

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Vanessa Carusone

Case No.: FEC 18-091

TO: Vanessa Carusone
5912 Goffried Lane
North Port, FL 34291

Deborah Bloom
520 Verdi Street
Venice, FL 34285

NOTICE OF HEARING (CONSENT ORDER)

A hearing will be held in this case before the Florida Elections Commission on, **November 14, 2018 at 1:30 pm, or as soon thereafter as the parties can be heard**, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399.**

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Eric M. Lipman

General Counsel for Executive Director
Florida Elections Commission
October 29, 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**

In Re: Vanessa Carusone

**Case No.: FEC 18-091
F.O. No.: FOFEC**

CONSENT FINAL ORDER

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

FINDINGS OF FACT

1. On March 23, 2018, a complaint was filed with the Commission alleging that Respondent violated Florida's election laws.
2. Respondent has expressed a desire to enter into negotiations directed toward reaching a consent agreement.
3. Respondent and the staff stipulate to the following facts:
 - a. Respondent was a candidate for the North Port City Commission, District 1, in the 2016 election.
 - b. During her campaign. Respondent certified that her 2016 P7 campaign report was correct and complete, but it was not.

CONCLUSIONS OF LAW

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

5. Section 106.25(4)(i)3., Florida Statutes, allows the Commission to approve a consent agreement with a Respondent prior to the Commission finding probable cause that a violation of the election laws occurred. The consent agreement has the same force and effect as a consent agreement reached after the Commission finds probable cause.

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

ORDER

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

8. The Respondent shall bear her 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. The Respondent voluntarily waives confidentiality upon approval of the Consent Order by the Commission, 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, money order, good for at least 120 days, or attorney trust account check is a condition precedent to the Commission's consideration of this Consent Order.

PENALTY

WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent violated Section 106.07(5), Florida Statutes, on one occasion, and imposes a civil penalty in the amount of \$250.

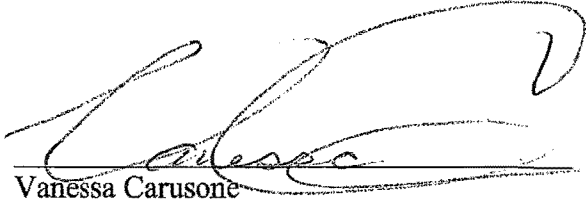
Therefore, it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$250, inclusive of fees and costs. The civil penalty shall be paid by cashier's check, money order, good for at least 120 days, or attorney trust account check. The civil penalty should be made payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

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

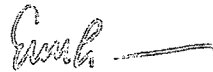
10 | 1 _____, 2018.



Vanessa Carusone
5912 Gottfried Lane
North Port, Florida 34291

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

October 3 _____, 2018.



Eric M. Lipman
General Counsel
Florida Elections Commission
107 West Gaines Street
The Collins Building, Suite 224
Tallahassee, Florida 32399-1050

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

on _____, in Tallahassee, Florida.

M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Vanessa Carusone, Respondent
Deborah Bloom, Complainant

THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD TO LIGHT TO VIEW

OFFICIAL CHECK

1001389545

68-236/514

ISSUING BRANCH 8550302-CHARLOTTE COUNTY - NORTH PORT

DATE October 02, 2018

PAY TO THE ORDER OF FLORIDA ELECTIONS COMMISSION

\$250.00

Two Hundred Fifty and 00/100ths Dollars

BB&T

\$250.00

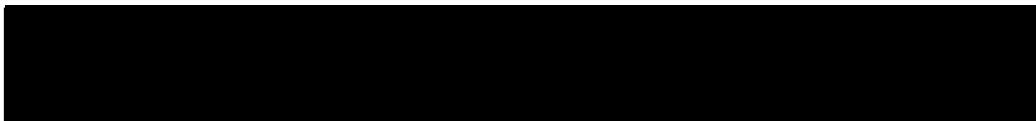
DOLLAR TWO FIVE ZERO PERIOD ZERO ZERO



AUTHORIZED SIGNATURE

Danore Bible

MEMO/PURCHASER FEC 18-091



Details on Back Security Features Included.

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 18-091

Respondent: Vanessa Carusone

Complainant: Deborah Bloom

On March 23, 2018, 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 106.07(5), Florida Statutes, prohibiting a candidate from certifying to the correctness of a campaign treasurer's report that is incorrect, false, or incomplete; 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, Vanessa Carusone, was a 2016 candidate for the North Port City Commission, District 1; she was elected to office on November 8, 2016. Respondent had previously served on the North Port City Commission from 2002 - 2010.

2. On March 23, 2016, Respondent's "APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES," form (DS-DE 9) was filed with the North Port City Clerk's office. Respondent appointed David Garofalo as her campaign treasurer. To review the DS-DE 9 form, refer to Exhibit 1.

3. Complainant, Deborah Bloom, is a former member of the Venice City Council, known as Deborah Anderson; she has filed multiple complaints with the Commission since 2015 using both her maiden name (Bloom) as well as her married name (Anderson).

II. Alleged Violation of Section 106.07(5), Florida Statutes:

4. I investigated whether Respondent violated this section of the election laws by certifying to the correctness of a campaign treasurer's report as true, correct and complete, when it was not.

5. Complainant questioned Respondent's 2016 P7 campaign report filed with the city clerk's office. Specifically, Complainant noted that the campaign report lists two check contributions in the amount of \$1,000 each from the same contributor.

6. Complainant submitted a copy of Respondent's 2016 P7 campaign report with the complaint. The 2016 P7 campaign report covered the reporting period of August 13 – August 25, 2016 and was filed with the city clerk's office on August 26, 2016; Respondent certified that the campaign report was true, correct and complete. Table 1 below is reflective of how the contributions were reported. To review a copy of the summary page and the P7 report, refer to Exhibit 2.

TABLE 1: RESPONDENT'S 2016 P7 CTR – ITEMIZED CONTRIBUTIONS						
Date	Full Name Street Address & City, State, Zip Code	Contributor		Contribution Type	In-Kind Description	Amount
Sequence #		Type	Occupation			
08/18/16	Benderson, Randall 570 Delaware Ave Buffalo, NY 14202	I	Developer	CHE		\$1,000.00
1						
08/18/16	Benderson, Randall 570 Delaware Ave Buffalo, NY 14202	I	Developer	CHE		\$1,000.00
2						

7. Respondent e-mailed a response to the complaint. Respondent stated, "I have done some preliminary review of the financials and there does seem to be a [sic] unintended duplication on the report as mentioned." She added that she would do a more thorough review of her reports as her campaign treasurer was going through a tragedy during the time covering the P7 reporting period. To review Respondent's e-mailed response, refer to Exhibit 3.

8. David Ramba, an attorney representing the contributor, Randall Benderson, provided a written statement relative to the contribution. He stated that his client's accounting department had researched all contributions made to Respondent's campaign as a candidate in the August 2016 primary election for the North Port City Commission as well as any subsequent contributions during the 2016 election cycle. Mr. Ramba further stated that no evidence was found to suggest that his client made more than a single contribution to Respondent's campaign.

9. Mr. Ramba included with his written statement a copy of a document that indicates at least one check was issued to Respondent's campaign. The document shows what appears to be a copy of a check issued to the "Campaign of Vanessa Carusone" in the amount of \$1,000.00, and dated as, "08/17/16." The name "Randall Benderson" is embossed on the face of the document. The document is void of an authorized signature. To review the written statement from Mr. Ramba as well as the document referencing a check, refer to Exhibit 4.

