

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Hispanic Political Action Committee
(HISPAC)**

Case No.: FEC 22-340

TO: Daniel Lustig, Esquire
PIKE & LUSTIG, LLP
1209 N. Olive Avenue
West Palm Beach, FL 33401

Division of Elections
500 S. Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (CONSENT ORDER (CO) - PUBLIC)

A hearing will be held in this case before the Florida Elections Commission on, **August 13, 2024 at 1:00 p.m.**, *or as soon thereafter as the parties can be heard*, at the following location: **412 Knott Building, Pat Thomas Committee Room, 404 South Monroe Street, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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
July 23, 2024

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.

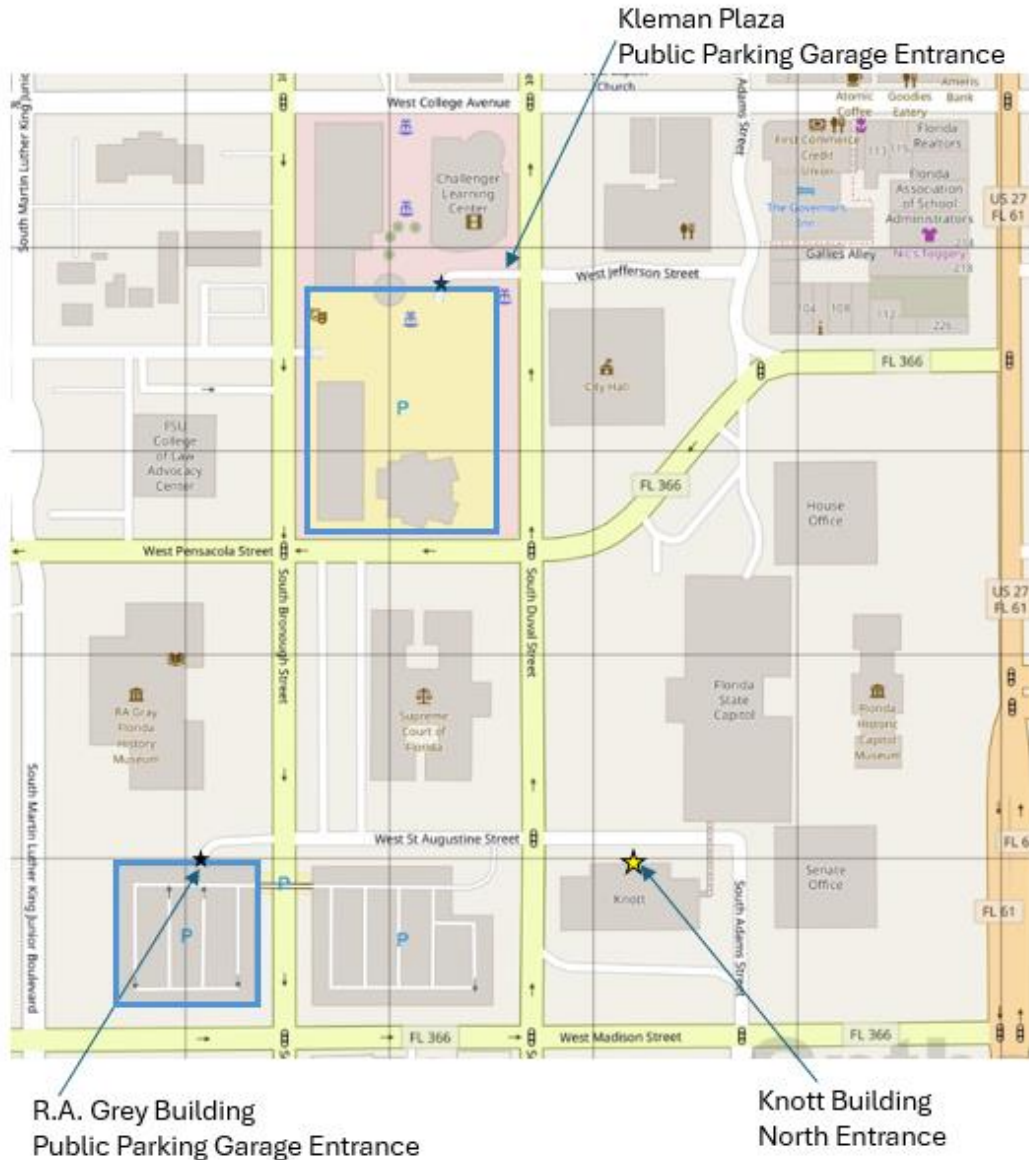
If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the 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.

Florida Elections Commission Meeting - Augut 13-14, 2024, 412 Knott Building

- Please enter the Knott Building at the North entrance as indicated below.
- Public parking is available at Kleman Plaza (entrance at West Jefferson Sreet/South Duval Street) and the R.A. Grey Building Garage (entrance at West St. Augustine Street/South Bronough Street).



**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

v.

**Agency Case No.: FEC 22-340
F.O. No.: FOFEC <#>**

**Hispanic Political Action Committee
(HISPAC),
Respondent.**

CONSENT FINAL ORDER

Respondent, Hispanic Political Action Committee (HISPAC), 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 September 14, 2022, a complaint was filed with the Commission alleging that Respondent violated Florida's election laws.

2. On February 23, 2024, the Commission entered an Order of Probable Cause finding there was probable cause to charge the Respondent with five counts of violating Section 106.07(7), Florida Statutes.

3. Respondent has expressed a desire to enter into negotiations directed toward reaching a consent agreement.

4. Respondent and staff stipulate to the following facts:

a. Respondent is a political committee registered with the Division of Elections.

b. Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting periods: 2022 P1, 2022 P1A, 2022 P2, 2022 P2A, and 2022 P4.

CONCLUSIONS OF LAW

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

6. The Commission staff and the Respondent stipulate that staff can prove the facts in paragraph four above by clear and convincing evidence and to the Commission's ability to impose a civil penalty in this case.

ORDER

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

8. The Respondent shall bear its own attorney's fees and costs that are in any way associated with this case.

9. The Commission will consider this Consent Order at its next available meeting.

10. Respondent voluntarily waives the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal this Consent Order.

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

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

PENALTY

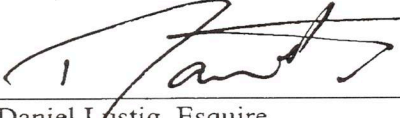
WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent violated Section 106.07(7), Florida Statutes, on five occasions, and imposes a civil penalty in the amount of \$500.

Therefore, it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of **\$500**, inclusive of fees and costs. The civil penalty shall be paid cashier's check or money order, good for at least 120 days, or attorney trust account check. The civil penalty shall be payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

Respondent hereby agrees and consents to the terms of this Consent Order on

7/8/2024



Daniel Lustig, Esquire
Pike & Lustig, LLP
1209 N. Olive Avenue
West Palm Beach, FL 33401



Samuel Roman, Chair
Hispanic Political Action Committee
(HISPAC)
4201 Westgate Avenue, Suite A7
West Palm Beach, FL 33409

THIS SPACE INTENTIONALLY LEFT BLANK

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

July 22, 2024



Stephanie J. Cunningham
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 _____, in Tallahassee, Florida.

Tim Vaccaro, J.D., Executive Director
For Chad Mizelle, Chairman
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, General Counsel
Daniel Lustig, Esq., Attorney for Respondent
Division of Elections, Complainant

00100700



PNC Bank, National Association
Florida, Bank 001

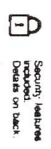
No. 1908768

DATE May 31, 2024

PAY TO THE ORDER OF FLORIDA ELECTIONS COMMISSION

\$ 250.00

TWO HUNDRED FIFTY AND 00 / 100***** DOLLARS



SAMUEL ROMAN

REMITTER

PNC Bank, National Association



[Signature]
OFFICIAL SIGNATURE

00100700



PNC Bank, National Association
Florida, Bank 001

No. 1888857

Webcam 00100700

CASHIER'S CHECK

DATE JULY 02, 2024

PAY TO THE ORDER OF FLORIDA ELECTIONS COMMISSION

\$ 250.00

TWO HUNDRED FIFTY AND 00 / 100 DOLLARS



Security feature included. Details on back.

SAMUEL ROMAN

REMITTER

PNC Bank National Association

OFFICIAL SIGNATURE



[Handwritten Signature]



PIKE & LUSTIG, LLP
TRIAL ATTORNEYS

BUSINESS LITIGATION ♦ INSURANCE LITIGATION ♦ PERSONAL INJURY LITIGATION

MICHAEL J. PIKE, ESQUIRE, PARTNER
DANIEL LUSTIG, ESQUIRE, PARTNER
TALINA BIDWELL, ESQUIRE, PARTNER
ROBERT JOHNSON, ESQUIRE, PARTNER
TIMOTHY O'NEILL, ESQUIRE, PARTNER

STUART HARTSTONE, ESQUIRE
ANDREW BOLOY, ESQUIRE
JESSE FULTON, ESQUIRE
MEAGAN MCCARTHY, ESQUIRE
DOUGLAS LAMBERT, ESQUIRE

July 11, 2024

Certified Article Number

9414 7266 9904 2222 7857 91

SENDER'S RECORD

Via Certified Mail

Stephanie J. Cunningham
Florida Elections Commission
107 West Gaines Street
Suite 224
Tallahassee, Fl 32399

Dear Stephanie,

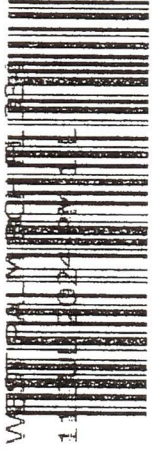
Enclosed, you will find Check No. 1908768 for the amount of \$250.00 and Check No. 1888857 for the amount of \$250.00 issued to the order of the Florida Election Commission in connection to Agency Case No. FEC 22-340 and to be applied to the Civil Penalty imposed on the Hispanic Political Action Committee pursuant to the Consent Final Order (Enclosed). This order has been signed and enclosed with this letter. Upon receiving the signed consent Final Order and the checks, please provide my office with a copy of the fully executed Consent Final Order.

Sincerely,


Daniel Lustig
Daniel@pikelustig.com



PIKE & LUSTIG, LLP
 — Trial Attorneys —
 1209 North Olive Avenue
 West Palm Beach, FL 33401



9414 7266 9904 2222 7857 91

RETURN RECEIPT REQUESTED

\$8.690
 US POSTAGE
 FIRST-CLASS
 062S0001443320
 FROM 33401



598690.130



Florida Elections Commission
 Attn. Stephanie J. Cunningham
 107 West Gaines Street
 Collins Building, Suite 224
 Tallahassee, FL 32399-1050

*Sender: Pike & Lustig LLP
 Remitter: Samuel Roman
 Purpose: FEC 22-340
 Section/Unit: FEC*

RECEIVED

JUL 18 2024



PIKE & LUSTIG, LLP
TRIAL ATTORNEYS

BUSINESS LITIGATION ♦ INSURANCE LITIGATION ♦ PERSONAL INJURY LITIGATION

MICHAEL J. PIKE, ESQUIRE, PARTNER
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July 11, 2024

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Florida Elections Commission
107 West Gaines Street
Suite 224
Tallahassee, FL 32399

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Sincerely,


Daniel Lustig
Daniel@pikelustig.com

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Hispanic Political Action
Committee (HISPAC)**

Case No.: FEC 22-340

TO: Hispanic Political Action Committee
(HISPAC)
PIKE & LUSTIG, LLP
1209 N. Olive Avenue
West Palm Beach, FL 33401

Division of Elections
500 S. Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF CANCELLATION OF HEARING (INFORMAL HEARING)

You are hereby notified that **the previously scheduled hearing for May 14, 2024, is CANCELLED**. It is anticipated that your case will be scheduled for a new hearing date to be determined as soon as possible.

A Notice of Hearing will be mailed to you approximately 14 days prior to the new hearing date. You may also wish to monitor our website at <https://www.fec.state.fl.us/> for meeting announcements.

Tim Vaccaro

Executive Director
Florida Elections Commission
May 13, 2024

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Hispanic Political Action Committee
(HISPAC)**

Case No.: FEC 22-340

TO: Daniel Lustig, Esquire
PIKE & LUSTIG, LLP
1209 N. Olive Avenue
West Palm Beach, FL 33401

Division of Elections
500 S. Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **May 14, 2024 at 9:00 a.m.**, *or as soon thereafter as the parties can be heard*, at the following location: **412 Knott Building, Pat Thomas Committee Room, 404 South Monroe Street, Tallahassee, Florida 32399.**

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:

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See further instructions on the reverse side.

Tim Vaccaro

Executive Director
Florida Elections Commission
April 26, 2024

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.

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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.

From: [Stephanie Cunningham](#)
To: [Daniel Lustig](#)
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)
Date: Tuesday, April 30, 2024 5:25:00 PM
Attachments: [image001.png](#)
[image002.png](#)

Mr. Lustig:

As you indicated, I sent you an email on January 25, 2024, regarding the language of the minor violation consent order. When you did not respond, my office provided you notice that a probable cause hearing was scheduled on February 7, 2024. Your client did not sign, and my office did not receive the partially executed consent order until February 8, 2024, the day after the hearing.

Therefore, this case is scheduled for an informal hearing on May 14, 2024. I understand that you do not agree with my position regarding the expiration of the offer and maintain that your client had a 120-day period in which to make payment. However, the minor violation consent order states that the funds must be good for at least 120 days, not that your client has 120 days in which to proffer payment.

