

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Isaac Aelion**  
\_\_\_\_\_ /

**Case No.: FEC 10-316  
F.O. No.: FOFEC11-186W**

**CONSENT FINAL ORDER**

The Respondent, Isaac Aelion, 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 1, 2010, a complaint was filed with the Commission alleging that Respondent violated Section 106.143(1)(a), Florida Statutes.
2. The Respondent(s) expressed a desire to enter into negotiations directed toward reaching a consent agreement.
3. The Respondent and the staff stipulate to the following facts:
  - a. The Respondent was a candidate for the Sunny Isles Beach City Commission, Seat 4, in the November 2, 2010 general election.
  - b. Respondent published a political advertisement during his campaign that failed to contain a proper disclaimer.

**CONCLUSIONS OF LAW**

4. The Commission has jurisdiction over the parties to and subject matter of this cause, pursuant to Section 106.26, Florida Statutes.
5. Section 106.25(4)(i)3., Florida Statutes, allows the Commission to approve a consent agreement with a Respondent prior to the Commission finding probable cause that a violation of the election laws occurred. The consent agreement has the same force and effect as

a consent agreement reached after the Commission finds probable cause.

6. The Commission staff and the Respondent stipulate that staff can prove all elements of a violation of Section 106.143(1)(a), Florida Statutes, by the required burden of proof.

### **ORDER**

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

8. The Respondent shall bear his own attorney fees and costs that are in any way associated with this case.

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

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

11. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. The 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 be responsible for all fees and costs associated with enforcement.

12. If the Commission does not receive the signed Consent Order by the close of business on November 14, 2011, the staff withdraws this offer of settlement and will proceed with the case.

13. Payment of the civil penalty is a condition precedent to the Commission's consideration of the Consent Order.

### **PENALTY**

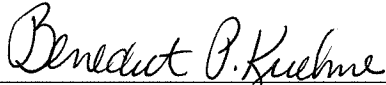
**WHEREFORE**, based upon the foregoing facts and conclusions of law, the Commission

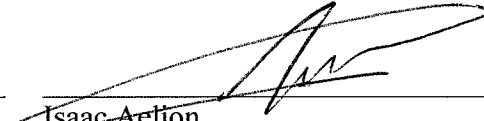
finds that the Respondent has violated Section 106.143(1)(a), Florida Statutes, on one occasion, and is fined \$250 for that violation.

Therefore it is


**ORDERED** that the Respondent shall remit to the Commission a civil penalty in the amount of \$250, inclusive of fees and costs. The civil penalty shall be paid to the Florida Elections Commission, 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

The **Respondent** hereby agrees and consents to the terms of this Order on October 3, 2011.

  
Benedict P. Kuehne  
Miami Tower, Suite 3550  
100 SE 2<sup>nd</sup> Street  
Miami, Florida 33131

  
Isaac Aelion  
16711 Collins Avenue, #2302  
Sunny Isles Beach, Florida 33160

The **Commission staff** hereby agrees and consents to the terms of this Consent Order on October 7, 2011.

  
Eric M. Lipman  
General Counsel  
Florida Elections Commission  
107 W. Gaines Streets  
Collins Building, Suite 224  
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held  
on November 15 & 16, 2011, in Tallahassee, Florida.

  
\_\_\_\_\_  
Tim Holladay, Chairman  
Florida Elections Commission

*12-7-11*  
\_\_\_\_\_  
Date

Copies furnished to:

Eric M. Lipman, General Counsel  
Benedict P. Kuehne, Attorney for Respondent