10. I subpoenaed bank records from Respondent's campaign depository, BB&T Bank. A review of the bank records reveals that only one check was received embossed with the name, "Randall Benderson." The check is similar to the document provided by Mr. Benderson's attorney, with the only exception being that the check from the bank included a signature. To review a copy of the check from the bank, refer to Exhibit 5.

11. In reviewing the bank records to determine whether a second contribution check was given to Respondent's campaign by Randall Benderson, as reflected in her 2016 P7 campaign report, two other similar looking checks were found. The two checks had the same account number as the check issued from "Randall Benderson."

12. A check in the amount of \$1,000.00, embossed with the name, "Benderson Development Co., LLC¹," was made payable to the Campaign of Vanessa Carusone. Additionally, another check in the amount of \$1,000.00, embossed with the name, "Shaun Benderson," was also made payable to the Campaign of Vanessa Carusone; both checks are dated as "09/30/16." Both contributions are disclosed in Respondent's 2016 G4 campaign report as coming from "Benderson Development Co., LLC," and "Shaun Benderson," respectively. To review a copy of the two checks as well as the itemized-contributions page declaring the contributions, refer to Exhibit 6.

13. Both of the checks appear to be issued from the same account and includes a signature similar to the signature on the check embossed with the name, Randall Benderson (Exhibit 5). In an affidavit, Mr. Benderson was asked about the account as well as the signature on the face of the checks. Mr. Benderson attested, "The checks were written from a centralized cash management account that is used by entities and individuals. The payables and receivables of each entity and individual that uses the centralized cash management account have complete accounting segregation." Further, he stated, "Accordingly, checks issued out of the centralized cash management account are made payable in the name of the entity or individual on whose books the payable is carried. In this case, as in any situation when I have a personal expense paid from this account, a check was made payable on my books to the primary campaign of Ms. Carusone." Mr. Benderson added, "The Campaign Treasurer's Report Summary filed by Ms. Carusone's campaign is in error to the extent that it shows two contributions from me made on August 18, 2016."

14. In his affidavit, Mr. Benderson explained that each of the checks were signed by Alan Goldstein, Executive Director of Accounting. He further explained, "Mr. Goldstein is an authorized signer for checks coming from the centralized cash management account on behalf of the entities and individuals, and complete accounting segregation is maintained. My understanding is that Mr. Goldstein physically signs all checks issued under his signature. The accounting department also does use a check signing machine and other means to transmit funds to third parties. To review the affidavit of Randall Benderson, refer to Exhibit 7.

15. Respondent provided her response to a questionnaire-affidavit. Respondent attested that her treasurer was responsible for entering the contribution information on her 2016 P7 campaign report. She explained that during this time period her treasurer's brother was murdered in Arizona. Respondent was asked whether she personally reviewed her 2016 P7 campaign report prior to certifying that she has examined the report and found it to be true, correct and complete. Respondent stated, "I do not believe so as he was out of state and was late getting the report into the Clerk. We had to communicate via email. Therefore, I do not believe

¹ Benderson Development Company, LLC is registered as an active corporation with the Florida Division of Corporations. Shaun A. Benderson is listed as a "Title Manager" with the corporation.

I had time to Thoroughly review. I was not even aware of what was happening until later.”

16. As part of the questionnaire-affidavit, Respondent was asked what she looks for when reviewing a campaign report prior to certifying the report as true, correct and complete. Respondent stated, “I checked to be sure Expenditures matched and Contributions. My treasurer had received Contributions as well. I was confident in his math and meticulous nature. Unfortunately I was mistaken.”

17. Respondent was advised in the questionnaire-affidavit that her campaign account records reveals three checks from the same account and signed by the same person although embossed with different names. Respondent was asked what, if any, campaign procedures did she have in place to help ensure that her campaign operated in compliance with the election laws of the State of Florida. She attested, “I did not request a copy of all checks from Benderson as the Complaint only notated the unintended duplication on the P7 report. In reviewing the deposits I would look to be sure they were from different people. I believe the 2 checks in September were mailed separate. I would not have kept a record of their account numbers even though deposited at the same time. I also see no reference to account numbers in FSS, 106.19(1)(a) or 106.08. At this time.” To review Respondent’s response to the questionnaire-affidavit, refer to Exhibit 8.

18. As part of her response to the questionnaire-affidavit, Respondent stated that she amended campaign reports. On August 3, 2018, Respondent filed an amended 2016 P7 campaign report with the North Port City Clerk’s office. The amended campaign report now reflects only one entry from contributor Randall Benderson instead of two entries as shown in Exhibit 2. To review a copy of the amended 2016 P7 campaign report, refer to Exhibit 9.

19. No record was found to indicate that Respondent has previously violated this section of the election laws².

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

20. I investigated whether Respondent violated this section of the election laws by accepting a contribution in excess of the legal limit.

21. To review information relative to the alleged excessive contribution, refer to paragraphs 5 through 18.

22. No record was found to indicate that Respondent has previously violated this section of the election laws.

IV. FEC History:

23. Respondent has a previous history with the Florida Elections Commission. In

² In FEC 03-047, Respondent was investigated for a possible violation of this section of the election laws; however, the members of the Florida Elections Commission found no probable cause to believe that she violated Section 106.07(5), Florida Statutes.

FEC 02-385, Respondent agreed to a minor-violation consent order and paid a fine in the amount of \$550 after she was alleged to have violated Sections 106.143(1), 106.143(4)(a), and 106.143(5), Florida Statutes. In FEC 02-441, Respondent was found to have violated Section 106.25(7), Florida Statutes, and paid a fine in the amount of \$1,000. In FEC 03-047, the members of the Florida Elections Commission found no probable cause to believe that Respondent violated Sections 106.025(1)(b), 106.07(5), and 106.08(3)(a), Florida Statutes.

Conclusion:

24. On September 13, 2018, I interviewed Respondent for the purpose of providing her with a brief overview of the case and to afford her an opportunity for any questions or comments. Respondent said that she did not have anything to add at this time.

25. North Port City Clerk Patsy Adkins provided her response to an Affidavit of Filing Officer. Ms. Adkins stated that she became the city clerk in July 2016 and the previous city clerk no longer works for the city. She added that prior to becoming the city clerk she served as the deputy city clerk. Ms. Adkins reported that the campaign treasurer handbook is part of a packet that is given to each candidate prior to filing to run for office. She further reported that she is of the belief that at the time the candidates were all told how to find Chapter 106, Florida Statutes online. To review the affidavit of filing officer, refer to Exhibit 10.

26. In a questionnaire-affidavit, Respondent attested that she does not possess a copy of Chapter 106, Florida Statutes, but that she read the law in 2006. Additionally, she attested she does possess and has read the *Candidate and Campaign Treasurer Handbook*. To review Respondent's response to the questionnaire-affidavit, refer to Exhibit 8.

27. Respondent executed a Statement of Candidate form indicating that she had been provided access to read and understand the requirements of Chapter 106, Florida Statutes; the form is dated as having been signed March 23, 2016. To review the Statement of Candidate, refer to Exhibit 11.

Respectfully submitted on September 13, 2018.