Since the minor violation consent order was not entered into prior to the probable cause hearing, I can offer to enter into a post-probable cause consent order at this time. Please let me know if your client is interested. Additionally, my office received a letter and cashier's check directly from your client. I wanted to confirm that you are still representing HISPAC and whether the cashier's check should be returned to your client or to your law firm.

Thank you.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Tuesday, March 12, 2024 10:59 AM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Cc: Daniel Lustig <daniel.lustig@me.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Ms. Cunningham

First of all, the consent Order was accepted by the Respondent and same was sent to you on February 8, 2024. The fact that my signature is not there, does not change the acceptance of the offer. Moreover, the Civil penalty addressed in paragraph 12 must be paid during a period of 120 days. That period has not expired yet. Nonetheless, the offer was accepted. Upon submission of the consent order, we did not hear back from you.

In terms of your statements concerning the proposed changes, it took you weeks to get back to me concerning the proposed changes.

I asked you on October 30, 2023, to send me the consent order in word. You responded on November 7, 2023 and I followed up again the next day, asking for the document in word and on that day, you sent the word document.

The matter was continued in November based on a message we received on November 16. I followed up with you on January 22, 2024, concerning the proposed changes to the consent order. It was not until January 25, 2024, that you sent an email stating: "The minor violation consent order contains the softest language of any of the consent orders entered by the Elections Commission. The order does not require the Respondent to admit guilt, nor does it find a violation of the Election Code." We returned the signed accepted consent order from the Respondent on February 8, 2024. Therefore, based on the timing when you sent the consent order in January 2024, the lack of period stated for an acceptance, the open window for the Respondent to pay the civil penalty and my client's signature in the document and transmission of same, your position is legally inaccurate.

Sincerely,

Daniel Lustig - Attorney at Law



PIKE & LUSTIG, LLP

TRIAL LAWYERS

Phone: (561) 855-7585 – Main

(561) 855-7563 – Direct
(561) 855-7710 – Facsimile
www.pikelustig.com – Website

West Palm Beach Office
1209 N. Olive Avenue,
West Palm Beach, Florida 33401

Wellington Office
Chancellor South
12008 S. Shore Blvd
Suite 206
Wellington, FL 33414

Miami Office
777 Brickell Avenue, Suite 500
Miami, Florida 33131
Phone: (305) 697-9799 – Main
(305) 809-8009 – Facsimile

CONFIDENTIALITY NOTICE: This e-mail, including any attachments, is strictly confidential and may contain privileged material, including but not limited to information protected by the work product and attorney/client privileges. Furthermore, this e-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, and is legally privileged. The information contained in this e-mail is intended only for use of the individual or entity to whom it is addressed. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you received this e-mail in error, please notify the sender immediately (by return e-mail or at the phone number above) and delete the e-mail from your computer. Please do not copy or use it for any purpose, do not disseminate it further, and destroy all copies of the original message.



From: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Sent: Tuesday, March 12, 2024 10:07 AM
To: Daniel Lustig <daniel@pikelustig.com>
Cc: Daniel Lustig <daniel.lustig@me.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

CAUTION: This message originated outside of the firm. Use caution when opening attachments, clicking links or responding to requests for information

Mr. Lustig:

This case was continued on November 15, 2023, to finalize settlement. My office did not receive the signed consent order and payment. The case was noticed for a probable cause hearing. On February 8, 2024, the day after the probable cause hearing, I received a partially executed consent order that was lacking your signature. No settlement funds were provided. As a courtesy, I offered the minor violation consent order again in October of 2023 as your client was not represented when first offered, prior to an investigation. I informed you that I did not believe the Commission would accept your proposed changes to the minor violation consent order. The staff recommendation was drafted in June of 2023 and the probable cause hearing has been delayed twice. The time for acceptance of the minor violation consent order has passed.

Stephanie J. Cunningham
General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399
stephanie.cunningham@myfloridalegal.com
(850) 922-4539
(850) 921-0783 fax
www.fec.state.fl.us

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Monday, March 11, 2024 10:56 AM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Cc: Daniel Lustig <daniel.lustig@me.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Stephanie

I received this morning an Order of Probable Cause filed on February 23, 2024.

This is completely outrageous given that we submitted the signed Consent Order and never heard back from the department. Mr. Vaccaro, who has been copied in some of the communications knows you have been working on resolving this issue.

Please provide my office with an update on this issue.

Sincerely,

Daniel Lustig - Attorney at Law



PIKE & LUSTIG, LLP

TRIAL LAWYERS

Phone: (561) 855-7585 – Main
(561) 855-7563 – Direct
(561) 855-7710 – Facsimile
www.pikelustig.com – Website

West Palm Beach Office
1209 N. Olive Avenue,
West Palm Beach, Florida 33401

Wellington Office
Chancellor South
12008 S. Shore Blvd
Suite 206
Wellington, FL 33414

Miami Office
777 Brickell Avenue, Suite 500
Miami, Florida 33131
Phone: (305) 697-9799 – Main
(305) 809-8009 – Facsimile

CONFIDENTIALITY NOTICE: This e-mail, including any attachments, is strictly confidential and may contain privileged material, including but not limited to information protected by the work product and attorney/client privileges. Furthermore, this e-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, and is legally privileged. The information contained in this e-mail is intended only for use of the individual or entity to whom it is addressed. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you received this e-mail in error, please notify the sender immediately (by return e-mail or at the phone number above) and delete the e-mail from your computer. Please do not copy or use it for any purpose, do not disseminate it further, and destroy all copies of the original message.



From: Daniel Lustig

Sent: Thursday, February 8, 2024 7:38 PM

To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>

Cc: Daniel Lustig <daniel.lustig@me.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>

Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Stephanie

Hope you are well. Enclosed please find the signed Consent Order/settlement agreement.

Sincerely,

Daniel Lustig - Attorney at Law



PIKE & LUSTIG, LLP

"We see solutions where others see problems."

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www.pikelustig.com – Website

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West Palm Beach, Florida 33401

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12008 S. Shore Blvd
Suite 206
Wellington, FL 33414

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From: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Sent: Thursday, January 25, 2024 12:47 PM
To: Daniel Lustig <daniel@pikelustig.com>
Cc: Daniel Lustig <daniel.lustig@me.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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The minor violation consent order contains the softest language of any of the consent orders entered by the Elections Commission. The order does not require the Respondent to admit guilt, nor does it find a violation of the Election Code.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Wednesday, January 24, 2024 9:17 AM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Cc: Daniel Lustig <daniel.lustig@me.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: Re: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Please send me some revisions that you find acceptable. The language you proposed is very harsh for such minor alleged violation.

Sent from my iPhone, pardon any typos.

Sincerely,

Daniel Lustig - Attorney at Law



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Commercial Litigation- Tier 1

West Palm Beach

2023

On Jan 24, 2024, at 9:07 AM, Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com> wrote:

Good morning,

I cannot agree to the proposed revised language for the minor violation consent order. The Commission reviews the consent orders prior to approval and I do not believe that the Commission would approve the changes.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Monday, January 22, 2024 6:07 PM
To: Daniel Lustig <daniel.lustig@me.com>
Cc: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Hi Stephanie

Hope you are well. Where are we on getting this matter resolved? Can we get this done? I sent you revised language to resolve the issue.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Daniel Lustig <daniel.lustig@me.com>

Sent: Tuesday, November 14, 2023 8:00 AM

To: Daniel Lustig <daniel@pikelustig.com>

Cc: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>

Subject: Re: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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I am following up with my request once again. Please provide written confirmation that this hearing is being continued or moved and/or that you are providing a zoom link.

Sincerely,

Daniel Lustig - Attorney at Law



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2023

On Nov 13, 2023, at 2:51 PM, Daniel Lustig <daniel@pikelustig.com>
wrote:

Pursuant to the administrative code, my client is entitled to due process. You set a hearing via zoom and now expect our office to travel 14 hours total, to present a position for a maximum

amount of time of 5 minutes. If you find probable cause because my side is not represented due to the outrageous nature of the arbitrary change in the manner in which the hearing is conducted, your entire case will be tainted. It is completely unreasonable to change the hearing to in person, when you are dealing with an alleged minor violation, one which involves a reporting issue when the PAC did not even receive or expended funds.

Neither my client nor my office can attend the hearing in person, in Tallahassee. Given the posture of the case, and the fact that you and I have been going back and forth on the resolution of same, it is completely illogical not to move this matter forward, pending the resolution. Therefore, as much as we need this to be continued, you should be agreeing to the same continuance.

In Citizens of State v. Florida Pub. Serv. Com'n, 146 So. 3d 1143, 1154 (Fla. 2014) the court addresses that the “[t]he legislature may determine by what process and procedure legal rights may be asserted and determined provided that the procedure adopted affords reasonable notice and a fair opportunity to be heard before rights are decided.” *Peoples Bank of Indian River Cnty. v. State, Dep't of Banking & Fin.*, 395 So.2d 521, 524 (Fla.1981). In the administrative arena, due process requirements are found in chapter 120, Florida Statutes, the Florida Administrative Procedure Act (“APA”).” Fla. Stat. § 120.68(1)(b) state: “(b) A preliminary, procedural, or intermediate order of the agency or of an administrative law judge of the Division of Administrative Hearings is immediately reviewable if review of the final agency decision would not provide an adequate

remedy.”

This preliminary hearing is procedural in nature but it also affects my client’s substantive rights. We are therefore requesting the continuance of same, or a zoom link to appear via zoom for the hearing.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Sent: Monday, November 13, 2023 2:31 PM
To: Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Cc: Daniel Lustig <daniel@pikelustig.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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Mr. Lustig:

Thank you for the information; however, I respectfully disagree. The Florida Elections Commission is an administrative agency, not a court of law. There is no provision in statute or rule that requires the Commission to grant a request for a remote hearing. If you or your client are unable to attend the hearing, you may request the Commission continue the case to our next available meeting.

Thank you.

Stephanie J. Cunningham
General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399
stephanie.cunningham@myfloridalegal.com
(850) 922-4539
(850) 921-0783 fax
www.fec.state.fl.us

From: Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>
Sent: Monday, November 13, 2023 11:51 AM
To: Florida Elections Commission <fec@myfloridalegal.com>; Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Cc: Daniel Lustig <daniel@pikelustig.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)
Importance: High

Good morning,
Attached please find correspondence of today's date from Mr. Lustig.

Regards,

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Monday, November 13, 2023 10:00 AM
To: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Cc: Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>
Subject: Re: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Dear Stephanie

My office requested a zoom link. The Florida Supreme Court ruled that zoom is a proper method to conduct hearings. The fact that your office is arbitrarily requesting the hearing to be in person as opposed to zoom is unreasonable and violates my client's due process rights. The last hearing was scheduled via zoom and a zoom link was provided. Please provide a zoom link. I will file an action in State Court based on the violation of due

process as a result of the arbitrary decision to suddenly not permit attendance via zoom.

Sent from my iPhone, pardon any typos.

Sincerely,

Daniel Lustig - Attorney at Law



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2023

On Nov 8, 2023, at 1:11 PM, Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com> wrote:

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See attached.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Wednesday, November 8, 2023 7:34 AM
To: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Subject: Re: FEC 22-340: Hispanic Political Action Committee
(HISPAC)

Ms. Cunningham

I understand but I would like the document in word so I can
redline my proposed changes. I appreciate the courtesy.

Thank you

Sent from my iPhone, pardon any typos.

Sincerely,

Daniel Lustig - Attorney at Law



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2023

On Nov 7, 2023, at 2:51 PM, Stephanie
Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
wrote:

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Mr. Lustig:

The minor violation consent order contains the softest language of any of the consent orders entered by the Elections Commission. If there is something specific you are interested in changing, please let me know and I would be happy to entertain it. I will agree to and revise the consent order if I believe the Commission would approve such language or terms.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Monday, November 6, 2023 11:44 AM
To: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Hello, I am following up on the order in word please.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Daniel Lustig
Sent: Monday, October 30, 2023 12:30 PM
To: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Hi Ms. Cunningham

Would you kindly forward the proposed order in word.

Thank you

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Sent: Tuesday, October 10, 2023 2:28 PM
To: Daniel Lustig <daniel@pikelustig.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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Mr. Lustig:

Please see attached Consent Order, for your review. If your client agrees with the content, please sign and return the original order to my office (address in signature block below) along with a cashier's check or money order (good for at least 120 days) or attorney's trust account check in the amount of \$250. The signed original order and payment must be received by October 27, 2023. The funds must be made payable to the Florida Elections Commission.

Please let me know if you have any questions.

Stephanie J. Cunningham
General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399
stephanie.cunningham@myfloridalegal.com
(850) 922-4539
(850) 921-0783 fax
www.fec.state.fl.us

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Tuesday, October 3, 2023 2:37 PM
To: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political
Action Committee (HISPAC)

Dear Stephanie, is the total \$250 to resolve the matter? Please let me see a draft of the consent order. Language is important for HISPAC.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Sent: Tuesday, October 3, 2023 9:04 AM
To: Daniel Lustig <daniel@pikelustig.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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The fine for a minor violation consent order is set by rule. I cannot offer a lesser fine in conjunction with a minor violation consent order.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Tuesday, September 26, 2023 3:56 PM
To: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

I will send to my client. Any way you can agree to waive or lesser fee? They did not raise money to report.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Sent: Tuesday, September 26, 2023 3:10 PM
To: Daniel Lustig <daniel@pikelustig.com>
Subject: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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Mr. Lustig:

This case was eligible for a minor violation

consent order due to the nature of the allegations. Since the committee had not retained counsel when previously offered, I would again extend the offer for your client's consideration. The consent order would not require your client to admit liability and the funds payable would be \$250 (\$50 per late filed waiver).

