

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Charles Cacioppo

Case No.: FEC 16-729

TO: Charles Cacioppo
4113 Granite Glen Loop
Wesley Chapel, FL 33544

Paul F. Muccino
2738 Silvermoss Drive
Wesley Chapel, FL 33544

NOTICE OF HEARING (CONSENT ORDER)

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

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

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

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

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

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

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

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

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

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

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

v.

**Agency Case No.: FEC 16-729
F.O. No.: FOFEC <#>**

**Charles Cacioppo,
Respondent.**

CONSENT FINAL ORDER

Respondent, Charles Cacioppo, 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 November 23, 2016, 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 1 count of violating Section 106.19(1)(b), Florida Statutes, 1 count of violating 106.19(1)(c), Florida Statutes, and 1 count of violating 106.143(1)(a), 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 was a 2016 candidate for Supervisor for the Seven

Oaks Community Development District, Seat 2.

b. Respondent accepted an in-kind contribution from Respondent and Respondent's wife in the form of yard signs valued at approximately \$88. The contribution was not reported on a campaign treasurer's report.

c. Respondent's yard signs did not contain a political disclaimer.

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.

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 106.19(1)(b), 106.19(1)(c), and 106.143(1)(a), Florida Statutes, and imposes a civil penalty in the amount of \$150.

Therefore, it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of **\$150**, inclusive of fees and costs. The civil penalty shall be paid 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

1/31/2018



Charles Cacioppo
4113 Granite Glen Loop
Wesley Chapel, FL 33544

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
Charles Cacioppo, Respondent
Paul Muccino, Complainant

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



WESTERN UNION FINANCIAL SERVICES INC. ISSUER - Englewood, Colorado
Payable at Wells Fargo Bank Grand Junction, Colorado; Downtown, N.A.; Grand Junction, Colorado

MONEY ORDER

17-702586031

A 352322 D 020118
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\$ 150.00

PAY EXACTLY ONE HUNDRED FIFTY DOLLARS AND NO CENTS

PAY TO THE ORDER OF FLORIDA ELECTIONS Commission

FEC 16-729
PAYMENT FOR/ACCT. #

PURCHASER'S ADDRESS
4113 Granite Glen Lane Wesley Chapel
FL, 33544

Charles Caringer
PURCHASER'S SIGNATURE
PURCHASER BY SIGNING YOU AGREE TO THE TERMS ON THE REVERSE SIDE



FILED

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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 16-729

v.

**Charles Cacioppo,
Respondent.**

ORDER OF PROBABLE CAUSE

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

On September 28, 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 21, 2016, Charles Cacioppo violated Section 106.19(1)(b), Florida Statutes, when he failed to report a contribution required to be reported by Chapter 106, Florida Statutes, on the campaign's 2016 G5 Report.

Count 2:

On or around October 21, 2016, Charles Cacioppo violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include


information required by Chapter 106, Florida Statutes, on the campaign's 2016 G5 Report.

Count 3:

On or about October 10, 2016, Charles Cacioppo violated Section 106.143(1)(a), Florida Statutes, when he paid for and displayed political advertisements that contained express advocacy but did not include proper disclaimers.

The Commission finds that there is **no probable cause** to charge Respondent with violating Sections 106.021(1)(a), 106.023, 106.11(4), and 106.19(1)(d), Florida Statutes.

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
Charles Cacioppo, Respondent
Paul Muccino, 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: Charles Cacioppo

Case No.: FEC 16-729

TO: Charles Cacioppo
4113 Granite Glen Loop
Wesley Chapel, FL 33544

Paul F. Muccino
2738 Silvermoss Drive
Wesley Chapel, FL 33544

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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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: Charles Cacioppo

Case No.: FEC 16-729

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the sworn complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Sections 106.19(1)(b), 106.19(1)(c), and 106.143(1)(a), Florida Statutes**, and that there is **no probable cause** to charge Respondent with violating **Sections 106.021(1)(a), 106.023, 106.11(4), and 106.19(1)(d), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on July 20, 2017, the following facts and law support this staff recommendation:

1. On November 23, 2016, the Florida Elections Commission (“Commission”) received a sworn complaint from Paul Muccino (“Complainant”), alleging that Charles Cacioppo (“Respondent”) violated Chapter 106, Florida Statutes.
2. Respondent was a 2016 candidate for Supervisor for the Seven Oaks Community Development District, Seat 2. (ROI Exhibit 1)¹
3. By letter dated April 18, 2017, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

Section 106.021(1)(a), Florida Statutes: Respondent, a 2016 candidate for Supervisor for the Seven Oaks Community Development District, Seat 2, incurred one or more campaign expenses before appointing a treasurer or designating a campaign depository, as alleged in the complaint.

Section 106.023, Florida Statutes: Respondent, a 2016 candidate for Supervisor for the Seven Oaks Community Development District, Seat 2, failed to file a candidate statement within 10 days of appointing a treasurer and designating a campaign depository.

Section 106.11(4), Florida Statutes: Respondent, a 2016 candidate for Supervisor for the Seven Oaks Community Development District, Seat 2, incurred one or more expenses for the purchase of goods or services, without sufficient funds on

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

deposit in the primary depository account, as alleged in the complaint.

Section 106.19(1)(b), Florida Statutes: Respondent, a 2016 candidate for Supervisor for the Seven Oaks Community Development District, Seat 2, failed to report one or more contributions required to be reported by Chapter 106, Florida Statutes, as alleged in the complaint.

Section 106.19(1)(c), Florida Statutes: Respondent, a 2016 candidate for Supervisor for the Seven Oaks Community Development District, Seat 2, falsely reported or deliberately failed to include information in one or more campaign reports, as alleged in the complaint.

Section 106.19(1)(d), Florida Statutes: Respondent, a 2016 candidate for Supervisor for the Seven Oaks Community Development District, Seat 2, made or authorized one or more expenditures prohibited by Chapter 106, Florida Statutes, as alleged in the complaint.

Section 106.143(1)(a), Florida Statutes: Respondent, a 2016 candidate for Supervisor for the Seven Oaks Community Development District, Seat 2, paid for and distributed political advertisements that contained express advocacy but did not include proper disclaimers, as alleged in the complaint.

4. Respondent was a special district candidate. Pursuant to Section 99.061(3), Florida Statutes, "All special district candidates shall qualify by paying a filing fee of \$25 or qualify by the petition process pursuant to s. 99.095. Notwithstanding s.106.021, a candidate who does not collect contributions and whose only expense is the filing fee or signature verification fee is not required to appoint a campaign treasurer or designate a primary campaign depository."

5. On April 21, 2016, Respondent signed an Affidavit of Intention Special District Candidate form and, thereafter, filed it with his filing officer. Respondent certified that he would not accept any contributions and that his only expenditure would be for the candidate qualifying fee. Respondent further certified that in the event he accepted a contribution or made an expenditure, then his campaign would be governed by Chapter 106, Florida Statutes. (ROI Exhibit 1)

6. On July 27, 2016, Respondent's filing office sent him a memorandum stating that "If you decide to run a campaign you **MUST** file your appointment of campaign treasurer and designation of campaign depository (Form DS-DE 9) **PRIOR** to the opening of a campaign account or the spending of any funds including your personal funds. (ROI Exhibit 11, page 1)

Alleged Violation: Section 106.021(1)(a), Florida Statutes

7. Complainant alleged that Respondent violated Florida's election laws by incurring one or more campaign expenses before appointing a treasurer or designating a campaign depository. More specifically, Complainant alleges that Respondent incurred expenses for yard sign political advertisements prior to appointing a treasurer or designating a campaign depository.

8. Complainant provided pictures of yard signs which expressly advocate for the election of Respondent. (ROI Exhibit 2)

9. Respondent stated that he and his wife purchased the yard signs and paid for the signs by credit card. (ROI Exhibit 2; ROI Exhibit 4, page 3) Respondent also stated that he did not appoint a campaign treasurer or open a bank account for his campaign. (ROI Exhibit 6, page 2)

10. Respondent's filing officer confirmed that Respondent did not file an Appointment of Treasurer and Designation of Campaign Depository form. (ROI Exhibit 7, page 1)

11. The purchase of the yard signs by Respondent and his wife on their personal credit card was not an expenditure made by Respondent's campaign, but an in-kind contribution to Respondent's campaign. Therefore, Respondent did not incur one or more campaign expenses before appointing a treasurer or designating a campaign depository.

Alleged Violation: Section 106.11(4), Florida Statutes

12. Complainant alleged that Respondent violated Florida's election laws by incurring one or more campaign expenses for the purchase of goods or services, without sufficient funds on deposit in the primary depository account. More specifically, Complainant alleges that Respondent incurred expenses for yard sign political advertisements without sufficient funds on deposit in the primary depository account.

13. Based on the above analysis, the yard signs were not an expenditure made by the campaign but an in-kind contribution to the campaign. The filing officer's records show that Respondent did make a \$25 expenditure for his filing fee. The fee was in the form of a check drawn on a personal joint bank account. (ROI Exhibit 8) Pursuant to Section 99.061(7)(a)1., Florida Statutes, "[t]he filing fee for a special district candidate is not required to be drawn upon the candidate's campaign account."

14. Respondent stated his only expenditure was made by himself and his wife for the yard signs. (ROI Exhibit 3, page 1; ROI Exhibit 4, page 3) As the yard signs were an in-kind contribution and the filing fee is an expenditure that may be (and was) drawn on a personal account, it does not appear that Respondent incurred one or more campaign expenses for the purchase of goods or services, without sufficient funds on deposit in the primary depository account.

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

15. Complainant alleged that Respondent violated Florida's election laws by making or authorizing one or more expenditures prohibited by Chapter 106, Florida Statutes. Complainant's allegation is based solely upon Complainant's contention that Respondent incurred one or more campaign expenses for the purchase of goods or services, without sufficient funds on deposit in the primary depository account. Therefore, based upon the above analysis, it does not appear that Respondent made or authorized one or more expenditures prohibited by Chapter 106, Florida Statutes.