Keith Smith
Investigation Specialist

Current address of Respondent

The Honorable Vanessa Carusone
5912 Gottfried Lane
North Port, Florida 34291

Current address of Complainant

Deborah Bloom
520 Verdi Street
Venice, Florida 34285

Name and Address of Filing Officer:

Patsy C. Adkins, City Clerk
City of North Port
4970 City Hall Boulevard
North Port, Florida 34286

Copy furnished to: David Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Vanessa Carusone -- FEC 18-091

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	DS-DE 9 form
Exhibit 2	Summary page/2016 P7 report
Exhibit 3	Respondent's e-mail response
Exhibit 4	Letter from David Ramba; document re: check
Exhibit 5	Check from Randall Benderson
Exhibit 6	Two checks; 2016 G4 report
Exhibit 7	Phone log from FEC 18-090
Exhibit 8	Respondent's Q/A
Exhibit 9	Amended 2016 P7 report
Exhibit 10	Filing officer affidavit
Exhibit 11	Statement of Candidate

APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES

(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

NOTE: This form must be on file with the qualifying officer before opening the campaign account.

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

Initial Filing of Form Re-filing to Change: Treasurer/Deputy Depository Office Party

2. Name of Candidate (in this order: First, Middle, Last)

Vanessa Jane Carusone

3. Address (include post office box or street, city, state, zip code)

3364 Trentwood Lane
North Port, FL 34286

4. Telephone

(941) 822-4725

5. E-mail address

VENPA1@gmail.com

6. Office sought (include district, circuit, group number)

7. If a candidate for a nonpartisan office, check if applicable:

My intent is to run as a Write-In candidate.

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a

Write-In No Party Affiliation _____ Party candidate.

9. I have appointed the following person to act as my Campaign Treasurer Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

David Garofalo

11. Mailing Address

3740 Crittendon St

12. Telephone

()

13. City

North Port

14. County

Sarasota

15. State

FL

16. Zip Code

34286

17. E-mail address

Garofalo911@gmail.com

18. I have designated the following bank as my Primary Depository Secondary Depository

19. Name of Bank

BBFT

20. Address

1299 Sumter Blvd

21. City

North Port

22. County

Sarasota

23. State

FL

24. Zip Code

34286

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date

3/23/16

26. Signature of Candidate

X

27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)

I, DAVID GAROFALO, do hereby accept the appointment

(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

3/23/16 Date

X Signature of Campaign Treasurer or Deputy Treasurer

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

(1) Vanessa Carusone
Name
(2) 5912 Gottfried LN
Address (number and street)
North Port, FL 34291
City, State, Zip Code

OFFICE USE ONLY
CITY CLERK
26 AUG 16 PM 5:00:28
CITY OF NORTH PORT

CHECK IF ADDRESS HAS CHANGED

(3) ID Number: _____

(4) Check appropriate box(es):

- Candidate (office sought): City of North Port Commissioner, District Seat 1
- Political Committee
- Committee of Continuous Existence
- Party Executive Committee
- Electioneering Communication
- CHECK IF PC HAS DISBANDED
- CHECK IF CCE HAS DISBANDED
- CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED

(5) REPORT IDENTIFIERS

Cover Period: From 8 / 13 / 2016 To 8 / 25 / 2016 Report Type P7
 Original Amendment Special Election Report Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$ 2,900.00

Loans \$ 0.00

Total Monetary \$ 2,900.00

In-Kind \$ 0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$ 1,441.09

Transfers to Office Account \$ 0.00

Total Monetary \$ 1,441.09

(8) Other Distributions \$ 0.00

(9) TOTAL Monetary Contributions To Date \$ 12,640.00

(10) TOTAL Monetary Expenditures To Date \$ 10,703.46

(11) CERTIFICATION

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

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

(Type name) David Garofalo
 Individual (only for electioneering communit.) Treasurer Deputy Treasurer

Signature

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

(Type name) Vanessa Carusone
 Candidate Chairperson (only for PC, PTY & electioneering commun. organization)

Signature

CFID: 8022

CITY CLERK

26 AUG 16 PM 5:00:30

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

CITY OF NORTH PORT

(1) Name Vanessa Carusone

(2) I.D. Number _____

(3) Cover Period 8 / 13 / 2016 through 8 / 25 / 2016

(4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number		Type	Occupation				
8 / 18 / 16	Benderson, Randall 570 Delaware Ave Buffalo, NY 14202	I	Developer	CHE			\$1,000.00
1							
8 / 18 / 16	Benderson, Randall 570 Delaware Ave Buffalo, NY 14202	I	Developer	CHE			\$1,000.00
2							
8 / 18 / 16	Dougherty-Slapp, Mary 779 Macdill Drive Port Charlotte, FL 33953	I	Builder	CHE			\$200.00
3							
8 / 19 / 16	RWR installations INC. 4343 Sawyer Road Sarasota, FL 34233	B	Builders	CHE			\$500.00
4							
8 / 22 / 16	Mangold, Charles 7024 Pan American Blvd North Port, FL 34287	I	Retired	CHE			\$100.00
5							
8 / 22 / 16	Mangold, Charles 7024 Pan American Blvd North Port, FL 34287	I	Retired	CHE			\$100.00
6							
///							
///							

DS-DE 13 (2/03)

SEE REVERSE FOR INSTRUCTIONS AND CODE VALUES

EXHIBIT 2 (2 of 2)



FEC 19-091

Vanessa Carusone

to:

Florida Elections Commission

04/19/2018 04:55 PM

Hide Details

From: Vanessa Carusone <vcnp21@gmail.com>

To: Florida Elections Commission <fec@myfloridalegal.com>

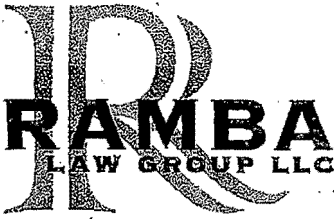
in reference to case No. FEC 18-091 I have done some preliminary review of the financials and there does seem to be a unintended duplication on the report as mentioned. I will be doing a more thorough review of the reports as my Treasurer was going through a tragedy during the course of the report in question. I did reach out to the office and request an extension for this response as another tragedy had arose and I was unable to receive the bank documentation in time. I have waived my confidentiality rights so that I may confer with my treasurer.

Thank you,

Vanessa Carusone

EXHIBIT

3



120 SOUTH MONROE STREET / TALLAHASSEE, FLORIDA 32301

DIRECT: 850.727.7087 / FAX: 850.807.2502

April 11, 2018

VIA EMAIL and HAND DELIVERY

Florida Elections Commission
107 W. Gaines Street, Suite 224
Collins Building
Tallahassee, Florida 32399-1050

RE: Case No.: FEC 18-090; Respondent Randall Benderson

We have received the above referenced complaint alleging a violation of Florida's elections laws. Ramba Law Group represents Mr. Benderson and Benderson Development Corporation on these matters.

The accounting department has researched our all contributions to Mayor Vanessa Carusone as a candidate in the August 30, 2016, primary for City Commission in North Port District 1, and any subsequent contributions during the 2016 election cycle. While it appears in Exhibit 1 of the complaint the treasurer for the campaign reported two checks from Randall Benderson, we have found no evidence to suggest that is in fact the case, and only a single check was issued to the Campaign of Vanessa Carusone, check number 2346547 (a copy is attached).

