

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Tony Nelson

Case No.: FEC 22-006

TO: Tony Nelson
11244 Narragansett Bay Court
Wellington, FL 33414

Richard Giorgio
131 Lake Dora Drive
West Palm Beach, FL 33411

NOTICE OF HEARING (INFORMAL HEARING (IH))

A hearing will be held in this case before the Florida Elections Commission on **December 3, 2025, at 9:30 am, or as soon thereafter as the parties can be heard**, via Webinar at: **Registration URL** <https://attendee.gotowebinar.com/register/8443550463090426453>. **Webinar ID** 144-463-043
Audio Only 1 877 309 2074 -- 786-784-735.

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.

Tim Vaccaro

Executive Director
Florida Elections Commission
November 7, 2025

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,**

Case No.: FEC 22-006

v.

**Tony Nelson,
Respondent.**

_____ /

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (“Commission”) at its meeting held on August 20, 2025, at 9:00 a.m. via Zoom teleconferencing.

On February 25, 2025, 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 December 17, 2021, Tony Nelson violated Section 106.143(1)(a), Florida Statutes, when he paid for and published a political advertisement (campaign website) that contained express advocacy but did not include the required statutory disclaimer.

Count 2:

On or around December 17, 2021, Tony Nelson violated Section 106.143(6), Florida Statutes, when he failed to include the word “for” between his name and the office for which he was running on a political advertisement (campaign website), although he was not the incumbent.

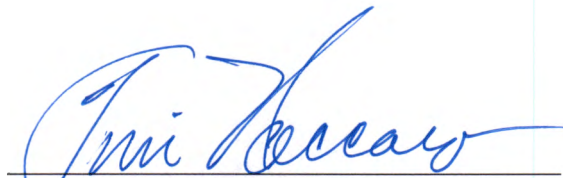
Count 3:

On or around December 17, 2021, Tony Nelson violated Section 106.143(6), Florida Statutes, when he failed to include the word “for” between his name and the office for which he was running on political advertisements (yard signs), although he was not the incumbent.

Count 4:

On or around December 17, 2021, Tony Nelson violated Section 106.143(6), Florida Statutes, when he failed to include the word “for” between his name and the office for which he was running on a political advertisement (banner), although he was not the incumbent.

DONE AND ORDERED by the Florida Elections Commission on August 20, 2025.



Tim Vaccaro, J.D., Executive Director
For Joseph S. Van de Bogart, Chair
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, General Counsel
Tony Nelson, Respondent
Richard Giorgio, 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: Tony Nelson

Case No.: FEC 22-006

TO: Tony Nelson
11244 Narragansett Bay Court
Wellington, FL 33414

Richard Giorgio
131 Lake Dora Drive
West Palm Beach, FL 33411

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION (PCD))

A hearing will be held in this case before the Florida Elections Commission on, **August 20, 2025 at 9:00 a.m., or as soon thereafter as the parties can be heard**, at the following location: **Virtual Meeting Session One via Zoom link:** <https://us06web.zoom.us/j/87502116363?pwd=QPHprWtiAvKrbm6H0yViYFTRuxqMEI.1>; Meeting ID 875 0211 6363, Passcode: 183827.

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See further instructions on the reverse side.

Tim Vaccaro
Executive Director
Florida Elections Commission
July 28, 2025

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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: Tony Nelson

Case No.: FEC 22-006

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 106.143(1)(a), and 106.143(6), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on February 14, 2024, the following facts and law support this staff recommendation:

1. On January 3, 2022, the Florida Elections Commission ("Commission") received a sworn complaint from Richard Giorgio ("Complainant"), alleging that Tony Nelson ("Respondent") violated Chapter 106, Florida Statutes.

2. Respondent was a 2022 candidate for Wellington Village Council, Seat 2. Respondent's Statement of Candidate form ("DS-DE 84") was filed on September 1, 2021. (ROI Exhibit 2)¹

3. By letter dated January 14, 2022, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

Section 106.143(1)(a), Florida Statutes: Respondent, a 2022 candidate for Wellington Village Council, Seat 2, may have paid for and distributed political advertisements that contained express advocacy but did not include a proper disclaimer, as alleged in the complaint.

Section 106.143(6), Florida Statutes: Respondent, a 2022 candidate for Wellington Village Council, Seat 2, may have improperly failed to use the word "for" between his name and the office for which he was running, in political advertisements, as alleged in the complaint. Respondent was not the incumbent.

4. Respondent's filing officer provided Respondent with access to the Election Laws and the *Candidate & Campaign Treasurer Handbook*. (ROI Exhibits 3 & 4) On September 1, 2021, Respondent acknowledged that he had been provided access to read the requirements of Chapter 106, Florida Statutes. (ROI Exhibit 2)

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

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

5. Complainant alleged that Respondent violated Florida's election laws by failing to include a proper disclaimer on three political advertisements, i.e., a campaign website, yard signs, and a banner.

6. Section 106.143(1)(a), Florida Statutes, provides, that

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: 1. 'Political advertisement paid for and approved by (name of candidate), (party affiliation), for (office sought)'; or 2. 'Paid by (name of candidate), (party affiliation), for (office sought)'.

§106.143(1)(a), Fla. Stat.

7. The first political advertisement at issue is a campaign website which contains language that expressly advocates for the election of a candidate: Tony Nelson Village Council Seat 2. The website contains the following deficient disclaimer: "Paid for by Friends of Tony Nelson." (ROI Exhibit 5, page 2)

8. The next political advertisement at issue is a yard sign which contains language that expressly advocates for the election of a candidate: Tony Nelson Village Council Seat 2. The yard signs appear to contain a disclaimer, but it is not legible. (ROI Exhibit 5, page 1)

9. The last political advertisement at issue is a banner which contains language that expressly advocates for the election of a candidate: Tony Nelson Village Council Seat 2. It cannot be determined whether the banner contains a disclaimer. (ROI Exhibit 5, page 1)

10. Respondent confirmed that he paid for the political advertisements at issue and that 15 of the 600 signs created for the campaign had the incorrect disclaimer. He stated that the deficient advertisements were in circulation for approximately 30 days. Respondent stated that his campaign manager was responsible for the wording of the political advertisements but that he approved the template for the political advertisements at issue. Respondent stated that he met with his filing officer early in his campaign to review rules related to political advertisements. Respondent was a first-time candidate. (ROI Exhibit 8, pages 1-4)

11. Pamela S. Goodman, campaign manager for Respondent stated that the political advertisements used the language "Friends of Tony Nelson" as that was the name on the campaign account. (ROI Exhibit 6) Ms. Goodman stated that she provided a similar disclaimer to what she used on a prior congressional campaign. She stated that she assumed the disclaimer was correct as she never received any complaints for the prior campaign. (ROI Exhibit 8, pages 5-8)

12. Chevelle Addie, Village Clerk, Village of Wellington, stated that she conducted an initial candidate meeting with Respondent to review the candidate packet that her office provides including the *Candidate & Campaign Treasurer Handbook* and advertising requirements under Section 106.143, Florida Statutes. The meeting was conducted on August 13, 2021. On December 3, 2021, Ms. Addie provided additional information regarding the advertisement requirements. (ROI Exhibits 3 & 4)

13. 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 *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 7)

14. Respondent paid for and published a political advertisement in the form of a campaign website that did not include the required statutory disclaimer, i.e., “Political advertisement paid for and approved by <name of candidate>, for <office sought>” or “Paid by <name of candidate>, for <office sought>.” It appears that the yard signs and banner may have contained the same deficient disclaimer but as the disclaimer is illegible or not apparent, Commission staff declines to recommend probable cause as to the yard signs and banner.

Alleged Violation: Section 106.143(6), Florida Statutes

15. Complainant alleged that Respondent, a non-incumbent candidate, violated Florida’s election laws by failing to include the word “for” between Respondent’s name and the office for which Respondent was running on political advertisements.

16. The first political advertisement at issue is a website which contains language that expressly advocates for the election of a candidate: Tony Nelson Village Council Seat 2. (ROI Exhibit 5, page 2)

17. The next political advertisement at issue is a yard sign which contains language that expressly advocates for the election of a candidate: Tony Nelson Village Council Seat 2. (ROI Exhibit 5, page 1)

18. The last political advertisement at issue is a banner which contains language that expressly advocates for the election of a candidate: Tony Nelson Village Council Seat 2. (ROI Exhibit 5, page 1)

19. Respondent was a first-time candidate and not the incumbent. (ROI Exhibit 4, page 2; ROI Exhibit 8, page 1)

20. Pursuant to Section 106.143(6), Florida Statutes, non-incumbent candidates are required to use the word “for” between their name and the office for which they are running in order that incumbency is not implied. The *Candidate & Campaign Treasurer Handbook* also references the statutory requirement and provides examples of political advertisements for non-incumbent candidates running for office. (ROI Exhibit 7, page 4)

21. Respondent, who was not the incumbent, failed to include the word “for” between his name and the office for which he was running on political advertisements in the form of a campaign website, yard signs, and a banner.

22. “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).

23. The facts set forth above show that Respondent was a 2022 candidate for Wellington Village Council, Seat 2. Respondent paid for and published a political advertisement in the form of a campaign website that did not include the required statutory disclaimer, i.e., “Political advertisement paid for and approved by <name of candidate>, for <office sought>” or “Paid by <name of candidate>, for <office sought>.” Commission staff declines to recommend probable cause as to the yard signs and banner due to the illegible or not apparent disclaimer. Respondent, who was not the incumbent, failed to include the word “for” between his name and the office for which he was running on political advertisements in the form of a campaign website, yard signs, and a banner.

