

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

FILED  
09 MAR 20 AM 10:02

**In Re: John A. Rodda & Rodda Construction, Inc.**

**Case No.: FEC 08-421**

**F.O. No.: FOFEC 09-021W**

**CONSENT FINAL ORDER**

The Respondents, John A. Rodda and Rodda Construction, Inc., 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 December 8, 2008, John Rodda filed a complaint with the Commission, self-reporting that he and Rodda Construction, Inc. violated Sections 106.08(1) and 106.08(5)(a), Florida Statutes.
2. The Respondents expressed a desire to enter into negotiations directed toward reaching a consent agreement.
3. The Respondents and Commission staff stipulate to the following facts:
  - A. The Respondents are Rodda Construction, Inc., a Florida corporation headquartered in Lakeland, Florida, and John A. Rodda, the President of Rodda Construction Inc.
  - B. On or about February 25, 2008, Mr. Rodda asked three members of his family to make campaign contribution to Dick Mullenax, a candidate for the Polk County School Board, District 4.
  - C. On or about February 25, 2008, Leslie R. Blondell, Mr. Rodda's daughter, and Abby Rodda, Mr. Rodda's daughter-in-law, made a \$500 campaign contribution to Mr. Mullenax, using their personal checks.
  - D. On the same date, Rodda Construction, Inc., at the direction of Mr. Rodda, wrote a corporate check to both Ms. Blondell and Ms. Rodda, reimbursing them for the \$500 contribution they made to Mr. Mullenax. Both Ms. Blondell and Ms. Rodda have repaid Rodda Construction, Inc., for the

reimbursed contribution.

- E. According to Mr. Rodda, Dick Mullenax was unaware that Rodda Construction, Inc., reimbursed Ms. Blondell and Ms. Rodda for the contributions they made to his campaign.

### **CONCLUSIONS OF LAW**

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

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

6. On or about February 25, 2008, John A. Rodda and Rodda Construction, Inc., violated Section 106.08(1), Florida Statutes, by making contributions in excess of \$500 for each election, when Respondents reimbursed Leslie R. Blondell, Mr. Rodda's daughter, and Abby Rodda, Mr. Rodda's daughter-in-law, for making made a \$500 campaign contribution to Dick Mullenax, a candidate for the Polk County School Board, District 4, before the 2008 primary election held on August 26, 2008.

7. On or about February 25, 2008, John A. Rodda and Rodda Construction, Inc., violated Section 106.08(5)(a), Florida Statutes, by making a contribution through or in the name of another in the any election, when Respondents reimbursed Leslie R. Blondell, Mr. Rodda's daughter, and Abby Rodda, Mr. Rodda's daughter-in-law, for contributions they made to Dick Mullenax, a candidate for the Polk County School Board, District 4, in the 2008 primary election held on August 26, 2008, rather than directly contributing to Mr. Mullenax.

8. The Respondents and staff stipulate that all elements of the offenses can be proven by clear and convincing evidence.

9. The Respondents and staff intend that this Consent Order settles all pending issues arising out of the facts as set forth in the complaint.

### **ORDER**

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

11. The Respondents shall bear their own attorney fees and costs that are in any way associated with this case.

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

13. 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.

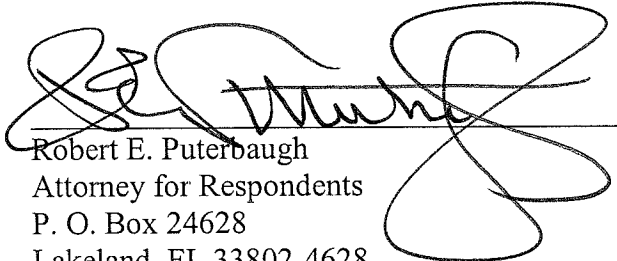
14. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. The Respondents expressly waive any venue privileges and agree that if enforcement of this Consent Order is necessary, venue shall be in Leon County, Florida, and Respondents shall be responsible for all fees and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

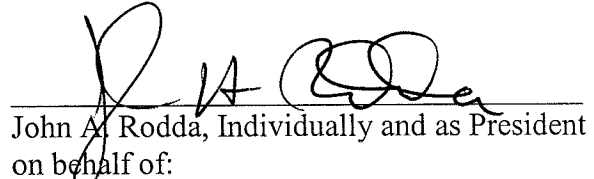
15. If the Commission does not receive the signed Consent Order within 20 days of the date Respondents or their attorney received this order, the staff withdraws this offer of settlement and will proceed with the case.

16. Payment of the civil penalty is a condition precedent to the Commission's consideration of the Consent Order.

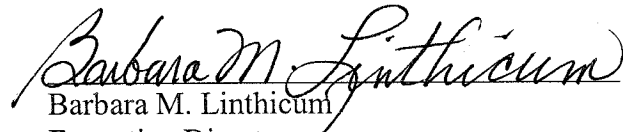
17. Respondents shall remit to the Commission a fine in the amount of \$3,000. The fine shall be paid to the Florida Elections Commission, 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida, 32399-1050, as a condition precedent to the Commission's execution of this Consent Order.

The **Respondents** hereby agree and consent to the terms of this Order on December 22, 2008.

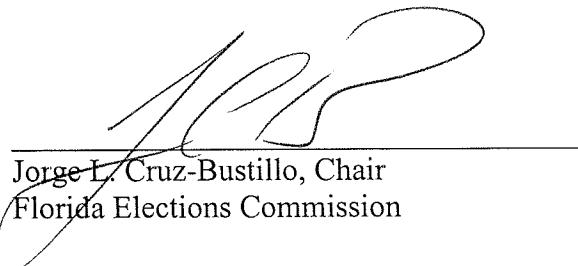
  
Robert E. Puterbaugh  
Attorney for Respondents  
P. O. Box 24628  
Lakeland, FL 33802-4628

  
John A. Rodda, Individually and as President  
on behalf of:  
Rodda Construction Inc.  
250 East Highland Drive  
Lakeland, FL 33813

The **Commission staff** hereby agrees and consents to the terms of this Consent Order on December 23, 2008.

  
Barbara M. Linthicum  
Executive Director  
Florida Elections Commission  
107 W. Gaines Streets  
Collins Building, Suite 224  
Tallahassee, FL 32399-1050  
Florida Bar No. 0298549

Approved by the Florida Elections Commission at its regularly scheduled meeting held on February 26 and 27, <sup>2009</sup>~~2008~~, at Tallahassee, Florida and filed with the Clerk of the Commission on March 18, 2009, in Tallahassee, Florida.

  
Jorge L. Cruz-Bustillo, Chair  
Florida Elections Commission

Copies furnished to:

Barbara M. Linthicum, Executive Director

Robert E. Puterbaugh, Attorney for Respondents