I did contact Mayor Carusone upon receipt of the complaint, who received a similar complaint over the same matter, and she is reaching out to her treasurer to locate the records. The account was closed after the campaign, and they are requesting the bank records as well. That being said, our research has found that only one check was issued and there is no violation of Section 106.081(a)2. by Mr. Benderson.

If you have any questions or need any further information, please feel free to give me a call.

Sincerely,

A handwritten signature in black ink that reads 'David E. Ramba' with a horizontal line extending to the right.

David E. Ramba

/Enclosure

EXHIBIT 4 (1 of 2)

VENDOR NO. 158501

RANDALL BENDERSON

1 of 1

INVOICE NUMBER	DATE	DESCRIPTION	GROSS	DISCOUNT	NET
CAR160817	08/17/18	Contribution	1,000.00		1,000.00
		UPS			
CHECK NO. 2346547		TOTALS	1,000.00		1,000.00

DETACH BEFORE DEPOSITING

M & T BANK
BUFFALO, NY

RANDALL BENDERSON

10-4
220

VOID AFTER 90 DAYS

CHECK NO.	DATE		
	MO.	DA.	YR.
2346547	08	17	18

PAY

*****1,000 DOLLARS 00 CENTS

DOLLARS	CENTS
\$ *****1,000.00	

PAY TO THE ORDER OF

CAMPAIGN OF VANESSA CARUSONE
5912 GOTTFRIED LANE
NORTH PORT FL 34291

VOID

AUTHORIZED SIGNATURE

VOID

AUTHORIZED SIGNATURE

EXHIBIT

4 (2 of 2)

M & T BANK
BUFFALO, NY

RANDALL BENDERSON

10-5
230

VOID AFTER 90 DAYS

CHECK NO.	DATE		
2346547	MO.	DA.	YR.
	08	17	16

PAY

*****1,000 DOLLARS 00 CENTS

DOLLARS	CENTS
\$ *****1,000.00	

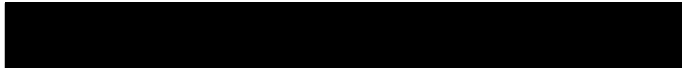
PAY TO THE ORDER OF

CAMPAIGN OF VANESSA CARUSONE
6912 GOTTFRIED LANE
NORTH PORT FL 34291

AUTHORIZED SIGNATURE



THE FACE OF THIS CHECK HAS A MICRON MARKING WITH GREEN BONDS. ANY OTHER COLOR MAY BE EVIDENCE OF CHEMICAL TREATMENT OR ERASING. AUTHORIZED SIGNATURES ON REVERSE.



694492

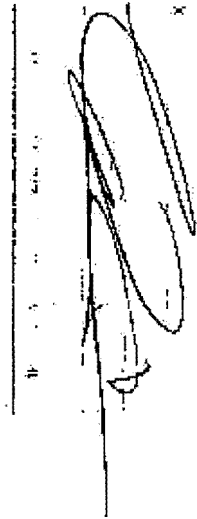
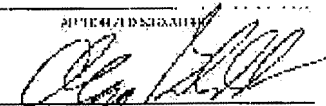
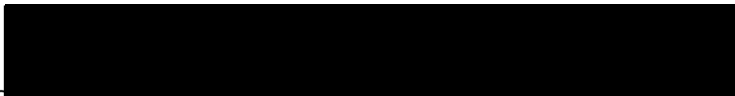


EXHIBIT 5

M & T BANK PLATANO, NY		BENDERSON DEVELOPMENT CO., LLC		NOV 200	
VOID AFTER 90 DAYS					
CHECK NO.	DATE				
2350282	MO.	DA.	YR.	PAY	
	09	30	16	*****1,000 DOLLARS 00 CENTS	
				DOLLARS	CENTS
				\$	*****1,000.00
PAY TO THE ORDER OF					
CAMPAIGN OF VANESSA CARUSONE 5912 GOTTFRIED LANE NORTH PORT FL 34291					
<small>APPROVED SIGNATURE</small> 					
<small>THE FRONT OF THIS CHECK MUST BE WRITTEN IN INK AND MUST BE LEGIBLY WRITTEN IN INK. THE FRONT OF THIS CHECK MUST BE WRITTEN IN INK AND MUST BE LEGIBLY WRITTEN IN INK.</small>					



702111

E
THE FRONT OF THIS CHECK MUST BE WRITTEN IN INK AND MUST BE LEGIBLY WRITTEN IN INK. THE FRONT OF THIS CHECK MUST BE WRITTEN IN INK AND MUST BE LEGIBLY WRITTEN IN INK.

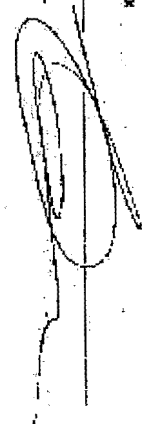
ENDORSE HERE

DO NOT WRITE, STAMP OR SIGN BEHIND THE LINE
 OF THIS CHECK. KEEP ALL CHECKS AND COPIES.

EXHIBIT 6 (1 of 4)

M & T BANK
BUNYON NY

SHAUN BENDERSON

104
791

VOID AFTER 90 DAYS

CHECK NO.	DATE		
2360291	MO.	DA.	YR.
	09	30	16

PAY

*****1,000 DOLLARS 00 CENTS

DOLLARS	CENTS
\$ *****1,000.00	

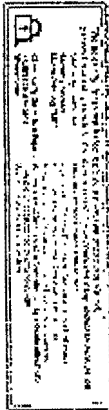
PAY TO THE ORDER OF

CAMPAIGN OF VANESSA CARUSONE
5912 GOTTFRIED LANE
NORTH PORT FL 34281

AUTHORIZED SIGNATURE
Shaun Benderson



702113



ENDORSE HERE
WITH SIGNATURE
AND DATE
[Signature]

ENDORSE HERE

EXHIBIT 6 (2 of 4)

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

(1) Vanessa Carusone
Name
(2) 5912 Gottfried LN
Address (number and street)
North Port, FL 34291
City, State, Zip Code

OFFICE USE ONLY

CITY CLERK

14 OCT 16 PM 4:54:34
CITY OF NORTH PORT

CHECK IF ADDRESS HAS CHANGED

(3) ID Number: _____

(4) Check appropriate box(es):

- Candidate (office sought): City of North Port Commissioner, District Seat 1
- Political Committee CHECK IF PC HAS DISBANDED
- Committee of Continuous Existence CHECK IF CCE HAS DISBANDED
- Party Executive Committee CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED
- Electioneering Communication

(5) REPORT IDENTIFIERS

Cover Period: From 10 / 1 / 2016 To 10 / 7 / 2016 Report Type G4
 Original Amendment Special Election Report Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks \$ 5,150.00

Loans \$ 0.00

Total Monetary \$ 5,150.00

In-Kind \$ 0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures \$ 1,542.30

Transfers to Office Account \$ 0.00

Total Monetary \$ 1,542.30

(8) Other Distributions
\$ 0.00

(9) TOTAL Monetary Contributions To Date
\$ 20,365.00

(10) TOTAL Monetary Expenditures To Date
\$ 13,993.07

(11) CERTIFICATION

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

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

(Type name) David Garofalo
 Individual (only for electioneering commun.) Treasurer Deputy Treasurer

X [Signature]
Signature

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

(Type name) Vanessa Carusone
 Candidate Chairperson (only for PC, PTY & electioneering commun. organization)

X [Signature]
Signature

CFID: 8317

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

11/09/2016 PM 4:54:49
CITY OF NORTH PORT

(1) Name Vanessa Carusone

(2) I.D. Number _____

(3) Cover Period 10 / 1 / 2016 through 10 / 7 / 2016

(4) Page 2 of 2

(5) Date	(6) Sequence Number	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
			Type	Occupation				
10 / 7 / 16	9	Benderson Development 570 Delaware Ave Buffalo, NY 14202	B	Developer	CHE			\$1,000.00
10 / 7 / 16	10	Benderson, Shaun 570 Delaware Ave Buffalo, NY 14202	I	Developer	CHE			\$1,000.00
///								
///								
///								
///								
///								
///								

AFFIDAVIT OF BACKGROUND INFORMATION

STATE OF FLORIDA

County of Manatee

Randall Benderson, 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 Benderson Development Company, LLC as Managing Director.

