

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

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STATE OF FLORIDA  
ELECTIONS COMMISSION

In Re: James Oddie, as the former  
treasurer of the Volusia County  
Executive Committee

Case No.: FEC 11-056  
F.O. No.: FOFEC 11-147W

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**CONSENT FINAL ORDER**

The Respondent, James Oddie, former treasurer of the Volusia County Executive Committee, 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 February 25, 2011, a complaint was filed with the Commission alleging that Respondent violated Florida's election laws.
2. The Respondent has expressed a desire to enter into negotiations directed toward reaching a consent agreement.
3. The Respondent neither admits or denies the following:
  - a. Respondent was elected as the treasurer of the Volusia County Republican Executive Committee ("Committee") on December 6, 2008 for a two year term.
  - b. The Committee is required to file regular reports listing all contributions received, and all expenditures made during the reporting period. As the treasurer, Respondent was required to certify that each report was true, correct, and complete.
  - c. Respondent certified that the Committee's 2009 Q4 report was true, correct, and complete when it was not.

### CONCLUSIONS OF LAW

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

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

### ORDER

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

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

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

9. 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.

10. 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.

11. If the Commission does not receive the signed Consent Order within 5 days of the date Respondent or his attorney received this order, the staff withdraws this offer of settlement and will proceed with the case.

12. Payment of the civil penalty by cashier's check, money order, or attorney trust

account check is a condition precedent to the Commission's consideration of the Consent Order.

**PENALTY**

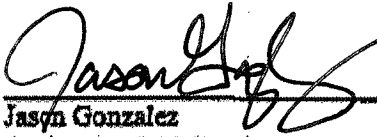
**WHEREFORE**, based upon the foregoing the Commission fines the Respondent \$300.

Therefore it is

**ORDERED** that the Respondent shall remit to the Commission a civil penalty in the amount of \$300, inclusive of fees and costs. The civil penalty shall be paid by cashier's check, money order, or attorney trust account check, 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

August 5, 2011.



Jason Gonzalez  
Ausley & McMullen, P.A.  
PO Box 391  
Tallahassee, FL 32302



James Oddie as the former treasurer of the  
Volusia County Republican Committee

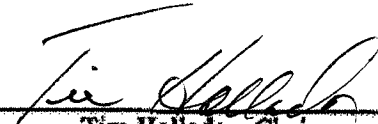
The Commission staff hereby agrees and consents to the terms of this Consent Order on

August 5, 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 August 9, 2011, in Tallahassee, Florida.

  
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Tim Holladay, Chairman  
Florida Elections Commission

*8-18-2011*  
\_\_\_\_\_  
Date

Copies furnished to:

Eric Lipman, General Counsel  
Jason Gonzalez, Attorney for Respondent