Based upon these facts and circumstances, I recommend that the Commission find **probable cause** to charge Respondent with violating the following:

Count 1:

On or around December 17, 2021, Tony Nelson violated Section 106.143(1)(a), Florida Statutes, when he paid for and published a political advertisement (campaign website) that contained express advocacy but did not include the required statutory disclaimer.

Count 2:

On or around December 17, 2021, Tony Nelson violated Section 106.143(6), Florida Statutes, when he failed to include the word “for” between his name and the office for which he was running on a political advertisement (campaign website), although he was not the incumbent.

Count 3:

On or around December 17, 2021, Tony Nelson violated Section 106.143(6), Florida Statutes, when he failed to include the word “for” between his name and the office for which he was running on

political advertisements (yard signs), although he was not the incumbent.

Count 4:

On or around December 17, 2021, Tony Nelson violated Section 106.143(6), Florida Statutes, when he failed to include the word “for” between his name and the office for which he was running on a political advertisement (banner), although he was not the incumbent.

Respectfully submitted on February 25, 2025.



Stephanie J. Cunningham
General Counsel

I reviewed this Staff Recommendation this 25th day of February 2025.



Tim Vaccaro
Executive Director

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 22-006

Respondent: Tony Nelson
Counsel for Respondent: N/A

Complainant: Richard Giorgio
Counsel for Complainant: N/A

On January 3, 2022, the Florida Elections Commission (Commission) received a sworn complaint alleging that Respondent violated Chapters 104 or 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statutes:

Section 106.143(1)(a) Florida Statutes, Respondent may have paid for and distributed political advertisements that contained express advocacy but did not include a proper disclaimer, and;

Section 106.143(6) Florida Statutes, Respondent may have improperly failed to use the word “for” between his name and the office for which he was running in political advertisements while not the incumbent.

I. Preliminary Information:

1. Respondent was a 2022 candidate for Wellington Village Council, Seat 2; he was defeated in the 2022 municipal election held on March 8, 2022. Respondent was a first-time candidate. He was not the incumbent candidate.

2. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed with the Wellington Village Clerk on August 13, 2021. Steven L. Robbins was appointed as campaign treasurer. To review the DS-DE 9, refer to Exhibit 1.

3. Respondent filed a Statement of Candidate with the Wellington Village Clerk on September 1, 2021, in which he certified he had been provided access to read and understand the requirements of Chapter 106, F.S. To review the Statement of Candidate, refer to Exhibit 2.

4. Respondent signed a Candidate Handbook Checklist form and filed it with the Wellington Village Clerk on August 13, 2021. By signing the form, Respondent acknowledged, “It is your responsibility, as a Candidate to follow all relevant Florida Elections Laws...that might have a bearing on your filing or your qualifications to run for office.” The checklist indicated that Respondent had received a variety of election-related materials, including Chapter 106, F.S., the *Candidate & Campaign Treasurer Handbook*, and materials related to requirements for political advertisements pursuant to Section 106.143, F.S. To review the acknowledgement and checklist, refer to Exhibit 3.

5. In an affidavit, the Wellington Village Clerk attested that Respondent was provided a Candidate Packet that included publications such as Chapter 106, F.S., and the *Candidate & Campaign Treasurer Handbook* between June and October 2021. The Village Clerk stated, “Information regarding campaign reporting and political advertisements were provided as part of the Candidate Packet.” On December 3, 2021, Wellington Village Clerk staff emailed Respondent copies of local policies and regulations relating to election signs. To review the affidavit and email, refer to Exhibit 4.

II. Alleged Violation of Sections 106.143(1)(a) and 106.143(6), Florida Statutes:

6. I investigated whether Respondent violated these sections of the election laws by failing to include a proper disclaimer on political advertisements and failing to include the word “for” between his

name and office for which he was running on political advertisements.

7. Specifically, Complainant alleged that the following political advertisements did not include a proper disclaimer and omitted the word “for” between Respondent’s name and the office for which he was running: campaign yard signs, campaign banner, and campaign website. Complainant alleged that the disclaimers on all of the advertisements at issue incorrectly stated, “Paid for by Friends of Tony Nelson.”

8. Complainant provided a photo showing four signs and a large banner in the background. The text on the signs and banner were identical and stated the following: “Tony Nelson Village Council Seat 2.” Disclaimers were visible on the signs, though they were not legible in the photo provided with the complaint. No disclaimer was visible on the banner, but it was in the background of the photo and the bottom of the banner was partially obscured. The word “for” was not included between Respondent’s name and the office for which he was running on the signs or banner. Complainant also attached a screenshot of the website at issue, www.votetonymelson.com. The screenshot included the same graphic and text that was printed on the signs and banner. The disclaimer at the bottom of the website stated, “Paid for by Friends of Tony Nelson,” and the word “for” was not printed between Respondent’s name and the office for which he was running. To review the photo and screenshot of the advertisements at issue, refer to Exhibit 5.

9. Respondent did not respond to the complaint. However, Pamela Goodman, who identified herself as Respondent’s campaign manager, emailed a response to the Commission and copied Respondent on the email. In her response, Ms. Goodman acknowledged that the advertisements at issue used the disclaimer “Paid for by Friends of Tony Nelson,” which she stated, “is our Campaign Account title.” She stated that the campaign would immediately use a correct disclaimer on “future collateral.” Ms. Goodman further stated, “While acknowledging the change to future collateral, we are requesting the continued use until depletion of paid print collateral that bears the current required disclaimer. We apologize for our lack of original specific verbal clarity and appreciate your responsibility and oversight to compliance.” To review the response email, refer to Exhibit 6.

10. The *Candidate & Campaign Treasurer Handbook* provides examples of required disclaimer language for use on political advertisements and specifies that non-incumbents must include the word “for” between their name and the office sought. To review relevant pages from the *Handbook*, refer to Exhibit 7.

11. I called Respondent in order to provide the opportunity to respond to the allegations made in the complaint. He stated that Ms. Goodman, whom he identified as his campaign manager and described as “seasoned,” was responsible for the wording of the signs. Respondent acknowledged that he paid for the signs at issue. Respondent stated they changed their signs once alerted to the investigation. Respondent stated he was a first-time candidate. Respondent indicated that he and the Wellington Village Clerk went through the *Handbook* together. To review the phone log, refer to Exhibit 8.

12. In a follow-up interview, Respondent indicated that he was involved in decisions relating to design of the graphic used for his campaign, including preview and approval of the design used on his website and signs. He stated that neither he, the vendor, nor his campaign manager realized the language was incorrect while creating the graphic, and it did not occur to anyone to double-check how the language should have been, including the disclaimer and use of the word “for.” Respondent stated that the signs that had the incorrect language at issue accounted for 15 of nearly 600 signs he had created. Respondent stated this was not intentional, and he destroyed the signs that were in the complaint as soon as he knew a change was needed. He stated that his campaign website was corrected as soon as he realized there was something wrong with the language. To review the phone log, refer to Exhibit 8, pages 1-4.

13. I was able to contact Ms. Goodman via email. She stated, “at the very onset of this campaign, I did provide the original disclaimer which was similar wording” to that which she had used for a prior campaign of another candidate in which she did not receive complaints about disclaimer language,

“so I assumed that template as acceptable wording.” Ms. Goodman stated that when this complaint was filed, “it was luckily in the very beginning. We destroyed all collateral with the complaint language and replaced with appropriate approved language.” Ms. Goodman stated that only 15 yard signs were printed with the incorrect disclaimer at issue in the complaint. To review the emails with Ms. Goodman, refer to Exhibit 8, pages 5-8.

Respectfully submitted on February 14, 2024.

A handwritten signature in cursive script, appearing to read "BAyres", is written over a horizontal line.

Brian Ayres
Investigation Specialist

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Tony Nelson – FEC 22-006

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Appointment of Campaign Treasurer And Designation of Campaign Depository (DS-DE 9)
Exhibit 2	Statement of Candidate (DS-DE 84)
Exhibit 3	Candidate Qualifying Checklist & Acknowledgment
Exhibit 4	Clerk Affidavit and Email
Exhibit 5	Advertisements at Issue
Exhibit 6	Response Email from Ms. Goodman
Exhibit 7	Candidate and Campaign Treasurer Handbook
Exhibit 8	Phone Log

APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR CANDIDATES

(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

RECEIVED

AUG 13 2021

VILLAGE CLERK

NOTE: This form must be on file with the qualifying
officer before opening the campaign account.

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

☒ Initial Filing of Form Re-filing to Change: ☐ Treasurer/Deputy ☐ Depository ☐ Office ☐ Party

2. Name of Candidate (in this order: First, Middle, Last)

Juan Anthony Nelson

3. Address (include post office box or street, city, state, zip
code)

11244 Narragansett Bay Ct.
Wellington, FL 33414

4. Telephone

(561) 722-2833

5. E-mail address

tnelson@premierfamilyhealth.com

6. Office sought (include district, circuit, group number)

COUNCIL DIST #2

7. If a candidate for a nonpartisan office, check if
applicable:

☐ My intent is to run as a Write-In candidate.

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a

☐ Write-In ☐ No Party Affiliation ☒ Democratic Party candidate.

9. I have appointed the following person to act as my ☒ Campaign Treasurer ☐ Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

STEVEN L. ROBBINS P.A.

11. Mailing Address

2047 Palm Beach Lakes Blvd., STE. 100

12. Telephone

(561) 329-4492

13. City

West Palm Beach

14. County

Palm Beach

15. State

FL

16. Zip Code

33409

17. E-mail address

counsel62@gmail.com

18. I have designated the following bank as my

☒ Primary Depository ☐ Secondary Depository

19. Name of Bank

Comerica Bank

20. Address

1037 SR #7

21. City

Wellington

22. County

PB

23. State

FL

24. Zip Code

33414

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND
DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date

August 13, 2021

26. Signature of Candidate

X

J. Robbins

27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)

I, STEVEN L. ROBBINS, do hereby accept the appointment

(Please Print or Type Name)

designated above as:

☒ Campaign Treasurer ☐ Deputy Treasurer.

