

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-1050
Telephone Number: (850) 922-4539
www.fec.state.fl.us

CONFIDENTIAL COMPLAINT FORM

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 the complaint is brought.

1. PERSON BRINGING COMPLAINT:

Name: Clark Yates Work Phone: ()
Address: 1600 Rebecca Street Home Phone: (850) 232-6421
City: Pensacola County: Escambia State: FL Zip Code: 32534

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

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

Name of individual or entity: Economic Freedom Foundation
Address: 8489 Cabin Hill Road Phone: ()
City: Tallahassee County: Leon State: FL Zip Code: 32311

If individual is a candidate, list the office or position sought: _____

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

3. ALLEGED VIOLATION(S):

Please 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 the following provisions: **Chapter 104, Chapter 106, and Section 105.071, Florida Statutes.** Also, please include:

- ✓ The facts and actions that you believe support the violations you allege,
- ✓ The names and telephone numbers of persons you believe may be witnesses to the facts,
- ✓ A copy or picture of the political advertisements you mention in your statement,
- ✓ A copy of the documents you mention in your statement, and
- ✓ Other evidence that supports your allegations.

In August 2015 Economic Freedom Foundation, a state PAC made a \$10,000 contribution to North Florida Neighbors a Federal PAC. On November 2, 2015 the Florida Department of State notified Economic Freedom Foundation of their contribution in violation of F.S. 106. On May 26, 2016 Economic Freedom Foundation sends a letter to the state notifying them of the disbandment of the PAC. The state notifies Economic Freedom Fund on May 26th that the PAC's final report is due June 10th, 2016. There are 2 violations. 1. On June 20th after the Economic Freedom Foundation was to file the final report they made a transfer to North

Florida Neighbors, a Federal PAC, in the amount of \$369,008.25 which is currently being spent in a Federal Race in support of its previous chairman Matt Gaetz in Florida Congressional District 1. 2. The Economic Freedom Foundation has yet to file its final report or waiver as the state requested by June 10th. This potentially hides donors thus violating Florida campaign finance and transparency laws.


Additional materials attached (check one)? ☒ Yes ☐ No

4. OATH

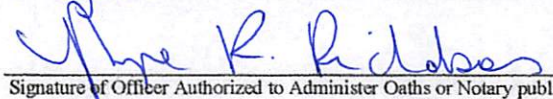
STATE OF FLORIDA

COUNTY OF Escambia

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


Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 18th day of
August, 20 16


Signature of Officer Authorized to Administer Oaths or Notary public.



MONIQUE R. RICHARDSON
MY COMMISSION # EE 851838
EXPIRES: November 15, 2016
Bonded Thru Budget Notary Services

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

Personally known _____ Or Produced Identification ☒

Type of Identification Produced Florida Drivers License

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.

SCHEDULE A (FEC Form 3X)
ITEMIZED RECEIPTS

 Use separate schedule(s)
 for each category of the
 Detailed Summary Page

 FOR LINE NUMBER:
 (check only one)

PAGE 9 OF 12

| | | | |
|------------------------------|------------------------------|---|-----------------------------|
| <input type="checkbox"/> 11a | <input type="checkbox"/> 11b | <input checked="" type="checkbox"/> 11c | <input type="checkbox"/> 12 |
| <input type="checkbox"/> 13 | <input type="checkbox"/> 14 | <input type="checkbox"/> 15 | <input type="checkbox"/> 16 |
| <input type="checkbox"/> 17 | | | |

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

NORTH FLORIDA NEIGHBORS

Full Name (Last, First, Middle Initial)

A. Economic Freedom Foundation

Mailing Address 2488 Cabin Hill Road

| | | |
|-------------|-------|----------|
| City | State | Zip Code |
| Tallahassee | FL | 32311 |

 FEC ID number of contributing
 federal political committee.

☐ C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

☐ 369008.25

Date of Receipt

| | | |
|----|----|------|
| 08 | 20 | 2016 |
|----|----|------|

Transaction ID : SA11C.4157

Amount of Each Receipt this Period

☐ 369008.25

☐ Memo Item

Full Name (Last, First, Middle Initial)

B. Free Enterprise Fund

Mailing Address 8489 Cabin Hill Road

| | | |
|-------------|-------|----------|
| City | State | Zip Code |
| Tallahassee | FL | 32311 |

 FEC ID number of contributing
 federal political committee.

