Date: 2016.02.16 08:26:41 -05'00'



FLORIDA ELECTIONS COMMISSION

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

February 4, 2016

Thomas A. Alte, Jr.
P.O. Box 16061
St. Petersburg, FL 33733

RE: Case No.: FEC 15-459; Respondent: Thomas A. Alte, Jr.

Dear Mr. Alte:

On October 26, 2015, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more legally sufficient allegations. The Commission staff will investigate the following alleged violations:

Section 106.08(1)(a), Florida Statutes: Respondent, in his capacity as chairman and treasurer of *Florida Voters Fund*, a political committee, made one or more excessive contributions to Lisa Wheeler-Brown's 2015 campaign for election to the Saint Petersburg City Council, as alleged in the complaint.

Section 106.143(1)(a), Florida Statutes: Respondent, in his capacity as chairman and treasurer of *Florida Voters Fund*, a political committee, paid for and distributed a political advertisement that contained express advocacy but did not include a proper disclaimer, as alleged in the complaint.

Section 106.19(1)(a), Florida Statutes: Respondent, in his capacity as manager of *Blue Ticket Consulting, LLC*, which managed Lisa Wheeler-Brown's 2015 campaign for election to the Saint Petersburg City Council, accepted from *Florida Voters Fund* one or more contributions in excess of the limits prescribed by Section 106.08, Florida Statutes, as alleged in the complaint.

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

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

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

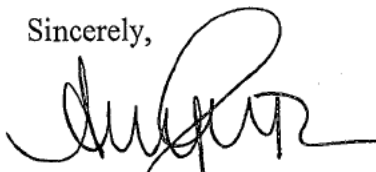
At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement.

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

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If you have any questions or need additional information, please contact **Helen Hinson**, the investigator assigned to this case.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/enr

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

CONFIDENTIAL COMPLAINT FORM 015 OCT 26 11:31

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: James Donelon Work Phone: () _____
Address: 6800 Park St. S. #802 Home Phone: (727) 483-2239
City: S. Pasadena County: Pinellas State: FL Zip Code: 33707

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: Tom Alte (Florida Voters Fund/Wheeler-Brown Campaign)
Address: PO Box 16061 Phone: (217) 257-6998
City: St. Petersburg County: Pinellas State: FL Zip Code: 33733

If individual is a candidate, list the office or position sought: _____

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.

It appears Mr. Alte has violated various Florida Statutes:

1. Failure to properly disclaim in-kind advertising to Lisa Wheeler-Brown, St. Petersburg City Council Candidate.
2. Knowingly making contributions in excess of legal limits as PAC registered agent.
3. Knowingly accepting contributions in excess of legal limits as agent of Lisa Wheeler-Brown campaign.

Detailed discussion of statutes attached.

As registered agent of Florida Voters Fund PAC, a political committee, Mr. Alte oversaw multiple mailers on behalf of Lisa Wheeler-Brown. These advertisements carried an "electioneering" disclaimer, but at least one such advertisement did not meet the criteria for this designation. Additionally, this advertising did not meet the requirements of an independent expenditure either. The correct designation was an in-kind contribution due to coordination between the campaign and the PAC. (Mr. Alte was an agent of both entities.) The PAC had already contributed the legal max to the candidate, making these excess contributions illegal.

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.

2015 OCT 26 A 11:31

Jana F. Decker
Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 23 day of October, 2015

T. Langel
Signature of Officer Authorized to Administer Oaths or Notary public.



Todd M Langel JR
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known _____ Or Produced Identification X

Type of Identification Produced FL Drivers License

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.