8/12/21

Date

X

[Signature]

Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

RECEIVED

SEP 01 2021

VILLAGE CLERK

2:22 pm TUR

I, JOAN DeBary Nelson,
candidate for the office of Wilton Village Council Seat 2;

have been provided access to read and understand the requirements of
Chapter 106, Florida Statutes.

X J. DeBary Nelson
Signature of Candidate

9/1/2021
Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).

Council

Anne Gerwig, Mayor
John T. McGovern, Vice Mayor
Michael Drahos, Councilman
Michael J. Napoleone, Councilman
Tanya Siskind, Councilwoman

Manager
Jim Barnes

RECEIVED**AUG 13 2021****VILLAGE CLERK****CANDIDATE HANDBOOK CHECKLIST:**

- ☒ Candidate Welcome Letter
- ☒ Candidate Handbook includes the following documents:
 - ☒ Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates w/ Florida Statutes 106.021.
 - ☒ Statement of Candidate Form / F.S. 106.023
 - ☒ Campaign Treasurer's Reporting Schedule 2020-2021
 - ☒ Village of Wellington Charter
 - ☒ Qualifying Period Information
 - ☒ Candidate's Oath
 - ☒ Statement of Financial Interest 2020 – Form 1 with Instructions
 - ☒ Florida Statute Chapter 99 – Candidates; Florida Statute 104 – Election Code; Florida Statute 105 - Non-Partisan Elections; Florida Statute 106 – Campaign Financing
 - ☒ Campaign Treasurer Report Summary with Instructions (1) / Florida Statutes 106.07 Reports; certification and filing
 - ☒ Campaign Treasurer Report – Itemized Contributions Form (1) with Instructions
 - ☒ Campaign Treasurer Report – Itemized Expenditures Form (1) with Instructions
 - ☒ Waiver of Report (1)
 - ☒ Candidate and Campaign Treasurer Handbook (Rev. 10/03/2019)
 - ☒ Palm Beach County Commission on Ethics Code of Ethics
 - ☒ Code of Ethics 2020 (Florida Commission on Ethics)
 - ☒ Village of Wellington – Signs and Advertising/Florida Statutes 106.143 Political advertisements circulated prior to election; requirements.
 - ☒ Poll Watcher Information and Application
 - ☒ Telephone Solicitation Form and corresponding Florida Statute
- ☒ Acknowledgment:

ACKNOWLEDGEMENT:

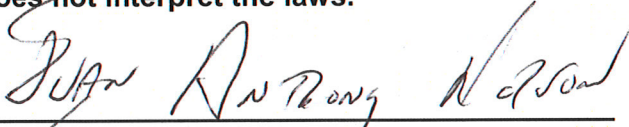
The Office of the Village Clerk has thoughtfully put together this information and it should answer many of your questions; however, it is not comprehensive.

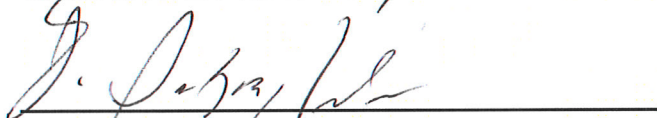
It is your responsibility, as a Candidate to follow all relevant Florida Election Laws and the local charters that might have a bearing on your filing or your qualifications to run for office.

The information provided is not intended to provide legal advice and is for general guidance only. Please note that it is not within the purview of this office to determine whether a candidate meets the requirements for holding office. Individuals with questions concerning their own or other candidate qualifications or related matters should seek legal counsel. Candidates bear full responsibility to make their own determinations as to all legal standards, duties and factual material contained therein.


Pursuant to F.S. 99.061(7)(c), the Village Clerk, as filing officer, performs only a ministerial function in reviewing qualifying papers. In determining whether a candidate is qualified, the filing officer shall review the qualifying papers to determine whether all items required have been properly filed and whether each item is complete on its face, including whether items that must be verified have been properly verified (by oath or affirmation) pursuant to F.S. 92.525(1)(a). The filing officer may not determine whether the contents of the qualifying papers are accurate.

By signing the acknowledgement form, the Candidate acknowledges that he/she understands the content and have reviewed the elections laws and steps necessary to become a candidate and received the Candidate Handbook. Furthermore, the Candidate understands that the Village Clerk/Filing Officer provides ministerial functions only, is not a campaign consultant/manager, and does not interpret the laws.


CANDIDATE PRINT FULL NAME


CANDIDATE'S SIGNATURE

8/13/2021 / 9:30 A.M.
ORIENTATION DATE/TIIME


CHEVELLE D. ADDIE, MMC, VILLAGE CLERK
FILING OFFICER

DISCLAIMER:

The information contained herein is intended as a reference guide only. The Village Clerk's Office will provide ministerial assistance to candidates; however, it is not the responsibility of Clerk's Office to interpret Florida Statutes as prescribed by Florida Law. All information contained herein is current as of the date of publication as published by Florida State Division of Elections.

AFFIDAVIT OF FILING OFFICER
Case Number: FEC 22-006

STATE OF FLORIDA
County of Palm Beach

Chevelle Addie, 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 Village of Wellington as Village Clerk.
3. Please provide copies of the listed items from the following candidate's campaign file:
Tony Nelson, Wellington Village Council, Seat 2.

Check	ITEM
X	The Statement of Candidate form for the 2022 campaign.
X	Appointments of Treasurers and Designation of Campaign Depository form (Form DS-DE 9) for the 2022 campaign.
X	Campaign treasurer's reports, waivers, and amendments for the 2022 campaign.
N/A	Addendum requests and proof of compliance for the 2022 campaign.
N/A	The candidate's and campaign treasurers' acknowledgment whereby candidates and treasurers declare, under penalties of perjury, electronically filing a CTR is same as signing the report under oath, and to have certified the correctness of the report in accordance with sections 106.07(5) or 106.29(2), Florida Statutes, as applicable; such as an Application and Acknowledgement of Electronic Filing Information form (if applicable).
X	Form(s) for all campaigns whereby candidate acknowledges receipt of instructions and/or campaign materials.
X	All checks issued by the candidate's campaign to your office (qualifying fee, maps, etc.). Please do <u>not</u> redact the bank routing and account numbers.

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

Check	ITEM	DATE
X	<i>A Compilation of The Election Laws of the State of Florida</i>	8/13/2021
X	Chapter 104, <i>Florida Statutes</i>	8/13/2021
X	Chapter 106, <i>Florida Statutes</i>	8/13/2021

X	<i>Candidate & Campaign Treasurer Handbook</i> . Please provide revision date of publication. <u>10/03/2019 and 9/27/2021</u>	6/21/21, 8/13/2021 and on 10/27/2021, respectively.
	Other: ¹	

5. Relative to Chapter 106, *Florida Statutes*, and the *Candidate & Campaign Treasurer Handbook*, please indicate how these publications are provided to the candidate.

- A candidate packet, or similar material, is given to the candidate. The candidate packet includes links to the Division of Elections' website, or our website, where these documents are available for review.
- ✗ Publications are provided on a CD or thumb/flash drive that is given to the candidate. We provide an entire Candidate Packet that includes publications on Thumb/Flash Drive.
- Other, please explain. _____

6. Did your office² offer any candidate workshops, campaign skills or training seminars prior to receiving this affidavit for their current campaign? ☐ Yes or ☒ No. If yes, please list all workshops/training seminars that were attended by the candidate, along with the date of attendance. If a staff member attended for the candidate, list his 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 or PowerPoint presentation for the workshops/seminars.

I conduct initial Candidate Meetings to review the Candidate Packet we provide. The Candidate Checklist shows what was reviewed and provided to the candidate. The Palm Beach County Supervisor of Elections Office provided a Candidate Workshop for municipal candidates (email attached).

7. Does your office have any record of Tony Nelson having sought elective office within your jurisdiction prior to the 2022 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). If the candidate withdrew her/his candidacy for election, please indicate if the withdrawal was before or after qualifying.

N/A

¹ Any local publications relative to the Election laws that may have been provided by your office in lieu of the *Candidate & 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.

² If your County elections or ethics office offered candidate workshops/campaign skills or training seminars, please identify the office providing the workshops/seminars and provide copies of any notices that were sent to candidates within your jurisdiction.

8. Does your office have any record of Tony Nelson having been named as a chairperson or campaign treasurer of a political committee (PC or PAC) or electioneering communications organization (ECO) within your jurisdiction? ☐ Yes or ☒ No. If yes, please list the name(s) of the committees.

N/A

9. Did you or any member of your staff have any conversations with Tony Nelson concerning a provision of Chapter 106, Florida Statutes, relative to language of campaign signs, and political disclaimers for campaign signs, at any time during the 2022 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 of records documenting the discussion.

My contact with Mr. Nelson was for the March 8, 2022 Election Cycle. Information regarding campaign reporting and political advertisements were provided as part of the Candidate Packet. In addition, each time I sent an email regarding Campaign Treasurer's Reports due dates, I attached Florida Statutes Section 106.07 and a document I created titled "Campaign Financing Information or Campaign Treasurer's Reports".

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

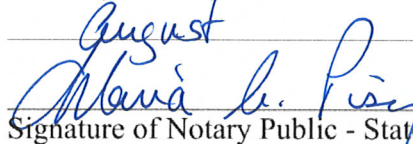


Signature of Affiant

Chevelle D. Addie

Print or type name of Affiant on line above.

Sworn to (or affirmed) and subscribed before me this 16 day of August, 2022.



Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known ☒ or Produced Identification ☐
Type of Identification Produced: _____

Case investigator: Brian Ayres

From: [Chevelle Addie](#)
To: tnelson@premierfamilyhealth.com
Cc: [Kelly Avery](#); [Tamika Rogers](#)
Subject: Campaign Signs
Date: Friday, December 3, 2021 9:57:00 AM
Attachments: [image003.png](#)
[Election Signage Policy2021.pdf](#)
[Village of Wellington LDR Chapter 9 Sign Regulations.pdf](#)

Good morning Mr. Nelson,

Per your request, please find attached the Village of Wellington's Election Sign Policy and LDR Chapter 9, Sign Regulations.

Thank you,
Chevelle

Chevelle D. Addie, MMC | Village Clerk | Records Custodian | Village of Wellington | 12300 Forest Hill Blvd | Wellington, FL 33414
Tel: 561-791-4118 | Fax: 561-791-4045 | caddie@wellingtonfl.gov | www.wellingtonfl.gov



One of Florida's Safest Cities



Exhibit * 1



<https://votetonymelson.com>



Address: PO Box 211304 Royal Palm Beach 33421

Quick Links

Get Our News

E.g. John Doe

Email Address *

E.g. John@doe.com

Subscribe

Stay up to date on the latest news and events.

Created by Boon Media



Case No.: FEC 22-006; Respondent: Tony Nelson
 Pamela Goodman to: fec 01/11/2022
 01:14 PM
 Cc: "Tony Nelson", tony
 From: "Pamela Goodman" <pamelasgoodman@gmail.com>
 To: fec@myfloridalegal.com
 Cc: "Tony Nelson" <tnelson@premierfamilyhealth.com>, tony@votetonymelson.com

Attn: Donna Ann Malphurs
 Agency Clerk

Dear Ms. Malphurs,

Our candidate and campaign is in receipt of your communication regarding the alleged complaint.
 The campaign will immediately use the following statements on all future collateral:

"Political advertisement paid for and approved by Tony Nelson for Wellington Village Council Seat 2."

OR

"Paid by Tony Nelson for Wellington Village Council Seat 2"

However, we are requesting a decision of probable cause or no probable cause regarding the current collateral which is using " Paid for by Friends of Tony Nelson". Friends of Tony Nelson is our Campaign Account title.

While acknowledging the change to future collateral, we are requesting the continued use until depletion of paid print collateral that bears the current required disclaimer. We apologize for our lack of original specific verbal clarity and appreciate your responsibility and oversight to compliance.

We look forward to your decision.

Sincerely,

Pamela S. Goodman

--

Pamela S. Goodman
 Campaign Manager
 Vote Tony Nelson
 561-843-1233

Candidate & Campaign Treasurer Handbook



Florida Department of State
Division of Elections
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, FL 32399-0250
850.245.6280

(Rev. 10/03/2019)

- Connected with or included in any software application or accompanying function, provided that the user signs up, opts in, downloads, or otherwise accesses the application from or through a website that complies with Section [106.143\(1\)](#), Florida Statutes.
- Sent by a third-party user from or through a campaign or committee's website, provided the website complies with Section [106.143\(1\)](#), Florida Statutes.
- Contained in or distributed through any other technology-related item, service, or device for which compliance with Section [106.143\(1\)](#), Florida Statutes, is not reasonably practical due to the size or nature of such item, service, or device as available, or the means of displaying the message or advertisement makes compliance with Section [106.143\(1\)](#), Florida Statutes, impracticable.

(Section [106.143\(10\)](#), Fla. Stat.)

Disclaimer requirements do not apply to individuals seeking a publicly elected position on a political party executive committee.

Examples of Advertisements with Disclaimers

Note: The word “*elect*” or “*re-elect*” is not required to be used in political advertisements. The word “*re-elect*” may not be used if the candidate is not the incumbent for the office sought.

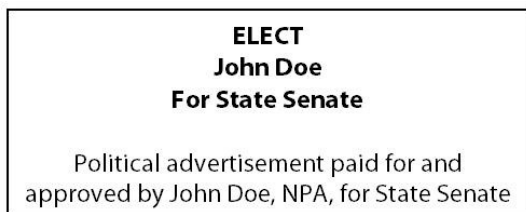
1. Non-incumbent, partisan candidate running for partisan office:

ELECT JANE DOE For State Representative District 9 Paid by Jane Doe, Rep., for State Representative	OR	ELECT JANE DOE For State Representative District 9 Political advertisement paid for and approved by Jane Doe, Republican, for State Representative
---	----	---

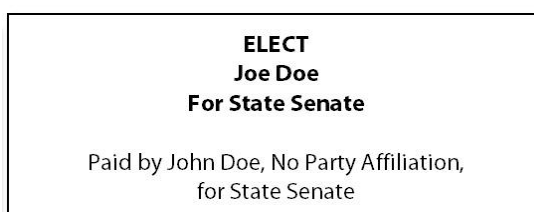
2. Incumbent, partisan candidate running for partisan office:

RE-ELECT JOHN DOE Sheriff Political advertisement paid for and approved by John Doe, Democrat, for Sheriff	OR	RE-ELECT John Doe Sheriff Paid by John Doe, Democrat, for Sheriff
--	----	--

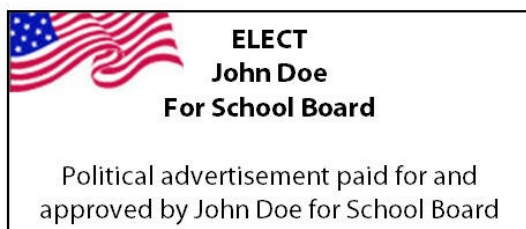
3. Non-incumbent, no party affiliation candidate running for partisan office:



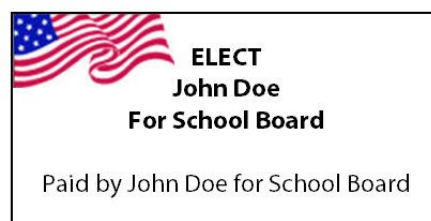
OR



4. Non-incumbent candidate running for nonpartisan office:



OR



5. Incumbent candidate running for nonpartisan office:



OR



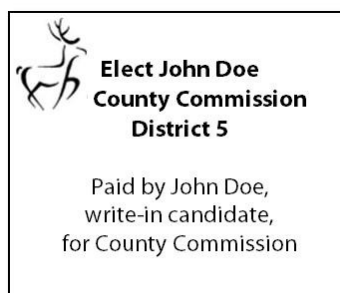
Disclaimer for Write-in Candidates

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

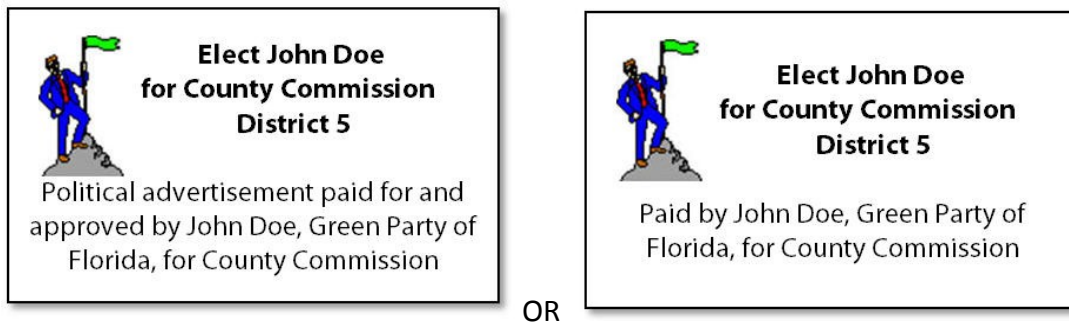


Non-incumbent Advertisements

Required:

The word **“for”** must be used in the body of such advertisement between the name of the candidate and the office sought. This does not apply to bumper stickers, or if the advertisement satisfies one of the exceptions in Section [106.143\(10\)](#), Florida Statutes.

Example:



Advertisement Provided In-kind

Required:

Political advertisements made as in-kind contributions from a political party **must prominently state**: *“Paid political advertisement paid for by in-kind by (name of political party). Approved by (name of person, party affiliation, and office sought in the political advertisement).”*

(Section [106.143\(2\)](#), Fla. Stat.)

Example:



**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 22-006**

Respondent: Tony Nelson

Complainant: Richard Giorgio

1. **Date and time:** September 2, 2022 @ 11:50am
Name: Tony Nelson
Phone #: 561-722-2833
Summary: I attempted to Call Respondent. Respondent's voicemail was confirmed and I was able to leave a detailed message about who I am and why I called. I will follow up with an email to all address I can find for Respondent.
Entered by: Brian Ayres
2. **Date and time:** September 6, 2022 @ 2:00pm
Name: Tony Nelson
Phone #: 561-722-2833
Summary: Respondent Did not answer, I was notified he was on the other line via email.
Entered by: Brian Ayres
3. **Date and time:** September 6, 2022 @ 2:15pm
Name: Tony Nelson
Phone #: 561-722-2833
Summary: Website, and signs were corrected with notice. Respondent's Campaign manager, Pamela Goodman was responsible for the wording on the signs. Respondent said Pamela Goodman responded directly and promptly when alerted to the investigation and they changed their signs immediately. I asked Respondent for copies of the changed signs and wording. Respondent stated that he did not want to waste the state's time and did not file complaints himself, even though he could have. Respondent confirmed he did not want to pay a MVCO order and wanted his case to be heard by the commission. Respondent was a first time candidate and stated he did speak with the clerk of the town early in his campaign. He and the clerk went through the handbook together. Respondent did not mention how his signs ended up missing the letter "for" between his name and his office sought as well as how the political disclaimer "Paid for by friends of Tony Nelson" was added to the political signs even though he spoke to the clerk of the town and had a 'seasoned' campaign manager who ran campaigns for judges in the past.
Entered by: Brian Ayres
4. **Date and time:** September 19, 2022 @ 11:48 am
Name: Pamela Goodman – Campaign Manager
Phone #: 561-843-1233
Summary: I attempted to reach the campaign manager for Respondent's campaign. I emailed the campaign manager earlier last week and did not receive a response. The call was unsuccessful; however, the campaign manager had a verified voicemail greeting and I was able to leave an in-depth message about when I will be calling back and how I have attempted

to reach her via her email to schedule a time to speak. I will call back at 2pm this afternoon to try and complete my interview.