☐ C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

☐ 11306.60

Date of Receipt

| | | |
|----|----|------|
| 08 | 20 | 2016 |
|----|----|------|

Transaction ID : SA11C.4158

Amount of Each Receipt this Period

☐ 11306.60

☐ Memo Item

Full Name (Last, First, Middle Initial)

C.

Mailing Address

| | | |
|------|-------|----------|
| City | State | Zip Code |
|------|-------|----------|

 FEC ID number of contributing
 federal political committee.

☐ C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

☐

Date of Receipt

| | | |
|--|--|--|
| | | |
|--|--|--|

Amount of Each Receipt this Period

☐
☐ Memo Item

SUBTOTAL of Receipts This Page (optional)..... ▶

☐ 380314.85

TOTAL This Period (last page this line number only)..... ▶

☐ 380314.85



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

November 2, 2015

Noreen A. Fenner, Treasurer for
Economic Freedom Foundation
8489 Cabin Hill Road
Tallahassee, FL 32311

Re: PAC 60915

Dear Ms. Fenner:

The Division of Elections has determined that one or more campaign reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this notice to file an amended report to correct errors or provide missing information. If the information has been reported accurately, provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that failure to supply this information within the time allowed may constitute a violation of Chapter 106, Florida Statutes.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Bronson
Chief, Bureau of Election Records

Attachment

cc: Matt Gaetz, Chairperson

11/2/2015

Page 1

Florida Department of State - Division of Elections

Compliance Report

Committee: Economic Freedom Foundation

Type: PAC - BOT

Report: 2015 M3 (41) Covering Period: 3/1/15 - 3/31/15

Account: 60915

General

Contributions

| Statute | FAC | Description | Seq | Date | Name | City | Type | Amount |
|------------|-----|----------------------------------|-----|----------|-----------------|------|------|------------|
| 1S-2.017 F | | Occupation/business not specific | 9 | 3/2/2015 | WEAVER J WAYNE | | CHE | \$1,000.00 |
| 1S-2.017 F | | Occupation/business not specific | 11 | 3/2/2015 | BAKER II JOHN D | | CHE | \$1,000.00 |

Expenditures

Fund Transfers

Other Expenditures

Report: 2015 M8 (46) Covering Period: 8/1/15 - 8/31/15

Account: 60915

General

Contributions

Expenditures

| Statute | FAC | Description | Seq | Date | Name | City | Type | Amount |
|---------|-----|--|-----|-----------|-------------------------|------|------|-------------|
| 106 | | Invalid expenditure - written explanation required | 2 | 8/12/2015 | NORTH FLORIDA NEIGHBORS | | MON | \$10,000.00 |

Fund Transfers

Other Expenditures



16. May a Florida political committee make contributions to an out-of-state political entity, a federal political action committee (PAC), a candidate for federal office, or a person seeking selection as the chair of a political party?

No. A Florida political committee must use its funds solely for Florida political activities, *i.e.*, depositing contributions and making expenditures, which by definition in Florida law, are for the purpose of influencing only Florida elections. Florida law defines "election" as one held in Florida for the purpose of nominating or electing candidates to "public office," which definition is further limited to state, county, municipal, or school or other district offices or positions that are filled by the vote of the electors. A contribution to an out-of-state political entity, to a federal PAC, to a candidate for federal office (even one running for a federal office from Florida), or to a person seeking selection as the chair of a political party does not fall within the applicable definitions of "election" or "public office." This also means that funds in the Florida political committee's bank account may not be used for the purpose of influencing elections outside of Florida, such as giving funds to candidates in other states or donating funds to an out-of-state political entity or federal PAC.

*(Sections 106.011(5), (7), (16), & (17),
106.03, 106.05, 106.07, 106.11, F.S.)*

17. What are the consequences of an out-of-state political entity or a federal political action committee (PAC) contributing to a Florida political committee?

Depending upon the circumstances of how the out-of-state entity, federal PAC, or another state's PAC collects its donations and makes expenditures in Florida, one of two different scenarios could result.