3. Have you ever run for public office? If so, please name the office(s) you ran for and the date(s) of the election(s) you ran in.

No.

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

No.

5. Have you ever held the office of chairperson, treasurer, board member, or other similar position for a committee of continuous existence? (Committee of continuous existence is defined in Section 106.04, Florida Statutes.) If so, please list the name and addresses of the committees and dates when you held the position.

No.

EXHIBIT

7 (1 of 3)

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

I have previously consulted with legal counsel.

7. The bank account records of Vanessa Carusone's campaign reflects three donations. Attached to this affidavit are copies of the three checks the campaign received.

Date	Description	Amount
08/17/16	Randall Benderson- Check #2346547	\$1,000.00
09/30/16	Benderson Development Co., LLC- Check #2350289	\$1,000.00
09/30/16	Shaun Benderson- Check #2350291	\$1,000.00

These checks appear to have been written from one bank account; M & T Bank, Account #9859703549. Were these checks written from one account, a joint account or separate accounts? Is this a business account or personal bank account?

The checks were written from a centralized cash management account that is used by entities and individuals. The payables and receivables of each entity and individual that uses the centralized cash management account have complete accounting

segregation. Accordingly, checks issued out of the centralized cash management account are made payable in the name of the

entity or individual on whose books the payable is carried. In this case, as in any situation when I have a personal-expense paid

from this account, a check was made payable on my books to the primary campaign of Ms. Carusone. The Campaign Treasurer's

Report Summary filed by Ms. Carusone's campaign is in error to the extent that it shows two contributions from me made on

August 18, 2016. I made one contribution to Ms. Carusone's primary campaign on that date as noted in the above table that is part of this question.

8. In a telephone conversation on July 30, 2018, it was noted that the signature on the checks from Benderson Development Company are electronically printed and disbursed by the company's accounting department in New York; However, the three checks appear to have been physically signed, as each signature is slightly different. Were these checks signed by Mr. Randall Benderson, or by someone with signing authority in the accounting department? If signed by someone with signing authority, please provide the name of the person and provide his/her position or title.

Each of the checks were signed by Alan Goldstein, Executive Director of Accounting. Mr. Goldstein is an authorized signer for checks

coming from the centralized cash management account on behalf of the entities and individuals, and complete accounting segregation

is maintained. My understanding is that Mr. Goldstein physically signs all checks issued under his signature. The accounting department

also does use a check signing machine and other means to transmit funds to third parties.

EXHIBIT

7 (243)

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

R. J. Taylor

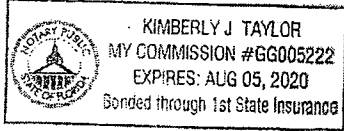
Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 29 day of August, 2018

Kimberly J Taylor

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known X or Produced Identification —

Type of Identification Produced: —

EXHIBIT 7 (343)

AFFIDAVIT OF BACKGROUND INFORMATION
Case Number: **FEC 18-091**

STATE OF FLORIDA
County of Sarasota

Vanessa Carusone, 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 City of North Port as Mayor

3. Prior to your 2016 campaign, had you ever run for public office? If so, please name the office(s) you ran for and the date(s) of the election(s) you ran in.
2002 North Port Commission
2006 North Port Commission

4. Have you ever held the office of chairperson or treasurer for a political committee? If so, please list the names and addresses of the committees and dates when you held the position.
NO

5. What action have you taken to determine your responsibilities under Florida's election laws?
I have obtained all reports from the Clerk, as my treasurer was unavailable. I requested bank statements and reviewed deposit slips. I have amended ten campaign treasurer's reports to reflect the corrected versions.

- 6. Do you possess a copy of Chapter 106, Florida Statutes? Yes No
- 7. If so, when did you first obtain it? _____
- 8. Have you read Chapter 106, Florida Statutes? In 2006 Yes No
- 9. Do you possess a copy of Chapter 104, Florida Statutes? Yes No

EXHIBIT 8 (1 of 3)

10. If so, when did you first obtain it? _____

11. Have you read Chapter 104, Florida Statutes? In 2006 Yes No

12. Do you possess a copy of the *Candidate and Campaign Treasurer Handbook*? Yes No

13. If so, when did you first obtain it? 2015

14. Have you read the *Candidate and Campaign Treasurer Handbook*? Yes No

15. Who was responsible for entering the contribution information on the ~~2017~~²⁰¹⁶ P7 report?

My Treasurer David Garofalo was responsible. Unfortunately, at this time his brother was murdered in Arizona.

16. Did you personally review your 2016 P7 campaign report prior to certifying that you had examined the report and found it to be true, correct, and complete?

I do not believe so as he was out of state and was late getting the report into the clerk. We had to communicate via email. Therefore, I do not believe I had time to thoroughly review. I was not even aware of what was happening

17. When you examine a campaign report, prior to certifying the report to be true, correct, and complete, what exactly do you look for during your review? Until later. (see #15)

I checked to be sure expenditures matched and contributions. My treasurer had received contributions as well. I was confident in his math and meticulous nature. Unfortunately I was mistaken. As mentioned prior I have amended many reports now.

18. With a review of your campaign account records, your campaign received a \$1,000 check from Randall Benderson, dated 08/17/16; a \$1,000 check from Shaun Benderson, dated 09/30/16; and a \$1,000 check from Benderson Development Co., LLC, dated 09/30/16. However, each check is from the same account number and signed by the same person, Randall Benderson. What, if any, campaign procedures did you have in place which would help ensure that your campaign operated in compliance with the election laws of the state of Florida, specifically, Section 106.19(1)(a), FS?

I did not request a copy of all checks from Benderson as the complaint only noted the unintended duplication on the P7 report. In reviewing the deposits I would look to be sure they were from different people. I believe the 2 checks in September were mailed (see #3) separate. I would not have kept a record of their account numbers even though deposited at the same time. I also see no reference to account numbers in FS 106.19(1)(a) or 106.19(1)(b).