Alleged Violation: Section 106.023, Florida Statutes

16. Complainant alleged that Respondent violated Florida's election laws by failing to file a Statement of Candidate form within ten days after filing the Appointment of Campaign Treasurer and Designation of Campaign Depository form.

17. Respondent stated that he did not appoint a campaign treasurer or open a bank account for his campaign. (ROI Exhibit 6, page 2)

18. Respondent's filing officer confirmed that Respondent did not file an Appointment of Treasurer and Designation of Campaign Depository form nor did he file a Statement of Candidate form. (ROI Exhibit 7, page 1) Respondent filed an Affidavit of Intention Special District Candidate form with his filing officer, in lieu of an Appointment of Campaign Treasurer and Designation of Campaign Depository form. (ROI Exhibit 1; ROI Exhibit 7, page 2)

19. As Respondent did not file an Appointment of Campaign Treasurer and Designation of Campaign Depository form, he was not required to file a Statement of Candidate form. Therefore, Respondent did not violate Section 106.023, Florida Statutes.

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

20. Complainant alleged that Respondent violated Florida's election laws by failing to report contributions required to be reported by Chapter 106, Florida Statutes. More specifically, Complainant alleges that Respondent failed to disclose yard sign political advertisements.

21. Based on the above analysis, Respondent's campaign accepted an in-kind contribution from Respondent and his wife in the form of yard signs. The value of the in-kind contribution was approximately \$88. (ROI Exhibit 3, page 1; ROI Exhibit 5, page 2)

22. Respondent's filing officer's website shows that Respondent failed to disclose the in-kind contribution. (ROI Exhibit 9)

23. Although Respondent filed an Affidavit of Intention Special District Candidate, when Respondent accepted the in-kind contribution, his campaign became subject to Chapter 106, Florida Statutes, including the requirement to report contributions and expenditures.

24. Respondent failed to report a contribution required to be reported by Chapter 106, Florida Statutes, on the campaign's 2016 G5 Report.

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

25. Complainant alleged that Respondent violated Florida's election laws by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes.

26. Based on the above analysis, Respondent deliberately failed to disclose an in-kind contribution from Respondent and his wife in the form of yard signs with an approximate value of \$88. Additionally, Respondent did not disclose a \$25 expenditure to his filing officer for his filing fee. (ROI Exhibits 8 & 9) The expenditure for the filing fee was not required to be reported as Respondent filed an Affidavit of Intention Special District Candidate. (ROI Exhibit 1) However, once Respondent accepted the in-kind contribution, he subjected himself to Chapter 106, Florida Statutes, and was required to report the in-kind contribution and any contributions received and expenditures made thereafter.

27. Chapter 106, Florida Statutes, requires candidates to report any contributions received and any expenditures made for the purpose of influencing the results of an election. Respondent deliberately failed to include information required by Chapter 106, Florida Statutes, on the campaign's 2016 G5 Report.

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

28. Complainant alleged that Respondent violated Florida's election laws by failing to include proper disclaimers on political advertisements.

29. The political advertisement at issue is a yard sign which contains language that expressly advocates for the election of a candidate: "Charles Cacioppo for CDD Seat #2." The yard sign does not contain a political disclaimer. (ROI Exhibit 2)

30. Respondent stated that he and his wife paid for the yard signs. He stated that on November 8, 2016 (the date of the general election) he was notified by another candidate that his signs were missing the required political disclaimer. (ROI Exhibit 3, page 1)

31. Candidates are required to prominently mark their political advertisements with the exact political disclaimer language as set forth under Section 106.143(1)(a), Florida Statutes. The *2016 Candidate & Campaign Treasurer Handbook* also references the statutory requirement and provides examples of political disclaimers for non-incumbent candidates running for nonpartisan office. (ROI Exhibit 10; Attachment A) Respondent was directed by his filing officer to download the *2016 Candidate & Campaign Treasurer Handbook*. (ROI Exhibit 7, page 1)

Respondent's filing officer also sent Respondent information regarding the specific language that must be used in a political disclaimer. (ROI Exhibit 7, page 1; ROI Exhibit 11, pages 1 & 3)

32. Respondent paid for and displayed political advertisements that did not contain political disclaimers, i.e., "Political advertisement paid for and approved by <name of candidate> for <office sought>" or "Paid by <name of candidate> for <office sought>."

33. "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).

34. The facts set forth above show that Respondent was a 2016 candidate for Supervisor for the Seven Oaks Community Development District, Seat 2. Respondent failed to report a contribution required to be reported by Chapter 106, Florida Statutes, on the campaign's 2016 G5 Report. Respondent deliberately failed to include information required by Chapter 106, Florida Statutes, on the campaign's 2016 G5 Report. Respondent paid for and displayed political advertisements that did not contain proper disclaimers. It does not appear that Respondent violated Sections 106.021(1)(a), 106.023, 106.11(4), and 106.19(1)(d), Florida Statutes.

Based upon these facts and circumstances, I recommend that the Commission find **no probable cause** to charge Respondent with violating **Sections 106.021(1)(a), 106.023, 106.11(4), and 106.19(1)(d)**, and find **probable cause** to charge Respondent with violating the following:

Count 1:

On or around October 21, 2016, Charles Cacioppo violated Section 106.19(1)(b), Florida Statutes, when he failed to report a contribution required to be reported by Chapter 106, Florida Statutes, on the campaign's 2016 G5 Report.

Count 2:

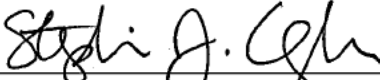
On or around October 21, 2016, Charles Cacioppo violated Section 106.19(1)(c), Florida Statutes, when he deliberately failed to include information required by Chapter 106, Florida Statutes, on the campaign's 2016 G5 Report.

Count 3:

On or about October 10, 2016, Charles Cacioppo violated Section 106.143(1)(a), Florida Statutes, when he paid for and displayed

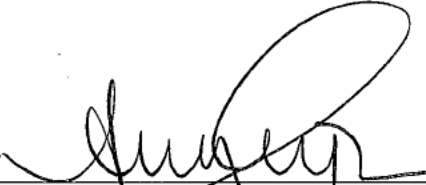
political advertisements that contained express advocacy but did not include proper disclaimers.

Respectfully submitted on September 28th 2017.



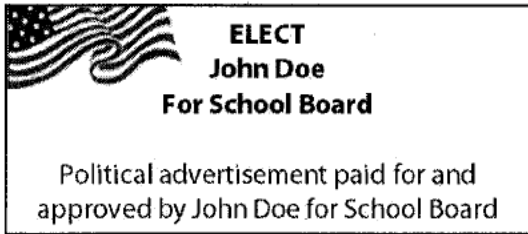
Stephanie J. Cunningham
Assistant General Counsel

I reviewed this Staff Recommendation this 28th day of September 2017.

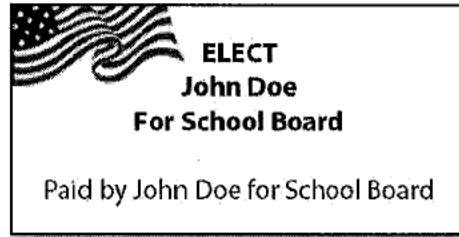


Amy McKeever Toman
Executive Director

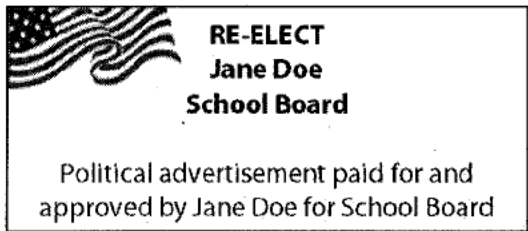
4. Non-incumbent candidate running for nonpartisan office:



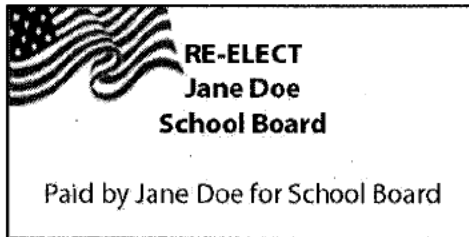
OR



5. Incumbent candidate running for nonpartisan office:



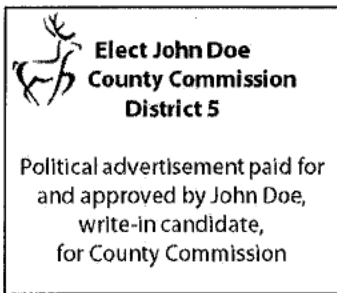
OR



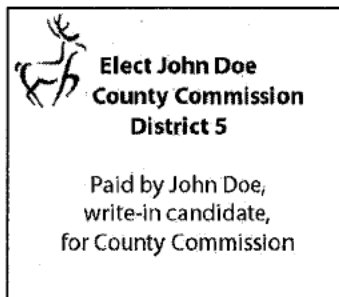
Disclaimer for Write-in Candidates

Any political advertisement that is paid for by a write-in candidate and that is published, or circulated before, or on the day of, any election must prominently state: *“political advertisement paid for and approved by...(name of candidate)..., write-in candidate, for... (office sought)...”* OR *“Paid by... (name of candidate)..., write-in candidate, for... (office sought)...”*

Example:



OR



FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 16-729

Respondent: Charles Cacioppo

Complainant: Paul Muccino

On November 23, 2016, 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 106.021(1)(a), Florida Statutes, incurring one or more campaign expenses before appointing a treasurer or designating a campaign depository;

Section 106.023, Florida Statutes, failing to file a candidate statement within 10 days of appointing a treasurer and designating a campaign depository;

Section 106.11(4), Florida Statutes, incurring one or more expenses for the purchase of goods or services, without sufficient funds on deposit in the primary depository account;

Section 106.19(1)(b), Florida Statutes, failure to report one or more contributions required to be reported by Chapter 106, Florida Statutes;

Section 106.19(1)(c), Florida Statutes, falsely reporting or deliberately failing to report information required by Chapter 106, Florida Statutes;

Section 106.19(1)(d), Florida Statutes, making or authorizing one or more expenditures prohibited by Chapter 106, Florida Statutes; and

Section 106.143(1)(a), Florida Statutes, paying for and distributing political advertisements that contain express advocacy but not including proper disclaimers.