First, an out-of-state political entity or federal PAC, like any other contributor, can give unlimited contributions to one or more Florida political committees, if the out-of-state political entity or federal PAC is not itself receiving "contributions." "Contributions" are defined as only those made for the purpose of influencing the results of a Florida election. An out-of-state political entity or federal PAC that has only received donations that were *not* made for the purpose of influencing the results of Florida elections has not received contributions under Florida law; therefore, it can make contributions to a Florida political committee without having to register as a Florida political committee.

On the other hand, if an out-of-state political entity or federal PAC receives "contributions" as defined above (donations made for the purpose of influencing the results of a Florida election), the out-of-state political entity or federal PAC must register as a Florida political committee. A Florida political committee must maintain a separate bank account solely for Florida political activities (*i.e.*, depositing contributions and making expenditures, which

COATES LAW FIRM, PL
ATTORNEYS AT LAW

RECEIVED

15 NOV 13 PM 4:36

DIVISION OF ELECTIONS
SECRETARY OF STATE

115 EAST PARK AVENUE, SUITE 1
TALLAHASSEE, FLORIDA 32301
(850) 681-1029
FAX: (208) 248-9038

RICHARD E. COATES
EMMETT MITCHELL, IV
ROGER N. BEAUBIEN

November 12, 2015

Ms. Kristi Bronson
Division of Elections
Room 316, R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250

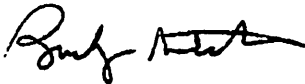
RE: Economic Freedom Foundation, PAC 60915

Dear Ms. Bronson:

I am writing on behalf of the above political committee. The committee recently received a notice from the Division of Elections, dated November 2, 2015, relating to the committee's 2015 M3 campaign treasurer's report, specifically a contribution (expenditure) made to North Florida Neighbors. To date, the committee has been unable to obtain a refund of the \$10,000 expenditure(s) that generated the Division's compliance report.

Please be advised that the committee will not make this type of expenditure in the future and requests that with this response the Division treat its campaign treasurer's report as complete. The remaining two items on the compliance report have been corrected (additional contributor information provided).

Sincerely,



Bucky Mitchell

RECEIVED
DEPARTMENT OF STATE

HAND DELIVERED

2016 JAN -5 PM 3:40

DIVISION OF ELECTIONS
TALLAHASSEE, FL

North Florida Neighbors
2640A Mitcham Drive
Tallahassee, FL 32308

December 29, 2015

Economic Freedom Foundation
8489 Cabin Hill Road
Tallahassee, Florida 32311

Re: Request for contribution refund

Dear Ms. Fenner:

Please allow this letter to serve as formal notice that North Florida Neighbors will not be able to refund the contribution received from Economic Freedom Foundation since those funds have already been obligated and therefore cannot be refunded. Please do not hesitate to contact me if you have any questions, comments or concerns regarding this request at 850-877-1099.

Very truly yours,



Abby F. Dupree, CPA, CGMA
Treasurer

RECEIVED COATES LAW FIRM, PL
DEPARTMENT OF STATE ATTORNEYS AT LAW

HAND DELIVERED

RICHARD E. COATES
EMMETT MITCHELL, IV
ROGER N. BEAUBIEN

2016 JAN -5 PM 3:40
DIVISION OF ELECTIONS
TALLAHASSEE, FL

115 EAST PARK AVENUE, SUITE 1
TALLAHASSEE, FLORIDA 32301
(850) 681-1029
FAX: (208) 248-9038

January 4, 2016

Ms. Kristi Bronson
Division of Elections
Room 316, R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250

RE: *Economic Freedom Foundation, PAC 60915*

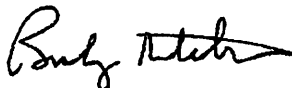
Dear  Ms. Bronson:

I am writing on behalf of the Economic Freedom Foundation (the committee). As you may recall, the committee received a notice from the Division of Elections, dated November 2, 2015, relating to the committee's 2015 M3 campaign treasurer's report, specifically a contribution (expenditure) made to North Florida Neighbors.

In my November 12, 2015, response to the Division, I explained that the committee had been unable to obtain a refund of the expenditure that generated the Division's compliance report. The committee has since received a letter from the treasurer of North Florida Neighbors, dated December 29, 2015, confirming that it cannot refund the contribution because the funds have been obligated. *See attached.*

I trust this will satisfy the Division's request to provide additional information addressing the issue.