FACTS & ALLEGATIONS:

1. Tom Alte is the registered agent of a political committee registered with the State of Florida, Florida Voters Fund PAC. (See attached document, "Search for Committees by Officer")
2. Tom Alte is one of two principals of Blue Ticket Consulting, a political consulting firm based in Pinellas County Florida. (See attached document, "Meet the Team - Blue Ticket Consulting")
3. Tom Alte's company, Blue Ticket Consulting, is managing the St. Petersburg City Council Campaign of Lisa Wheeler-Brown. (See attached document, "Lisa Wheeler-Brown Signs Blue Ticket to Manage her City Council Campaign")
4. Tom Alte's fiance, Meagan Salisbury, is the other principal of Blue Ticket Consulting. (See attached document, "Meet the Team - Blue Ticket Consulting")
5. Tom Alte's fiance is the day-to-day operations manager for the Lisa Wheeler-Brown campaign. (See attached document, "Lisa Wheeler-Brown Signs Blue Ticket to Manage her City Council Campaign")
6. Tom Alte's PAC, Florida Voters Fund, sent at least two mailers categorized as "electioneering communication" to St. Petersburg voters on behalf of Lisa Wheeler-Brown. One mailer also opposed Wengay Newton, 2016 candidate for Florida House of Representatives. (See attached mailers "Our Democratic Leaders Support Lisa" and "The Negative Newton Brothers". Also see "Candidate Tracking System - Florida Division of Elections" document about Wengay Newton 2016 candidacy.)
7. For multiple reasons, the mailer titled "The Negative Newton Brothers" does not qualify as an electioneering communication. It expressly advocates defeat of candidates and it's advocacy against Wengay Newton is too far in advance of the election to qualify for electioneering. (See discussion of point #7 below.)
8. The mailer also does not qualify as an independent expenditure due to Florida Statutes regarding coordination between the parties due to the fact that Mr. Alte is an agent of both the PAC and the campaign itself. (See discussion of point #8 below.)
9. Therefore, the mailer can only be an in-kind contribution to the campaign.
10. Tom Alte's company, Blue Ticket Consulting, had already accepted \$1000 maximum donations from Tom Alte's PAC, Florida Voters Fund, for both the primary and general election campaigns of Lisa Wheeler-Brown. (See attached expenditures, "Florida Voters Fund")
11. Therefore all mailings that were in-kind contributions were in excess of the legal limit.

Discussion of Point #7 - NOT AN ELECTIONEERING COMMUNICATION

Florida Statutes 106.011(8)(a)(1) requires that to be an "electioneering communication" an advertisement must refer or depict a clearly identified candidate "without expressly advocating the election or defeat of a candidate."

Florida's Political Committee Handbook found at <http://dos.myflorida.com/media/693806/political-committee-handbook.pdf> states the following on page 18:

"Expressly advocates means any communication which uses phrases including, **but not limited to** [emphasis added]: "vote for," "elect," "support," "cast your ballot for," "Smith for Congress," "vote against," "defeat," "oppose," and **"reject."** [emphasis added]"

The text on the mailer stating, "Say NO to the Negative Newton Brothers." is the functional equivalent to stating that voters should **"reject"** them. Therefore this speech is not an electioneering communication.

Furthermore, per Florida Statutes 106.011(8)(a)(2), electioneering communications must be made within 30 days before a primary or special primary election or 60 days before any other election for the office sought by the candidate.

One of the candidates attacked in the piece was Wengay Newton. He is not on the ballot until the 2016 primary election, nearly one year away. Any mailer advocating against him is outside the allowable timeframe for an electioneering communication.

Discussion of Point #7 - NOT AN INDEPENDENT EXPENDITURE

Florida Statutes 106.011(12)(a) defines "Independent expenditure":

"an expenditure by a person for the purpose of expressly advocating the election or defeat of a candidate or the approval or rejection of an issue, which expenditure is not controlled by, coordinated with, or made upon consultation with, any candidate, political committee, or agent of such candidate or committee. An expenditure for such purpose by **a person having a contract with the candidate** [emphasis added], political committee, or **agent of such candidate** [emphasis added] or committee in a given election period is not an independent expenditure."

Mr. Alte's firm, Blue Ticket Consulting, has the exclusive campaign management contract with the campaign of Lisa Wheeler-Brown, the opponent of Will Newton who is named in the mailer. Furthermore, his fiance is the actual campaign manager.

Mr. Alte also refers to Newton as "our opponent" (See attached Tom Alte Facebook status printout.)