Please let me know if you would like to see a draft of the proposed minor violation consent order.

Stephanie J. Cunningham
General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399
stephanie.cunningham@myfloridalegal.com
(850) 922-4539
(850) 921-0783 fax
www.fec.state.fl.us



RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)Daniel Lustig to:
Stephanie Cunningham 03/12/2024 10:58 AM
Cc: "Daniel Lustig", "Rosa Parsont (InjuryLIT)", "Florida Elections Commission"

Ms. Cunningham

First of all, the consent Order was accepted by the Respondent and same was sent to you on February 8, 2024. The fact that my signature is not there, does not change the acceptance of the offer. Moreover, the Civil penalty addressed in paragraph 12 must be paid during a period of 120 days. That period has not expired yet. Nonetheless, the offer was accepted. Upon submission of the consent order, we did not hear back from you.

In terms of your statements concerning the proposed changes, it took you weeks to get back to me concerning the proposed changes.

I asked you on October 30, 2023, to send me the consent order in word. You responded on November 7, 2023 and I followed up again the next day, asking for the document in word and on that day, you sent the word document.

The matter was continued in November based on a message we received on November 16. I followed up with you on January 22, 2024, concerning the proposed changes to the consent order. It was not until January 25, 2024, that you sent an email stating: "The minor violation consent order contains the softest language of any of the consent orders entered by the Elections Commission. The order does not require the Respondent to admit guilt, nor does it find a violation of the Election Code." We returned the signed accepted consent order from the Respondent on February 8, 2024. Therefore, based on the timing when you sent the consent order in January 2024, the lack of period stated for an acceptance, the open window for the Respondent to pay the civil penalty and my client's signature in the document and transmission of same, your position is legally inaccurate.

Sincerely,

Daniel Lustig - Attorney at Law



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From: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Sent: Tuesday, March 12, 2024 10:07 AM
To: Daniel Lustig <daniel@pikelustig.com>
Cc: Daniel Lustig <daniel.lustig@me.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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Mr. Lustig:

This case was continued on November 15, 2023, to finalize settlement. My office did not receive the signed consent order and payment. The case was noticed for a probable cause hearing. On February 8, 2024, the day after the probable cause hearing, I received a partially executed consent order that was lacking your signature. No settlement funds were provided. As a courtesy, I offered the minor violation consent order again in October of 2023 as your client was not represented when first offered, prior to an investigation. I informed you that I did not believe the Commission would accept your proposed changes to the minor violation consent order. The staff recommendation was drafted in June of 2023 and the probable cause hearing has been delayed twice. The time for acceptance of the minor violation consent order has passed.

Stephanie J. Cunningham
 General Counsel
 Florida Elections Commission
 107 W. Gaines Street
 Collins Building, Suite 224
 Tallahassee, FL 32399
stephanie.cunningham@myfloridalegal.com
 (850) 922-4539
 (850) 921-0783 fax
www.fec.state.fl.us

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Monday, March 11, 2024 10:56 AM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Cc: Daniel Lustig <daniel.lustig@me.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Stephanie

I received this morning an Order of Probable Cause filed on February 23, 2024. This is completely outrageous given that we submitted the signed Consent Order and never heard back from the department. Mr. Vaccaro, who has been copied in some of the communications knows you have been working on resolving this issue.

Please provide my office with an update on this issue.

Sincerely,

Daniel Lustig - Attorney at Law



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From: Daniel Lustig
Sent: Thursday, February 8, 2024 7:38 PM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Cc: Daniel Lustig <daniel.lustig@me.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Stephanie

Hope you are well. Enclosed please find the signed Consent Order/settlement agreement.

Sincerely,

Daniel Lustig - Attorney at Law



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From: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>

Sent: Thursday, January 25, 2024 12:47 PM

To: Daniel Lustig <daniel@pikelustig.com>

Cc: Daniel Lustig <daniel.lustig@me.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida

Elections Commission <fec@myfloridalegal.com>

Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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The minor violation consent order contains the softest language of any of the consent orders entered by the Elections Commission. The order does not require the Respondent to admit guilt, nor does it find a violation of the Election Code.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com>

Sent: Wednesday, January 24, 2024 9:17 AM

To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>

Cc: Daniel Lustig <daniel.lustig@me.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>

Subject: Re: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Please send me some revisions that you find acceptable. The language you proposed is very harsh for such minor alleged violation.

Sent from my iPhone, pardon any typos.

Sincerely,

Daniel Lustig - Attorney at Law



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Commercial Litigation- Tier 1
West Palm Beach
2023

On Jan 24, 2024, at 9:07 AM, Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com> wrote:

Good morning,

I cannot agree to the proposed revised language for the minor violation consent order. The Commission reviews the consent orders prior to approval and I do not believe that the Commission would approve the changes.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Monday, January 22, 2024 6:07 PM
To: Daniel Lustig <daniel.lustig@me.com>
Cc: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Hi Stephanie

Hope you are well. Where are we on getting this matter resolved? Can we get this done? I sent you revised language to resolve the issue.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Daniel Lustig <daniel.lustig@me.com>
Sent: Tuesday, November 14, 2023 8:00 AM
To: Daniel Lustig <daniel@pikelustig.com>
Cc: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: Re: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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I am following up with my request once again. Please provide written confirmation that this hearing is being continued or moved and/or that you are providing a zoom link.

Sincerely,

Daniel Lustig - Attorney at Law



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Commercial Litigation- Tier 1

West Palm Beach

2023

On Nov 13, 2023, at 2:51 PM, Daniel Lustig <daniel@pikelustig.com> wrote:

Pursuant to the administrative code, my client is entitled to due process. You set a hearing via zoom and now expect our office to travel 14 hours total, to

present a position for a maximum amount of time of 5 minutes. If you find probable cause because my side is not represented due to the outrageous nature of the arbitrary change in the manner in which the hearing is conducted, your entire case will be tainted. It is completely unreasonable to change the hearing to in person, when you are dealing with an alleged minor violation, one which involves a reporting issue when the PAC did not even receive or expended funds. Neither my client nor my office can attend the hearing in person, in Tallahassee. Given the posture of the case, and the fact that you and I have been going back and forth on the resolution of same, it is completely illogical not to move this matter forward, pending the resolution. Therefore, as much as we need this to be continued, you should be agreeing to the same continuance.

In Citizens of State v. Florida Pub. Serv. Com'n, 146 So. 3d 1143, 1154 (Fla. 2014) the court addresses that the “[t]he legislature may determine by what process and procedure legal rights may be asserted and determined provided that the procedure adopted affords reasonable notice and a fair opportunity to be heard before rights are decided.” *Peoples Bank of Indian River Cnty. v. State, Dep’t of Banking & Fin.*, 395 So.2d 521, 524 (Fla.1981). In the administrative arena, due process requirements are found in chapter 120, Florida Statutes, the Florida Administrative Procedure Act (“APA”).” Fla. Stat. § 120.68(1)(b) state: “(b) A preliminary, procedural, or intermediate order of the agency or of an administrative law judge of the Division of Administrative Hearings is immediately reviewable if review of the final agency decision would not provide an adequate remedy.”

This preliminary hearing is procedural in nature but it also affects my client's substantive rights. We are therefore requesting the continuance of same, or a zoom link to appear via zoom for the hearing.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Sent: Monday, November 13, 2023 2:31 PM
To: Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Cc: Daniel Lustig <daniel@pikelustig.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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Mr. Lustig:

Thank you for the information; however, I respectfully disagree. The Florida Elections Commission is an administrative agency, not a court of law. There is no provision in statute or rule that requires the Commission to grant a request for a remote hearing. If you or your client are unable to attend the hearing, you may request the Commission continue the case to our next available meeting.

Thank you.

Stephanie J. Cunningham
General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399
stephanie.cunningham@myfloridalegal.com
(850) 922-4539
(850) 921-0783 fax
www.fec.state.fl.us

From: Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>
Sent: Monday, November 13, 2023 11:51 AM
To: Florida Elections Commission <fec@myfloridalegal.com>; Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Cc: Daniel Lustig <daniel@pikelustig.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)
Importance: High

Good morning,
Attached please find correspondence of today's date from Mr. Lustig.

Regards,

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Monday, November 13, 2023 10:00 AM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Cc: Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>
Subject: Re: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Dear Stephanie

My office requested a zoom link. The Florida Supreme Court ruled that zoom is a proper method to conduct hearings. The fact that your office is arbitrarily requesting the hearing to be in person as opposed to zoom is unreasonable and violates my client's due process rights. The last hearing was scheduled via zoom and a zoom link was provided. Please provide a zoom link. I will file an action in State Court based on the violation of due process as a result of the arbitrary decision to suddenly not permit attendance via zoom.

Sent from my iPhone, pardon any typos.

Sincerely,

Daniel Lustig - Attorney at Law



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On Nov 8, 2023, at 1:11 PM, Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com> wrote:

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See attached.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Wednesday, November 8, 2023 7:34 AM
To: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Subject: Re: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Ms. Cunningham

I understand but I would like the document in word so I can redline my proposed changes. I appreciate the courtesy.

Thank you

Sent from my iPhone, pardon any typos.

Sincerely,

Daniel Lustig - Attorney at Law



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On Nov 7, 2023, at 2:51 PM, Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com> wrote:

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Mr. Lustig:

The minor violation consent order contains the softest language of any of the consent orders entered by the Elections Commission. If there is something specific you are interested in changing, please let me know and I would be happy to entertain it. I will agree to and revise the consent order if I believe the Commission would approve such language or terms.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Monday, November 6, 2023 11:44 AM
To: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Hello, I am following up on the order in word please.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Daniel Lustig
Sent: Monday, October 30, 2023 12:30 PM
To: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action
Committee (HISPAC)

Hi Ms. Cunningham

Would you kindly forward the proposed
order in word.

Thank you

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Sent: Tuesday, October 10, 2023 2:28 PM
To: Daniel Lustig <daniel@pikelustig.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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clicking links or responding to requests for information

Mr. Lustig:

Please see attached Consent Order, for your review. If your client agrees with the content, please sign and return the original order to my office (address in signature block below) along with a **cashier's check or money order** (good for at least 120 days) **or attorney's trust account check** in the amount of \$250. The signed original order and payment must be received by October 27, 2023. The funds must be made payable to the Florida Elections Commission.

Please let me know if you have any questions.

Stephanie J. Cunningham
General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399
stephanie.cunningham@myfloridalegal.com
(850) 922-4539
(850) 921-0783 fax
www.fec.state.fl.us

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Tuesday, October 3, 2023 2:37 PM
To: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Dear Stephanie, is the total \$250 to resolve the matter? Please let me see a draft of the consent order. Language is important for HISPAC.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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www.pikelustig.com – Website

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<image002.png>

From: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Sent: Tuesday, October 3, 2023 9:04 AM
To: Daniel Lustig <daniel@pikelustig.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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The fine for a minor violation consent order is set by rule. I cannot offer a lesser fine in conjunction with a minor violation consent order.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Tuesday, September 26, 2023 3:56 PM
To: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

I will send to my client. Any way you can agree to waive or lesser fee? They did not raise money to report.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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From: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Sent: Tuesday, September 26, 2023 3:10 PM
To: Daniel Lustig <daniel@pikelustig.com>
Subject: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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Mr. Lustig:

This case was eligible for a minor violation consent order due to the nature of the allegations. Since the committee had not retained counsel when previously offered, I would again extend the offer for your client's consideration. The consent order would not require your client to admit liability and the funds payable would be \$250 (\$50 per late filed waiver).

Please let me know if you would like to see a draft of the proposed minor violation consent order.

Stephanie J. Cunningham
General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399
stephanie.cunningham@myfloridalegal.com
(850) 922-4539
(850) 921-0783 fax
www.fec.state.fl.us



RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Stephanie Cunningham to: Daniel Lustig

03/12/2024 10:07 AM

Cc: "Daniel Lustig", "Rosa Parsont (InjuryLIT)", "Florida Elections Commission"

2 attachments



image001.png



image002.png

Mr. Lustig:

This case was continued on November 15, 2023, to finalize settlement. My office did not receive the signed consent order and payment. The case was noticed for a probable cause hearing. On February 8, 2024, the day after the probable cause hearing, I received a partially executed consent order that was lacking your signature. No settlement funds were provided. As a courtesy, I offered the minor violation consent order again in October of 2023 as your client was not represented when first offered, prior to an investigation. I informed you that I did not believe the Commission would accept your proposed changes to the minor violation consent order. The staff recommendation was drafted in June of 2023 and the probable cause hearing has been delayed twice. The time for acceptance of the minor violation consent order has passed.

Stephanie J. Cunningham
General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399
stephanie.cunningham@myfloridalegal.com<
mailto:stephanie.cunningham@myfloridalegal.com>
(850) 922-4539
(850) 921-0783 fax
www.fec.state.fl.us<http://www.fec.state.fl.us/>

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Monday, March 11, 2024 10:56 AM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Cc: Daniel Lustig <daniel.lustig@me.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Stephanie

I received this morning an Order of Probable Cause filed on February 23, 2024. This is completely outrageous given that we submitted the signed Consent Order and never heard back from the department. Mr. Vaccaro, who has been copied in some of the communications knows you have been working on resolving this issue.