Entered by: Brian Ayres

5. **Date and time:** September 19, 2022 @ 2pm

Name: Patricia Goodman

Phone #: 561-843-1233

Summary: I attempted to reach Pamela Goodman. The call was unsuccessful but I was able to leave a voicemail with contact information for us to speak with each other or the ability to schedule a time to speak with each other.

Entered by: Brian Ayres

6. **Date and time:** September 20, 2022 @ 2:02 pm

Name: Tony Nelson

Phone #: 561-722-2833

Summary: I attempted to reach Respondent for a final interview and to clarify a few more issues that appeared as I continued my investigation. The call was not successful, I left a detailed message with Respondent in his voicemail.

Entered by: Brian Ayres

7. **Date and time:** September 21 @ 1:48 pm

Name: Tony Nelson - Respondent

Phone #:

Summary: I spoke with respondent about the case. Respondent stated that he did decide the graphic for his campaign with the vendor he used. Respondent stated that neither he, the vendor that has worked with campaigns in the past, nor his campaign manager realized the language was incorrect while creating the graphic. He specifically stated he was choosing between colors when I asked if wording was involved as well. He said it must have been. Respondent further enhanced how he spoke with the clerk of the town about his requirements and that he received materials from them. He just missed the required language. Respondent stated that the signs that had the language in question accounted for 15 of the nearly 600 signs he had created. Respondent stated that his campaign website was corrected as soon as he realized there was something wrong with the language. Respondent continued saying that this was not intentional and as soon as he knew a change was needed he changed the wording and destroyed the signs that were in the complaint.

RESPONDENT INTERVIEW MEMO – Call details at #[LOG NUMBER]

Type and ask your case specific question(s) first, then ask the remaining questions.

- **Who paid for your campaign signs?**

Campaign manager created the signs and used that language, but she did change it immediately.

- **What does the sign mean by saying it was paid for by friends of yourself? Did you record actual in-kind contributions from certain individuals.**

Campaign manager used language.

- Please explain the expenditures you reported to Wellington Town Crier, 1/21/22, CMA Inc 1/21/22, Print it Plus, 1/25/22, Town Crier, 2/5/22 & 2/17/22, Print it Plus, 2/14/22, and Print it plus, 3/3/22.
 - Is “friends of Tony Nelson” a registered political electioneering organization or any organized group?

Respondent did pay for the signs. Not a group.

- Did you reach out to your supervisor of elections for questions on political advertising language or political disclaimers?

Yes, had a sit down to go over campaign signs.

- If your campaign paid for the signs used, why did you choose to use the disclaimer “Paid for by Friends of Tony Nelson”

Campaign manager used the language.

- Have you ever run for public office? If so, please name each office you ran for and state what year each election occurred.

First Campaign

- Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name each such candidate, the office each ran for, and state what year each election occurred.

Never

- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? If so, please name each committee, state the office you held for each, and state when you held each office.

Never

- Have you ever prepared or signed a campaign treasurer’s report? If so, please state the name of the candidate or committee whose report you prepared or signed.
- What action have you taken to determine your responsibilities under Florida’s election laws?

Spoke with the clerk of town and tutorial of campaign process.

- Do you possess a copy of Chapter 106, Florida Statutes? If so, when did you first obtain it? Have you read it?

Yes

- Do you possess a copy of the *Candidate and Campaign Treasurer Electioneering Communications Organization Handbook*? If so, when did you first obtain it? Have you read it?

Yes

- If a section of Chapter 104 is listed in the LS letter, ask: Do you possess a copy of Chapter 104, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Did you receive any other materials from your filing officer? If so, please describe them.

Not apparently

- Do you have anything else to add for the Commission’s consideration regarding the charges specified in the letter of legal sufficiency in this case?

Before officially announced, and went through the Handbook. I do want to voice as a candidate running for the first time, that when he was aware of other improprieties that he could have done the same thing. (filing a complaint against his opponent)

FOLLOW_UP INTERVIEW

- Did you preview the design created by Boom Media Global, Inc for use on your website and on the yard signs?

Yes he did. Website designer looked at it. Campaign manager.

- Were you ever or did you ever approve a template for the campaign advertisements from your campaign manager or from the vendors (Print It Plus/Boom Media Global, Inc) used in the design of the website banner and signs?

Yes, looked through templates and color and scheme. Chose the final color and language that was a part of it.

- Did you specifically go over campaign advertisement requirements in your sit down with the city clerk, to the best of your recollection?

Yes, looked through templated and chose how it was. The language must have been part of it but it didn't occur to anyone to double check how the language should have been including the disclaimer and using the word "for"

- What date did you roll out the new campaign signs?

Confirmed it was at the end of January

- Summarize: You gave your campaign manager the responsibility of creating a design for signs, and online advertising without your approval on any creations prior to the use of the product. Therefore it was not known that there was a mistake for the advertisements until you received the copy of the complaint filed by the FEC. The original advertisements were in circulation for 30 days and around the end of January or beginning of February the new signs and banners were used. All 'incorrect' advertisements were destroyed or not used any more in the campaign.

First group of signs, only 15, and was immediately removed and ordered 600 after.

Went through the entire book. Couldn't remember anything they discussed but did a great time. Was encouraged. Two winning judges Saperstein, Goodman.

Brian Ayres

From: Pamela Goodman <pamelasgoodman@gmail.com>
Sent: Tuesday, September 20, 2022 12:38 PM
To: Brian Ayres
Subject: Re: Florida Elections Commission - September 14, 2022

Dear Brian,

I do not have my laptop with me to look up old correspondence or invoices. But we only had 15 yard signs printed with the old disclaimer. And destroyed them. Our new signs did not go up until very close to the March election. And no other collateral was printed that needed disclaimer until February when we began advertising. The new disclaimer was used there.

This was a very tiny issue that we corrected immediately.

Pamela S. Goodman
Channel Strategies, LLC
561-843-1233

Please excuse typos and other errors. My smart phone isn't always so smart.

On Sep 20, 2022, at 10:22 AM, Brian Ayres <Brian.Ayres@myfloridalegal.com> wrote:

Ms. Goodman,

Thank you very much for this information. To summarize: the initial wording for the signs and disclaimer were based on a previous campaign and used on yard signs and websites for less than 30 days, no incorrect language was used after 30 days (after December 2021/start of January 2022) and when the complaint was received the campaign destroyed all previous signs. No proof or template was provided to Mr. Nelson for approval regarding these signs.

My final follow-up question is do you have any correspondence to show the relative date the new signs were circulated? I would assume based on the dates you provided, it was at the beginning of January 2022. But, I would like to confirm the date with you if that is possible?

Thank you for taking time to answer these questions while not in country. This should be all I need for now, and if anything else is needed in the future I will touch base with you first to make sure you are available.

Respectfully,
Brian Ayres
Florida Elections Commission

From: Pamela Goodman <pamelasgoodman@gmail.com>
Sent: Tuesday, September 20, 2022 8:21 AM
To: Brian Ayres <Brian.Ayres@myfloridalegal.com>
Subject: Re: Florida Elections Commission - September 14, 2022

Dear Brian

Very briefly, at the very onset of this campaign, I did provide the original disclaimer which was similar wording to what I just previously used with the Priscilla Taylor for Congress campaign, the special election. We never received any complaints with that disclaimer language so I assumed that template was acceptable wording.

When the complaint was filed against us in Mr Nelson's campaign , it was luckily in the very beginning. We destroyed all collateral with the complaint language and replaced with appropriate approved language. No incorrect language was used past December 2021. And the campaign only began operating in December 2021. The incorrect language was only in place for less than 30 days and was utilized on yard signs and website only.

I did not submit anything to Mr Nelson for legal language approval. Only for content and quotation approval.

Pamela

Pamela S. Goodman
Channel Strategies, LLC
561-843-1233

Please excuse typos and other errors. My smart phone isn't always so smart.

On Sep 20, 2022, at 7:33 AM, Brian Ayres <Brian.Ayres@myfloridalegal.com> wrote:

Ms. Goodman,

While Mr. Nelson has assisted with my investigation, I would like to know a few questions from yourself or your company while you were in the position of campaign manager for Mr. Nelson.

1. Were you or your company (Channel Strategies, LLC) responsible for the design and language used for Mr. Nelson's campaign advertisement? (this does include disclaimers)
1. Did you at any time provide a proof or template to Mr. Nelson for approval of the design and wording prior to using campaign signs? If so, could you provide the "template" or "proof" of the advertisement you sent to Mr. Nelson and was it approved by him?
1. Could you or your company provide any email correspondence to or from Mr. Nelson's campaign regarding political advertisements?

Please let it be known that this is a confidential matter, and if needed, I can send a subpoena for you or your company to answer to assist in my investigation. Thank you for assisting with this. Furthermore, I do understand you are travelling and if contacting Channel Strategies, LLC directly will be easier to gather this information, please let me know.

Respectfully,
Brian Ayres
Florida Elections Commission

From: Pamela Goodman <pamelasgoodman@gmail.com>
Sent: Monday, September 19, 2022 3:48 PM
To: Brian Ayres <Brian.Ayres@myfloridalegal.com>
Subject: Re: Florida Elections Commission - September 14, 2022

Dear Brian,
I'm confident Mr. Nelson is able to answer any questions you may have.
Sincerely,
Pam

Pamela S. Goodman
Channel Strategies, LLC
561-843-1233

Please excuse typos and other errors. My smart phone isn't always so smart.

