

**FILED**

15 JUN -2 AM 12:49

STATE OF FLORIDA  
ELECTIONS COMMISSION

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

v.

Agency Case No.: FEC 13-190  
F.O. No.: FOEC 15-108 W

**Citizens for a Reality Check,  
Respondent.**

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**CONSENT ORDER**

Respondent, Citizens for a Reality Check, 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 August 21, 2014, the staff of the Commission issued a Staff Recommendation, recommending to the Commission that there was probable cause to believe that Respondent violated Chapter 106, Florida Statutes.

2. On October 29, 2014, the Commission entered an Order of Probable Cause finding that there was probable cause to charge the Respondent with the following violation:

**Section 106.03(1)(a), Florida Statutes:**

Citizens for a Reality Check, after receiving contributions or making expenditures in a calendar year in an aggregate amount exceeding \$500 failed to file its Statement of Organization within 10 days, as alleged in the complaint.

3. Respondent expressed a desire to enter into negotiations directed toward reaching a consent agreement.

4. Respondent and staff stipulate to the following facts:

- A. Respondent is an electioneering communication organization (ECO), and Nestor Alfonso Iglesias is listed as its chairman, treasurer, and registered agent.
- B. During the 2012 F2 and 2012 F3 reporting cycles, Respondent reported that it received contributions and made expenditures in excess of the \$500 threshold for political committees, and distributed political advertisements containing express advocacy, but failed to register as a political committee.

#### 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 although the violations charged in the Order of Probable Cause may not have been knowingly committed; all elements of the violations can be proven by clear and convincing evidence.

#### ORDER

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

8. Respondent shall bear its own attorney's fees and costs that are in anyway associated with this case.

9. The Commission will consider the 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 the 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 be responsible for all fees and costs associated with enforcement.

12. If the Commission does not receive the signed Consent Order and the payment of the civil penalty by March 27, 2015, the staff withdraws this offer of settlement and will proceed with the case.

13. 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 the Consent Order.

#### **PENALTY**

**WHEREFORE**, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated the following provision of Chapter 106, Florida Statutes, and imposes the following fine:

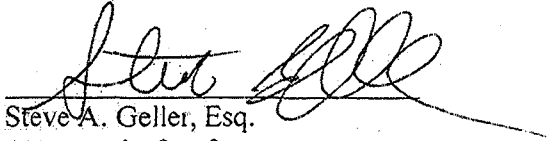
A. Respondent has violated Section 106.03(1)(a) Florida Statutes, when it received contributions or made expenditures in a calendar year in an aggregate amount exceeding \$500, but failed to file its Statement of Organization within 10 days. Respondent is fined \$200.00 for the violation.

Therefore it is

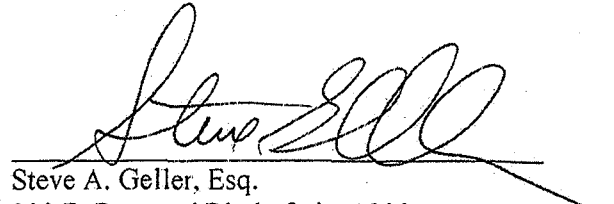
**ORDERED** that the Respondent shall remit to the Commission a civil penalty in the amount of \$200.00, inclusive of fees and costs. The civil penalty shall be paid by cashier's check or money order, good for at least 120 days, or attorney trust account check. The civil penalty shall be payable to the Florida Elections Commission, 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

\_\_\_\_\_, 2015.



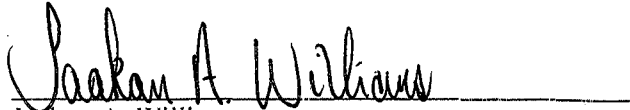
Steve A. Geller, Esq.  
Attorney-in-fact for  
Nestor Alfonso Iglesias  
Citizens for a Reality Check  
634 Southeast 6th Place  
Hialeah, FL 33010



Steve A. Geller, Esq.  
200 E. Broward Blvd., Suite 1800  
Ft. Lauderdale, FL 3330

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

May 20, 2015.



Jaakan A. Williams  
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  
May 20 – 21, 2015, in Tallahassee, Florida.



Chairman  
Florida Elections Commission

Copies furnished to:  
Jaakan A. Williams, Assistant General Counsel  
Steve A. Geller, Respondent's Attorney  
Juan-Carlos Planas, Complainant

THIS CHECK IS VOID WITHOUT A BLUE AND GREEN BACKGROUND AND AN ARTIFICIAL WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW.

**Greenspoon Marder**  
ATTORNEYS AT LAW

BankUnited  
Fort Lauderdale, FL 33316

**31796**

63-9059/2670

Checking  
100 W. Cypress Creek Rd., Suite 700  
Fort Lauderdale, FL 33309

April 28, 2015

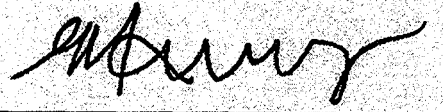
|                |
|----------------|
| AMOUNT         |
| *****\$200.00* |

**Pay to the  
Order of** Florida Elections Commission

**The Sum of** Two Hundred and 00/100 Dollar(s)

Void after 180 Days

Florida Elections Commission  
107 W. Gaines St.  
The Collins Bldg., Suite 224  
Tallahassee, FL 32399



24539.0004 - Citizens for a Reality Check - Fine Fee

BORDER CONTAINS MICROPRINTING