I. Preliminary Information:

1. Respondent was a first-time candidate for the office of Supervisor for the Seven Oaks Community Development District (CDD), seat 2. He secured nearly 58 percent of the vote in the November 8, 2016 general election.

2. Complainant was a candidate for the office of Supervisor for the Seven Oaks CDD, Seat 2. He was defeated by Respondent in the November 8, 2016 general election.

II. Alleged Violation of Section 106.021(1)(a), Florida Statutes:

3. I investigated whether Respondent violated this section of the election laws by incurring one or more campaign expenses before appointing a treasurer or designating a campaign depository.

4. Complainant submitted a copy of Respondent's Affidavit of Intention, signed and dated April 21, 2016, which states, "I will not collect, solicit, or accept any contribution; *be it in a gift, subscription, conveyance, deposit, loan, payment, or distribution of money or anything of value including contributions in kind having an attributable monetary value in any form, made for the purpose of influencing the results of an election or making an electioneering communication.* I further certify that the only expenditure made on behalf of my candidacy will be the candidate qualifying fee or, in lieu of the qualifying fee, the signature verification fee for candidate petitions." To review the April 21, 2016 Affidavit of Intention, refer to Exhibit 1.

5. Complainant also submitted three photographs of red, white and blue yard signs along the side of a road. The yard signs read, "Charles Cacioppo for CDD Seat #2". To review photographs of the yard signs, refer to Exhibit 2.

6. In a written response submitted on December 1, 2016, Respondent stated, "As of this date, I did not knowingly or intentionally to my knowledge engage in 'cheating and not follow the rules' and running a campaign." To review the December 1, 2016 response, refer to Exhibit 3.

7. Respondent also stated in the response, "This was the only expenditure by me and my wife was for the signs (it was approx. \$88.00 for 5 signs.) There have been NO other expenditures for anything else."; Exhibit 3.

8. Respondent completed a questionnaire-affidavit on June 1, 2017. In the questionnaire-affidavit, Respondent stated he ordered the signs on buildasign.com, around October 10, 2016, and paid with his credit card. To review the June 1, 2017 questionnaire-affidavit, refer to Exhibit 4.

9. During the investigation, I researched buildasign.com. The template Respondent chose for his campaign signs was located, and pricing indicated that five yard signs utilizing the selected template cost \$17.17 each. To review the yard sign template pricing, refer to Exhibit 5.

10. In a telephone interview with Respondent on June 28, 2017, he stated that he did not appoint a treasurer or designate a campaign depository while running for the office of Supervisor for the Seven Oaks Community Development District, seat 2. To review the telephone interview, refer to Exhibit 6, entry 5.

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

III. Alleged Violation of Section 106.023, Florida Statutes:

12. I investigated whether Respondent violated this section of the election laws by failing to file a statement-of-candidate within 10 days of appointing a treasurer and designating a campaign depository.

13. As previously discussed in paragraph 10, Respondent did not appoint a treasurer or open a campaign depository; Exhibit 6, entry 5.

14. A questionnaire-affidavit was completed June 22, 2017 by the SOE. It was stated that Respondent chose to file an Affidavit of Intention instead of an Appointment of Treasurer and Statement of Candidate. To review the June 22, 2017 questionnaire-affidavit, refer to Exhibit 7.

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

IV. Alleged Violation of Section 106.11(4), Florida Statutes:

16. I investigated whether Respondent violated this section of the election laws by incurring one or more expenses for the purchase of goods or services, without sufficient funds on deposit in a primary depository account.

17. As previously discussed in paragraph 4, Respondent signed an Affidavit of Intention, stating he would accept no contributions or make any expenditures other than the candidate qualifying fee, or in lieu of the qualifying fee, the signature verification fee for candidate petitions; Exhibit 1.

18. As previously stated in paragraph 7, Respondent and his wife had one additional campaign expense, for five signs, totaling approximately \$88.00; Exhibit 3.

19. In the June 1, 2016 questionnaire-affidavit, Respondent stated he ordered five yard signs online through buildasign.com, and paid for them by personal credit card sometime around October 10, 2016. Other than the \$25 candidate qualifying fee that was paid by check on June 9, 2016, this was the only other additional expense made during his campaign for Seven Oaks CDD, Seat 2; Exhibit 4.

20. With the June 22, 2017 affidavit-questionnaire, the SOE attached a copy of the \$25 candidate qualifying check. The check is from Respondent and Respondent's wife's personal joint checking account. Respondent's wife signed the check. To review a copy of the qualifying check, refer to Exhibit 8.

21. As previously discussed in paragraph 10, Respondent did not open a primary depository account; Exhibit 6, entry 5.

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

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

23. I investigated whether Respondent violated this section of the election laws by

failing to report one or more contributions required to be reported by Chapter 106, Florida Statutes.

24. In addition to the \$25 candidate-qualifying fee, Respondent and his wife had one additional campaign expense for five yard signs, which cost approximately \$88.00. Therefore, it appears that the campaign received two in-kind contributions from Respondent and his wife; Exhibit 3.

25. A search for Respondent's filing history through the SOE revealed he did not file any reports indicating contributions or expenditures during his campaign. To review Respondent's filing history, refer to Exhibit 9.

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

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

27. I investigated whether Respondent violated this section of the election laws by falsely reporting or deliberately failing to include information in one or more campaign reports.

28. As previously discussed in paragraphs 4 through 7, Respondent signed an Affidavit of Intention, stating the only expenditure to be made on behalf of his candidacy would be the candidate qualifying fee. Respondent and his wife then spent approximately \$88.00 on five campaign yard signs. He stated he did not knowingly engage in "not following the rules" while running his campaign; Exhibit 1; Exhibit 3.

29. As previously discussed in paragraph 25, Respondent did not file any reports during his campaign; Exhibit 9.

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

VII. Alleged Violation of Section 106.19(1)(d), Florida Statutes:

31. I investigated whether Respondent violated this section of the election laws by making or authorizing one or more expenditures prohibited by Chapter 106, Florida Statutes.

32. As previously discussed in paragraphs 4 through 7, Respondent signed an Affidavit of Intention, stating he would not accept any contributions or make any expenditures, other than paying a candidate qualifying fee. He then incurred an expense for five campaign yard signs, that totaled approximately \$88.00. This is the only other expense he had during the campaign; Exhibit 3.

33. In the telephone interview on June 28, 2017, Respondent stated he did not open a campaign depository, and the only other expense he had was for the five yard signs, that he paid for with a personal credit card; Exhibit 6, entry 5.

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

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

35. I investigated whether Respondent violated this section of the election laws by paying for and distributing political advertisements that contain express advocacy but did not include proper disclaimers.

36. As previously discussed in paragraph 5, campaign yard signs were placed on roadways which had writing stating, "Charles Cacioppo for CDD Seat #2". There was no disclaimer wording on the bottom of the signs; Exhibit 2.

37. In the written response from December 1, 2016, Respondent stated, "On November 8, while meeting and greeting people within my voting jurisdiction, I was made aware by another candidate Gerald Cruz that I was missing the proper information on the bottom of my sign. The info stating who the manager is, who paid for and approved by info."; Exhibit 3.

38. Also in the December 1, 2016 written response, Respondent stated, "I thought the signs would be ok. Unfortunately I was not fully understanding the rules surrounding this and should have asked for help. As far as the complaint that I violated any laws knowingly is just not true."; Exhibit 3.

39. Located on page 32 in the *Candidate and Campaign Treasurer Handbook*, it is noted, "***any political advertisement that is paid for by a candidate (except a write-in candidate)*** and that is published, displayed, or circulated before, or on the day of any election must prominently state: '*Political advertisement paid for and approved by (name of candidate), (party affiliation) for (office sought)*' **or** '*Paid by (name of candidate), (party affiliation), for (office sought)*.'" To review page 32 in the *Candidate and Campaign Treasurer Handbook*, refer to Exhibit 10.

40. The SOE provided copies of the slides from a PowerPoint presentation given at the 2016 Special District Candidate Workshop. These slides were mailed to Respondent on July 27, 2016, with a memorandum asking Respondent to review the materials. Pages 3 through 10 of the PowerPoint presentation specifically mention political disclaimers and political signs, with information regarding correct phrasing for this disclaimer. To review the memorandum and PowerPoint presentation slides, refer to Exhibit 11.

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

IV. FEC History:

42. There are no prior cases for Respondent.

43. There are no prior cases for Complainant.

Conclusion:

44. In a final telephone interview on June 28, 2017, Respondent stated he was unable to go to the candidate workshop held by the SOE in July 2016, as he had been very sick with the flu. He said he may have received paperwork from the SOE regarding what was taught at the

workshop, however, he may have misplaced it in the stacks of paperwork in his office. He contacted the SOE once or twice to ask questions regarding his personal financial disclosure paperwork he had to complete, but did not contact them to ask questions about campaign regulations; Exhibit 6, entry 5.

45. In the June 1, 2017 questionnaire-affidavit, Respondent stated that he received a copy of Chapters 104 and 106, Florida Statutes, and the *Candidate and Campaign Treasurer Handbook* from the SOE in 2016, however, he did not understand them when he received them last year; Exhibit 4.

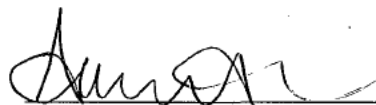
46. Also in the June 1, 2017 questionnaire-affidavit, Respondent stated, "As of 5/2017 I have reviewed, read and asked questions to help me understand the reporting and other areas of running for office. I was not understanding them last year"; Exhibit 4.

47. In the April 21, 2016 Affidavit of Intention, Respondent confirmed as follows: I certify that in the event I collect, solicit, or accept any contribution... or make a campaign expenditure; *be it a purchase, payment, distribution, loan, advance, transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificates of deposit, or fit of money or anything of value made for the purpose of influencing the results of an election or making an electioneering communication (106.011(10), Florida Statutes)* my campaign will be governed by Chapter 106, Florida Statutes; Exhibit 1.