EXHIBIT

REC'D: ELECTIONS OFF
9 AM 10/10/10

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

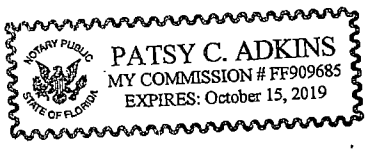
[Handwritten Signature]

Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 3rd day of August, 2018

Patsy C. Adkins
Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known or Produced Identification

Type of Identification Produced: _____

Case Investigator: KS

EXHIBIT 8 (3 of 3)

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Vanessa Carusone
Name

(2) 5912 Gottfried LN
Address (number and street)

North Port, FL 34291
City, State, Zip Code

OFFICE USE ONLY

CITY CLERK
5 AUG 18 PM 1:41:51
CITY OF NORTH PORT

Check here if address has changed

(3) ID Number: _____

(4) Check appropriate box(es):

- Candidate Office Sought: City of North Port Commission, District Seat 1
- Political Committee (PC)
- Electioneering Communications Org. (ECO)
- Party Executive Committee (PTY)
- Independent Expenditure (IE) (also covers an individual making electioneering communications)
- Check here if PC or ECO has disbanded
- Check here if PTY has disbanded
- Check here if no other IE or EC reports will be filed

(5) Report Identifiers

Cover Period: From 8/13/2016 To 8/25/2016 Report Type: P7

Original Amendment Special Election Report

(6) Contributions This Report

Cash & Checks \$ 1,900.00

Loans \$ 0.00

Total Monetary \$ 1,900.00

In-Kind \$ 0.00

(7) Expenditures This Report

Monetary Expenditures \$ 1,441.09

Transfers to Office Account \$ 0.00

Total Monetary \$ 1,441.09

(8) Other Distributions

\$ 0.00

(9) TOTAL Monetary Contributions To Date

\$ 11,640.00

(10) TOTAL Monetary Expenditures To Date

\$ 10,703.46

(11) Certification

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

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

(Type name)

Individual (only for IE or electioneering comm.) Treasurer Deputy Treasurer

X

Signature

(Type name)

Candidate Chairperson (only for PC and PTY)

X

Signature

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS NORTH PORT

(1) Name Vanessa Carusone (2) I.D. Number _____

(3) Cover Period 8 / 13 / 2016 through 8 / 25 / 2016 (4) Page 1 of 1

(5) Date	(6) Sequence Number	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
			Type	Occupation				
///								
8 / 18 / 16	1	Benderson, Randall 570 Delaware Ave Buffalo, NY 14202	I	Developer	CHE			\$1,000.00
8 / 18 / 16	2	Dougherty-Slapp, Mary 779 Macdill Drive Port Charlotte, FL 33953	I	Builder	CHE			\$200.00
8 / 19 / 16	3	RWR Installations INC. 4343 Sawyer Road Sarasota, FL 34233	B	Builders	CHE			\$500.00
8 / 22 / 16	4	Mangold, Charles 7024 Pan American Blvd North Port, FL 34287	I	Retired	CHE			\$100.00
8 / 22 / 16	5	Mangold, Charles 7024 Pan American Blvd North Port, FL 34287	I	Retired	CHE			\$100.00
///								
///								

City of North Port

City Clerk
4970 City Hall Boulevard
North Port, Florida 34286

padkins@cityofnorthport.com

(941) 429-7064

Fax: (941) 429-7008

REG: FELECTIONS.COM
2018 JUL 10 AM 10:55

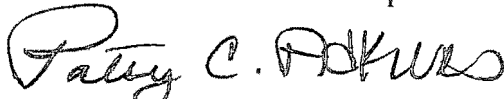
July 5, 2018

Florida Elections Commission
107 West Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-1050

Re: Affidavit of Filing Officer Case Number: FEC 18-091

I became the City Clerk in July of 2016, prior to becoming the City Clerk I was the Deputy City Clerk. The previous City Clerk no longer works for the City. In reference to Number 3. On the Affidavit, the Campaign Treasurer Handbook is part of the packet that is given to each candidate prior to filing to run for office. I believe at that time they were all told how to find Chapter 106 of the Florida Statutes online. In reference to Number 7 of the Affidavit, the City of North Port does not have any political committees registered. In reference to Number 8 of the Affidavit, I do not remember having any significant discussion and do not find any documentation of such. The candidate may have had discussion with the previous City Clerk or the Sarasota County Supervisor of Elections

Please let me know if I may be of further assistance.



Patsy C. Adkins, MMC
City Clerk

EXHIBIT

10 (1 of 3)

AFFIDAVIT OF FILING OFFICER
Case Number: FEC 18-091

STATE OF FLORIDA
County of Sarasota

Patsy C. Adkins, being duly sworn, says:

- This affidavit is made upon my personal knowledge.
- I am of legal age and competent to testify to the matters stated herein. I am currently employed by City of North Port as City clerk.
- Please check each item provided to the candidate or her staff, and list the date that the item was provided.

Check	ITEM	DATE
	Chapter 106, Florida Statutes <u>I believe</u>	
	<u>Candidates were told where to find on Lin</u>	
	<u>Candidate and Campaign Treasurer Handbook</u> Please indicate Year. <u>This was given to each candidate when</u>	
	<u>Other:¹ they pulled a packet prior to</u>	
	<u>filing and was not documented. (Please see Attached</u>	

4. Relative to Chapter 106, *Florida Statutes* and the *Candidate and Campaign Treasurer Handbook*, how are these publications provided to the candidate and/or her staff?

- Publications are given directly to the candidate and/or her staff. Handbook in packet
- Publications are available in the office, candidate and/or her staff are advised to pick-up the publications for themselves.
- Candidate and/or her staff are advised to download copies of the publications from our website or the Division of Elections' website.
- Other, please explain. _____

5. Did your office offer any candidate workshops or training seminars prior to the November 8, 2016 election? Yes or No. If yes, please list all workshops/training seminars that were attended by the candidate and/or her staff, along with the date of attendance.

¹ Any local publications relative to the Election laws that may have been provided in lieu of the Candidate and Campaign Treasurer Handbook published by the Division of Elections. If your office published the item(s), please send a copy of the item(s) with the affidavit.

If a staff member attended for the candidate, list his/her name and position. If available, please attach a copy of any attendance sheets from the workshops/training seminars and if available, please provide a copy of the syllabus and outline for the workshops/seminars.

6. Does your office have any record of Vanessa Carusone having sought elective office within your jurisdiction prior to the 2016 election? Yes or No. If yes, please list the previous office(s) she ran for, the date(s) of the election(s), and the result(s) of the election(s).

City Commissioner Seat 5, 11/5/2002 - won the election
City Commissioner Seat 5 11/7/2006 - won the election
Results are attached

7. Does your office have any record of Vanessa Carusone having been named as a chairperson or campaign treasurer of a political committee or electioneering communication organization within your jurisdiction? Yes or No. If yes, please list the name(s) of the committees.

8. Did you or any member from your staff have any conversations with Vanessa Carusone concerning a provision of Chapter 106, Florida Statutes, at any time during her 2016 campaign? Yes or No. If yes, please indicate whether the conversation was in person, in writing, or by telephone and the subject matter of the conversation. If applicable, please provide copies documenting the discussion.

yes, but nothing significant that was
document. We answer questions if asked
by helping lookup information.