Mr. Alte was also seen emerging from the back office of Pinellas Democratic Headquarters with Ms. Wheeler-Brown and into the monthly Democratic Executive Committee board of directors meeting. Ms. Wheeler-Brown stated, "I just raised \$500." Mr. Alte is working directly with the campaign on fundraising and is an agent of the campaign.

Another agent of the campaign, Mad Dog Mail, has produced the mailers for both the Florida Voters Fund PAC and the Lisa Wheeler-Brown campaign. (See attached article, "Bill Edwards bankrolled campaign mailer on behalf of City Council candidate Lisa Wheeler-Brown")

These mailers do not meet the requirements of an independent expenditure.

CONCLUSION

The only remaining possibility is that these mailers were an in-kind contribution coordinated by and approved by the campaign through the direction of Tom Alte, an agent of both entities. Because Florida Voters Fund PAC had already given the maximum allowable contribution to the campaign by check for both the primary and general elections, these mailers were in excess of the legal limit.

Tom Alte, as registered agent of Florida Voters Fund, made a contribution in excess of the limit.

Tom Alte, as principal of the firm managing Mrs. Wheeler-Brown's campaign, accepted a contribution in excess of the limit.

Therefore, Tom Alte has violated Florida Statutes 106.08(2)

[Back](#)

Committees

Search for Committee by Officer

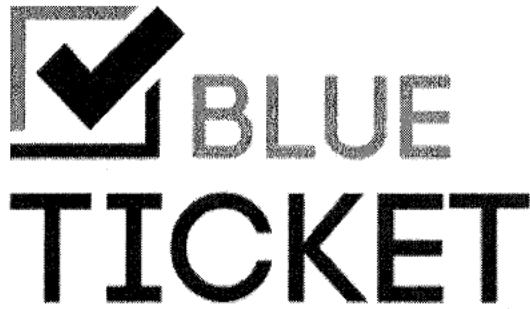
[Committees]

Last Name: alte

Officer: Registered Agent

Containing Starting With Sounding Like RUN QUERY

Registered Agent	Officer City	Committee	Type
	Committee City		Status
Alte , Tom	St. Petersburg	Florida Voters Fund	PAC
	St. Petersburg		Active
Alte , Tom	St. Petersburg	Pinellas Voters Fund	ECO
	St. Petersburg		Closed
Alte , Tom	St. Petersburg	Pinellas Voters Fund PC	PAC
	St. Petersburg		Closed



We're Electing a **BLUE TICKET** in **FLORIDA**

- [Home](#)
- [About Us](#)
- [Our Drive](#)
- [News](#)
- [Contact](#)



Meet the Team

Tom Alte

Tom was the Deputy Campaign Manager for Dr. David Gill's race for Congress. He coordinated unions, local parties, and issue advocacy groups to get out the vote in the nation's closest Red-to-Blue designated race in 2012.

Next, Tom served as Finance Director for Rick Kriseman's bid for Mayor of St. Petersburg. The campaign raised nearly \$500,000, more than any candidate previously. Mayor Kriseman's victory removed the last Republican mayor from the I-4 corridor's largest cities.

Most recently, Tom managed Pat Gerard's race for County Commissioner. The campaign took a Democratic majority on the commission for the first time in 50 years by raising nearly \$250,000 (another record for a Democrat) to propel the local mayor to victory over a long-time Tallahassee veteran.

Meagan Salisbury

Meagan also worked on Dr. David Gill's race for Congress as Call Time Manager and GOTV Director. In addition to raising \$1.3 million with a strong call time program, she out-performed President Obama's GOTV machine in her territory thanks to a massive coordinated effort.

After the campaign, Meagan enrolled in Stetson Law School to study Election Law. While attending school, she has continued to do finance consulting for Blue Ticket clients and has worked pro-bono for local political clubs.

She was most recently the Campaign Manager for Scott Orsini's Florida House campaign. Orsini, a first time candidate and late entry to the race, gained 10 points between initial polling and Election Day. The district is already considered a top tier pickup opportunity in 2016.