48. In the questionnaire-affidavit completed June 22, 2017 by the SOE, it was stated that Respondent was directed to the SOE website on April 1, 2016, to review Chapter 106, Florida Statutes, and the *Candidate and Campaign Treasurer Handbook 2016*. It was noted that Respondent did not attend a Special District Candidate Workshop that was held on July 26, 2016, however, material from the workshop was mailed to him on July 27, 2016; Exhibit 7.

49. In the June 22, 2017 questionnaire-affidavit, it was noted that the SOE staff in the Land O'Lakes branch office met with Respondent when he filed papers on April 21, 2016, and when he qualified on June 8, 2016. Respondent chose to file an Affidavit of Intention versus the Appointment of Treasurer and Statement of Candidate; Exhibit 7.

Respectfully submitted on July 20, 2017.



Samantha Spore
Investigation Specialist

Current address of Respondent

The Honorable Charles Cacioppo
4113 Granite Glen Loop
Wesley Chapel, FL 33544

Current address of Complainant

Mr. Paul Muccino
2738 Silver Moss Drive
Wesley Chapel, FL 33544

Name and Address of Filing Officer:

The Honorable Brian E. Corley
Pasco County Supervisor of Elections
P.O. Box 300
Dade City, FL 33526-0300

Copy furnished to: Mr. David Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Charles Cacioppo -- FEC 16-729

| LIST OF EXHIBITS | |
|-------------------------|---|
| Exhibits #s | Description of Exhibits |
| Exhibit 1 | April 21, 2016 Affidavit of Intention |
| Exhibit 2 | Photographs of Respondent's Campaign Yard Signs |
| Exhibit 3 | December 1, 2016 Written Response |
| Exhibit 4 | Respondent's June 1, 2017 Questionnaire-Affidavit |
| Exhibit 5 | Yard Sign Template Pricing |
| Exhibit 6 | Investigative Telephone Log |
| Exhibit 7 | SOE's June 22, 2017 Questionnaire-Affidavit |
| Exhibit 8 | Candidate Qualifying Check and Receipt |
| Exhibit 9 | Respondent's Filing History |
| Exhibit 10 | Page 32 of the Candidate and Campaign Treasurer Handbook |
| Exhibit 11 | July 27, 2016 Memorandum and PowerPoint Presentation Slides |

RECEIVED
APR 22 2016 11:22

**AFFIDAVIT OF INTENTION
SPECIAL DISTRICT CANDIDATE**

BRITNEY JOHNSON
SUPERVISOR OF ELECTIONS
LAND O'LAKE, FLORIDA

State of Florida
Pasco County

I, Charles Cacioppo, a candidate for the special
(Print name)

district of: Seven OAKS CDD Seat #2 in the
(District name including district #, seat #, or group #)

General Election certify that I will not collect, solicit, or accept any contribution; *be it a gift, subscription, conveyance, deposit, loan, payment, or distribution of money or anything of value including contributions in kind having an attributable monetary value in any form, made for the purpose of influencing the results of an election or making an electioneering communication (106.011(5), Florida Statutes).* I further certify that the only expenditure made on behalf of my candidacy will be the candidate qualifying fee or, in lieu of the qualifying fee, the signature verification fee for candidate petitions.

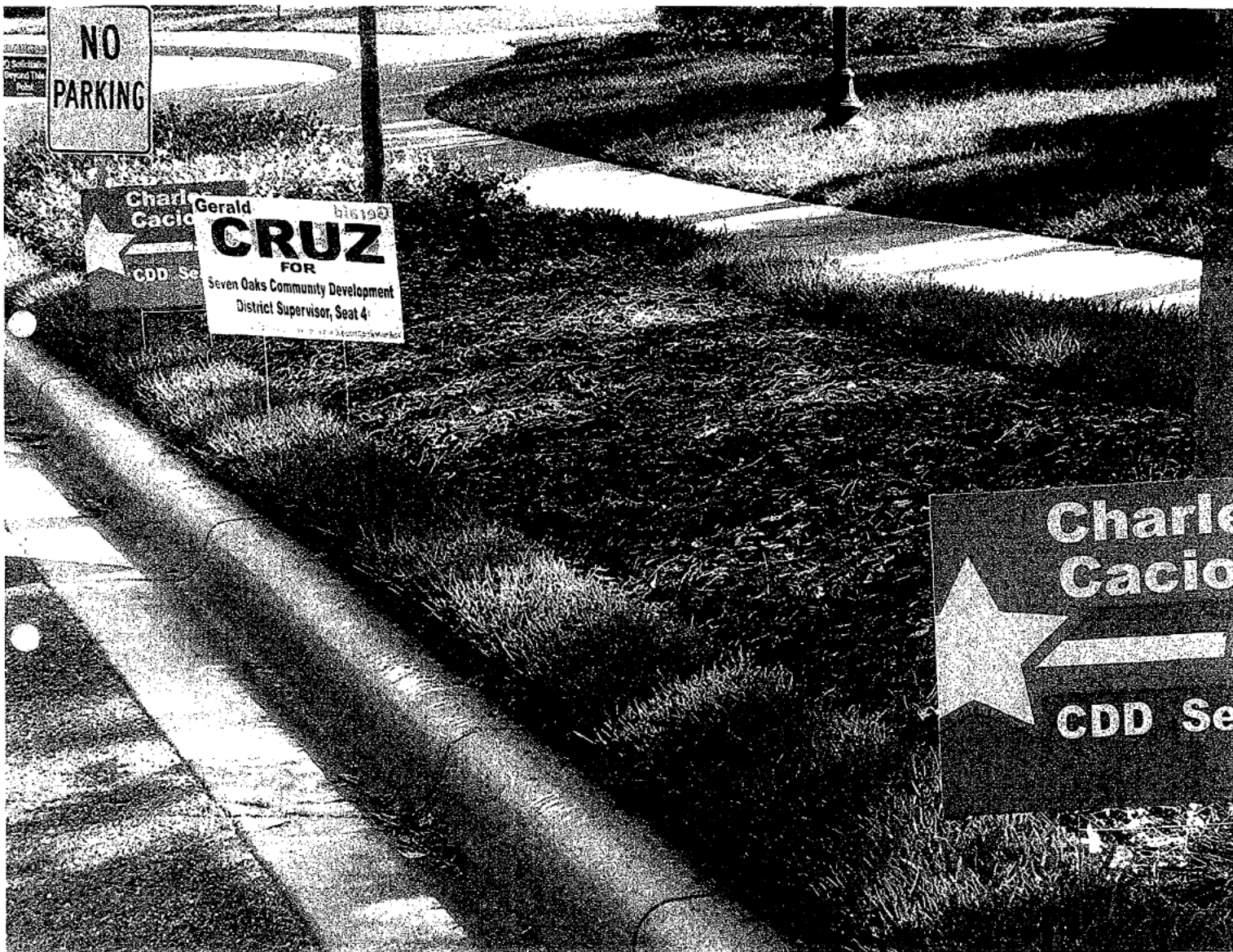
I certify that in the event I collect, solicit, or accept any contribution, as described above, or make a campaign expenditure; *be it a purchase, payment, distribution, loan, advance, transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificates of deposit, or gift of money or anything of value made for the purpose of influencing the results of an election or making an electioneering communication (106.011(10), Florida Statutes)* my campaign will be governed by Chapter 106, Florida Statutes.

**UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE
FOREGOING AFFIDAVIT AND THAT THE FACTS STATED IN IT ARE TRUE.**

Charles Cacioppo
Signature of Candidate

4/22/2016
Date









Case No FEC 16-729 Charles Cacioppo

Charles Cacioppo

to:

fec

12/01/2016 05:32 PM

Cc:

cmcacioppo, 'Angel Montagna'

Hide Details

From: Charles Cacioppo <cmcacioppo@me.com>

To: fec@myfloridalegal.com

Cc: cmcacioppo@gmail.com, 'Angel Montagna' <AMontagna@rizzetta.com>

Response to FEC 16-729.

My name is Charles Cacioppo and I am not represented by legal counsel at this time.

I am in receipt of the allegation letters and evidence.

As of this date I did not knowing or intentionally to my knowledge engage in "cheating and not follow the rules" and running a campaign.

Even though I ran opposed, I saw that opposition, the other candidate - Paul Muccino had also not filed the paperwork for running a campaign to be clear.

On November 8, while meeting and greeting people within my voting jurisdiction, I was made aware by another candidate Gerald Cruz that

I was missing the proper information on the bottom of my sign. The info stating who the manager is, who paid for it and approved by info.

It was at this point in time I realize that a mistake was made on my part.

We had a conversation and I was made fully aware of my error.

This was the only expenditure by me and my wife was for the signs (it was approx. \$88.00 for 5 signs.)

There have been NO other expenditures for anything else.

I thought the signs would be ok.

Unfortunately I was not fully understanding the rules surrounding this and should have asked for help.

As far as the complaint that I violated any laws knowingly is just not true.

I am just a good guy trying to do the right thing for people.

Please advise me how I can make this right so we can move forward.

To sum, I never knowingly did any of these allegations to the degree stated. It was an oversight and a lack of full understanding on my part. An honest mistake.

EXHIBIT 3 page 1 of 2
12/6/2016

Respectfully,

Charles Cacioppo
4113 Granite Glen Loop
Wesley Chapel FL 33544

EXHIBIT 3 page 2 of 2

AFFIDAVIT OF BACKGROUND INFORMATION
Case Number: FEC 16-729

RECEIVED

STATE OF FLORIDA
County of Pasco

2017 JUN -5 P 3:39

STATE OF FLORIDA
ELECTIONS COMMISSION

Charles Cacioppo, 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 Publix Supermarkets as System Analyst.
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 been appointed to act as a campaign treasurer for a candidate? If so, please name the candidate(s) you served as treasurer, the office(s) the candidate ran for, and the dates of the election(s).

No

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

No

6. 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

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

No

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

As of 5/2017 I have reviewed, read and asked questions to help me understand the Reporting and other areas of running for office. I was not understanding them last year.