On Sep 19, 2022, at 2:18 PM, Brian Ayres
<Brian.Ayres@myfloridalegal.com> wrote:

Ms. Goodman,

Thank you for your response. I completely understand. Would you be willing to answer a few questions via email? These are general questions and while your response won't be an official interview it will still assist me.

If not, I completely understand and I hope you have safe and enjoyable travels!

Respectfully,
Brian Ayres

From: Pamela Goodman <pamelasgoodman@gmail.com>
Sent: Monday, September 19, 2022 2:13 PM
To: Brian Ayres <Brian.Ayres@myfloridalegal.com>
Subject: Re: Florida Elections Commission - September 14, 2022

Dear Brian,
I am traveling outside of the country and unreachable via phone.

Pamela S. Goodman
Channel Strategies, LLC
561-843-1233

Please excuse typos and other errors. My smart phone isn't always so smart.

On Sep 19, 2022, at 11:54 AM, Brian Ayres
<Brian.Ayres@myfloridalegal.com> wrote:

Good Morning Ms. Goodman,

I just left a voicemail at your number 561-843-1233. I intend to call again at 2pm today as well and hope you will be able to answer the call then. If not, and you see this email, please let me know when the best time to reach you may be. I have general questions needing to be answered and would greatly appreciate your time.

Respectfully,

Brian Ayres

Investigation Specialist
Florida Elections Commission
107 W Gaines St., #224
Brian.Ayres@myfloridalegal.com

From: Brian Ayres
Sent: Wednesday, September 14, 2022 2:53 PM
To: pamelasgoodman@gmail.com
Subject: Florida Elections Commission - September 14, 2022

Good Afternoon Ms. Goodman,

I wanted to speak to you about your role as campaign manager for Mr. Nelson's campaign. Would you have a best time for us to speak in the next couple of days?

I have just a few general questions I would like to ask.

Alternatively, if you would be more comfortable and if it would suit your schedule better, I can send a written affidavit with the questions as well.

Respectfully,

Brian Ayres

Investigation Specialist
Florida Elections Commission
107 W Gaines St., #224
(850) 404-5616
Brian.Ayres@myfloridalegal.com

FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 22-006

Respondent: Tony Nelson

Complainant: Richard Giorgio

1. **Date and time:** September 2, 2022 @ 11:50am
Name: Tony Nelson
Phone #: 561-722-2833
Summary: I attempted to Call Respondent. Respondent's voicemail was confirmed and I was able to leave a detailed message about who I am and why I called. I will follow up with an email to all address I can find for Respondent.
Entered by: Brian Ayres
2. **Date and time:** September 6, 2022 @ 2:00pm
Name: Tony Nelson
Phone #: 561-722-2833
Summary: Respondent Did not answer, I was notified he was on the other line via email.
Entered by: Brian Ayres
3. **Date and time:** September 6, 2022 @ 2:15pm
Name: Tony Nelson
Phone #: 561-722-2833
Summary: Website, and signs were corrected with notice. Respondent's Campaign manager, Pamela Goodman was responsible for the wording on the signs. Respondent said Pamela Goodman responded directly and promptly when alerted to the investigation and they changed their signs immediately. I asked Respondent for copies of the changed signs and wording. Respondent stated that he did not want to waste the state's time and did not file complaints himself, even though he could have. Respondent confirmed he did not want to pay a MVCO order and wanted his case to be heard by the commission. Respondent was a first time candidate and stated he did speak with the clerk of the town early in his campaign. He and the clerk went through the handbook together. Respondent did not mention how his signs ended up missing the letter "for" between his name and his office sought as well as how the political disclaimer "Paid for by friends of Tony Nelson" was added to the political signs even though he spoke to the clerk of the town and had a 'seasoned' campaign manager who ran campaigns for judges in the past.
Entered by: Brian Ayres
4. **Date and time:** September 19, 2022 @ 11:48 am
Name: Pamela Goodman – Campaign Manager
Phone #: 561-843-1233
Summary: I attempted to reach the campaign manager for Respondent's campaign. I emailed the campaign manager earlier last week and did not receive a response. The call was unsuccessful; however, the campaign manager had a verified voicemail greeting and I was able to leave an in-depth message about when I will be calling back and how I have attempted

to reach her via her email to schedule a time to speak. I will call back at 2pm this afternoon to try and complete my interview.

Entered by: Brian Ayres

5. **Date and time:** September 19, 2022 @ 2pm

Name: Patricia Goodman

Phone #: 561-843-1233

Summary: I attempted to reach Pamela Goodman. The call was unsuccessful but I was able to leave a voicemail with contact information for us to speak with each other or the ability to schedule a time to speak with each other.

Entered by: Brian Ayres

6. **Date and time:** September 20, 2022 @ 2:02 pm

Name: Tony Nelson

Phone #: 561-722-2833

Summary: I attempted to reach Respondent for a final interview and to clarify a few more issues that appeared as I continued my investigation. The call was not successful, I left a detailed message with Respondent in his voicemail.

Entered by: Brian Ayres

7. **Date and time:** September 21 @ 1:48 pm

Name: Tony Nelson - Respondent

Phone #:

Summary: I spoke with respondent about the case. Respondent stated that he did decide the graphic for his campaign with the vendor he used. Respondent stated that neither he, the vendor that has worked with campaigns in the past, nor his campaign manager realized the language was incorrect while creating the graphic. He specifically stated he was choosing between colors when I asked if wording was involved as well. He said it must have been. Respondent further enhanced how he spoke with the clerk of the town about his requirements and that he received materials from them. He just missed the required language. Respondent stated that the signs that had the language in question accounted for 15 of the nearly 600 signs he had created. Respondent stated that his campaign website was corrected as soon as he realized there was something wrong with the language. Respondent continued saying that this was not intentional and as soon as he knew a change was needed he changed the wording and destroyed the signs that were in the complaint.

RESPONDENT INTERVIEW MEMO – Call details at #[LOG NUMBER]

Type and ask your case specific question(s) first, then ask the remaining questions.

- **Who paid for your campaign signs?**

Campaign manager created the signs and used that language, but she did change it immediately.

- **What does the sign mean by saying it was paid for by friends of yourself? Did you record actual in-kind contributions from certain individuals.**

Campaign manager used language.

- Please explain the expenditures you reported to Wellington Town Crier, 1/21/22, CMA Inc 1/21/22, Print it Plus, 1/25/22, Town Crier, 2/5/22 & 2/17/22, Print it Plus, 2/14/22, and Print it plus, 3/3/22.
 - Is “friends of Tony Nelson” a registered political electioneering organization or any organized group?

Respondent did pay for the signs. Not a group.

- Did you reach out to your supervisor of elections for questions on political advertising language or political disclaimers?

Yes, had a sit down to go over campaign signs.

- If your campaign paid for the signs used, why did you choose to use the disclaimer “Paid for by Friends of Tony Nelson”

Campaign manager used the language.

- Have you ever run for public office? If so, please name each office you ran for and state what year each election occurred.

First Campaign

- Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name each such candidate, the office each ran for, and state what year each election occurred.

Never

- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? If so, please name each committee, state the office you held for each, and state when you held each office.

Never

- Have you ever prepared or signed a campaign treasurer’s report? If so, please state the name of the candidate or committee whose report you prepared or signed.
- What action have you taken to determine your responsibilities under Florida’s election laws?

Spoke with the clerk of town and tutorial of campaign process.

- Do you possess a copy of Chapter 106, Florida Statutes? If so, when did you first obtain it? Have you read it?

Yes

- Do you possess a copy of the *Candidate and Campaign Treasurer Electioneering Communications Organization Handbook*? If so, when did you first obtain it? Have you read it?

Yes

- If a section of Chapter 104 is listed in the LS letter, ask: Do you possess a copy of Chapter 104, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Did you receive any other materials from your filing officer? If so, please describe them.

Not apparently

- Do you have anything else to add for the Commission’s consideration regarding the charges specified in the letter of legal sufficiency in this case?

Before officially announced, and went through the Handbook. I do want to voice as a candidate running for the first time, that when he was aware of other improprieties that he could have done the same thing. (filing a complaint against his opponent)

FOLLOW_UP INTERVIEW

- Did you preview the design created by Boom Media Global, Inc for use on your website and on the yard signs?

Yes he did. Website designer looked at it. Campaign manager.

- Were you ever or did you ever approve a template for the campaign advertisements from your campaign manager or from the vendors (Print It Plus/Boom Media Global, Inc) used in the design of the website banner and signs?

Yes, looked through templates and color and scheme. Chose the final color and language that was a part of it.

- Did you specifically go over campaign advertisement requirements in your sit down with the city clerk, to the best of your recollection?

Yes, looked through templated and chose how it was. The language must have been part of it but it didn't occur to anyone to double check how the language should have been including the disclaimer and using the word "for"

- What date did you roll out the new campaign signs?

Confirmed it was at the end of January

- Summarize: You gave your campaign manager the responsibility of creating a design for signs, and online advertising without your approval on any creations prior to the use of the product. Therefore it was not known that there was a mistake for the advertisements until you received the copy of the complaint filed by the FEC. The original advertisements were in circulation for 30 days and around the end of January or beginning of February the new signs and banners were used. All 'incorrect' advertisements were destroyed or not used any more in the campaign.

First group of signs, only 15, and was immediately removed and ordered 600 after.

Went through the entire book. Couldn't remember anything they discussed but did a great time. Was encouraged. Two winning judges Saperstein, Goodman.