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Blue Ticket Consulting

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St. Petersburg, FL 33733

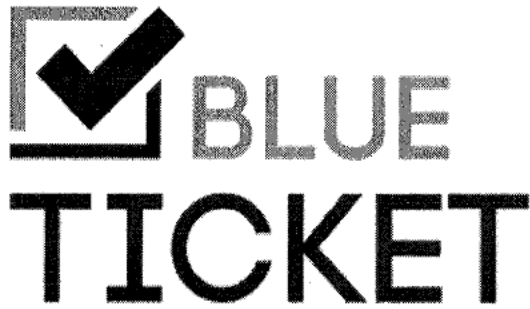
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Lisa Wheeler-Brown Signs Blue Ticket to Manage her City Council Campaign

Lisa Wheeler-Brown has signed Blue Ticket Consulting to manage her election for St. Petersburg City Council.

Wheeler-Brown, a first time candidate, is already considered the front-runner for the 7th District City Council race to replace term limited Councilman Wengay Newton. She's brought on Meagan Salisbury and the team at Blue Ticket Consulting to manage her election effort and help spread her message to the voters of St. Petersburg.

"We're excited to be working for a strong leader in St. Petersburg" said Meagan Salisbury, Co-Founder of Blue Ticket Consulting, "The voters of District 7 deserve someone committed to job creation, constituent service, and an emphasis on public safety to improve their community."

Salisbury will be leading the day-to-day operations of Wheeler-Brown's campaign. Lisa currently faces two opponents for the primary election in the traditionally Democratic seat.

"Lisa has faced hardship, but she didn't give up" said Salisbury. "She's in her community every day

fighting for families in District 7. I've known Lisa for years, and I'm honored to be working for her."

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
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Our Democratic Leaders Support Lisa Because She Has Fought for Our Community.

Lisa Wheeler-Brown grew up and raised a family right here in South St. Pete. When her son, Cabretti, was murdered on our streets, she dedicated her life to making our community safer for her grandkids and all of our children. **As our City Councilwoman, you can count on Lisa to fight to create jobs for our families, improve our kids' schools and make our neighborhoods a safer place for our kids to grow up.**

Lisa Wheeler-Brown Is Endorsed by:

THE TAMPA
TRIBUNE

Tampa Bay
Times



Ken Welch, Pinellas County Commissioner | Rene Flowers, Pinellas County School Board Member
Karl Nurse, St. Petersburg City Councilman | Darden Rice, St. Petersburg City Councilwoman



We Can Count On Lisa Wheeler-Brown.

A Tragic Story. A Passion for Making Our Neighborhoods Safer.

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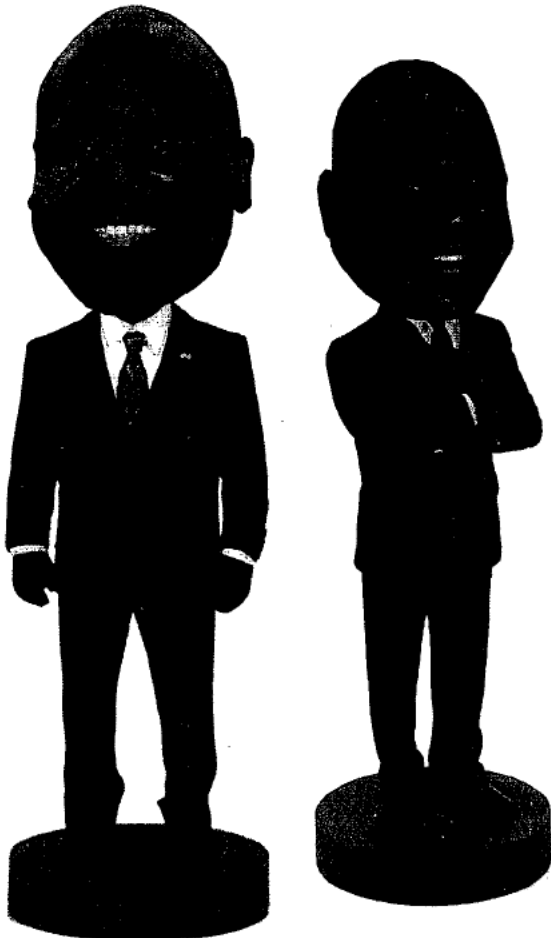
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THE NEGATIVE NEWTON BROTHERS

THEY SAY NO! TO EVERYTHING GOOD.