9. Do you possess a copy of Chapter 106, Florida Statutes? Yes No

10. If so, when did you first obtain it? last year 2016

11. Have you read Chapter 106, Florida Statutes? Yes No

12. Do you possess a copy of Chapter 104, Florida Statutes? Yes No

13. If so, when did you first obtain it? yes last year 2016

14. Have you read Chapter 104, Florida Statutes? Yes No

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

16. If so, when did you first obtain it? last year 2016

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

18. List any additional materials you received from the Supervisor of Elections.

ethics ^{book} and Form 1 materials

19. You stated in your response to the complaint that you and your wife paid approximately \$88.00 for five yard signs. How was this fee paid? Was this with cash, check or credit card?

Credit CARD

20. What date was this expenditure made?

Approx Oct 10, 2016

21. What is the name of the company that printed the yard signs for your campaign for Seven Oakes Community Development District, Seat 2?

Build a Sign . com

22. Were any other expenditures made during your campaign for Seven Oakes Community Development District, Seat 2?

No - None

EXHIBIT 4 page 3 of 4

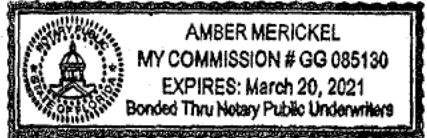
I HEREBY SWEAR OR AFFIRM THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Charles [Signature]
Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 4st day of June, 2017

[Signature]
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: Drivers license

Case Investigator: SS

State of Florida
County of Pasco
Subscribed and Sworn to Before me
this 4st Day of June Yr. 2017
[Signature]
Notary Republic
My Commission Expires:

EXHIBIT 4 page 4 of 4

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My Cart

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Toll Free

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- License Plates ▾
- Stakes & Frames ▾
- Custom Flags ▾
- Shirts ▾
- More ▾

Choose A Template

Customize It

Pick Your Size & Material

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Campaign

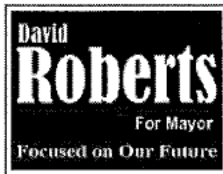
To Go Back To Political Signs Page Click Here: [BuildASign Political Signs](#)

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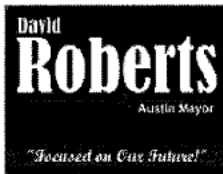
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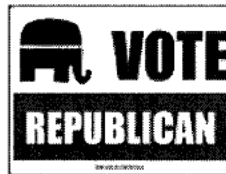
Customize It!

Business

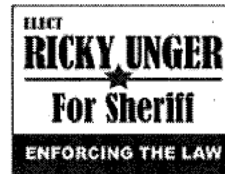
- Automotive
- Bandit Signs
- Builders & Developers
- Contractors
- Lawn Care
- Restaurants
- Retail
- Tax Services
- Tech Repair



Customize It!



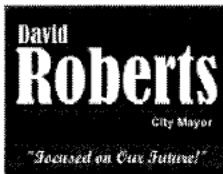
Customize It!



Customize It!

Events

- Birthdays
- Corporate
- Graduation
- Special Events
- Valentine's Day
- Weddings



Customize It!



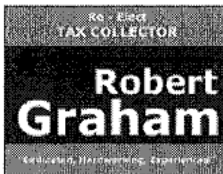
Customize It!



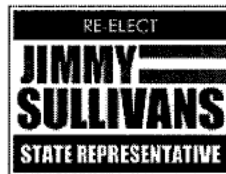
Customize It!

Everything Else

- Funny
- Garage Sale
- Inflatables
- Student Organizations
- Trade Show Products
- Banner Display Kits
- Display Accessories
- Easy Pop Displays
- Event Tent Accessories
- Event Tents
- Hanging Display Kits
- Premium Pop-Up Displays
- Table Throws
- Tabletop Displays
- Truss Displays



Customize It!



Customize It!



Customize It!

Warning Signs

Featured Signs

Holidays

- Fall
- Spring



4.7 ★★★★★
Google
Customer Reviews

Sign template

EXHIBIT 5 page 1 of 2

FREE SHIPPING on all orders!*

Corporate Pricing

Calculate Prices

Login

My Account

My Cart

Call Us Toll Free

1-800-330-9622

Help

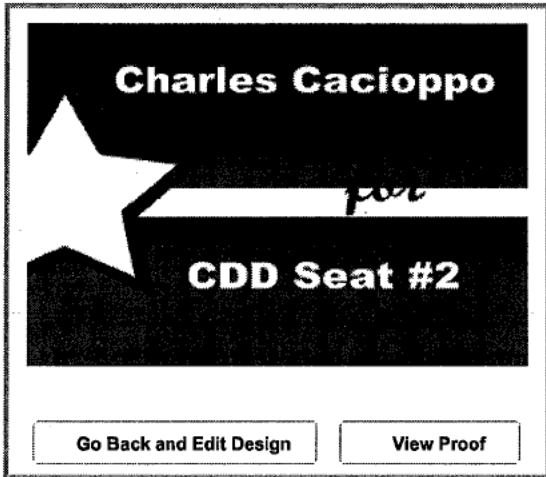
Signs ▾ Magnetics ▾ Banners ▾ Stickers & Decals ▾ License Plates ▾ Stakes & Frames ▾ Custom Flags ▾ Shirts ▾ More ▾

Choose a Template

Customize It

Pick Your Size & Material

Choose your sign options



100% Secure purchase guarantee
 Your order is safe, secure, and encrypted.
 Enjoy the convenience of stress-free shopping.

Select Your Options

1. Choose your Material

Corrugated Plastic ▾

About our materials

2. "Choose your" Size

12" x 18" ▾


Choose from all size and material options available

3. Choose Number of Sides


Double Sided ▾

Have a two-sided sign with arrows?


4. Other Options

 24" h x 10" w Wire Stake
 \$2.49 [view bulk pricing]

 Grommets on all 4 corners
 \$1.99

 Double Sided Foam Tape
 Great for smaller sizes!
 \$2.99

 Command Strips (2 sets of 4)
 Great for larger sizes!
 \$5.99

 12" x 18" Metal Frame With Rider
 \$24.99

I already have a way to display my sign.

| | | | | | |
|--------|---------|---------|---------|--------|--------|
| Qty: | 1 | 5 | 25 | 50 | 100 |
| Price: | \$27.96 | \$17.17 | \$10.62 | \$7.34 | \$4.73 |

Quantity: 5 Your Price: \$17.17 each [Add to Cart »](#)

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 16-729**

Respondent: Charles Cacioppo

Complainant: Paul F. Muccino

1. **Date and time:** 04/28/17- 10:37 AM
Name: Complainant
Phone #: 813-994-5886
Summary: I called and immediately reached a voicemail box. I left a message, asking Complainant to return my call.
Memo to File? No
Entered by: S. Spore

2. **Date and time:** 05/22/17- 2:33 PM
Name: Respondent
Phone #: 813-713-6956
Summary: The phone rang multiple times, without an answering machine or voicemail box picking up. I could not leave a message.
Memo to File? No
Entered by: S. Spore

3. **Date and time:** 06/07/17- 2:21 PM
Name: Pasco County Supervisor of Elections
Phone #: 800-851-8754
Summary: I called and spoke with Stephanie who transferred me to Tracy Cowen. Tracy stated that I could e-mail a questionnaire-affidavit to her work e-mail, and she would make sure it was printed, completed and sent back to our office. Tracy's e-mail address: tcowen@pascovotes.com. I thanked her for her assistance.
Memo to File? No
Entered by: S. Spore

4. **Date and time:** 06/28/17- 1:45 PM
Name: Respondent
Phone #: 813-713-6956
Summary: I called and reached a generic voicemail box. I left a message, asking Respondent to return my call, and left my name, telephone number and extension.
Memo to File? No
Entered by: S. Spore

5. **Date and time:** 06/28/17- 2:08 PM
Name: Call from Respondent
Phone #: 813-713-6956
Summary: Respondent returned my call. He stated he had been sick with the flu when the SOE held the candidate workshop, which is why he did not attend. He may have received a package from the SOE after the workshop was held, however, he stated that, "I may have

misplaced it somewhere in the stacks of paper in my office." He did not appoint a campaign treasurer, or open a bank account for his campaign. The credit card used to buy the 5 campaign signs was a personal credit card, and not associated with a campaign. He stated he may have contacted the SOE's office for assistance once or twice, however, this was over the financial disclosure paperwork, and was not specifically campaign related. He did not accept any contributions throughout his campaign, and the only expenditure made was for the five yard signs. He did not have any additional information to add. I thanked him for his time.

Memo to File? No

Entered by: S. Spore

6. **Date and time:** 06/30/17- 11:18 AM

Name: Respondent

Phone #: 813-713-6956

Summary: I called and reached a generic voicemail box. I left a message, asking Respondent to return my call, and left my name, telephone number, and extension.

Memo to File? No

Entered by: S. Spore

7. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

8. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

9. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

10. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

EXHIBIT 6 page 2 of 2

AFFIDAVIT OF FILING OFFICER
Case Number: FEC 16-729

STATE OF FLORIDA
County of Pasco

Brian E. Corley, being duly sworn, says:

Tiffannie A. Alligood

1. This affidavit is made upon my personal knowledge. *Rebecca L. Sarzynski* (initials)
2. I am of legal age and competent to testify to the matters stated herein. I am currently employed by State of Florida/Pasco Co. as Supervisor of Elections (Pasco Co.)
Brian E. Corley, SOE as director of Election Administration
3. Please provide copies of the listed items from the following candidate's campaign file; Charles Cacioppo. *Brian E. Corley, SOE as Branch office Coordinator*

| Check | ITEM |
|--------------|---|
| N/A | The Statement of Candidate form for 2016. |
| N/A | Appointments of Treasurers and Designation of Campaign Depository form for 2016. |
| N/A | Campaign treasurer's reports, waivers, and amendments for the 2016 campaign. |
| N/A | Addendum requests and proof of compliance for the 2016 campaign. |
| ✓ (initials) | Any and all checks issued by the candidate's campaign to your office (qualifying fee, etc.) <i>personal check</i> |

4. Please check each item provided to the candidate or his staff, and list the date that the item was provided.

| Check | ITEM | DATE |
|--------------|---|-------------------------------------|
| ✓ (initials) | Chapter 106, Florida Statutes | <i>directed to web-site 4/21/16</i> |
| ✓ (initials) | Candidate and Campaign Treasurer Handbook 2016 | <i>directed to web-site 4/21/16</i> |
| ✓/initials | Other: ¹ <i>Special District Workshop packet for NON-attendees</i> | <i>mailed 7/27/16</i> |

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

- Publications are given directly to the candidate and/or his staff.