Sincerely,



Bucky Mitchell

Attachment

HAND DELIVERED

ECONOMIC FREEDOM FOUNDATION
8489 Cabin Hill Road
Tallahassee, Florida 32311

RECEIVED
DEPARTMENT OF STATE
2016 FEB 29 AM 9:29

DIVISION OF ELECTIONS
TALLAHASSEE, FL

Ms. Kristi Bronson
Florida Division of Elections
Room 316, RA Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

RE: Economic Freedom Foundation
Account Number 60915

Dear Kristi:

Please update the street address for Economic Freedom Foundation to:


548 Mary Ester c/o NW • STE 18 PMB 164
Fort Walton Beach, FL 32548

The mailing address should remain as:

8489 Cabin Hill Road
Tallahassee, FL 32311

Please let me know if you have any questions.

Sincerely,



Noreen A. Fenner
Treasurer

RECEIVED

16 MAR 18 PM 2:01

DIVISION OF ELECTIONS
SECRETARY OF STATE

March 18, 2016

Ms. Kristi Bronson
Florida Division of Elections
Room 316, RA Gray Building
500 South Bronough Street
Tallahassee, FL 32399-0250

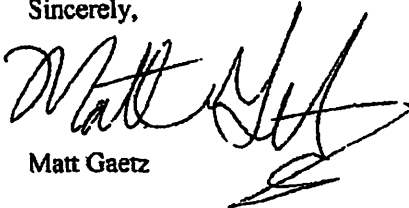
Re: Economic Freedom Foundation, PAC 60915

Dear Ms. Bronson:

Please be advised that, effectively immediately, I am resigning from the position of Chairman for the above-referenced political committee. Amanda Clark has been appointed to the position of Chairman.

Please update the Division's records accordingly.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Gaetz", with a stylized flourish at the end.

Matt Gaetz

HAND DELIVERED



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 22, 2016

Amanda Clark, Chairperson
Economic Freedom Foundation (60915)
8489 Cabin Hill Road
Tallahassee, Florida 32311

Dear Ms. Clark:

Your appointment as chairperson for **Economic Freedom Foundation** was filed in this office on March 18, 2016. Enclosed is a security envelope containing your confidential password and pin number to access the Division's Electronic Filing System (EFS). You will need to advise the treasurer and any deputy treasurer(s) of the new password in order for them to have access to the EFS.

All of the Division's publications and reporting forms are available on the Division of Elections' website at <http://dos.myflorida.com/elections/>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapter 106, Florida Statutes, *Political Committee Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

If you have questions concerning your campaign account or the EFS, you may call (850) 245-6280.

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/ljr

Enclosures

pc: Noreen Fenner, Treasurer

Division of Elections
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6240 • 850.245.6260 (Fax) dos.myflorida.com/elections/



COATES LAW FIRM, PL
RECEIVED ATTORNEYS AT LAW
DEPARTMENT OF STATE

RICHARD E. COATES
EMMETT MITCHELL, IV
ROBERT N. BEAUBIEN

2016 MAY 19 PM 4:44
DIVISION OF ELECTIONS
TALLAHASSEE, FL

115 EAST PARK AVENUE, SUITE 1
TALLAHASSEE, FLORIDA 32301
(850) 681-1029
FAX: (208) 248-9038

May 18, 2016

Ms. Kristi Bronson
Division of Elections
Room 316, R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250

RE: ECONOMIC FREEDOM FOUNDATION

Dear Ms. Bronson:

Attached please find a new *Statement of Organization of Political Committee* (Form DS-DE 9) for the entity, *Economic Freedom Foundation*. Thank you in advance for your assistance.

If you have any questions or concerns, please call me at 681-1029.

