

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

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STATE OF FLORIDA  
ELECTIONS COMMISSION

**In Re:** Florida Orthopaedic Political Action  
Committee

Case No.: FEC 04-341  
F.O. No.: DOSFEC 04-196 A  
REPORT DUE DATE: 8/13/04

**FINAL ORDER**

**THIS CAUSE** came on to be heard by the Florida Elections Commission at its regularly scheduled meeting held on November 17 & 18, 2004, in Tallahassee, Florida.

**FINDINGS OF FACT**

1. The Commission is charged with enforcing Chapter 106, Florida Statutes, the campaign financing law.
2. The Respondent's campaign treasurer's report was not filed with the filing officer on the designated due date.
3. The filing officer fined the Respondent for the late filing of the campaign treasurer's report. The Respondent timely appealed, claiming as unusual circumstances that Respondent failed to timely file the report because of Hurricane Charley.

**CONCLUSIONS OF LAW**

4. The Commission has jurisdiction over the parties to and subject matter of this case, pursuant to Section 106.04 or 106.07, Florida Statutes.
5. The Respondent's claim of unusual circumstances, as defined in Rule 2B-1.0055, Florida Administrative Code, justifies Respondent's failure to timely file the report.

**ORDER**

Based on the foregoing facts and conclusions of law, the Commission finds that the

Respondent's unusual circumstances justifies Respondent's failure to file the report on the designated due date. Therefore, it is

**ORDERED** that the assessed fine is waived in full.

**DONE AND ENTERED** by the Florida Elections Commission and filed with the Clerk of the Commission on December 3, 2004, in Tallahassee, Florida.

*Chance Irvine*

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Chance Irvine, Chairman  
Florida Elections Commission  
107 W. Gaines Street, Suite 224  
Tallahassee, FL 32399-1050

Copies furnished to:

Barbara M. Linthicum, Executive Director  
Florida Orthopaedic Political Action Committee, Respondent  
Fraser Cobbe, Treasurer  
Division of Elections, Filing Officer