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.

○ Publications are available in the office, candidate and/or his staff are advised to pick-up the publications for themselves.

✓ Candidate and/or his staff are advised to download copies of the publications from our website or the Division of Elections' website.

✓ Other, please explain. PowerPoints | Instructions @ workshops *aka*

6. 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 his staff, along with the date of attendance. 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. *aka*

The candidate did not attend the Tuesday, July 26, 2016 Workshop. Materials covered were mailed to him on Wed. 7/27/16.

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

N/A

8. Does your office have any record of Charles Cacioppo 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.

N/A

9. Did you or any member from your staff have any conversations with Charles Cacioppo concerning a provision of Chapter 106, Florida Statutes, at any time during his 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.

(N/A) Staff in Land O' Lakes Branch Office met with candidate when he filed papers on 4/21/16 and when he qualified on 6/8/16. Candidate chose to file Affidavit of Intention vs. Aft. of Treasurer and Stmt. of Candidate.

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



Brian E. Corley
 Pasco County Supervisor of Elections
 P. O. Box 300
 Dade City, FL 33526-0300

CASH RECEIPTS

| SOLD TO | DATE | SALE NO. |
|---|--------------|----------------|
| Charles Cacioppo 4113 granite Glen Loop Wesley Chapel, FL 33544 | 6/9/2016 | 00124018 |
| | CHECK NO. | PAYMENT METHOD |
| | 1272 | Check |
| DESCRIPTION | QTY | AMOUNT |
| FILING FEE/CANDIDATES | 1 | 25.00 |
| THANK YOU!!! | Total | \$25.00 |

RECEIVED
 2016 JUN 20 PM 12:08
 BRIAN E. CORLEY
 SUPERVISOR OF ELECTIONS
 DADE CITY, FLORIDA

CHARLES M CACIOPPO
ANNAMARIE CACIOPPO
4113 GRANITE GLEN LOOP
WESLEY CHAPEL, FL 33544
(813) 973-4076

1272

63-6201/2631

June 9, 2016 Date

Pay to the Order of Brian E. Corley, Supervisor of Elections | \$ 25.00

Twenty five and ⁰⁰/₁₀₀

Dollars



Suncoast Schools Federal Credit Uni

For Filing fee

Annamarie Cacioppo AP

Candidate: Charles Cacioppo

Office: CDD Seven Oaks, Seat 2

PO Box 300, Dade City, FL 33526 • (800) 851-8754 • OFFICE HOURS: M-F 8:30 a.m. - 5:00 p.m.

| Campaign Treasurer's Report - Itemized Contributions | | | | | |
|--|-------------|--------|------------|----------------------|---------------|
| Seq# | Contributor | Entity | Occupation | Cont. Type | Amount |
| Date | | | Amend | | |
| | | | | Total | \$0.00 |
| | | | | Contributions | |

| Campaign Treasurer's Report - In-Kind Contributions | | | | | |
|---|-------------|--------|------------|----------------------|---------------|
| Seq# | Contributor | Entity | Occupation | In-Kind | Amount |
| Date | | | Amend | Description | |
| | | | | Total In-Kind | \$0.00 |
| | | | | Contributions | |

| Campaign Treasurer's Report - Itemized Expenditures | | | | | |
|---|--------|---------|-----------|---------------------|---------------|
| Seq# | Vendor | Purpose | Exp. Type | Amount | |
| Date | | | Amend | | |
| | | | | Total | \$0.00 |
| | | | | Expenditures | |

| Campaign Treasurer's Report - Fund Transfers | | | | | |
|--|-------------|----------------------------|--------|--|--|
| Seq# | Institution | Transfer Nature of Account | Amount | | |
| Date | | Type | Amend | | |

| Campaign Treasurer's Report - Distributions | | | | | |
|---|--------|---------|---------------------|------|--------|
| Seq# | Vendor | Purpose | Expenditure Related | Exp. | Amount |
| Date | | | Amend | | |

* Petty cash expenditures are realized when the funds are withdrawn for petty cash. Therefore, the referenced item is not included in the total.

EXHIBIT

9

Chapter 12: Political Advertising

A political advertisement is a paid expression in a communications medium prescribed in section 106.011(4) F.S., whether radio, television, newspaper, magazine, periodical, campaign literature, direct mail, or display or by means other than the spoken word in direct conversation, which expressly advocates the election or defeat of a candidate or the approval or rejection of an issue.

(Section 106.011(15), F.S.)

Candidate Disclaimers

Except as noted below, any political advertisement that is paid for by a candidate (except a write-in candidate) and that is published, displayed, or circulated before, or on the day of, any election must prominently state:

"Political advertisement paid for and approved by (name of candidate), (party affiliation) for (office sought)" or "Paid by (name of candidate), (party affiliation), for (office sought)."

Any political advertisement that is paid for by a write-in candidate and that is published, displayed, or circulated before, or on the day of, any election *must prominently state:*

"Political advertisement paid for and approved by (name of candidate), write-in candidate, for (office sought)" or "Paid by (name of candidate), write-in candidate, for (office sought)."

(Section 106.143(1), F.S.)

Also, the disclaimer language alternatives provided above must be verbatim as quoted in s. 106.143, F.S. Variations are prohibited by law.

Any political advertisement of a **candidate running for partisan office** shall express the name of the political party of which the candidate is seeking nomination or is the nominee.

If the candidate for partisan office is running as a candidate with no party affiliation, any advertisement of the candidate must state that the candidate has no party affiliation. A candidate who is registered in a political party may run as a candidate with "no party affiliation" without changing his or her registration.

The candidate shall provide a **written statement of authorization** to the newspaper, radio station, television station, or other medium for each advertisement submitted for publication, display, broadcast, or other distribution.

Candidates running for **non-partisan** office may not state the candidate's political party affiliation in the disclaimer, or in the body of the advertisement. Exception: The candidate is not prohibited from stating the candidate's partisan related experience.

(Sections 106.143(3) and (5), F.S.)

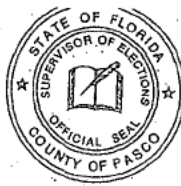
Note: A candidate running for an office that has a district, group, or seat number does not have to indicate the district, group, or seat number in the political advertisement or disclaimer.

Brian E. Corley

Supervisor of Elections

Post Office Box 300

Dade City, FL 33526-0300



★★★ **FREEDOM**
Requires Responsibility
VOTE PASCO

MEMORANDUM

Cacioppo

TO: Special District Candidates

FROM: Tiffannie A. Alligood *TAA*
Director of Election Administration

SUBJECT: Special District Candidate Workshop

DATE: July 27, 2016

Enclosed you will find information that was covered during the Special District Candidate Workshop held on Tuesday, July 26, 2016 at the Utilities Administration Offices Anclote Training Room in Land O Lakes.

Please review the enclosed materials at your convenience. If you have any questions or need additional information, feel free to contact me at talligood@pascovotes.com or 352-521-4302.

Please note: If you decide to run a campaign you **MUST** file your appointment of campaign treasurer and designation of campaign depository (Form DS-DE 9) **PRIOR** to the opening of a campaign account or the spending of any funds including your personal funds.

Enclosures

East Pasco Government Center
Dade City
(352) 521-4302

Central Pasco Professional Center
Land O' Lakes
(813) 929-2788

West Pasco Government Center
New Port Richey
(727) 847-8162

pascovotes.com

EXHIBIT 11 page 1 of 9



**POLITICAL
DISCLAIMERS**

106.143, Florida Statutes

Any political advertisement paid for by a candidate (except a write-in candidate) must prominently state the following disclaimer:

Political advertisement paid for and approved by (Name of Candidate), (Party Affiliation), for (Office Sought).

OR

Paid by (Name of Candidate), (Party Affiliation), for (Office Sought).

**The disclaimer language alternative provided above must be verbatim as quoted in 106.143, Florida Statutes. Variations are prohibited by law.



**POLITICAL
DISCLAIMERS**

106.143, Florida Statutes

POLITICAL ADVERTISEMENTS:

For Nonpartisan candidates, the advertisement may not state political party affiliation and the nonpartisan candidate is prohibited from campaigning based on party affiliation (106.143(3), Florida Statutes)

A district, group, or seat number does not have to be indicated in the political advertisement or disclaimer

**POLITICAL
DISCLAIMERS**
106.143, Florida Statutes

POLITICAL ADVERTISEMENTS:

Only incumbents can use "Re-elect"
or imply incumbency
(106.143(6), Florida Statutes)

Non-incumbents must use the word "for" between their
name and office sought
(106.143(6), Florida Statutes)

Political advertisements paid for by a political party or affiliated
party committee may use the names and abbreviations
registered with the Department of State in the disclaimer
(103.081 and 106.143(7), Florida Statutes)

**POLITICAL
DISCLAIMERS**

Examples

CANDIDATE for NONPARTISAN OFFICE

**RE-ELECT MITCHELL EDUCATOR
SCHOOL BOARD, DISTRICT 1**

Paid by Mitchell Educator for School Board

**VOTE SONNY GROVE
Citrus Park CDD Supervisor, Seat 5**

Political advertisement paid for and approved by Sonny Grove for Citrus Park Supervisor

POLITICAL DISCLAIMERS

Examples

Any political advertisement offered on behalf of a candidate should:

- ❖ Be marked Paid Political Advertisement (or Pd. Pol. Adv.)
- ❖ State the name and address of the persons paying for the advertisement
- ❖ State whether the advertisement and the cost of production is paid for or provided in-kind or at the expense of the entity publishing, displaying, broadcasting, or circulating the political advertisement

POLITICAL DISCLAIMERS

Examples

NON-INCUMBENT CANDIDATE: In-Kind

**ELECT GOODY TWOSHOOES
FOR PRISTINE OAKS CDD SUPERVISOR, Seat 1**

Pd. Pol. Adv. Paid for in-kind by Jim Lander, 123 Main Street, Anytown, FL, approved by Goody Twoshoes, Nonpartisan, for Pristine Oaks CDD Supervisor

INCUMBENT CANDIDATE: In-Kind

**KEEP IMA LANDOWNER, SUPERVISOR
TIMBER WOODS COMMUNITY DEVELOPMENT DISTRICT**

Pd. Pol. Adv. Paid for in-kind by Jim Lander, 123 Main Street, Anytown, FL, approved by Ima Landowner, for Timber Woods CDD.
Pd. Pol. Adv. Paid for in-kind by Sarah Smith, 887 Elm Street, Anytown, FL, approved by Ima Landowner, for Timber Woods CDD.

