

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

FILED  
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CLERK OF THE  
COMMISSION

In Re: Douglas M. Guetzloe and Ax the  
Tax

Case No.: FEC 08-308  
F.O. No.: FOFEC 11-004W

CONSENT ORDER

The Respondents, Douglas M. Guetzloe, and Ax the Tax, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all pending issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order.

**FINDINGS OF FACT**

1. The Respondents are Douglas M. Guetzloe and Ax the Tax.
2. On September 29, 2008, the Commission received a sworn complaint alleging that Respondent violated the following sections of The Florida Election Code:

Section 106.03(4), Florida Statutes, alleging that Respondent failed to report any change of information previously submitted in its statement of organization within 10 days of the change, when Ax the Tax political committee began to support Mercedes Leon, a candidate for State Attorney for the Ninth Judicial Circuit, and failed to report a timely change.

Section 106.07(5), Florida Statutes, alleging that Respondent certified to the correctness of campaign treasurer's reports that are incorrect, false, or incomplete, when he omitted from campaign reports the expenditure for the cost of the political advertisement posted on Ax the Tax political committee's website.

Section 106.143(1)(b), Florida Statutes, alleging that Respondent published, displayed, or circulated a political advertisement without a disclaimer.

3. At the Commission's May 8 & 9, 2010 meeting, the Commission found probable cause to charge Respondents with violating Sections 106.03(4) and 106.143(1)(b), Florida

Statutes.

4. If the alleged violation of 106.143(1)(b) occurred less than 14 days before the election in which Ax the Tax is participating, the complainant did not allege that the political advertisement was either deceptive or influenced the outcome of the election.

5. Ax the Tax used its name in the political advertisement.

### **CONCLUSIONS OF LAW**

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

7. The Respondents neither admit nor deny violation of Section(s) 106.03(4) or 106.143(1)(b) Florida Statutes.

### **ORDER**

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

9. The Respondents shall bear their own attorney fees and costs that are in anyway associated with this case.

10. The Respondents understand that before the Consent Order is final agency action, it is must be approved by the Commission. The Commission will consider the Consent Order at its next available meeting.

11. The Respondents voluntarily waive the right to any further proceedings under Chapters 106, and 120, Florida Statutes, and the right to appeal the Consent Order.

12. The Respondents will carefully review Chapter 106, Florida Statutes, and the *Campaign and the Candidate and Campaign Treasurer Handbook* published by the Division of Elections, and avoid any future violations of Chapters 104 or 106, Florida Statutes.


13. The Respondents agree to correct immediately, if feasible, the violations alleged

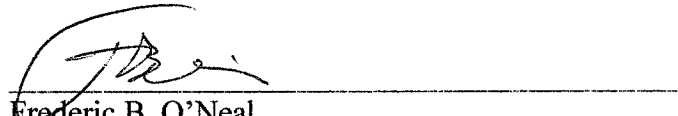
in the complaint.

14. If the Commission does not receive the signed Consent Order and the fine within 7 days of the date you received this order, the staff withdraws this offer of settlement and will proceed with an investigation of the allegations in the complaint.


15. The Respondents shall remit to the Commission a fine in the amount of \$750. The fine shall be paid to the Florida Elections Commission, 107 W. Gaines Street, Collins Building, Room 224, Tallahassee, Florida, 32399-1050, as a condition precedent to the Commission's execution of this Consent Order.

The **Respondents** hereby agree and consent to the terms of this Consent Order on November 17, , 2010.

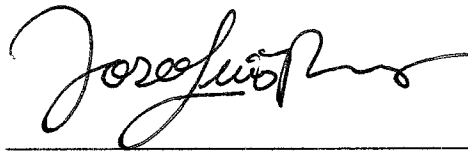
  
Douglas M. Guetzloe  
1808 Antigua Dr.  
Orlando, FL 32806

  
Frederic B. O'Neal  
P.O. Box 842  
Windermere, FL 34786

The **Commission staff** hereby agrees and consents to the terms of this Consent Order on November 29 , 2010.

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

Approved by the Florida Elections Commission at its regularly scheduled meeting held on February 8 & 9, 2011, in Tallahassee, Florida.



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Jose Luis Rodriguez, Vice Chair  
Florida Elections Commission

FEBRUARY 15, 2011

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Date

Copies furnished to:

Eric M. Lipman

Douglas M. Guetzloe, Respondent