I SWEAR OR AFFIRM THAT THE INFORMATION CONTAINED IN THIS DOCUMENT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Patsy C. Adkins
Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 5 day of JUN, 2018

Kathryn Peto
Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known or Produced Identification
Type of Identification Produced: _____



KATHRYN PETO
MY COMMISSION # FF 157346
EXPIRES: January 5, 2019
Bonded Thru Budget Notary Services

Case investigator: KS

EXHIBIT 10 (343)

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

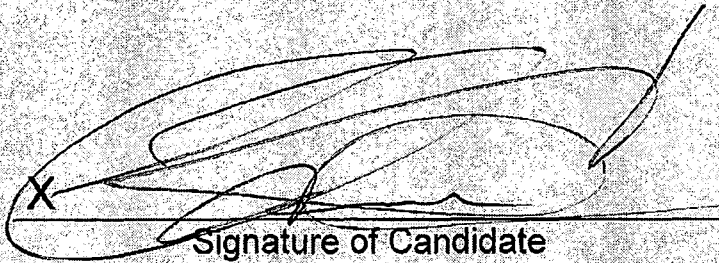
OFFICE USE ONLY

CITY CLERK

23 MAR 16 PM 5:17:39

CITY OF NORTH PORT

I, Vanessa J. Carusone,
candidate for the office of North Port City Commission District 1;
have been provided access to read and understand the requirements of
Chapter 106, Florida Statutes.


Signature of Candidate

3/23/16
Date

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

AFFIDAVIT OF BACKGROUND INFORMATION

Case Number: FEC 18-091

STATE OF FLORIDA

County of Sarasota

Vanessa Carusone, 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 City of North Port as Mayor.

- 3. Prior to your 2016 campaign, had you ever run for public office? If so, please name the office(s) you ran for and the date(s) of the election(s) you ran in.
2002 North Port Commission
2006 North Port Commission

- 4. Have you ever held the office of chairperson or treasurer for a political committee? If so, please list the names and addresses of the committees and dates when you held the position.
NO

- 5. What action have you taken to determine your responsibilities under Florida's election laws?
I have obtained all reports from the Clerk, as my treasurer was unavailable. I requested bank statements and reviewed deposit slips. I have amended ten campaign treasurer's reports to reflect the corrected versions.

- 6. Do you possess a copy of Chapter 106, Florida Statutes? Yes No
- 7. If so, when did you first obtain it? _____
- 8. Have you read Chapter 106, Florida Statutes? In 2006 Yes No
- 9. Do you possess a copy of Chapter 104, Florida Statutes? Yes No

10. If so, when did you first obtain it? _____

11. Have you read Chapter 104, Florida Statutes? In 2006 Yes No

12. Do you possess a copy of the *Candidate and Campaign Treasurer Handbook*? Yes No

13. If so, when did you first obtain it? 2015

14. Have you read the *Candidate and Campaign Treasurer Handbook*? Yes No

15. Who was responsible for entering the contribution information on the ~~2017~~²⁰¹⁶ P7 report?

My Treasurer David Garofalo was responsible. Unfortunately, at this time his brother was murdered in Arizona.

16. Did you personally review your 2016 P7 campaign report prior to certifying that you had examined the report and found it to be true, correct, and complete?

I do not believe so as he was out of state and was late getting the report into the clerk. We had to communicate via email. Therefore, I do not believe I had time to thoroughly review. I was not even aware of what was happening

17. When you examine a campaign report, prior to certifying the report to be true, correct, and complete, what exactly do you look for during your review? Until later. (see #15)

I checked to be sure expenditures matched and contributions.

My treasurer had received contributions as well. I was

confident in his math and meticulous nature. Unfortunately I was mistaken. As mentioned prior I have amended many reports now.

18. With a review of your campaign account records, your campaign received a \$1,000 check from Randall Benderson, dated 08/17/16; a \$1,000 check from Shaun Benderson, dated 09/30/16; and a \$1,000 check from Benderson Development Co., LLC, dated 09/30/16. However, each check is from the same account number and signed by the same person, Randall Benderson. What, if any, campaign procedures did you have in place which would help ensure that your campaign operated in compliance with the election laws of the state of Florida, specifically, Section 106.19(1)(a), FS?

I did not request a copy of all checks from Benderson as the complaint only notated the unintended duplication on the P7 report. In reviewing the deposits I would look to be sure they were from different people. I believe the 2 checks in September were mailed separate. I would not have kept a record of their account numbers even though deposited at the same time. I also see no reference to account numbers in FSS 106.19(1)(a) or 106.08. At this time.

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

[Handwritten Signature]

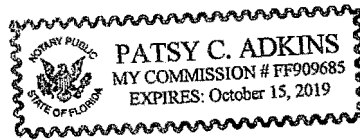
Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 3rd day of August, 2018

Patsy C. Adkins

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known or Produced Identification

Type of Identification Produced: _____

Case Investigator: KS



FLORIDA ELECTIONS COMMISSION

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

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

June 21, 2018

Vanessa Carusone
5912 Goffried Lane
North Port, FL 34291

RE: Case No.: FEC 18-091; Respondent: Vanessa Carusone

Dear Ms. Carusone:

On March 23, 2018, 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 106.07(5), Florida Statutes: Respondent, a 2016 candidate for the North Port City Commission, Seat 1, certified that her campaign's 2016 P7 report was true, correct and complete when it was not, as alleged in the complaint.

Section 106.19(1)(a), Florida Statutes: Respondent, a 2016 candidate for the North Port City Commission, Seat 1, accepted a contribution in excess of the limits prescribed by Section 106.08, Florida Statutes, as alleged in the complaint.

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

Please note that all documents related to this matter will be mailed to the above address unless you **notify us of a new address**. Also, please remember that complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of

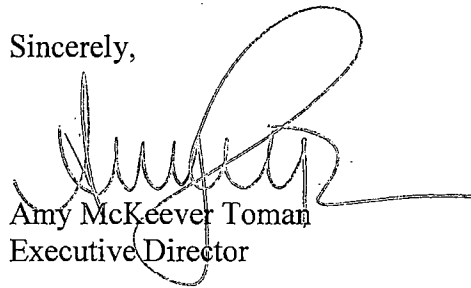
Vanessa Carusone
June 21, 2018
Page 2
FEC 18-091

Chapters 104 or 106, Florida Statutes, are **confidential** until the Commission finds probable cause or no probable cause.

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website (www.fec.state.fl.us).

If you have additional questions, please contact Keith Smith, the investigator assigned to this case at extension 112.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy McKeever Toman", with a long horizontal flourish extending to the right.

Amy McKeever Toman
Executive Director

AMT/enr



FEC 19-091

Vanessa Carusone

to:

Florida Elections Commission

04/19/2018 04:55 PM

Hide Details

From: Vanessa Carusone <vcnp21@gmail.com>

To: Florida Elections Commission <fec@myfloridalegal.com>

in reference to case No. FEC 18-091 I have done some preliminary review of the financials and there does seem to be a unintended duplication on the report as mentioned. I will be doing a more thorough review of the reports as my Treasurer was going through a tragedy during the course of the report in question. I did reach out to the office and request an extension for this response as another tragedy had arose and I was unable to receive the bank documentation in time. I have waived my confidentiality rights so that I may confer with my treasurer.

Thank you,

--

Vanessa Carusone



18-091

Vanessa Carusone

to:

fec

04/09/2018 02:54 PM

Hide Details

From: Vanessa Carusone <vcnp21@gmail.com>

To: fec@myfloridalegal.com

To whom it may concern, I hereby waive my rites to confidentiality for my case #18-091.

Thank you,

Vanessa Carusone

COMPLAINT

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 it is brought.