Brian Ayres

From: Brian Ayres
Sent: Friday, September 16, 2022 2:36 PM
To: Tony Nelson
Subject: Re: Case # 22-0061115

Good Morning Mr. Nelson,

I wanted to reach out and see if you had found an example of your amended signs and disclaimers. During our conversation, you stated that your campaign had changed the signs once you knew they were incorrect, however, I have yet to receive an example of the corrections. If you do not have a copy may you please provide the name of the company that you used to create the signs?

Respectfully,

Brian Ayres

Investigation Specialist
Florida Elections Commission
107 W Gaines St., #224
(850) 404-5616
Brian.Ayres@myfloridalegal.com

From: Tony Nelson <nelsontony917@gmail.com>
Sent: Tuesday, September 6, 2022 2:05 PM
To: Brian Ayres <Brian.Ayres@myfloridalegal.com>
Subject: Re: Case # 22-0061115

Brian
I was on a business call that couldn't be interrupted. I will be all clear at 2:15.

Thank you

Sent from my iPhone

On Sep 6, 2022, at 2:02 PM, Brian Ayres <Brian.Ayres@myfloridalegal.com> wrote:

Good Afternoon Mr. Nelson,

I just attempted to reach you at the number provided. Again, my number will appear blocked. I will call again at 2:05pm to see if I can get in touch with you.

Respectfully,
Brian Ayres

From: Tony Nelson <nelsontony917@gmail.com>
Sent: Tuesday, September 6, 2022 12:04 PM
To: Brian Ayres <Brian.Ayres@myfloridalegal.com>
Subject: Re: Case # 22-0061115

Thank you Brian. 2pm works for me.

On Tue, Sep 6, 2022 at 7:31 AM Brian Ayres <Brian.Ayres@myfloridalegal.com> wrote:

Mr. Nelson,

I completely understand and thank you for getting back with me about this matter. Would you be able to take a call today at 2pm? I know it is not optimal, but I will be calling from a restricted number. If 2pm does not work, please let me know what time is best for you and I will be sure to reach out then. The call shouldn't take more than 10 minutes.

Respectfully,
Brian Ayres
Florida Elections Commission

From: Tony Nelson <nelsontony917@gmail.com>
Sent: Friday, September 2, 2022 4:56 PM
To: Brian Ayres <Brian.Ayres@myfloridalegal.com>
Subject: Case # 22-0061115

Hello Brian,
This is Tony Nelson.

As it appears that you are aware, I do not answer calls from an unidentified number. I can be reached at 561-722-2833.

Sent from my iPhone

Brian Ayres

From: Brian Ayres
Sent: Friday, September 2, 2022 11:55 AM
To: tnelson@premierfamilyhealth.com; tony@votetonymelson.com
Subject: Florida Elections Commission - FEC22-006

Hello Mr. Nelson,

My name is Brian Ayres, I am attempting to reach you regarding the above case. I have a few questions I need to ask and would like to schedule a time in which you are best available. I left a voicemail with you today but please let me know if or when you are available to speak.

Respectfully,

Brian Ayres

Investigation Specialist
Florida Elections Commission
107 W Gaines St., #224
(850) 404-5616
Brian.Ayres@myfloridalegal.com

Brian Ayres

From: postmaster@innovacareservices.com
To: tnelson@premierfamilyhealth.com
Sent: Friday, September 2, 2022 11:56 AM
Subject: Undeliverable: Florida Elections Commission - FEC22-006



Your message to tnelson@premierfamilyhealth.com couldn't be delivered.

[tnelson](#) wasn't found at premierfamilyhealth.com.

Brian.Ayres

Office 365

tnelson

Action Required

Recipient

Unknown To address

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date:	9/2/2022 3:55:25 PM
Sender Address:	Brian.Ayres@myfloridalegal.com
Recipient Address:	tnelson@premierfamilyhealth.com
Subject:	Florida Elections Commission - FEC22-006

Error Details

Reported error:	550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient tnelson@premierfamilyhealth.com not found by SMTP address lookup
DSN generated by:	BYAPR05MB5079.namprd05.prod.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	9/2/2022 3:55:25 PM	DM6PR09MB4920.namprd09.prod.outlook.com	DM6PR09MB4920.namprd09.prod.outlook.com	mapi
2	9/2/2022 3:55:25 PM	DM6PR09MB4920.namprd09.prod.outlook.com	BLAPR09MB6834.namprd09.prod.outlook.com	Microsoft SMTP Serv cipher=TLS_ECDHE_
3	9/2/2022 3:55:27 PM	gcc02-bl0- obe.outbound.protection.outlook.com	m0184567.ppop.net	ESMTPS
4	9/2/2022 3:55:27 PM	pps.filterd	m0184567.ppop.net	ESMTP
5	9/2/2022 3:55:28 PM	mx0b-003d5601.pphosted.com	BN7NAM10FT110.mail.protection.outlook.com	Microsoft SMTP Serv cipher=TLS_ECDHE_
6	9/2/2022 3:55:28 PM	BN7NAM10FT110.eop- nam10.prod.protection.outlook.com	BN9PR03CA0158.outlook.office365.com	Microsoft SMTP Serv cipher=TLS_ECDHE_
7	9/2/2022 3:55:29 PM	BN9PR03CA0158.namprd03.prod.outlook.com	BYAPR05MB5079.namprd05.prod.outlook.com	Microsoft SMTP Serv cipher=TLS_ECDHE_

Original Message Headers

ARC-Seal: i=2; a=rsa-sha256; s=arcselector9901; d=microsoft.com; cv=pass;

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ARC-Message-Signature: i=2; a=rsa-sha256; c=relaxed/relaxed; d=microsoft.com;
s=arcselector9901;

h=From:Date:Subject:Message-ID:Content-Type:MIME-Version:X-MS-Exchange-AntiSpam-
MessageData-ChunkCount:X-MS-Exchange-AntiSpam-MessageData-0:X-MS-Exchange-AntiSpam-
MessageData-1;

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ARC-Authentication-Results: i=2; mx.microsoft.com 1; spf=pass (sender ip is
205.220.173.9) smtp.rcpttodomain=premierfamilyhealth.com
smtp.mailfrom=myfloridalegal.com; dmarc=bestguesspass action=none
header.from=myfloridalegal.com; dkim=pass (signature was verified)
header.d=myfloridalegal.com; arc=pass (0 oda=1 ltdi=1
spf=[1,1,smtp.mailfrom=myfloridalegal.com]
dkim=[1,1,header.d=myfloridalegal.com]
dmarc=[1,1,header.from=myfloridalegal.com])

Received: from BN9PR03CA0158.namprd03.prod.outlook.com (2603:10b6:408:f4::13)

by BYAPR05MB5079.namprd05.prod.outlook.com (2603:10b6:a03:9a::12) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) id 15.20.5588.10; Fri, 2 Sep 2022 15:55:29 +0000

Received: from BN7NAM10FT110.eop-nam10.prod.protection.outlook.com (2603:10b6:408:f4:cafe::6c) by BN9PR03CA0158.outlook.office365.com (2603:10b6:408:f4::13) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) id 15.20.5588.10 via Frontend Transport; Fri, 2 Sep 2022 15:55:28 +0000

Authentication-Results: spf=pass (sender IP is 205.220.173.9) smtp.mailfrom=myfloridalegal.com; dkim=pass (signature was verified) header.d=myfloridalegal.com; dmarc=bestguesspass action=none header.from=myfloridalegal.com;

Received-SPF: Pass (protection.outlook.com: domain of myfloridalegal.com designates 205.220.173.9 as permitted sender) receiver=protection.outlook.com; client-ip=205.220.173.9; helo=mx0b-003d5601.pphosted.com; pr=C

Received: from mx0b-003d5601.pphosted.com (205.220.173.9) by BN7NAM10FT110.mail.protection.outlook.com (10.13.157.57) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) id 15.20.5588.10 via Frontend Transport; Fri, 2 Sep 2022 15:55:28 +0000

Received: from pps.filterd (m0184567.pops.net [127.0.0.1]) by m0184567.pops.net (8.17.1.5/8.17.1.5) with ESMTP id 282EU51f008589; Fri, 2 Sep 2022 11:55:27 -0400

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=myfloridalegal.com; h=from : to : subject : date : message-id : content-type : mime-version; s=pps1; bh=VctL6r1XnXV3OAOf3h8ZjlYP8NPFSTaxP+OgzRg7HJ4=; b=LVp1Z6zIEu5dyoQ3dHoh7iiATdgwFVbpDFWXzWeXAEYl2jTT0KecLK5sXONl8nOrJxi0lSbOrTsCijQQRVmWkAgq0aIhVMEQel/CWn1X+IiFxF8tSLDlBnxKyuDFuycQSBpXzYkFEeSL3rrFU4l6srLUmv1RoIaGEe/wGKWCPPfaEuiTjIY+PrpI+id/nFH9VNeopcQDT4FZgx6Tvk5592nCg00H3JnS/wCjEm5S20qtt0ebKzMfQaOq2HduH7KlzxlfhdJ7R13Zn4AklqQ659eGlGssaUD0Xy95lSBL8X04jtzFS8fWC5UxA/YeK+4ee4xJy6uxXxWf3FMyKRc Ag==

Received: from gcc02-bl0-obe.outbound.protection.outlook.com (mail-bl2gcc02lp2103.outbound.protection.outlook.com [104.47.64.103]) by m0184567.pops.net (PPS) with ESMTPS id 3j7ekhkma6-1 (version=TLSv1.2 cipher=ECDHE-RSA-AES256-GCM-SHA384 bits=256 verify=NOT); Fri, 02 Sep 2022 11:55:27 -0400

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header.from=myfloridalegal.com; dkim=pass header.d=myfloridalegal.com;

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From: Brian Ayres <Brian.Ayres@myfloridalegal.com>

To: "tnelson@premierfamilyhealth.com" <tnelson@premierfamilyhealth.com>,

"tony@votetonymnelson.com" <tony@votetonymnelson.com>

Subject: Florida Elections Commission - FEC22-006

Thread-Topic: Florida Elections Commission - FEC22-006

Thread-Index: Adi+5D3MsE6pT0p3RYS+e1H7WgK8Cg==

Date: Fri, 2 Sep 2022 15:55:25 +0000

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definitions=2022-09-02_04,2022-08-31_03,2022-06-22_01

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Return-Path: Brian.Ayres@myfloridalegal.com

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15ef562f-768a-4319-4535-08da8cfb8ce5



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



January 14, 2022

Tony Nelson
11244 Narragansett Bay Court
Wellington, FL 33414

RE: Case No.: FEC 22-006; Respondent: Tony Nelson

Dear Mr. Nelson:

On January 3, 2022, the Florida Elections Commission received a complaint alleging 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 violation(s):

Section 106.143(1)(a), Florida Statutes: Respondent, a 2022 candidate for Wellington Village Council, Seat 2, may have paid for and distributed political advertisements that contained express advocacy but did not include a proper disclaimer, as alleged in the complaint.