Please provide my office with an update on this issue.

Sincerely,

Daniel Lustig - Attorney at Law

[cid:image001.png@01DA7464.4DC1D070]

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[cid:image002.png@01DA7464.4DC1D070]

From: Daniel Lustig
Sent: Thursday, February 8, 2024 7:38 PM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com<<mailto:Stephanie.Cunningham@myfloridalegal.com>>>
Cc: Daniel Lustig <daniel.lustig@me.com<<mailto:daniel.lustig@me.com>>>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com<<mailto:injurylit@pikelustig.com>>>; Florida Elections Commission <fec@myfloridalegal.com<<mailto:fec@myfloridalegal.com>>>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Stephanie

Hope you are well. Enclosed please find the signed Consent Order/settlement agreement.

Sincerely,

Daniel Lustig - Attorney at Law

[cid:image001.png@01DA7464.4DC1D070]

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[cid:image002.png@01DA7464.4DC1D070]

From: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com<mailto:Stephanie.Cunningham@myfloridalegal.com>>
Sent: Thursday, January 25, 2024 12:47 PM
To: Daniel Lustig <daniel@pikelustig.com<mailto:daniel@pikelustig.com>>
Cc: Daniel Lustig <daniel.lustig@me.com<mailto:daniel.lustig@me.com>>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com<mailto:injurylit@pikelustig.com>>; Florida Elections Commission <fec@myfloridalegal.com<mailto:fec@myfloridalegal.com>>

Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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The minor violation consent order contains the softest language of any of the consent orders entered by the Elections Commission. The order does not require the Respondent to admit guilt, nor does it find a violation of the Election Code.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com<mailto:daniel@pikelustig.com>>
Sent: Wednesday, January 24, 2024 9:17 AM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com<mailto:Stephanie.Cunningham@myfloridalegal.com>>
Cc: Daniel Lustig <daniel.lustig@me.com<mailto:daniel.lustig@me.com>>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com<mailto:injurylit@pikelustig.com>>; Florida Elections Commission <fec@myfloridalegal.com<mailto:fec@myfloridalegal.com>>
Subject: Re: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Please send me some revisions that you find acceptable. The language you proposed is very harsh for such minor alleged violation.

Sent from my iPhone, pardon any typos.

Sincerely,

Daniel Lustig - Attorney at Law

[cid:image002.jpg@01D2831F.69F78660]

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BEST LAWYERS, BEST LAW FIRMS
US NEWS, a World Report
Commercial Litigation- Tier 1
West Palm Beach
2023

On Jan 24, 2024, at 9:07 AM, Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com<
mailto:Stephanie.Cunningham@myfloridalegal.com>> wrote:

Good morning,

I cannot agree to the proposed revised language for the minor violation consent order. The Commission reviews the consent orders prior to approval and I do not believe that the Commission would approve the changes.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com<mailto:daniel@pikelustig.com>>
Sent: Monday, January 22, 2024 6:07 PM
To: Daniel Lustig <daniel.lustig@me.com<mailto:daniel.lustig@me.com>>
Cc: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com<
mailto:Stephanie.Cunningham@myfloridalegal.com>>; Rosa Parsont (InjuryLIT)
<injurylit@pikelustig.com<mailto:injurylit@pikelustig.com>>; Florida
Elections Commission <fec@myfloridalegal.com<mailto:fec@myfloridalegal.com>>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Hi Stephanie

Hope you are well. Where are we on getting this matter resolved? Can we get this done? I sent you revised language to resolve the issue.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Daniel Lustig <daniel.lustig@me.com<mailto:daniel.lustig@me.com>>
Sent: Tuesday, November 14, 2023 8:00 AM
To: Daniel Lustig <daniel@pikelustig.com<mailto:daniel@pikelustig.com>>
Cc: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com<mailto:Stephanie.Cunningham@myfloridalegal.com>>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com<mailto:injurylit@pikelustig.com>>; Florida Elections Commission <fec@myfloridalegal.com<mailto:fec@myfloridalegal.com>>
Subject: Re: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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I am following up with my request once again. Please provide written confirmation that this hearing is being continued or moved and/or that you are providing a zoom link.

Sincerely,

Daniel Lustig - Attorney at Law

[cid:image002.jpg@01D2831F.69F78660]

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US NEWS, a World Report
Commercial Litigation- Tier 1
West Palm Beach
2023

On Nov 13, 2023, at 2:51PM, Daniel Lustig <daniel@pikelustig.com<mailto:daniel@pikelustig.com>> wrote:

Pursuant to the administrative code, my client is entitled to due process. You set a hearing via zoom and now expect our office to travel 14 hours total, to present a position for a maximum amount of time of 5 minutes. If you find probable cause because my side is not represented due to the outrageous nature of the arbitrary change in the manner in which the hearing is conducted, your entire case will be tainted. It is completely unreasonable to change the hearing to in person, when you are dealing with an alleged minor violation, one which involves a reporting issue when the PAC did not even receive or expended funds. Neither my client nor my office can attend the hearing in person, in Tallahassee. Given the posture of the case, and the fact that you and I have been going back and forth on the resolution of same, it is completely illogical not to move this matter forward, pending the resolution. Therefore, as much as we need this to be continued, you should be agreeing to the same continuance.

In *Citizens of State v. Florida Pub. Serv. Com'n*, 146 So. 3d 1143, 1154 (Fla. 2014) the court addresses that the "[t]he legislature may determine by what process and procedure legal rights may be asserted and determined provided that the procedure adopted affords reasonable notice and a fair opportunity to be heard before rights are decided." *Peoples Bank of Indian River Cnty. v. State, Dep't of Banking & Fin.*, 395 So.2d 521, 524 (Fla.1981). In the administrative arena, due process requirements are found in chapter 120, Florida Statutes, the Florida Administrative Procedure Act ("APA")." Fla. Stat. § 120.68(1)(b) state: "(b) A preliminary, procedural, or intermediate order of the agency or of an administrative law judge of the Division of Administrative Hearings is immediately reviewable if review of the final agency decision would not provide an adequate remedy."

This preliminary hearing is procedural in nature but it also affects my client's substantive rights. We are therefore requesting the continuance of same, or a zoom link to appear via zoom for the hearing.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com<<mailto:Stephanie.Cunningham@myfloridalegal.com>>>
Sent: Monday, November 13, 2023 2:31 PM
To: Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com<<mailto:injurylit@pikelustig.com>>>; Florida Elections Commission <fec@myfloridalegal.com<<mailto:fec@myfloridalegal.com>>>
Cc: Daniel Lustig <daniel@pikelustig.com<<mailto:daniel@pikelustig.com>>>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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Mr. Lustig:

Thank you for the information; however, I respectfully disagree. The Florida Elections Commission is an administrative agency, not a court of law. There is

no provision in statute or rule that requires the Commission to grant a request for a remote hearing. If you or your client are unable to attend the hearing, you may request the Commission continue the case to our next available meeting.

Thank you.

Stephanie J. Cunningham
General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399
stephanie.cunningham@myfloridalegal.com<
mailto:stephanie.cunningham@myfloridalegal.com>
(850) 922-4539
(850) 921-0783 fax
www.fec.state.fl.us<
https://urldefense.com/v3/__http://www.fec.state.fl.us/__;!!KX7BVY8_YTnAgrFq92k!
!geSlgbYe-PmhAeiUZutXmIPCIZ2cLPsANJnXtss_rhcc0ZJOg714G54w75EDoj-M8Upi7Sq5BYc85
fER0JHyOq0xUFRhLJbJ\$>

From: Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com<
mailto:injurylit@pikelustig.com>>
Sent: Monday, November 13, 2023 11:51 AM
To: Florida Elections Commission <fec@myfloridalegal.com<
mailto:fec@myfloridalegal.com>>; Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com<
mailto:Stephanie.Cunningham@myfloridalegal.com>>
Cc: Daniel Lustig <daniel@pikelustig.com<mailto:daniel@pikelustig.com>>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)
Importance: High

Good morning,
Attached please find correspondence of today's date from Mr. Lustig.

Regards,

From: Daniel Lustig <daniel@pikelustig.com<mailto:daniel@pikelustig.com>>
Sent: Monday, November 13, 2023 10:00 AM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com<
mailto:Stephanie.Cunningham@myfloridalegal.com>>
Cc: Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com<
mailto:injurylit@pikelustig.com>>
Subject: Re: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Dear Stephanie

My office requested a zoom link. The Florida Supreme Court ruled that zoom is a proper method to conduct hearings. The fact that your office is arbitrarily requesting the hearing to be in person as opposed to zoom is unreasonable and violates my client's due process rights. The last hearing was scheduled via zoom and a zoom link was provided. Please provide a zoom link. I will file an action in State Court based on the violation of due process as a result of the arbitrary decision to suddenly not permit attendance via zoom.

Sent from my iPhone, pardon any typos.

Sincerely,

Daniel Lustig - Attorney at Law

[cid:image002.jpg@01D2831F.69F78660]

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yBhcCungBJ4T5FHKuJsgdj\$> - Website

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Wellington and Miami

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US NEWS, a World Report
Commercial Litigation- Tier 1
West Palm Beach
2023

On Nov 8, 2023, at 1:11 PM, Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com<
mailto:Stephanie.Cunningham@myfloridalegal.com>> wrote:

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See attached.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com<mailto:daniel@pikelustig.com>>
Sent: Wednesday, November 8, 2023 7:34 AM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com<
mailto:Stephanie.Cunningham@myfloridalegal.com>>
Subject: Re: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Ms. Cunningham

I understand but I would like the document in word so I can redline my proposed changes. I appreciate the courtesy.

Thank you

Sent from my iPhone, pardon any typos.

Sincerely,

Daniel Lustig - Attorney at Law

[cid:image002.jpg@01D2831F.69F78660]

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[https://urldefense.com/v3/_http://www.turnpikelaw.com_";!!KX7Bvy8_YTnAgrFq92k!iqsPciacaX1t4fSOKEG3sr41n81lUBushJF1SDufxCpg_dwKVietdUIFv9pFIPy5_4vqvDpBtBDhz_bnEnVh3UIDQYHbjEj_\\$>](https://urldefense.com/v3/_http://www.turnpikelaw.com_) - Website

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US NEWS, a World Report
Commercial Litigation- Tier 1
West Palm Beach
2023

On Nov 7, 2023, at 2:51 PM, Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com<
mailto:Stephanie.Cunningham@myfloridalegal.com>> wrote:

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Mr. Lustig:

The minor violation consent order contains the softest language of any of the consent orders entered by the Elections Commission. If there is something specific you are interested in changing, please let me know and I would be happy to entertain it. I will agree to and revise the consent order if I

believe the Commission would approve such language or terms.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com<mailto:daniel@pikelustig.com>>
Sent: Monday, November 6, 2023 11:44 AM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com<mailto:Stephanie.Cunningham@myfloridalegal.com>>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Hello, I am following up on the order in word please.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Daniel Lustig
Sent: Monday, October 30, 2023 12:30 PM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com<mailto:Stephanie.Cunningham@myfloridalegal.com>>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

HI Ms. Cunningham

Would you kindly forward the proposed order in word.

Thank you

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com<mailto:Stephanie.Cunningham@myfloridalegal.com>>
Sent: Tuesday, October 10, 2023 2:28 PM
To: Daniel Lustig <daniel@pikelustig.com<mailto:daniel@pikelustig.com>>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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Mr. Lustig:

Please see attached Consent Order, for your review. If your client agrees with the content, please sign and return the original order to my office (address in signature block below) along with a cashier's check or money order (good for at least 120 days) or attorney's trust account check in the amount of \$250. The signed original order and payment must be received by October 27, 2023. The funds must be made payable to the Florida Elections Commission.

Please let me know if you have any questions.

Stephanie J. Cunningham
General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399
stephanie.cunningham@myfloridalegal.com<mailto:stephanie.cunningham@myfloridalegal.com>
(850) 922-4539
(850) 921-0783 fax
www.fec.state.fl.us<
[https://urldefense.com/v3/_http://www.fec.state.fl.us/_;!!KX7Bvy8_YTnAgrFq92k!iyUtNTJegcvthJ3mLtb_HCQxXXtkGvsN1lEJtCthSXRpt30KMVoxfNcXg3fQB_VQXnFI8k1sN7OPnVJptSbZHuz-0XkoeXZel60\\$>](https://urldefense.com/v3/_http://www.fec.state.fl.us/_;!!KX7Bvy8_YTnAgrFq92k!iyUtNTJegcvthJ3mLtb_HCQxXXtkGvsN1lEJtCthSXRpt30KMVoxfNcXg3fQB_VQXnFI8k1sN7OPnVJptSbZHuz-0XkoeXZel60$>)

From: Daniel Lustig <daniel@pikelustig.com<mailto:daniel@pikelustig.com>>
Sent: Tuesday, October 3, 2023 2:37 PM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com<mailto:Stephanie.Cunningham@myfloridalegal.com>>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Dear Stephanie, is the total \$250 to resolve the matter? Please let me see a draft of the consent order. Language is important for HISPAC.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com<mailto:Stephanie.Cunningham@myfloridalegal.com>>
Sent: Tuesday, October 3, 2023 9:04 AM
To: Daniel Lustig <daniel@pikelustig.com<mailto:daniel@pikelustig.com>>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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The fine for a minor violation consent order is set by rule. I cannot offer a lesser fine in conjunction with a minor violation consent order.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com<mailto:daniel@pikelustig.com>>
Sent: Tuesday, September 26, 2023 3:56 PM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com<mailto:Stephanie.Cunningham@myfloridalegal.com>>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

I will send to my client. Any way you can agree to waive or lesser fee? They did not raise money to report.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com<mailto:Stephanie.Cunningham@myfloridalegal.com>>
Sent: Tuesday, September 26, 2023 3:10 PM
To: Daniel Lustig <daniel@pikelustig.com<mailto:daniel@pikelustig.com>>
Subject: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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Mr. Lustig:

This case was eligible for a minor violation consent order due to the nature of the allegations. Since the committee had not retained counsel when

previously offered, I would again extend the offer for your client's consideration. The consent order would not require your client to admit liability and the funds payable would be \$250 (\$50 per late filed waiver).