**Wengay and Will Have a
Favorite Word ... NO!
Especially When It Comes
to Moving St. Pete Forward.**

They said **NO** to the Rays.¹
And **NO** to the Pier.²
And **NO** to saving an African-American museum.³
And **NO** to Mayor Kriseman's vision for a Stronger
St. Pete.⁴

Moving our city forward is about working with
Mayor Kriseman, the City Council, and the people
of St. Pete.

It's about doing more than just saying no. It's
about vision and leadership - things the Newtons
just don't have.

**Say NO to the Negative Newton Brothers.
Keep St. Pete Moving Forward.**

Check the Facts: 1. Tampa Bay Times, 8/15/15 2. Saint Petersburg, 7/17/15 3. Public Event, 1/31/15 4. Tampa Bay Times, 9/28/15

Candidate Tracking System

2016 General Election

State Representative

District 70

Wengay M. Newton Sr.

Democrat

Address

Post Office Box 11551
St. Petersburg, FL 33733

Phone: (727)480-2203

Campaign Treasurer

Melissa C. Newton
Post Office Box 11551
St. Petersburg, FL 33733-

Status:Active

Date Filed:12/01/2014

Date Qualified:

Method:

Campaign Finance Activity

Campaign Documents

Search Criteria:

Detail of Committees

Election Year: 2016 General Election

With Committee Name Starts With: florida voter

Committee Type: All

Candidate/Committee	Date	Amount	Payee Name	Address
Florida Voters Fund (PAC)	04/20/2015	10.00	REGIONS BANK	3505 4TH ST N
Florida Voters Fund (PAC)	06/29/2015	1,000.00	LISA WHEELER-BROWN CAMPAIGN	PO BOX 15041
Florida Voters Fund (PAC)	08/11/2015	4,044.14	MAD DOG MAIL	5542 FIRST COAST HIGHWAY, SUITE 300
Florida Voters Fund (PAC)	08/30/2015	1,000.00	LISA WHEELER-BROWN FOR CITY COUNCIL	PO BOX 15041
	Total:	6,054.14		



Tom Alte

2 mins ·

Our opponent had a \$32,139.93 tax dispute through a mystery business he refuses to identify or discuss. But don't worry, he says you don't need to know the details before casting your ballot.



St. Petersburg City Council candidate Newton has history of tax disputes with IRS

tampabay.com

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Bill Edwards bankrolled campaign mailer on behalf of City Council candidate Lisa Wheeler-Brown

By Peter Schorsch - Sep 20, 2015



On the campaign trail to replace Wengay Newton on the St. Petersburg City Council, Lisa Wheeler-Brown has not avoided being labeled the preferred choice of much of the local Democratic Party establishment. **And it's crystal clear she is the preferred choice of Democratic Mayor Rick Kriseman.**

That's why it's so interesting to discover Wheeler-Brown's newest prominent supporter — Republican majordomo Bill Edwards.

Edwards, the mortgage company executive and entertainment promoter who owns the Tampa Bay Rowdies soccer club and manages the Mahaffey Theater, is one of the state's most prolific GOP political donors. He was a million-dollar contributor to Gov. Rick Scott's re-election effort and helped finance the 2012 Republican National Convention in Tampa.

Now he's playing in a St. Pete's City Council race.

Let me be clear, I am not demonizing Edwards' engaging in local politics. In 2011, I wrote that Edwards should have been commended, not criticized, **for his contributions to City Council candidates.**

Edwards' name does not show up on a campaign finance report of Wheeler-Brown's; instead he relied on a political committee to funnel his money.

Let's connect the dots.

On August 5, the Florida Voters Fund PAC received a \$5,000 check from Edwards.