1. PERSON BRINGING COMPLAINT:

Name: Deborah Bloom Work Phone: ()
Address: 520 Verdi Street Home Phone: 941 3758724
City: Venice County: Sarasota State: FL Zip Code: 34285

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

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

Name of individual or entity: Vanessa Carusone
Address: 5912 Gottfried Lane Phone: ()
City: North Port County: Sarasota State: FL Zip Code: 34291

If individual is a candidate, list the office or position sought: city commission, Dist. 1

Have you filed this complaint with the State Attorney's Office? (check one) Yes No
Are you alleging a violation of Section 104.271(2), F.S.? (check one) Yes No
Are you alleging a violation of Section 104.2715, F.S.? (check one) Yes No

3. ALLEGED VIOLATION(S):

Please attach a **concise** narrative statement in which you list the provisions of the Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigate provisions of Chapter 104 and Chapter 106, Florida Statutes. Please include the following items as part of your attached statement:

- The facts and actions that you believe support the violations you allege;
- The names/telephone numbers of persons whom you believe may be witnesses to the facts;
- A copy or picture of any political advertisement(s) you mention in your statement;
- A copy of each document you mention in your statement;
- An explanation of why you believe information you reference from websites is relevant; and
- Any other evidence supporting your allegations.

SEE REVERSE SIDE OF DOCUMENT FOR ADDITIONAL INFORMATION

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.

4. OATH:

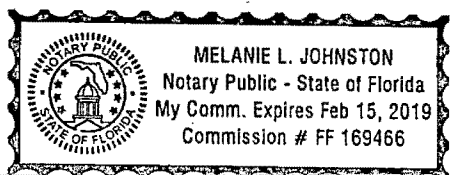
STATE OF FLORIDA
COUNTY OF Sarasota

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

Deborah Bloom
Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 19th day of
March, 20 18

Melanie L. Johnston
Signature of Officer Authorized to Administer Oaths or Notary Public



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

Personally Known _____ Or Produced Identification
Type of Identification Produced FL Drivers License

5. IMPROPERLY COMPLETED COMPLAINT FORMS MAY BE RETURNED:

- You **MUST** submit this completed complaint form in order to file a complaint.
- You **MUST** complete **ALL FOUR** of the above sections of this form. **DO NOT** leave any blanks.
- You **MUST** submit the **ORIGINAL** complaint form. Copied/faxed/emailed forms are returned.
- Each complaint can only be filed against **ONE PERSON** or **ENTITY**. If you wish to file against multiple parties, you **MUST** submit a complaint form **for each party** you wish to file against.
- **DO NOT** submit multiple complaint forms with one set of attachments applying to multiple complaints. You **MUST** attach **copies** of attachments to **each complaint** to which they apply.
- **MAKE SURE** the alleged violation(s) of **Chapters 104 or 106** occurred within the last **2 years**.
- **MAKE SURE** your complaint is **sworn** and there is **no defect** to the **notarization** in Section 4.

3. ALLEGED VIOLATION(S):

Vanessa Carusone was a candidate in the August 30, 2016 primary for City Commission in North Port District 1.

1) Violation of FS 106.08 1(a) 2

No person or political committee may, in any election, make contributions in excess of the following amounts...

2. To a candidate...in any election conducted on less than a countywide basis, \$1,000.

On August 26, 2016, Vanessa Carusone as a candidate, filed a Campaign Treasurer's Report, P7, for the period covering August 8-August 25. (Exhibit 1) Contribution #1 dated August 18, 2016 lists a \$1,000 contribution from "Randall Benderson, 570 Delaware Ave., Buffalo, NY 14202". Contribution #2 dated August 18, 2016 lists **a second** \$1,000 contribution from "Randall Benderson, 570 Delaware Ave., Buffalo, NY 14202". These two contributions add up to \$2,000 and violate FS 106.081(a) 2.

2) Violation of FS 106.08(7)(a)

Any person who knowingly and willfully makes or accepts no more than one contribution in violation of subsection (1) or subsection (5), or any person who knowingly and willfully fails or refuses to return any contribution as required in subsection (3), commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Vanessa Carusone was previously on the North Port City Commission and had to leave often because of term limits. After a brief time out of office, she filed a lawsuit to be able to again be elected to North Port City Commission. As an experienced and sophisticated politician, she knowingly and willfully accepted this contribution in excess of the \$1,000 limit and thus has violated FS 106.08(7)(a).

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

(1) Vanessa Carusone
Name
(2) 5912 Gottfried LN
Address (number and street)
North Port, FL 34291
City, State, Zip Code

OFFICE USE ONLY

CITY CLERK
26 AUG 16 PM 5:00:29
CITY OF NORTH PORT

CHECK IF ADDRESS HAS CHANGED

(3) ID Number: _____

(4) Check appropriate box(es):

- Candidate (office sought): City of North Port Commissioner, District Seat 1
- Political Committee
- Committee of Continuous Existence
- Party Executive Committee
- Electioneering Communication
- CHECK IF PC HAS DISBANDED
- CHECK IF CCE HAS DISBANDED
- CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED

(5) REPORT IDENTIFIERS

Cover Period: From 8 / 13 / 2016 To 8 / 25 / 2016 Report Type P7

Original Amendment Special Election Report Independent Expenditure Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$	<u>2,900.00</u>
Loans	\$	<u>0.00</u>
Total Monetary	\$	<u>2,900.00</u>
In-Kind	\$	<u>0.00</u>

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$	<u>1,441.09</u>
Transfers to Office Account	\$	<u>0.00</u>
Total Monetary	\$	<u>1,441.09</u>

(8) Other Distributions
\$ 0.00

(9) TOTAL Monetary Contributions To Date
\$ 12,640.00

(10) TOTAL Monetary Expenditures To Date
\$ 10,703.46

(11) CERTIFICATION

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

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

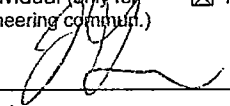
I certify that I have examined this report and it is true, correct, and complete.

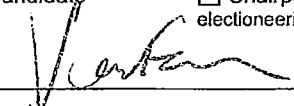
(Type name) David Garofalo

(Type name) Vanessa Carusone

Individual (only for electioneering communi.) Treasurer Deputy Treasurer

Candidate Chairperson (only for PC, PTY & electioneering commun. organization)

X 
Signature

X 
Signature

CFID: 8022

CITY CLERK

26 AUG 16 PM 5:00:30

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

CITY OF NORTH PORT

(1) Name Vanessa Carusone

(2) I.D. Number _____

(3) Cover Period 8 / 13 / 2016 through 8 / 25 / 2016

(4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
		Type	Occupation				
8 / 18 / 16	Benderson, Randall 570 Delaware Ave Buffalo, NY 14202	I	Developer	CHE			\$1,000.00
1							
8 / 18 / 16	Benderson, Randall 570 Delaware Ave Buffalo, NY 14202	I	Developer	CHE			\$1,000.00
2							
8 / 18 / 16	Dougherty-Slapp, Mary 779 Macdill Drive Port Charlotte, FL 33953	I	Builder	CHE			\$200.00
3							
8 / 19 / 16	RWR Installations INC. 4343 Sawyer Road Sarasota, FL 34233	B	Builders	CHE			\$500.00
4							
8 / 22 / 16	Mangold, Charles 7024 Pan American Blvd North Port, FL 34287	I	Retired	CHE			\$100.00
5							
8 / 22 / 16	Mangold, Charles 7024 Pan American Blvd North Port, FL 34287	I	Retired	CHE			\$100.00
6							
/ /							
/ /							