Please let me know if you would like to see a draft of the proposed minor violation consent order.

Stephanie J. Cunningham
General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399

stephanie.cunningham@myfloridalegal.com<
mailto:stephanie.cunningham@myfloridalegal.com>

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pzbSAw9Tym4TEZzv4aK\$>



RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)Daniel Lustig to:
Stephanie Cunningham 03/11/2024 10:56 AM
Cc: "Daniel Lustig", "Rosa Parsont (InjuryLIT)", "Florida Elections Commission"
History:

This message has been forwarded.

Stephanie

I received this morning an Order of Probable Cause filed on February 23, 2024. This is completely outrageous given that we submitted the signed Consent Order and never heard back from the department. Mr. Vaccaro, who has been copied in some of the communications knows you have been working on resolving this issue.

Please provide my office with an update on this issue.

Sincerely,

Daniel Lustig - Attorney at Law



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From: Daniel Lustig
Sent: Thursday, February 8, 2024 7:38 PM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Cc: Daniel Lustig <daniel.lustig@me.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Stephanie

Hope you are well. Enclosed please find the signed Consent Order/settlement agreement.

Sincerely,

Daniel Lustig - Attorney at Law



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From: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Sent: Thursday, January 25, 2024 12:47 PM
To: Daniel Lustig <daniel@pikelustig.com>
Cc: Daniel Lustig <daniel.lustig@me.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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The minor violation consent order contains the softest language of any of the consent orders entered by the Elections Commission. The order does not require the Respondent to admit guilt, nor does it find a violation of the Election Code.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Wednesday, January 24, 2024 9:17 AM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Cc: Daniel Lustig <daniel.lustig@me.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: Re: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Please send me some revisions that you find acceptable. The language you proposed is very harsh for such minor alleged violation.

Sent from my iPhone, pardon any typos.

Sincerely,

Daniel Lustig - Attorney at Law



PIKE & LUSTIG, LLP
 TRIAL LAWYERS

Phone: [\(561\) 855-7585](tel:(561)855-7585) – Main
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US NEWS, a World Report
Commercial Litigation- Tier 1
West Palm Beach
2023

On Jan 24, 2024, at 9:07 AM, Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com> wrote:

Good morning,

I cannot agree to the proposed revised language for the minor violation consent order. The Commission reviews the consent orders prior to approval and I do not believe that the Commission would approve the changes.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Monday, January 22, 2024 6:07 PM
To: Daniel Lustig <daniel.lustig@me.com>
Cc: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Hi Stephanie

Hope you are well. Where are we on getting this matter resolved? Can we get this done? I sent you revised language to resolve the issue.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Daniel Lustig <daniel.lustig@me.com>
Sent: Tuesday, November 14, 2023 8:00 AM
To: Daniel Lustig <daniel@pikelustig.com>
Cc: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>; Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Subject: Re: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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I am following up with my request once again. Please provide written confirmation that this hearing is being continued or moved and/or that you are providing a zoom link.

Sincerely,

Daniel Lustig - Attorney at Law



PIKE & LUSTIG, LLP

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West Palm Beach
2023

On Nov 13, 2023, at 2:51 PM, Daniel Lustig <daniel@pikelustig.com> wrote:

Pursuant to the administrative code, my client is entitled to due process. You set a hearing via zoom and now expect our office to travel 14 hours total, to present a position for a maximum amount of time of 5 minutes. If you find probable cause because my side is not represented due to the outrageous nature of the arbitrary change in the manner in which the hearing is conducted, your entire case will be tainted. It is completely unreasonable to change the hearing to in person, when you are dealing with an alleged minor violation, one which involves a reporting issue when the PAC did not even receive or expended funds. Neither my client nor my office can attend the hearing in person, in Tallahassee. Given the posture of the case, and the fact that you and I have been going back and forth on the resolution of same, it is completely illogical not to move this matter forward, pending the resolution. Therefore, as much as we need this to be continued, you should be agreeing to the same continuance.

In Citizens of State v. Florida Pub. Serv. Com'n, 146 So. 3d 1143, 1154 (Fla. 2014) the court addresses that the “[t]he legislature may determine by what process and procedure legal rights may be asserted and determined provided that the procedure adopted affords reasonable notice and a fair opportunity to be heard before rights are decided.” *Peoples Bank of Indian River Cnty. v. State, Dep’t of Banking & Fin.*, 395 So.2d 521, 524 (Fla.1981). In the administrative arena, due process requirements

are found in chapter 120, Florida Statutes, the Florida Administrative Procedure Act (“APA”).” Fla. Stat. § 120.68(1)(b) state: “(b) A preliminary, procedural, or intermediate order of the agency or of an administrative law judge of the Division of Administrative Hearings is immediately reviewable if review of the final agency decision would not provide an adequate remedy.”

This preliminary hearing is procedural in nature but it also affects my client’s substantive rights. We are therefore requesting the continuance of same, or a zoom link to appear via zoom for the hearing.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Sent: Monday, November 13, 2023 2:31 PM
To: Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>; Florida Elections Commission <fec@myfloridalegal.com>
Cc: Daniel Lustig <daniel@pikelustig.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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Mr. Lustig:

Thank you for the information; however, I respectfully disagree. The Florida Elections Commission is an administrative agency, not a court of law. There is no provision in statute or rule that requires the Commission to grant a request for a remote hearing. If you or your client are unable to attend the hearing, you may request the Commission continue the case to our next available meeting.

Thank you.

Stephanie J. Cunningham
General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399
stephanie.cunningham@myfloridalegal.com
(850) 922-4539
(850) 921-0783 fax
www.fec.state.fl.us

From: Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>
Sent: Monday, November 13, 2023 11:51 AM
To: Florida Elections Commission <fec@myfloridalegal.com>; Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Cc: Daniel Lustig <daniel@pikelustig.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)
Importance: High

Good morning,
Attached please find correspondence of today's date from Mr. Lustig.

Regards,

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Monday, November 13, 2023 10:00 AM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Cc: Rosa Parsont (InjuryLIT) <injurylit@pikelustig.com>
Subject: Re: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Dear Stephanie

My office requested a zoom link. The Florida Supreme Court ruled that zoom is a proper method to conduct hearings. The fact that your office is arbitrarily requesting the hearing to be in person as opposed to zoom is unreasonable and violates my client's due process rights. The last hearing was scheduled via zoom and a zoom link was provided. Please provide a zoom link. I will file an action in State Court based on the violation of due process as a result of the arbitrary decision to suddenly not permit attendance via zoom.

Sent from my iPhone, pardon any typos.

Sincerely,

Daniel Lustig - Attorney at Law

**PIKE & LUSTIG, LLP**

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2023

On Nov 8, 2023, at 1:11 PM, Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com> wrote:

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See attached.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Wednesday, November 8, 2023 7:34 AM
To: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Subject: Re: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Ms. Cunningham

I understand but I would like the document in word so I can redline my proposed changes. I appreciate the courtesy.

Thank you

Sent from my iPhone, pardon any typos.

Sincerely,

Daniel Lustig - Attorney at Law



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2023

On Nov 7, 2023, at 2:51 PM, Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com> wrote:

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Mr. Lustig:

The minor violation consent order contains the softest language of any of the consent orders entered by the Elections Commission. If there is something specific you are interested in changing, please let me know and I would be happy to entertain it. I will agree to and revise the consent order if I believe the Commission would approve such language or terms.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Monday, November 6, 2023 11:44 AM
To: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Hello, I am following up on the order in word please.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Daniel Lustig
Sent: Monday, October 30, 2023 12:30 PM
To: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Hi Ms. Cunningham

Would you kindly forward the proposed order in word.

Thank you

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Sent: Tuesday, October 10, 2023 2:28 PM
To: Daniel Lustig <daniel@pikelustig.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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Mr. Lustig:

Please see attached Consent Order, for your review. If your client agrees with the content, please sign and return the original order to my office (address in signature block below) along with a **cashier's check or money order** (good for at least 120 days) **or attorney's trust account check** in the amount of \$250. The signed original order and payment must be received by October 27, 2023. The funds must be made payable to the Florida Elections Commission.

Please let me know if you have any questions.

Stephanie J. Cunningham
General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399
stephanie.cunningham@myfloridalegal.com
(850) 922-4539
(850) 921-0783 fax
www.fec.state.fl.us

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Tuesday, October 3, 2023 2:37 PM
To: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

Dear Stephanie, is the total \$250 to resolve the matter? Please let me see a draft of the consent order. Language is important for HISPAC.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Sent: Tuesday, October 3, 2023 9:04 AM
To: Daniel Lustig <daniel@pikelustig.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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The fine for a minor violation consent order is set by rule. I cannot offer a lesser fine in conjunction with a minor violation consent order.

Stephanie

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Tuesday, September 26, 2023 3:56 PM
To: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Subject: RE: FEC 22-340: Hispanic Political Action Committee (HISPAC)

I will send to my client. Any way you can agree to waive or lesser fee? They did not raise money to report.

Sincerely,

Daniel Lustig - Attorney at Law

<image001.png>

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<image002.png>

From: Stephanie Cunningham
<Stephanie.Cunningham@myfloridalegal.com>
Sent: Tuesday, September 26, 2023 3:10 PM
To: Daniel Lustig <daniel@pikelustig.com>
Subject: FEC 22-340: Hispanic Political Action Committee (HISPAC)

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Mr. Lustig:

This case was eligible for a minor violation consent order due to the nature of the allegations. Since the committee had not retained counsel when previously offered, I would again extend the offer for your client's consideration. The consent order would not require your client to admit liability and the funds payable would be \$250 (\$50 per late filed waiver).

Please let me know if you would like to see a draft of the proposed minor violation consent order.

Stephanie J. Cunningham
General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399
stephanie.cunningham@myfloridalegal.com
(850) 922-4539
(850) 921-0783 fax
www.fec.state.fl.us

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

Florida Elections Commission,
Petitioner,

Case No.: FEC 22-340

v.

Hispanic Political Action Committee
(HISPAC),
Respondent.

_____ /

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on February 7, 2024, in Tallahassee, Florida.

On June 20, 2023, 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 about June 24, 2022, Hispanic Political Action Committee (HISPAC) violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P1 Report.

Count 2:

On or about July 1, 2022, Hispanic Political Action Committee (HISPAC) violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P1A Report.

Count 3:

On or about July 8, 2022, Hispanic Political Action Committee (HISPAC) violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P2 Report.

Count 4:

On or about July 15, 2022, Hispanic Political Action Committee (HISPAC) violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P2A Report.

Count 5:

On or about July 29, 2022, Hispanic Political Action Committee (HISPAC) violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P4 Report.

DONE AND ORDERED by the Florida Elections Commission on February 7, 2024.



Tim Vaccaro, J.D., Executive Director
For Chad Mizelle, Chairman
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, General Counsel
Daniel Lustig, Esq., Attorney for Respondent
Division of Elections, 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: Hispanic Political Action Committee
(HISPAC)**

Case No.: FEC 22-340

TO: Daniel Lustig, Esquire
PIKE & LUSTIG, LLP
1209 N. Olive Avenue
West Palm Beach, FL 33401

Division of Elections
500 S. Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION (PCD))

A hearing will be held in this case before the Florida Elections Commission on **February 7, 2024 at 12:30 p.m.**, *or as soon thereafter as the parties can be heard*, at the following location: **402 South Monroe Street, 12 HOB, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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
January 19, 2024

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 to 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

In Re: **Hispanic Political Action Committee**
(HISPAC)

Case No.: **FEC 22-340**

ORDER CONTINUING CASE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on November 15, 2023, in Tallahassee, Florida.

Respondent's attorney requested that the matter be continued to finalize settlement negotiations.

The Commission considered Respondent's request and Staff's response. Respondent's request was **GRANTED**.

THIS MATTER is continued until the next available meeting of the Florida Elections Commission.

DONE AND ORDERED by the Florida Elections Commission on November 15, 2023.



Tim Vaccaro, J.D., Executive Director
For Chad Mizelle, Chairman
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, General Counsel
Daniel Lustig, Esq., Attorney for Respondent
Division of Elections, Complainant

Stephanie Cunningham

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Tuesday, November 14, 2023 11:26 AM
To: Florida Elections Commission
Cc: Stephanie Cunningham; Rosa Parsont (InjuryLIT)
Subject: HISPAC Probable Cause hearing

Good morning

This is my follow up email wherein my client, HISPAC requests that you continue the probable cause hearing scheduled to take place tomorrow, November 15, 2023, in person, in Tallahassee, Florida. The hearing was originally scheduled to be via zoom, and we waited to be called in and apparently, the board never got to our case. My client is prejudiced by the sudden change to in person appearance and cannot make the proper arrangements to have a lawyer there tomorrow. Therefore, we request that you continue the hearing.