Search Criteria:

Detail of Committees

Election Year: 2016 General Election

With Candidate Last Name Starts With: florida voter

Committee Type: All

Contributor Starting Date: 07/01/2015

Contributor Ending Date: 08/31/2015

Candidate/Committee	Date	Amount	Typ	Contributor Name	Address
Florida Voters Fund (PAC)	08/05/2015	5,000.00		CHE EDWARDS WILLIAM	150 2ND AVE N, SUITE 1600
		Total:		5,000.00	

1 Contribution(s) Selected

The Florida Voters Fund is a political committee administered by Tom Alte, **the Democratic campaign consultant whose firm is advising Wheeler-Brown.**

Less than a week later, the Florida Voters Fund paid \$4,044.14 to Mad Dog Mail, the same direct mail shop working on Wheeler-Brown's campaign.

Search Criteria:

Detail of Committees

Election Year: 2016 General Election

With Committee Name Starts With: florida voter

Committee Type: All

Candidate/Committee	Date	Amount	Payee Name	Address
Florida Voters Fund (FAC)	04/29/2015	10.00	REGIONS BANK	3505 4TH ST E
Florida Voters Fund (FAC)	06/29/2015	1,000.00	LISA WHEELER-BROWN CAMPAIGN	PO BOX 15041
Florida Voters Fund (FAC)	08/11/2015	4,044.14	MAD DOG MAIL	5542 FIRST COAST HIGHWAY, SUITE 300
Florida Voters Fund (FAC)	08/30/2015	1,000.00	LISA WHEELER-BROWN FOR CITY COUNCIL	PO BOX 15041
		Total:		6,054.14

That \$4K went to this mailer.

Florida Voters Fund
PO Box 15061
St. Petersburg, FL 33733



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PO Box 15061, St. Petersburg, FL 33733.
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Because She Has Fought for Our Community.

Lisa Wheeler-Brown grew up and raised a family right here in South St. Pete. When her son Cabretti was murdered on our streets, she dedicated her life to making our community safer for her grandkids and all of our children. **As our City Councilwoman, you can count on Lisa to fight to create jobs for our families, improve our kids' schools and make our neighborhoods a safer place for our kids to grow up.**

Lisa Wheeler-Brown is Endorsed by:

THE TAMPA TRIBUNE **Tampa Bay Times** **FLORIDA SEIU**

Ken Welch, Pinellas County Commissioner | Rene Flowers, Pinellas County School Board Member
 Karl Nurse, St. Petersburg City Councilman | Darden Rice, St. Petersburg City Councilwoman




We Can Count On Lisa Wheeler-Brown.

A Tragic Story. A Passion for Making Our Neighborhoods Safer.

You can count on Lisa Wheeler-Brown to stand up for our community.

Ken Welch
 KEN WELCH, PINELLAS COUNTY COMMISSIONER





(I'll skip discussing the irony of Republican Bill Edwards paying for a mailer featuring Democrat County Commissioner Ken Welch.)

With the money left over after the mailer, the Florida Voters Fund made a \$1,000 contribution to Lisa Wheeler-Brown.

Some might find it surprising to see Edwards backing Wheeler-Brown, considering that his right-hand man, former Mayor Rick Baker, is thought to be a supporter of Wheeler-Brown's opponent, Will Newton. Of course, Edwards and Baker don't have to agree about everything.

Still, with all the business Edwards has and/or will have before the St. Petersburg City Council, it's interesting that he is taking sides in a City Council race. Then again, **the latest poll shows Wheeler-Brown leading Newton**, so maybe that \$5,000 check is yet another smart investment by Edwards.

Comments

0 comments



Peter Schorsch

Peter Schorsch is the President of Extensive Enterprises and is the



publisher of some of Florida's most influential new media websites, including SaintPetersBlog.com, FloridaPolitics.com, ContextFlorida.com, and Sunburn, the morning read of what's hot in Florida politics. SaintPetersBlog has for three years running been ranked by the Washington Post as the best state-based blog in Florida. In addition to his publishing efforts, Peter is a political consultant to several of the state's largest governmental affairs and public relations firms. Peter lives in St. Petersburg with his wife, Michelle, and their daughter, Ella.

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