POLITICAL DISCLAIMERS

Written authorization must be provided to the news media by the candidate for each advertisement submitted that is not paid for by the candidate and the advertisement must state the candidate approved the content of the advertisement. 106.143(5), Florida Statutes

**** Contract to purchase suffices**



POLITICAL DISCLAIMERS



106.025, Florida Statutes

CAMPAIGN FUND RAISERS

- Any tickets or advertising for a campaign fund raiser must comply with the requirements of 106.143, Florida Statutes (Disclaimer language)
- Campaign fund raisers must be held for, and funds used by, a candidate for public office
- All funds received shall be deemed campaign contributions, accounted for and subject to the same restrictions as other campaign contributions
- All funds expended for the fund raiser which are made or reimbursed by a check drawn on the campaign account must be accounted for and subject to the same restrictions as other campaign expenditures
- Raffles are not an acceptable form of fund raising

POLITICAL DISCLAIMERS

Exemptions (106.143, Florida Statutes)

- Items designed to be worn (i.e. shirts, caps, etc.)  
- Novelty items supporting candidates having a retail value of \$10 or less (i.e. golf tees, matchbooks, pencils, etc.)
- A paid link on an internet site that is less than 200 characters and directs the user to another site that complies with 106.143(1), Florida Statutes
- A graphic or picture link where compliance with requirements is not reasonably practical due to the size of the graphic or picture link and the link directs the user to another site that complies with requirements
- Advertisements posted at no cost on an Internet site where there is no cost to post content for public users

POLITICAL DISCLAIMERS


Exemptions (106.143, Florida Statutes)


- Advertisements placed or distributed on an unpaid profile or account available to the public without charge or on social networking internet sites
- Text messages or other message via Short Message Service (less than 200 characters or "opted in" by recipient)
- Connected or included in any software application or accompanying function, provided that the user signs up, opts in, downloads, or otherwise accesses the application from a site that complies with 106.143(1), Florida Statutes
- Sent by a third-party user from or through a campaign or committee's website, provided the site complies with 106.143(1), Florida Statutes
- Contained or distributed through technology where compliance is not practical due to the size or nature of the item

POLITICAL DISCLAIMERS

106.147, Florida Statutes

PAID TELEPHONE SOLICITED ADVERTISEMENTS MUST STATE:

 Paid for by (name of persons or organizations sponsoring the call)

 Paid for on behalf of (name of persons or organizations sponsoring the call)


This does not apply if both the caller is not getting paid and the individuals participating in the calls know each other prior to the call.


***Telephone calls conducted for the purpose of polling respondents concerning a candidate may be considered a political poll and exempt from certain requirements (see 106.147(1)(b), Florida Statutes)


POLITICAL DISCLAIMERS


106.147, Florida Statutes

PAID TELEPHONE SOLICITED ADVERTISEMENTS


 Caller may not state or imply that they represent a person or organization without written approval


 Caller may not state or imply that they represent a nonexistent person or organization

 Written authorization must be given by candidate

 When the call expressly advocates for or against a candidate

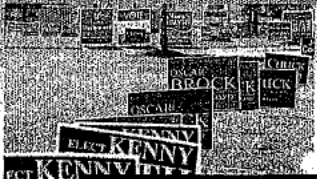
 The copy of written authorization must be on file with qualifying officer prior to making any phone call

 Requirements also apply to telephone solicitation with Registered Agents (106.1475, Florida Statutes)



POLITICAL SIGNS

- Candidates should contact the six municipalities for information regarding their requirements for usage and removal of campaign advertisements within city limits (NPR no longer requires a sign bond but DC requires sign bond)
- Candidates with questions concerning political sign placement in the county should contact the county zoning/code compliance division at (727) 847-8171
 - Pasco's Board of County Commissioners passed a resolution to limit the number, size, and placement of campaign signs at Early Voting sites and Election Day Polling Places



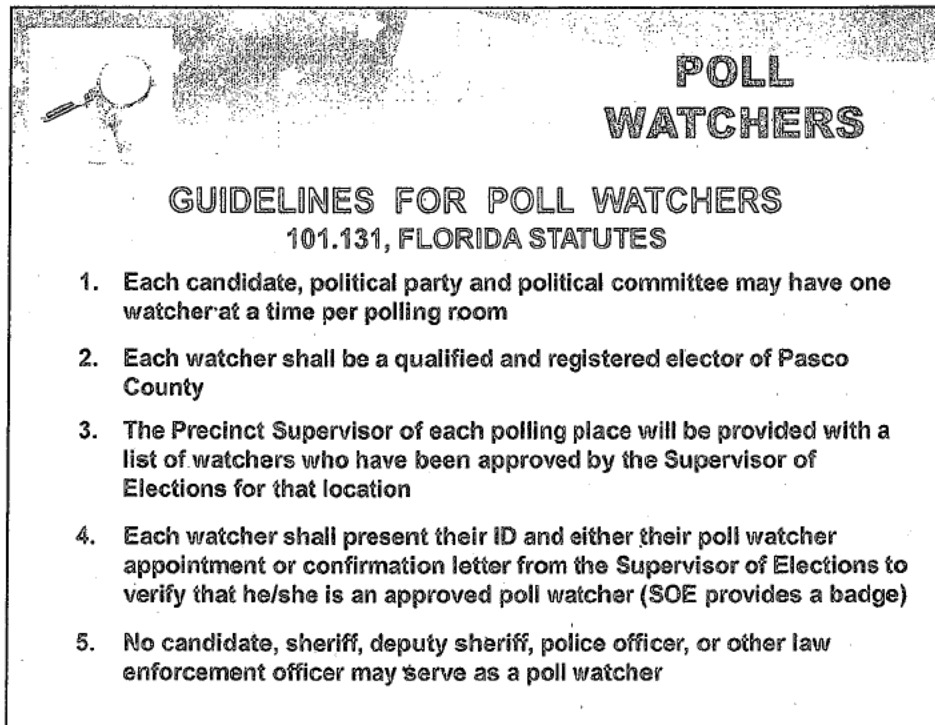
POLITICAL SIGNS

CHANGES MAY BE PENDING DUE TO SUPREME COURT RULING

- Responsibility for sign removal falls to the candidate
 - Pasco County Land Development Code requires the removal of signs no later than five (5) days after the election to which the sign relates
 - For more information regarding the Pasco County Land Development Code visit their website
 - <http://www.pascocountyfl.net/DocumentCenter/View/2078>

NOTE: The code also states that the posting of signs can occur no earlier than fifteen (15) days prior to the date of candidate qualification

NOTE: CDD candidates should adhere to the any additional rules/regulations set forth by the CDD





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

April 18, 2017

Charles Cacioppo
4113 Granite Glen Loop
Wesley Chapel, FL 33544

RE: Case No.: FEC 16-729; Respondent: Charles Cacioppo

Dear Mr. Cacioppo:

On November 23, 2016, 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 106.021(1)(a), Florida Statutes: Respondent, a 2016 candidate for Supervisor for the Seven Oakes Community Development District, Seat 2, incurred one or more campaign expenses before appointing a treasurer or designating a campaign depository, as alleged in the complaint.

Section 106.023, Florida Statutes: Respondent, a 2016 candidate for Supervisor for the Seven Oakes Community Development District, Seat 2, failed to file a candidate statement within 10 days of appointing a treasurer and designating a campaign depository.

Section 106.11(4), Florida Statutes: Respondent, a 2016 candidate for Supervisor for the Seven Oakes Community Development District, Seat 2, incurred one or more expenses for the purchase of goods or services, without sufficient funds on deposit in the primary depository account, as alleged in the complaint.

Section 106.19(1)(b), Florida Statutes: Respondent, a 2016 candidate for Supervisor for the Seven Oakes Community Development District, Seat 2, failed to report one or more

contributions required to be reported by Chapter 106, Florida Statutes, as alleged in the complaint.

Section 106.19(1)(c), Florida Statutes: Respondent, a 2016 candidate for Supervisor for the Seven Oakes Community Development District, Seat 2, falsely reported or deliberately failed to include information in one or more campaign reports, as alleged in the complaint.

Section 106.19(1)(d), Florida Statutes: Respondent, a 2016 candidate for Supervisor for the Seven Oakes Community Development District, Seat 2, made or authorized one or more expenditures prohibited by Chapter 106, Florida Statutes, as alleged in the complaint.

Section 106.143(1)(a), Florida Statutes: Respondent, a 2016 candidate for Supervisor for the Seven Oakes Community Development District, Seat 2, paid for and distributed political advertisements that contained express advocacy but did not include proper disclaimers, as alleged in the complaint.

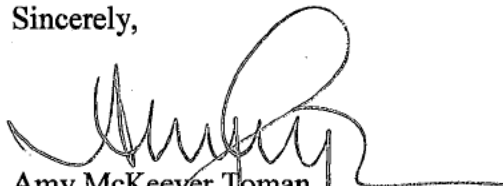
When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will make a written recommendation (Staff Recommendation or SR) to the Commission as to whether there is probable cause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

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

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

If you have additional questions, please contact **Samantha Spore**, the investigator assigned to this case.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/dam

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

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

RECEIVED

2016 NOV 23 A 10:50

CONFIDENTIAL COMPLAINT FORM

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

1. PERSON BRINGING COMPLAINT:

Name: Paul Muccino Work Phone: ()
Address: 2738 Silvermoor Dr. Home Phone: (813) 994-5886
City: Wesley Chapel County: Pasco State: FL Zip Code: 33544

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: Charles Cacioppo
Address: 4113 Granite Glen Loop Phone: (813) 713-6956
City: Wesley Chapel County: Pasco State: FL Zip Code: 33544

If individual is a candidate, list the office or position sought: Seven Oaks CDD-seat 2

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 investigate 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.