Sincerely,



Bucky Mitchell

Attachment

HAND DELIVERED

**STATEMENT OF ORGANIZATION
OF POLITICAL COMMITTEE**

(PLEASE TYPE)

OFFICE USE ONLY
RECEIVED
DEPARTMENT OF STATE

2016 MAY 19 PM 4:44

DIVISION OF ELECTIONS
TALLAHASSEE, FL

1. Full Name of Committee

ECONOMIC FREEDOM FOUNDATION

Telephone

Mailing Address (include city, state and zip code)

8489 Cabin Hill Road, Tallahassee, FL 32311

Street Address (include city, state and zip code)

8489 Cabin Hill Road, Tallahassee, FL 32311

2. Affiliated or Connected Organizations (includes other committees of continuous existence and political committees)

Name of Affiliated or
Connected Organization

Mailing Address

Relationship

N/A

3. Area, Scope and Jurisdiction of the Committee

Statewide political committee to support or oppose candidates for statewide, multi-county, legislative, county and municipal office, and other activities not prohibited by chapter 106, Florida Statutes.

4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.)

Political.

5. Identify by Name, Address and Position, the Custodian of Books and Accounts (include treasurer's name)

Full Name

Mailing Address

Committee Title or Position

Noreen Fenner

8489 Cabin Hill Road
Tallahassee, FL 32311

Treasurer

HAND DELIVERED

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, If Any (include chairman's name)

| Full Name | Mailing Address | Committee Title or Position |
|--------------|---|-----------------------------|
| Amanda Clark | 8489 Cabin Hill Road Tallahassee, FL 32311 | Chairman |

7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)

| Full Name | Mailing Address | Office Sought | Party |
|-------------------|-----------------|---------------|-------|
| To be determined. | | | |

8. List Any Issues this Committee is Supporting: To be determined.

List Any Issues this Committee is Opposing: To be determined.

9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party

N/A

10. In the Event of Dissolution, What Disposition will be Made of Residual Funds?

Transfer any remaining funds to other section 527 organizations.

11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds

| Name of Bank or Depository & Account Number | Mailing Address |
|---|--|
| SunTrust Bank | 3522 Thomasville Road, Suite 500 Tallahassee, Florida 32309 |

12. List all Reports Required to be Filed by this Committee with Federal Officials and the Names, Addresses and Positions of Such Officials, If Any

| Report Title | Dates Required to be Filed | Name & Position of Official | Mailing Address |
|--|---|-----------------------------|-----------------|
| Form 8871, Form 1120POL, Form 990, as may be required | Upon formation, March 15, annually May 15, annually | Internal Revenue Service | Ogden, UT 84201 |

STATE OF Florida Leon COUNTY

I, Amanda Clark, certify that the information in this Statement of

Organization is complete, true and correct.

X

Wendy Clark
Signature of Chairman of Political Committee

5/16/16
Date



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

May 26, 2016

Amanda Clark, Chairperson
Economic Freedom Foundation (60915)
8489 Cabin Hill Road
Tallahassee, Florida 32311


Dear Ms. Clark:

This will acknowledge receipt of your committee's letter informing us of the disbandment of Economic Freedom Foundation as a political committee. This information has been placed on file in our office. Your final report (2016 M5) may be filed at any time but is due no later than **June 10, 2016**. This report must be filed via the Division's Electronic Filing system. If you have no activity to report, you are still required to file a waiver. Should you need to file amendments after the final report has been filed, please contact our office to have your account activated.

If you have any questions, or if we may be of further assistance to you at any time, please do not hesitate to call (850) 245-6280.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristi Reid Bronson".

 Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/zjs

pc: Norcen A. Fenner, Treasurer

Division of Elections
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6240 • 850.245.6260 (Fax) dos.myflorida.com/elections/



HAND DELIVERED

ECONOMIC FREEDOM FOUNDATION

RECEIVED
DEPT. OF STATE
2016 MAY 26 AM 11:57
DIVISION OF ELECTIONS
TALLAHASSEE, FL

May 26, 2016

Ms. Kristi Bronson
Florida Division of Elections
500 South Bronough Street
Room 316, RA Gray Building
Tallahassee, Florida 32399

RE: *ECONOMIC FREEDOM FOUNDATION* (Account No. 60915)

Dear Ms. Bronson:

Pursuant to this letter, I hereby request that the certification of the political committee entitled *Economic Freedom Foundation* be terminated, effective immediately.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink that reads "Mandy Clark". The signature is fluid and cursive, with the first name "Mandy" and last name "Clark" clearly distinguishable.

Amanda Clark
Chairman