Next, we are in the process of reach some form of resolution on the issues at hand. Therefore, not continuing the hearing will result in unnecessary costs to HISPAC.

Please confirm the hearing for tomorrow concerning HISPAC will not take place.

Sincerely,

Daniel Lustig - Attorney at Law



PIKE & LUSTIG, LLP

TRIAL LAWYERS

Phone: (561) 855-7585 – Main
(561) 855-7563 – Direct
(561) 855-7710 – Facsimile
www.pikelustig.com – Website

West Palm Beach Office
1209 N. Olive Avenue,
West Palm Beach, Florida 33401

Wellington Office
Chancellor South
12008 S. Shore Blvd
Suite 206

Wellington, FL 33414

Miami Office

777 Brickell Avenue, Suite 500

Miami, Florida 33131

Phone: (305) 697-9799 – Main

(305) 809-8009 – Facsimile

CONFIDENTIALITY NOTICE: This e-mail, including any attachments, is strictly confidential and may contain privileged material, including but not limited to information protected by the work product and attorney/client privileges. Furthermore, this e-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, and is legally privileged. The information contained in this e-mail is intended only for use of the individual or entity to whom it is addressed. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you received this e-mail in error, please notify the sender immediately (by return e-mail or at the phone number above) and delete the e-mail from your computer. Please do not copy or use it for any purpose, do not disseminate it further, and destroy all copies of the original message.



**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Hispanic Political Action Committee
(HISPAC)**

Case No.: FEC 22-340

TO: Daniel Lustig, Esquire
PIKE & LUSTIG, LLP
1209 N. Olive Avenue
West Palm Beach, FL 33401

Division of Elections
500 S. Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION (PCD))

A hearing will be held in this case before the Florida Elections Commission on, **November 15, 2023 at 9:00 a.m.**, *or as soon thereafter as the parties can be heard*, at the following location: **402 South Monroe Street, 12 HOB, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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
October 31, 2023

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 to 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.



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050

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

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



September 6, 2023

Daniel Lustig, Esquire
Pike & Lustig, LLP
1209 N. Olive Avenue
West Palm Beach, FL 33401

RE: Case No.: FEC 22-340; Respondent: Hispanic Political Action Committee (HISPAC)

Dear Mr. Lustig:

The Florida Elections Commission at its August 15, 2023, virtual meeting was unable to hear this case. Therefore, this case has been rescheduled for its next meeting, which is scheduled for November 14-15, 2023, in Tallahassee. A notice of hearing indicating the exact date and time will be mailed approximately 14 days before the hearing.

If you have any questions, please contact us at the number listed above or at fec@myfloridalegal.com.

Sincerely,

Tim Vaccaro

Executive Director

TV/dm

cc: Division of Elections, Complainant

Donna Malphurs

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Thursday, August 3, 2023 2:56 PM
To: Donna Malphurs
Cc: DivElections@dos.myflorida.com; Stephanie Cunningham
Subject: RE: FEC 22-340 - AMENDED Notice of Hearing

Hello

I am requesting a continuance or postponement of the hearing. I am on trial before the Honorable Judge Luis Delgado in the Fifteenth Judicial Circuit commencing on August 9, 2023 and I am afraid we may be at trial at the time and date of the hearing.

Please confirm you can move this matter. Thank you

Sincerely,

Daniel Lustig - Attorney at Law



PIKE & LUSTIG, LLP

TRIAL LAWYERS

Phone: (561) 855-7585 – Main
(561) 855-7563 – Direct
(561) 855-7710 – Facsimile
www.pikelustig.com – Website

West Palm Beach Office
1209 N. Olive Avenue,
West Palm Beach, Florida 33401

Wellington Office
Chancellor South
12008 S. Shore Blvd
Suite 206
Wellington, FL 33414

Miami Office

777 Brickell Avenue, Suite 500
Miami, Florida 33131
Phone: (305) 697-9799 – Main
(305) 809-8009 – Facsimile

CONFIDENTIALITY NOTICE: This e-mail, including any attachments, is strictly confidential and may contain privileged material, including but not limited to information protected by the work product and attorney/client privileges. Furthermore, this e-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, and is legally privileged. The information contained in this e-mail is intended only for use of the individual or entity to whom it is addressed. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you received this e-mail in error, please notify the sender immediately (by return e-mail or at the phone number above) and delete the e-mail from your computer. Please do not copy or use it for any purpose, do not disseminate it further, and destroy all copies of the original message.



From: Donna Malphurs <Donna.Malphurs@myfloridalegal.com>
Sent: Thursday, August 3, 2023 2:48 PM
To: Daniel Lustig <daniel@pikelustig.com>
Cc: DivElections@dos.myflorida.com; Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Subject: FEC 22-340 - AMENDED Notice of Hearing

CAUTION: This message originated outside of the firm. Use caution when opening attachments, clicking links or responding to requests for information

Dear Mr. Lustig,

Attached is a copy of the Amended Notice of Hearing issued in FEC 22-340. A hard copy of this notice was also mailed to you and the Division of Elections on August 3, 2023. The original notice was mailed to your client in error, and to the Division of Elections on August 1, 2023. The only change made was to correct the addressee of the notice. If you have any questions, please let me know.

Regards,

Donna Ann Malphurs
Agency Clerk/Public Information Officer

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Hispanic Political Action Committee
(HISPAC)**

Case No.: FEC 22-340

TO: Daniel Lustig, Esquire
PIKE & LUSTIG, LLP
1209 N. Olive Avenue
West Palm Beach, FL 33401

Division of Elections
500 South Bronough Street, Room 316
Tallahassee, FL 32399

AMENDED NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **August 15, 2023 at 2:00 p.m.**, or as soon thereafter as the parties can be heard, at the following location: **Virtual Meeting.**

Register in advance for this meeting via Zoom link:

<https://us06web.zoom.us/joining/register/tZYudumrqjgoGNJ2UhnWkz6Q8JF6AOXxKwdP>

After registering, you will receive a confirmation email containing information about joining the meeting.

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
August 3, 2023

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**

**In Re: Hispanic Political Action Committee
(HISPAC)**

Case No.: FEC 22-340

TO: Samuel Roman, Chair
4201 Westgate Avenue, Suite A7
West Palm Beach, FL 33409

Division of Elections
500 South Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **August 15, 2023 at 2:00 p.m., or as soon thereafter as the parties can be heard**, at the following location: **Virtual Meeting.**

Register in advance for this meeting via Zoom link:

<https://us06web.zoom.us/join/zoom/register/ZYudumrqjgoGNJ2UhnWkz6Q8JF6AOXxKwdP>

After registering, you will receive a confirmation email containing information about joining the meeting.

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.

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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
August 1, 2023

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.

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FEC 22-340 - request for records 📄

Florida Elections Commission to: Daniel Lustig

07/13/2023 11:55 AM

Sent by: **Donna Malphurs**

Cc: "fec@myfloridalegal.com",
"stephanie.cunningham@myfloridalegal.com"

Dear Mr. Lustig,

I have completed my review of our records for the documents you requested. Pursuant to Section 106.25(4)(a), Florida Statutes, at the close of the investigation, Respondent (and Counsel) may inspect the investigatory file at that time, and may obtain copies at no more than cost. The investigatory file is in electronic form and consists of 61 pages. The time required to review the file for confidential and exempt information was less than 30 minutes, therefore, we are not charging you for the copies of the record.

As requested, attached is a copy of the investigatory file regarding FEC 22-340.

The Florida Elections Commission is not the records custodian of campaign reports and or waivers of report, and those reports are not included in our investigatory file. Those reports can be obtained by contacting the filing officer, Division of Elections. Their contact information is 850-245-6200 and or by email at divElections@DOS.MyFlorida.com.

You also requested

- the identification of all persons who spoke with Sam Roman concerning the fine the Commission was considering to issue. There are no records responsive to your request.
- a copy of all logs, and multiple calls made to the Commission and by the Commission concerning this matter. (see investigatory phone log included with the record found on page 28); otherwise, we do not have any other records responsive to your request.
- the name of the filing officer of the Commission that was on duty on the prescribed reporting period. The Commission does not have filing officers, and campaign reports are not filed with the Commission, therefore, we do not have any record or information responsive to your request. However, as indicated in paragraph two above, the committee's filing officer is the Division of Elections, 850-245-6200, 500 South Bronough Street, Room 316, Tallahassee, Florida 32399.

If you have any other questions, please let me know.

Regards,

Donna Ann Malphurs
Agency Clerk/Public Information Officer



22-340_File_07-13-23_Redacted.pdf

"Daniel Lustig"

Dear Ms. Cunningham The undersigned repre...

07/07/2023 03:13:52 PM

From: "Daniel Lustig" <daniel@pikelustig.com>
To: "stephanie.cunningham@myfloridalegal.com" <stephanie.cunningham@myfloridalegal.com>
Cc: "fec@myfloridalegal.com" <fec@myfloridalegal.com>
Date: 07/07/2023 03:13 PM
Subject: HISPAC FEC- 22-340 Response Staff Recommendation

Dear Ms. Cunningham

The undersigned represents Hispanic Political Action Committee (HISPAC). We just received a letter dated June 21, 2023, wherein the Agency Clerk attaches a “Staff Recommendation Following Investigation.” According to the document, there are five counts alleging a violation of Fla. Stat. Sect. 106.07(7), which states:

(7) Notwithstanding any other provisions of this chapter, in any reporting period during which a candidate or political committee has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the next report filed must specify that the report covers the entire period between the last submitted report and the report being filed, and any candidate or political committee not reporting by virtue of this subsection on dates prescribed elsewhere in this chapter shall notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.

Importantly, the filings made by my client are all waivers, as during the reporting period, HISPAC did not receive funds, made any contributions, or expended any reportable funds. Nonetheless, the commission is requesting a finding of probable cause for violation of the above referenced statute when reports were filed indicating no financial activity. In that regard, we request that you take this response as the response to the Staff Recommendation Following Investigation, and request that you do not proceed with the presentation of the matter to the Commission. It appears, from review of the “Staff Recommendation Following Investigation” that the concern involves the no of days in which a report was filed late. However, that specific report was subject to a waiver. Hence, there is no reasonable grounds of suspicion to warrant HISPAC to believe that it would be committing the offense charged. See *Schmitt v. State* , 590 So.2d 404, 409 (Fla. 1991). In that regard, there is no sufficient information for a reasonable person to reach the conclusion that an offense has been committed. See *Department of Highways Safety and Motor Vehicles v. Favino* , 667 So. 2d 305, 309 (Fla. 1st DCA 1995).

We are requesting that you provide our office with a copy of each and every single one of the filings discussed in the chart contained in paragraph 8 of the Staff Recommendation Following Investigation. Moreover, we request that you provide

us with the identification of all persons who spoke to Mr. Sam Roman over the phone concerning the fine that the Commission was considering to issue. Moreover, we would like a copy of all logs, and the multiple calls made to the Commission and made by the Commission concerning this matter, as well as a copy of the entire investigation file. In addition, please provide the name of the filing officer of the Commission that was on duty on the prescribed reporting period.

Sincerely,

Daniel Lustig - Attorney at Law



PIKE & LUSTIG, LLP
TRIAL LAWYERS

Phone: (561) 855-7585 – Main
(561) 855-7563 – Direct
(561) 855-7710 – Facsimile
www.pikelustig.com – Website

West Palm Beach Office
1209 N. Olive Avenue,
West Palm Beach, Florida 33401

Wellington Office
Chancellor South
12008 S. Shore Blvd
Suite 206
Wellington, FL 33414

Miami Office
777 Brickell Avenue, Suite 500
Miami, Florida 33131
Phone: (305) 697-9799 – Main
(305) 809-8009 – Facsimile

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Donna Malphurs

From: Stephanie Cunningham
Sent: Friday, July 7, 2023 3:38 PM
To: Donna Malphurs
Subject: FW: HISPAC FEC- 22-340 Response Staff Recommendation

Donna:

Please process the public records request & NOA below.

Stephanie

From: Stephanie Cunningham
Sent: Friday, July 7, 2023 3:36 PM
To: 'Daniel Lustig' <daniel@pikelustig.com>
Cc: Florida Elections Commission <fec@myfloridalegal.com>
Subject: RE: HISPAC FEC- 22-340 Response Staff Recommendation

Mr. Lustig:

Thank you for your appearance and your public records request. I will forward it to the Agency Clerk/Public Information Officer for processing.

Please let me know if I can be of further assistance.

Stephanie J. Cunningham
General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399
stephanie.cunningham@myfloridalegal.com
(850) 922-4539
(850) 921-0783 fax
www.fec.state.fl.us

From: Daniel Lustig <daniel@pikelustig.com>
Sent: Friday, July 7, 2023 3:14 PM
To: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Cc: Florida Elections Commission <fec@myfloridalegal.com>
Subject: HISPAC FEC- 22-340 Response Staff Recommendation

Dear Ms. Cunningham

The undersigned represents Hispanic Political Action Committee (HISPAC). We just received a letter dated June 21, 2023, wherein the Agency Clerk attaches a "Staff Recommendation

Following Investigation.” According to the document, there are five counts alleging a violation of Fla. Stat. Sect. 106.07(7), which states:

(7) Notwithstanding any other provisions of this chapter, in any reporting period during which a candidate or political committee has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the next report filed must specify that the report covers the entire period between the last submitted report and the report being filed, and any candidate or political committee not reporting by virtue of this subsection on dates prescribed elsewhere in this chapter shall notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.

