

**FILED**

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STATE OF FLORIDA  
ELECTIONS COMMISSION

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

**v.**

**Leon County Democratic Committee and  
Robert Henderson, Treasurer,**

**Respondent.**

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**Case No.: FEC 12-065  
F.O. No.: FOFEC 13-146W**

**CONSENT ORDER**

The Respondents, The Leon County Democratic Executive Committee, and Robert Henderson, in his capacity as Treasurer of the Leon County Democratic Executive Committee, and the Florida Elections Commission (“Commission”) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order.

**FINDINGS OF FACT**

1. On April 18, 2012, the Commission received a sworn complaint alleging that Respondents violated Florida’s election laws.
2. The information in the complaint indicated that Respondents may have committed a violation of Florida’s election laws.
3. The Respondents have indicated a desire to enter into settlement negotiations with the Commission as resolution of this matter.

4. The Respondents and staff stipulate to the following facts:
  - A. At all relevant times Respondent Leon County Democratic Executive Committee was a §103.091 "county executive committee."
  - B. Respondent Bob Henderson was Treasurer of the Leon County Democratic Executive Committee ("Committee") during the 2010 election cycle.
  - C. Respondent Committee received a \$4,675.66 contribution from the Alliance for Better Representation ("ABR"), an electioneering communication organization.
  - D. Respondent Committee used some of that contribution from ABR to pay for electioneering communication produced by a local printer in the amount of \$4,425.66.
  - E. The disclaimer on the electioneering communication stated that it was paid for and approved by the Leon County Democratic Executive Committee.

#### **CONCLUSIONS OF LAW**

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

6. The Respondents neither admit nor deny that they violated Section(s) 104.091(1), Florida Statutes.

#### **ORDER**

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

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

9. The Respondents understand that before the Consent Order becomes final agency action, the Commission must approve it at a public meeting. The Commission will consider the Consent Order at its next available meeting.

10. The Respondents voluntarily waive the right to any further proceedings under

Chapters 104, 106 and 120, Florida Statutes, and the right to appeal the Consent Order.

11. The Respondents will carefully review Chapters 104 and 106, Florida Statutes, and avoid any future violation of the chapters.

12. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. The Respondents expressly waives any venue privileges and agrees that if enforcement of this Consent Order is necessary, venue shall be in Leon County, Florida, and Respondents shall be responsible for all fees and costs associated with enforcement.

13. If the Commission does not receive the signed Consent Order and the fine by May 7, 2013, the staff withdraws this offer of settlement and will proceed with the case.

14. Payment of the civil penalty by cashier's check, money order, or attorney trust account check, good for 120 days, is a condition precedent to the Commission's consideration of the Consent Order.

#### **PENALTY**

**WHEREFORE**, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondents have violated the following provisions of Chapter 104, Florida Statutes, and imposes the following fine:

A. Respondents have violated Section 104.091(1) Florida Statutes, and Respondent Leon County Democratic Executive Committee is fined \$300 for the violation.

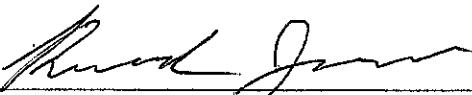
Therefore it is

**ORDERED** that the Respondent shall remit to the Commission a civil penalty in the amount of \$300, inclusive of fees and costs. The civil penalty shall be paid cashier's check, money order, or attorney trust account check, good for at least 120 days. The civil penalty shall be payable to the Florida Elections Commission, 107 W. Gaines Street, Collins Building, Suite

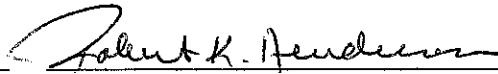
224, Tallahassee, Florida, 32399-1050.

The **Respondents** hereby agree and consent to the terms of this Consent Order on

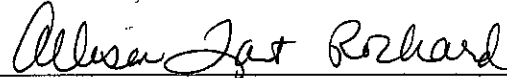
5/7, 2013.



Richard Junnier, Esquire  
319 E. Park Avenue  
Tallahassee, FL 32301-1513



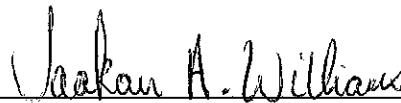
Robert Henderson  
497 Stonehouse Road  
Tallahassee, FL 32301



Allison Tant Richard, LCDEC Chair  
P.O. Box 1751  
Tallahassee, FL 32302-1751

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

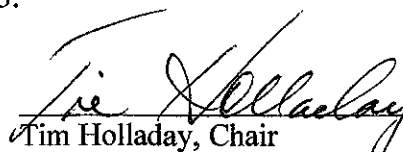
June 7, 2013.



Jaakan A. Williams  
Assistant General Counsel  
Florida Elections Commission  
107 West Gaines Street  
The Collins Building, Suite 224  
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held

on August 13-14, 2013.



Tim Holladay, Chair  
Florida Elections Commission

8-26-13

Date

Copies furnished to:

Jaakan A. Williams, Assistant General Counsel

Robert Henderson, Respondent (certified mail)

Richard Junnier, Attorney for Respondent (certified mail)

FOR SECURITY THIS DOCUMENT HAS A COPY PROOF BACKGROUND, FLUORESCENT PAPER FIBERS, A WATER MARKED BACKER AND IS REACTIVE TO CHEMICAL ALTERATION.

VOID



Farmers & Merchants Bank  
P.O. Box 340  
Monticello, FL 32345

VOID

044931

REMITTER: LCDEC

DATE 3/28/13

PAY TO THE  
ORDER OF

\*\*\*FLORIDA ELECTIONS COMMISSION\*\*\*

EXACTLY \*\*300 AND 00/100 DOLLARS

\$ 300.00

### CASHIER'S CHECK

THE PURCHASE OF AN INDEMNITY BOND WILL BE REQUIRED BEFORE ANY  
CASHIER'S CHECK OF THIS BANK WILL BE REPLACED OR REFUNDED IN THE

FARMERS & MERCHANTS BANK

AUTHORIZED SIGNATURE

*Jennifer J. Reese*