The Florida Election Code allows a candidate to choose to form an election campaign or not have a managed campaign. To have a managed campaign, a candidate must identify a Campaign Manager and the amount of financial funding, and where the financial funding comes from. To do this, documents must be completed showing such information. Mr. Cacioppo chose not to file these documents and not to have a managed campaign because

he did not file these documents as required. However, Mr. Cacioppo did conduct a campaign by posting campaign signs for his election. Attached is the Affidavit of Intention signed by the candidate, the candidate listing showing No campaign manager and No funding, and photos showing Candidate Cacioppo election campaign signs. Candidate Cacioppo violated Florida Statutes 106.021, 106.022, 106.023, 106.11, 106.143, and failed to file form DS-DE9. Cheating and Not following the rules should Not be rewarded!

Additional materials attached (check one)? Yes No

4. OATH

STATE OF FLORIDA
COUNTY OF PASCO

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

Paul Meccia
Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 18th day of
November, 20 16

Delbert Jerome Ford
Signature of Officer Authorized to Administer Oaths or Notary public.

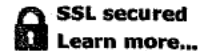
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NOV 23 A 10:50
STATE OF FLORIDA
ELECTIONS COMMISSION



Delbert Jerome Ford
State of Florida
MY COMMISSION # FF 27408
Expires: June 13, 2017

Delbert Jerome Ford
(Print, Type, or Stamp Commissioned Name of Notary Public)
Personally known _____ Or Produced Identification ✓
Type of Identification Produced FL DL

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.



| | | | | | |
|---|--|-----|----------|----------|----------|
| CDD Northwood, Seat 5 | <u>Eric DaGama (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Northwood, Seat 5 | <u>Andrew Wasielewski (Active- <i>Qualified</i>)</u> | NPA | | \$250.00 | |
| CDD Oakstead, Seat 1 | <u>Joseph N. Cascio (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Oakstead, Seat 1 | <u>Lawrence J. Cyment (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Oakstead, Seat 1 | <u>Gary Goldstein (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Oakstead, Seat 2 | <u>Salvatore Paradiso (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Lexington Oaks, Seat 1 | <u>Richard D. Carroll (Active- <i>Qualified</i>)</u> | NPA | \$770.00 | \$146.17 | \$759.20 |
| CDD Lexington Oaks, Seat 1 | <u>Donald T. Peters (Active- <i>Qualified</i>)</u> | NPA | \$200.00 | | \$136.54 |
| CDD Lexington Oaks, Seat 2 | <u>Robert F. Hendrick (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Lexington Oaks, Seat 5 | <u>Ronald Lee Cox (Active- <i>Unopposed</i>)</u> | NPA | | | |
| Lake Padgett Estates ISD | <u>Larry Berger (Active- <i>Unopposed</i>)</u> | NPA | | | |
| Lake Padgett Estates ISD | <u>Margie Bradley (Active- <i>Unopposed</i>)</u> | NPA | | | |
| Lake Padgett Estates ISD | <u>Pamela Carr (Active- <i>Unopposed</i>)</u> | NPA | | | |
| Lake Padgett Estates ISD | <u>Linda Myers Hutchinson (Active- <i>Unopposed</i>)</u> | NPA | | | |
| Lake Padgett Estates ISD | <u>Edward A. Schultz (Active- <i>Did not qualify</i>)</u> | NPA | | | |
| Lake Padgett Estates ISD | <u>Paul M. Wells (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Preserve at Wilderness Lake, Seat 3 | <u>Charles Louis 'Lou' Weissing (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Preserve at Wilderness Lake, Seat 4 | <u>James Estel (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Preserve at Wilderness Lake, Seat 5 | <u>Richard Suttmeier (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Preserve at Wilderness Lake, Seat 5 | <u>Samuel E. Watson (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Country Walk, Seat 1 | <u>Steve Hyde (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Country Walk, Seat 2 | <u>Nina Siegel (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Country Walk, Seat 3 | <u>Margo Rae Moulton (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Meadow Pointe IV, Seat 1 | <u>Denise Rae-Herrera (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Meadow Pointe IV, Seat 2 | <u>Liane Sholl (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Meadow Pointe IV, Seat 3 | <u>William P. Horner (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Seven Oaks, Seat 2 | <u>Charles Cacioppo (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Seven Oaks, Seat 2 | <u>Paul Muccino (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Seven Oaks, Seat 4 | <u>Gerald Cruz (Active- <i>Qualified</i>)</u> | NPA | \$300.00 | | \$300.00 |
| CDD Seven Oaks, Seat 4 | <u>Thomas Graff (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Seven Oaks, Seat 4 | <u>Tom Ryan (<i>Inactive- Withdrawn</i>)</u> | NPA | | | |
| CDD Seven Oaks, Seat 5 | <u>Nicolas Aquilizan (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Seven Oaks, Seat 5 | <u>John L. Christensen (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Longleaf, Seat 3 | <u>Elizabeth Blair (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Longleaf, Seat 4 | <u>Robert Edward Hldeck (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Longleaf, Seat 5 | <u>Karl Mager (Active- <i>Unopposed</i>)</u> | NPR | | | |
| CDD Ballantrae, Seat 4 | <u>James B. Fleteau (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Ballantrae, Seat 5 | <u>Stephen A. Bobick (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Concord Station, Seat 4 | <u>Donna Matthias-Gorman (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Concord Station, Seat 5 | <u>David Walz (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Connerton West, Seat 1 | <u>Richard A. Dombrowski (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Connerton West, Seat 1 | <u>Michael Plude (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Connerton West, Seat 2 | <u>Stewart Gibbons (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Connerton West, Seat 2 | <u>Luke Mills (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Dupree Lakes, Seat 4 | <u>Robert (Bob) Francis Fox (Active- <i>Qualified</i>)</u> | NPA | \$405.04 | | \$405.04 |
| CDD Dupree Lakes, Seat 4 | <u>Maggi Honda (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Dupree Lakes, Seat 5 | <u>Linda Prendergast (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Dupree Lakes, Seat 5 | <u>Timothy Price (Active- <i>Qualified</i>)</u> | NPA | \$105.00 | | \$105.00 |
| CDD Oak Creek, Seat 4 | <u>Lisa Vaile (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Oak Creek, Seat 4 | <u>Samuel E. Watson, Jr. (Active- <i>Qualified</i>)</u> | NPA | | | |
| CDD Oak Creek, Seat 5 | <u>David J. Gerald (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Suncoast, Seat 1 | <u>Janice Dixon (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Suncoast, Seat 4 | <u>Lonnie Dixon (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Waters Edge, Seat 2 | <u>Thomas A. Russo (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Waters Edge, Seat 3 | <u>Michael T. McCarthy (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Waters Edge, Seat 4 | <u>Robert Sipple (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Lakeshore Ranch, Seat 2 | <u>Christine P. Lagnese (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Lakeshore Ranch, Seat 5 | <u>James Hollingsworth (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Verandahs, Seat 2 | <u>Thomas May (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Verandahs, Seat 5 | <u>Nancy Smith (Active- <i>Unopposed</i>)</u> | NPA | | | |
| CDD Watergrass I, Seat 1 | <u>Christin Behrens (Active- <i>Unopposed</i>)</u> | NPA | | | |

RECEIVED

**AFFIDAVIT OF INTENTION
SPECIAL DISTRICT CANDIDATE**

BRITNEY L. DUNLEY
SUPERVISOR OF ELECTIONS
LAND O'LAKE, FLORIDA

State of Florida
Pasco County

I, Charles Cacioppo, a candidate for the special
(Print name)

district of: Seven OAKS CDD Seat #2 in the
(District name including district #, seat #, or group #)

General Election certify that I will not collect, solicit, or accept any contribution; *be it a gift, subscription, conveyance, deposit, loan, payment, or distribution of money or anything of value including contributions in kind having an attributable monetary value in any form, made for the purpose of influencing the results of an election or making an electioneering communication (106.011(5), Florida Statutes).* I further certify that the only expenditure made on behalf of my candidacy will be the candidate qualifying fee or, in lieu of the qualifying fee, the signature verification fee for candidate petitions.

I certify that in the event I collect, solicit, or accept any contribution, as described above, or make a campaign expenditure; *be it a purchase, payment, distribution, loan, advance, transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificates of deposit, or gift of money or anything of value made for the purpose of influencing the results of an election or making an electioneering communication (106.011(10), Florida Statutes)* my campaign will be governed by Chapter 106, Florida Statutes.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AFFIDAVIT AND THAT THE FACTS STATED IN IT ARE TRUE.

Charles Cacioppo
Signature of Candidate

4/28/2016
Date

NO PARKING

CRUZ

CRUZ

CRUZ

Gus is for US!
BILIRAKIS
CONGRESS

BARRY
★
HORVATH
FOR COUNTY COMMISSIONER
BarryForPiscu.com

Charles Cacioppo
←
CDD Seat #2

NO
PARKING

NO Soliciting
Beyond This
Post

Charles
Cacio

Gerald

bls190

CRUZ

FOR

Seven Oaks Community Development
District Supervisor, Seat 4!

CDD Se



Charles
Cacio



CDD Se



TO VOTE
PLEASE
REGISTER
BY
MAY 15
2012

NO
PARKING

NO
PARKING

CRUZ
CRUZ

Gas Is for US!
BILIRAKIS
FOR CONGRESS

BARRY SHORVATH
FOR CONGRESS

**NO
PARKING**

Charles
Cacioppo

CDD Seat #2

O'Neil

Gerald
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County
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FOR
Seven Oaks Community Development
District Supervisor, Seat 4

Kathryn Starke
For Pasco County Commission District 3

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