Section 106.143(6), Florida Statutes: Respondent, 2022 candidate for Wellington Village Council, Seat 2, may have improperly failed to use the word "for" between his name and the office for which he was running, in political advertisements, as alleged in the complaint. Respondent was not incumbent.

However, prior to an investigation, you have the option to **resolve your case now by** signing a minor violation consent order and **paying a fine of \$350**, per Rule 2B-1.003, Florida Administrative Code, **rather than the potential \$1,000 per violation** provided for in Section 106.265, Florida Statutes.

If you sign the consent order, **you would not be required to admit or deny the allegation(s)** in the complaint, but you would be required to immediately correct the violation, if feasible.

The signed consent order would then be considered by the Commission at its next available meeting and would constitute final action by the Commission once it is accepted and approved by the Commission. You and the Complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

Tony Nelson
January 14, 2022
Page 2
FEC 22-006

Please contact Todd Smith-Schoenwalder by phone at (850) 922-4539, by email at Todd.Smith-Schoenwalder@myfloridalegal.com, or at the address listed above, to accept this minor violation consent order.

If you choose not to resolve this case by consent order, an investigation will be conducted, the Commission will hold one or more hearings to determine whether the alleged violation(s) occurred and, if so, the amount of fine to be imposed upon you.

Please note that all documents related to this matter will be mailed to the above address unless you notify us of a new address.

For additional information, please refer to the "Frequently Asked Questions" section on the Commission's website.

Sincerely,

A handwritten signature in blue ink that reads "Tim Vaccaro". The signature is fluid and cursive, with a long horizontal stroke at the end.

Tim Vaccaro
Executive Director

TV/mw



Case No.: FEC 22-006; Respondent: Tony Nelson
 Pamela Goodman to: fec 01/11/2022
 01:14 PM
 Cc: "Tony Nelson", tony
 From: "Pamela Goodman" <pamelasgoodman@gmail.com>
 To: fec@myfloridalegal.com
 Cc: "Tony Nelson" <tnelson@premierfamilyhealth.com>, tony@votetonymelson.com

Attn: Donna Ann Malphurs
 Agency Clerk

Dear Ms. Malphurs,

Our candidate and campaign is in receipt of your communication regarding the alleged complaint.
 The campaign will immediately use the following statements on all future collateral:

"Political advertisement paid for and approved by Tony Nelson for Wellington Village Council Seat 2."

OR

"Paid by Tony Nelson for Wellington Village Council Seat 2"

However, we are requesting a decision of probable cause or no probable cause regarding the current collateral which is using " Paid for by Friends of Tony Nelson". Friends of Tony Nelson is our Campaign Account title.

While acknowledging the change to future collateral, we are requesting the continued use until depletion of paid print collateral that bears the current required disclaimer. We apologize for our lack of original specific verbal clarity and appreciate your responsibility and oversight to compliance.

We look forward to your decision.

Sincerely,

Pamela S. Goodman

--

Pamela S. Goodman
 Campaign Manager
 Vote Tony Nelson
 561-843-1233

COMPLAINT

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 it is brought.

1. PERSON BRINGING COMPLAINT:

Name: Richard Giorgio Work Phone: (561) 651-1499
Address: 131 Lake Dora Drive Home Phone: (561) 951-7560
City: West Palm Beach County: Palm Beach State: FL Zip Code: 33411

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

If you intend to name more than one individual or entity, please file multiple complaints. A person can be an individual, political committee, political party, electioneering communication organization, club, corporation, partnership, company, association, or other type of organization.

Name of individual or entity: Tony Nelson
Address: 11244 Narragansett Bay Court Phone: (561) 722-2833
City: Wellington County: Palm Beach State: FL Zip Code: 33414
If individual is a candidate, list the office or position sought: Wellington Village Council, Seat 2

Have you filed this complaint with the State Attorney's Office? (check one) ☐ Yes ☒ No

Are you alleging a violation of Section 104.271(2), F.S.? (check one) ☐ Yes ☒ No

Are you alleging a violation of Section 104.2715, F.S.? (check one) ☐ Yes ☒ No

3. ALLEGED VIOLATION(S):

Please attach a concise narrative statement in which you 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 provisions of Chapter 104 and Chapter 106, Florida Statutes. Please include the following items as part of your attached statement:

- The facts and actions that you believe support the violations you allege;
- The names/telephone numbers of persons whom you believe may be witnesses to the facts;
- A copy or picture of any political advertisement(s) you mention in your statement;
- A copy of each document you mention in your statement;
- An explanation of why you believe information you reference from websites is relevant; and
- Any other evidence supporting your allegations.

SEE REVERSE SIDE OF DOCUMENT FOR ADDITIONAL INFORMATION

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.

FLORIDA ELECTIONS COMMISSION
107 West Gaines Street, Suite 224, Tallahassee, FL 32399-1050

4. **OATH:**

STATE OF FLORIDA

COUNTY OF PALM BEACH

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



Richard Harris
Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 17 day of
DECEMBER, 20 21

[Signature]
Signature of Officer Authorized to Administer Oaths or Notary Public

SABRINA SPENCE

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known _____ Or Produced Identification X

Type of Identification Produced DRIVER'S LICENSE

5. **IMPROPERLY COMPLETED COMPLAINT FORMS MAY BE RETURNED:**

- You **MUST** submit this completed complaint form in order to file a complaint.
- You **MUST** complete **ALL FOUR** of the above sections of this form. **DO NOT** leave any blanks.
- You **MUST** submit the **ORIGINAL** complaint form. Copied/faxed/mailed forms are returned.
- Each complaint can only be filed against **ONE PERSON** or **ENTITY**. If you wish to file against multiple parties, you **MUST** submit a complaint form for **each party** you wish to file against.
- **DO NOT** submit multiple complaint forms with one set of attachments applying to multiple complaints. You **MUST** attach **copies** of attachments to **each complaint** to which they apply.
- **MAKE SURE** the alleged violation(s) of **Chapters 104 or 106** occurred within the last **2 years**.
- **MAKE SURE** your complaint is **sworn** and there is **no defect** to the **notarization** in Section 4.

Tony Nelson

Statutes:

106.143(1)(a) and (6) – Political advertisements circulated prior to election; requirements

History:

Tony Nelson is a current candidate for the Wellington Village Council, Seat 2.

Statement of Facts:

Florida Statute 106.143(1)(a) states, “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:

1. “Political advertisement paid for and approved by (name of candidate), (party affiliation), for (office sought)”; or
2. “Paid by (name of candidate), (party affiliation), for (office sought).”

Florida Statute 106.143(6) states, “No political advertisement of a candidate who is not an incumbent of the office for which the candidate is running shall use the word “re-elect.” Additionally, such advertisement must include the word “for” between the candidate’s name and the office for which the candidate is running, in order that incumbency is not implied.

Since launching his campaign, Mr. Nelson has produced multiple political advertisements including, a large campaign banner (see Exhibit 1 – banner behind the stage), numerous campaign yard signs (see Exhibit 1 - photo) and a campaign website (see Exhibit 2 – www.votetonymelson.com).

None of the advertisements has a proper political disclaimer. All the above referenced advertisements incorrectly state “Paid for by Friends of Tony Nelson,” in violation of Florida Statute 106.143(1)(a).

Additionally, none of the advertisements include the word “for” between the candidate’s name and the office for which the candidate is running, in violation of Florida Statute 106.143(6).

Summary:

Mr. Nelson has an improper disclaimer on his campaign banner, yard signs and website.

Also, Mr. Nelson’s banner, yard signs and website do not include the word “for” between his name and the office for which he is running.

Willfulness:

Mr. Nelson’s actions are willful. At the time he qualified for office, Mr. Nelson signed Form DS-DE 84, Statement of Candidate, attesting to have read and that he understood the requirements of Chapter 106, Florida Statutes.

Exhibit #1




Exhibit #2

AOL - News, Politics, Sports, Ma x Vote Tony Nelson - Village Council Seat 2 x +

← → ↻ 🏠 📁 https://votetonymelson.com ☆ ☆ 🗑 👤 ...

Voting Centers



TONY NELSON
Village Council Seat 2

Tony Nelson has spent 34 years as a Wellington resident contributing his business, civic engagement, and personal life to the community.

Phone: 561-722-2833
Email : tony@votetonymelson.com
Address: PO Box 211304 Royal Palm Beach 33421

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- Contact

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Email Address *

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Stay up to date on the latest news and events.

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Created by Boom Media ↑

Windows taskbar: Type here to search, icons for various apps, Rain... 5:19 PM 12/15/2021