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We are requesting that you provide our office with a copy of each and every single one of the filings discussed in the chart contained in paragraph 8 of the Staff Recommendation Following Investigation. Moreover, we request that you provide us with the identification of all persons who spoke to Mr. Sam Roman over the phone concerning the fine that the Commission was considering to issue. Moreover, we would like a copy of all logs, and the multiple calls made to the Commission and made by the Commission concerning this matter, as well as a copy of the entire investigation file. In addition, please provide the name of the filing officer of the Commission that was on duty on the prescribed reporting period.

Sincerely,

Daniel Lustig - Attorney at Law



PIKE & LUSTIG, LLP

TRIAL LAWYERS

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www.pikelustig.com – Website

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Chancellor South
12008 S. Shore Blvd
Suite 206
Wellington, FL 33414

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777 Brickell Avenue, Suite 500
Miami, Florida 33131
Phone: (305) 697-9799 – Main
(305) 809-8009 – Facsimile

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**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Hispanic Political Action Committee
(HISPAC)**

Case No.: FEC 22-340

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on March 14, 2023, the following facts and law support this staff recommendation:

1. On September 14, 2022, the Florida Elections Commission (“Commission”) received a referral from the Department of State, Division of Elections (“Division” or “Complainant”), alleging that Hispanic Political Action Committee (HISPAC) (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent is a political committee registered with the Division. (ROI Exhibit 2)¹

3. By letter dated October 13, 2022, the Executive Director notified Respondent that Commission staff would investigate the following statutory provision:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2022 P1
- 2022 P1A
- 2022 P2
- 2022 P2A
- 2022 P4
- 2022 P5

4. By letter dated February 12, 2020, Kristi Reid Willis, Chief, Bureau of Election Records, sent Respondent’s chairperson and treasurer a letter acknowledging that the Division had received its Appointment of Campaign Treasurer and Designation of Campaign Depository for Political Committees form. (ROI Exhibit 3)

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

5. The acknowledgment letter advised Respondent that all of the Division’s publications and reporting forms were available on its website and directed Respondent to print out the *Calendar of Reporting Dates* as well as other relevant documents. (ROI Exhibit 3, page 2)

6. Pursuant to Section 106.07(7), Florida Statutes, in any reporting period during which a political committee has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the political committee is required to notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.

7. The *Political Committee Handbook* references the statutory requirement regarding written notification and directs political committees to notify the Division by way of the Division’s electronic filing system. (ROI Exhibit 4, page 2) The *Political Committee EFS User’s Guide* shows the process through which to notify the Division. The user’s guide instructs political committees to select the relevant reporting period and place a checkmark in a box titled “Waiver” to indicate the lack of reportable financial activity. (ROI Exhibit 5, page 2)

8. Respondent failed to notify the filing officer on the prescribed reporting dates that no reports would be filed for the following reporting periods, as set forth in the table below. (ROI Exhibit 6, page 1)

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2022 P1	6/1/22– 6/17/22	6/24/22	7/6/22	12
2022 P1A	6/18/22– 6/24/22	7/1/22	7/6/22	5
2022 P2	6/25/22– 7/1/22	7/8/22	7/21/22	13
2022 P2A	7/2/22– 7/8/22	7/15/22	7/21/22	6
2022 P4	7/16/22– 7/22/22	7/29/22	8/4/22	6

9. With regard to the Division’s allegation that Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed for the 2022 P5 reporting period, the Division’s records show that Respondent submitted the notice on August 4, 2022, one day prior to the designated due date. (ROI Exhibit 6, page 1; ROI Exhibit 8) Therefore, Respondent did not fail to timely notify the filing officer that no report would be filed for the 2022 P5 reporting period.

10. Respondent failed to respond to Commission staff’s investigation. (ROI Exhibit 7; ROI, p. 2, ¶¶ 9-10)

11. “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).

12. The facts set forth above show that Respondent is a political committee registered with the Division. Respondent failed to notify the filing officer on the prescribed reporting dates that no reports would be filed for the following reporting periods: 2022 P1, 2022 P1A, 2022 P2, 2022 P2A, and 2022 P4.

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 about June 24, 2022, Hispanic Political Action Committee (HISPAC) violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P1 Report.

Count 2:

On or about July 1, 2022, Hispanic Political Action Committee (HISPAC) violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P1A Report.

Count 3:

On or about July 8, 2022, Hispanic Political Action Committee (HISPAC) violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P2 Report.

Count 4:

On or about July 15, 2022, Hispanic Political Action Committee (HISPAC) violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P2A Report.

Count 5:

On or about July 29, 2022, Hispanic Political Action Committee (HISPAC) violated Section 106.07(7), Florida Statutes, when it

failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2022 P4 Report.

Respectfully submitted on June 20, 2023.



Stephanie J. Cunningham
General Counsel

I reviewed this Staff Recommendation this 20th day of June 2023.



Tim Vaccaro
Executive Director

FLORIDA ELECTIONS COMMISSION

Report of Investigation for Failure to Notify Filing Officer

Case Number: FEC 22-340

Section 106.07(7), Florida Statutes, failure of a candidate or political committee that did not receive any contributions or make any expenditures during a reporting period to timely notify the filing officer, in writing, that no report is being filed.

Respondent: Hispanic Political Action Committee (HISPAC)

Respondent's Atty: N/A

Division of Elections (Division)

Referral Filed: September 14, 2022

Respondent Type: Political Committee

I. Preliminary Information:

1. Respondent is a political committee registered with the Division.

2. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 6) was filed on February 10, 2020. Santos Arroyo was appointed as campaign treasurer. To review the DS-DE 6, refer to Exhibit 1.

3. A Statement of Organization for the political committee was filed on February 10, 2020. To review the Statement of Organization, refer to Exhibit 2.

4. An acknowledgement letter was mailed to the address provided on the DS-DE 6 on February 12, 2020, advising Respondent that all political committees filing reports with the Division are required to file by means of the Division's electronic filing system (EFS). Respondent was provided with a user identification number and initial password allowing access to the EFS.

5. The acknowledgement letter also advised Respondent that all of the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the *Political Committee Handbook*, and the *Calendar of Reporting Dates*. The letter further advised that it was Respondent's responsibility to read, understand, and follow the requirements of Florida's election laws. To review the acknowledgement letter, refer to Exhibit 3.

6. The *Political Committee Handbook* discusses filing a waiver when there is no activity to disclose. To review the relevant page of the *Handbook*, refer to Exhibit 4.

7. The *Political Committee EFS User's Guide* discusses how to notify the Division on the prescribed reporting date that no report will be filed using the EFS. Specifically, the *Handbook* instructs the user to click the box next to "waiver" if there is no activity to disclose. To review the relevant pages from the *EFS User's Guide*, refer to Exhibit 5.

II. Alleged Violation of Section 106.07(7), Florida Statutes:

8. I investigated whether Respondent violated this section of the election laws by not timely notifying the filing officer, in writing, that no report(s) would be filed due to not receiving any contributions or making expenditures during the following reporting period(s). To review Respondent's filing history reflecting the untimely filed notifications summarized below, refer to Exhibit 6.

THIS SPACE INTENTIONALLY LEFT BLANK

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2022 P1	6/1/22– 6/17/22	6/24/22	7/6/22	12
2022 P1A	6/18/22– 6/24/22	7/1/22	7/6/22	5
2022 P2	6/25/22– 7/1/22	7/8/22	7/21/22	13
2022 P2A	7/2/22– 7/8/22	7/15/22	7/21/22	6
2022 P4	7/16/22– 7/22/22	7/29/22	8/4/22	6
2022 P5	7/23/22– 7/29/22	8/5/22	8/4/22	0 ¹

9. Respondent did not respond to the referral.

10. I attempted to contact Respondent’s Treasurer on three occasions for the purpose of providing an opportunity to discuss the allegations made in the referral. As of the date of this report, neither my telephone calls nor email have been returned. Therefore, I am unable to ascertain whether he has read Chapter 106, Florida Statutes, and/or the *Political Committee Handbook*. To review the phone log and email, refer to Exhibit 7.

SIGNATURE OF INVESTIGATOR:  **Date:** March 14, 2023

¹ Respondent filed a waiver of the 2022 P5 report on August 4, 2022, which was one day prior to the due date. Therefore, it appears this waiver was timely filed. To review the filing history, refer to Exhibit 6. To review Division record of the 2022 P5 waiver, refer to Exhibit 8.

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Hispanic Political Action Committee (HISPAC) -- FEC 22-340

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	DS-DE 6 Form
Exhibit 2	Statement of Organization
Exhibit 3	Acknowledgement Letter
Exhibit 4	Relevant pages from the Political Committee Handbook
Exhibit 5	Relevant pages from the Political Committee EFS User's Guide
Exhibit 6	Filing History
Exhibit 7	Phone Log
Exhibit 8	2022 P5 Report

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES
(Sections 106.011(2) and 106.021(1), F.S.)**

RECEIVED
DEPARTMENT OF
2020 FEB 10 AM 9:54
DIVISION OF ELECTIONS

CHECK APPROPRIATE BOX:

Initial Filing for: Primary Treasurer Deputy Treasurer

Re-filing to Change: Primary Treasurer Deputy Treasurer Primary/Secondary Depository

OFFICE USE ONLY

1. Committee Hispanic Political Action Committee (HISPAC)		2. Telephone (561) 328-8450	
3. Name of Treasurer or Deputy Treasurer Santos Arroyo		4. Email (optional) santosarroyo@mindspring.com	
5. Telephone (optional) (561) 328-8450			
6. Mailing Address 4201 Westgate Avenue, Suite A7, West Palm Beach, FL 33409			
7. Street Address 4201 Westgate Avenue, Suite A7, West Palm Beach, FL 33409			
8. The following bank has been designated as the		<input checked="" type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository	
9. Name of Bank Wells Fargo		10. Street Address 4900 Okeechobee Boulevard	
11. City West Palm Beach		12. State FL	13. Zip Code 33417
14. Signature of Chairman <i>X Samuel Roman</i>		15. Name of Chairman (Print or Type) Samuel Roman	

Campaign Treasurer's Acceptance of Appointment

Santos Arroyo

I, _____, do hereby accept the appointment as
(Please Print or Type)

treasurer or deputy treasurer for Hispanic Political Action Committee (HISPAC)
(Committee)

**UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.**

02/06/2020

Date

X Santos Arroyo

Signature of Campaign Treasurer or Deputy Treasurer

STATEMENT OF ORGANIZATION OF POLITICAL COMMITTEE

(PLEASE TYPE)

OFFICE USE ONLY
RECEIVED
DEPARTMENT OF
2020 FEB 10 AM 9:53
DIVISION OF ELECTIONS

1. Full Name of Committee

Hispanic Political Action Committee (HISPAC)

Telephone

561-328-8450

Mailing Address (include city, state and zip code)

4201 Westgate Avenue, Suite A7, West Palm Beach, FL 33409

Street Address (include city, state and zip code)

4201 Westgate Avenue, Suite A7, West Palm Beach, FL 33409

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

Name of Affiliated or Connected Organization	Mailing Address	Relationship
None		

3. Area, Scope and Jurisdiction of the Committee

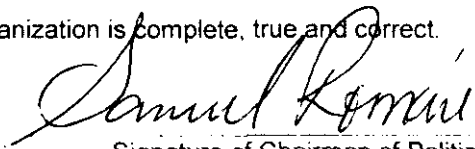
Candidates: statewide, legislative, multi-county, county and municipal

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
Santos Arroyo	4201 Westgate Avenue Suite A7 West Palm Beach, FL 33409	Treasurer

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	
Samuel Roman	4201 Westgate Avenue Suite A7 West Palm Beach, FL 33409	Chairman; Deputy Treasurer	
Juan Pagan	4201 Westgate Avenue Suite A7 West Palm Beach, FL 33409	Deputy Treasurer	
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: N/A			
List Any Issues this Committee is Opposing: N/A			
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? Distributed to charitable 501(c)(3) organization(s)			
11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds			
Name of Bank or Depository & Account Number		Mailing Address	
Wells Fargo		4900 Okeechobee Boulevard West Palm Beach, FL 33417	
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 990	Upon formation Annually	Internal Revenue Service Internal Revenue Service	Ogden, UT 84201 Ogden, UT 84201
STATE OF <u>Florida</u>		<u>Palm Beach</u> COUNTY	
I, <u>Samuel Roman</u> , certify that the information in this Statement of			
Organization is complete, true and correct.			
X 		<u>02/06/2020</u>	
Signature of Chairman of Political Committee		Date	



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

February 12, 2020

Samuel Roman, Chairperson
Hispanic Political Action Committee (HISPAC)
4201 Westgate Avenue, Suite A7
West Palm Beach, Florida 33409

Dear Mr. Roman:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for **Hispanic Political Action Committee (HISPAC)**, which were placed on file in our office on February 10, 2020. This information appears to comply with the requirements of Section 106.03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **March 10, 2020**. The report will cover the period of February 1-29, 2020 (2020 M2). All political committees that file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

EFS Access

Below is the web address to access the EFS and the committee's user identification number. Enclosed are the committee's confidential, filing credentials.

EFS Website Address: <https://efs.dos.state.fl.us>
Identification Number: 74981

Timely Filing

All reports must be completed and filed through the EFS no later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the

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](https://dos.mylouisiana.com/elections)



Samuel Roman, Chairperson
February 12, 2020
Page Two

due date, the report will be accepted as timely filed if filed no later than midnight, Eastern Standard Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any political committee failing to file a report on the designated due date is subject to a fine of \$50 per day for the first three days late and, thereafter, \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Electronic Receipts

The person submitting the report on the EFS will be issued an electronic receipt indicating and verifying the report was filed. Each campaign treasurer's report filed by means of the EFS is considered to be under oath by the chairperson and campaign treasurer, and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

Instructions and Assistance

An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports. The Division of Elections will also provide assistance to all users by contacting the EFS Help Desk at (850) 245-6280.

All of the Division's publications and reporting forms are available on the Division of Elections' website at <https://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.

Please let me know if you need additional information.

Sincerely,



Kristi Reid Willis, Chief
Bureau of Election Records

KRW/dlh

Enclosures

pc: Santos Arroyo, Treasurer
Juan Pagan, Deputy Treasurer

Political Committee 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. 9/27/2019)

Any political committee required to file reports with a filing officer other than the Division must file reports on the 60th day immediately preceding the primary election and bi-weekly on each Friday thereafter through and including the 4th day immediately preceding the general election, with additional reports due on the 25th and 11th days before the primary election and the general election.

Unless the electronic filing requirements of Section [106.0705](#), Florida Statutes, apply, reports shall be filed no later than 5 p.m. of the day designated. A report postmarked by the U.S. Postal Service no later than midnight of the day designated is deemed timely filed. A report received by the filing officer within five days after the designated due date that was delivered by the U.S. Postal Service is deemed timely filed unless it has a postmark indicating the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the U.S. Postal Service at the time of mailing or a receipt from an established courier company, which bears a date on or before the date on which the report is due, is proof of mailing in a timely manner.

Reports filed with the Division through the [Electronic Filing System \(EFS\)](#) are due no later than midnight, Eastern Time, of the due date.

*(Sections [106.07](#), [106.0705](#), and [106.141](#), Fla. Stat.;
[Chapter 11: Electronic Filing of Campaign Reports](#))*

Penalty for Late Filing

Any political committee failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first three days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports due immediately prior to the primary and general elections, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

(Section [106.07\(8\)](#), Fla. Stat.)

Notice of No Activity

When there has been no reportable activity in the campaign account during a reporting period (no funds expended or received) the filing of the report is waived. However, the political committee **must notify the filing officer in writing on or before the prescribed reporting date that no report is being filed on that date.** (A notice of no activity filed with the Division must be filed electronically using the [EFS](#).) The next report filed must specify that the report covers the entire period between the last submitted report and the report being filed.

(Sections [106.07\(7\)](#) and [106.0705](#), Fla. Stat.)

**Department of State
Division of Elections**

Political Committee EFS User's Guide



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

EFS HELP LINE: 850-245-6280

January 2011

Rule 1S-2.017, F.A.C.

DS-DE 110B (eff. 01/11)

The **Due Date** will automatically fill in based on the **Calendar of Election and Reporting Dates**.

If this report is for a special election, click the box next to **Special Election Report**. (If no special elections are scheduled this option will not be available.)

*******NOTE*******

If this report is a waiver of report (no activity), click the box next to **Waiver**.

Election Cycle: 2010 General Election
Report Type: F2 2010
Coverage Period: 7/17/2010 7/30/2010 Due Date: 08/06/2010
 Special Election Report Waiver

Click at the bottom of the screen. A **Report Detail** screen (view only) will appear. This screen will not indicate any activity until individual detail data is entered, saved and a review is performed.

Report: 2010 - G4 - 27 2010 General Election Covers: 10/16/2010-10/28/2010 Due: 10/29/2010
 Amendment Waiver Complete Status: Incomplete Detail Records
File Date: Review Status: Not Reviewed
Status: Data Entry Last Review:
of Transactions: 0

Contributions	Total Amount	Expenditures	Total Amount
Cash and Checks:	0.00	Monetary:	0.00
Loans:	0.00	Transfers to Off Acct:	0.00
Total Monetary:	0.00	Total Monetary:	0.00
In-Kind:	0.00	Other Distributions:	0.00

Review Messages

Created: 10/26/2010 11:41:25 AM By: 50552 Revised: 10/26/2010 11:41:25 AM By: 50552



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Committee Name: Hispanic Political Action Committee (HISPAC)

Name:

Account: 74981

Election:

Acct:

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
3/10/2023	M2	3/4/2023						
2/10/2023	M1	2/2/2023						
1/10/2023	M12	1/3/2023						
12/12/2022	M11	12/9/2022						
11/4/2022	G6	11/4/2022						
11/3/2022	D6	11/4/2022	PEN	1	\$0.00		\$0.00	\$0.00
11/2/2022	D5	11/4/2022	PEN	2	\$0.00		\$0.00	\$0.00
11/1/2022	D4	11/4/2022	PEN	3	\$0.00		\$0.00	\$0.00
10/31/2022	D3	11/4/2022	PEN	4	\$0.00		\$0.00	\$0.00
10/30/2022	D2	11/4/2022	PEN	5	\$0.00		\$0.00	\$0.00
10/29/2022	D1	11/4/2022	CLO	6	\$0.00		\$0.00	\$0.00
10/28/2022	G5	10/27/2022						
10/21/2022	G4A	10/21/2022						
10/14/2022	G4	10/11/2022						
10/7/2022	G3A	10/6/2022						
10/7/2022	G3	9/26/2022						
9/23/2022	G2A	9/26/2022	CLO	3	\$0.00		\$0.00	\$0.00
9/16/2022	G2	9/26/2022	CLO	10	\$0.00		\$0.00	\$0.00
9/9/2022	G1A	9/5/2022						
9/2/2022	G1	9/5/2022	CLO	3	\$0.00		\$0.00	\$0.00
8/26/2022	P7A	9/5/2022	PEN	10	\$0.00		\$0.00	\$0.00
8/19/2022	P7	8/21/2022	CLO	2	\$0.00		\$0.00	\$0.00
8/12/2022	P6	8/12/2022						
8/5/2022	P5	8/4/2022						
7/29/2022	P4	8/4/2022	CLO	6	\$0.00		\$0.00	\$0.00
7/22/2022	P3	7/21/2022						
7/15/2022	P2A	7/21/2022	CLO	6	\$0.00		\$0.00	\$0.00
7/8/2022	P2	7/21/2022	CLO	13	\$0.00		\$0.00	\$0.00
7/1/2022	P1A	7/6/2022	CLO	5	\$0.00		\$0.00	\$0.00
6/24/2022	P1	7/6/2022	CLO	12	\$0.00		\$0.00	\$0.00
6/10/2022	M5	6/13/2022	CLO	3	\$0.00		\$0.00	\$0.00
5/10/2022	M4	5/9/2022						
4/11/2022	M3	4/5/2022						
3/10/2022	M2	3/6/2022						
2/10/2022	M1	2/9/2022						
1/10/2022	M12	1/9/2022						
12/10/2021	M11	12/8/2021						
11/10/2021	M10	11/3/2021						
10/12/2021	M9	10/4/2021						
9/10/2021	M8	9/8/2021						
8/10/2021	M7	8/9/2021						
7/12/2021	M6	7/19/2021	CLO	7	\$0.00		\$0.00	\$0.00

6/10/2021	M5	6/10/2021						
5/10/2021	M4	5/7/2021						
4/12/2021	M3	4/5/2021						
3/10/2021	M2	3/10/2021						
2/10/2021	M1	2/6/2021						
1/11/2021	M12	1/11/2021						
12/10/2020	M11	12/10/2020						
11/10/2020	M10	11/6/2020						
10/30/2020	G6	10/30/2020						
10/29/2020	D6	10/30/2020	CLO	1	\$0.00	\$0.00	\$0.00	\$0.00
10/28/2020	D5	10/28/2020						
10/27/2020	D4	10/28/2020	CLO	1	\$0.00	\$0.00	\$0.00	\$0.00
10/26/2020	D3	10/28/2020	CLO	2	\$0.00	\$0.00	\$0.00	\$0.00
10/25/2020	D2	10/28/2020	CLO	3	\$0.00	\$0.00	\$0.00	\$0.00
10/24/2020	D1	10/28/2020	CLO	4	\$0.00	\$0.00	\$0.00	\$0.00
10/23/2020	G5	10/23/2020						
10/16/2020	G4A	10/16/2020						
10/9/2020	G4	10/9/2020						
10/2/2020	G3A	10/2/2020						
9/25/2020	G3	9/25/2020						
9/18/2020	G2A	9/18/2020						
9/11/2020	G2	9/11/2020						
9/4/2020	G1A	9/8/2020	CLO	4	\$0.00	\$0.00	\$0.00	\$0.00
8/28/2020	G1	8/28/2020						
8/21/2020	P7A	8/19/2020						
8/14/2020	P7	8/14/2020						
8/7/2020	P6	8/6/2020						
7/31/2020	P5	7/28/2020						
7/24/2020	P4	7/23/2020						
7/17/2020	P3	7/15/2020						
7/10/2020	P2A	7/6/2020	CLO	0	\$47.48	\$47.48	\$47.48	\$47.48
7/3/2020	P2	7/6/2020	CLO	3	\$0.00	\$0.00	\$0.00	\$0.00
6/26/2020	P1A	7/1/2020	CLO	5	\$0.00	\$0.00	\$0.00	\$0.00
6/19/2020	P1	6/17/2020						
6/10/2020	M5	6/9/2020						
5/11/2020	M4	5/6/2020						
4/10/2020	M3	4/6/2020						
3/10/2020	M2	3/4/2020						



**Florida Department of State
Division of Elections**

Hispanic Political Action Committee (HISPAC)

Campaign Finance Activity

Note: The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections. [About the Campaign Finance Data Base.](#) If all contributions for a reporting period are less than 1 dollar Then they may not be displayed.

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
○	02/01/2020 - 02/29/2020	100.00	0.00	0.00	0.00	0.00	0.00
○	03/01/2020 - 03/31/2020	5,100.00	0.00	0.00	4,456.64	0.00	0.00
W	04/01/2020 - 04/30/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	05/01/2020 - 05/31/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	06/01/2020 - 06/12/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	06/13/2020 - 06/19/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	06/20/2020 - 06/26/2020	0.00	0.00	0.00	0.00	0.00	0.00
○	06/27/2020 - 07/03/2020	0.00	0.00	0.00	189.90	0.00	0.00
W	07/04/2020 - 07/10/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	07/11/2020 - 07/17/2020	0.00	0.00	0.00	0.00	0.00	0.00
○	07/18/2020 - 07/24/2020	600.00	0.00	0.00	2.50	0.00	0.00
W	07/25/2020 - 07/31/2020	0.00	0.00	0.00	0.00	0.00	0.00
○	08/01/2020 - 08/13/2020	500.00	0.00	0.00	274.75	0.00	0.00
W	08/14/2020 - 08/14/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	08/15/2020 - 08/21/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	08/22/2020 - 08/28/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	08/29/2020 - 09/04/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	09/05/2020 - 09/11/2020	0.00	0.00	0.00	0.00	0.00	0.00
○	09/12/2020 - 09/18/2020	0.00	0.00	0.00	44.56	0.00	0.00
W	09/19/2020 - 09/25/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	09/26/2020 - 10/02/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/03/2020 - 10/09/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/10/2020 - 10/16/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/17/2020 - 10/23/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/24/2020 - 10/24/2020	0.00	0.00	0.00	0.00	0.00	0.00

W	10/25/2020 - 10/25/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/26/2020 - 10/26/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/27/2020 - 10/27/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/28/2020 - 10/28/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/17/2020 - 10/29/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/30/2020 - 10/31/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	11/01/2020 - 11/30/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	12/01/2020 - 12/31/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2021 - 01/31/2021	0.00	0.00	0.00	0.00	0.00	0.00
○	02/01/2021 - 02/28/2021	0.00	0.00	0.00	184.00	0.00	0.00
W	03/01/2021 - 03/31/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	04/01/2021 - 04/30/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	05/01/2021 - 05/31/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	06/01/2021 - 06/30/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	07/01/2021 - 07/31/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	08/01/2021 - 08/31/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	09/01/2021 - 09/30/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	10/01/2021 - 10/31/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	11/01/2021 - 11/30/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	12/01/2021 - 12/31/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2022 - 01/31/2022	0.00	0.00	0.00	0.00	0.00	0.00
○	02/01/2022 - 02/28/2022	1,500.00	0.00	0.00	1,000.00	0.00	0.00
W	03/01/2022 - 03/31/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	04/01/2022 - 04/30/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	05/01/2022 - 05/31/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	06/01/2022 - 06/17/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	06/18/2022 - 06/24/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	06/25/2022 - 07/01/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	07/02/2022 - 07/08/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	07/09/2022 - 07/15/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	07/16/2022 - 07/22/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	07/23/2022 - 07/29/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	07/30/2022 - 08/05/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	08/06/2022 - 08/18/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	08/19/2022 - 08/19/2022	0.00	0.00	0.00	0.00	0.00	0.00

W	08/20/2022 - 08/26/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	08/27/2022 - 09/02/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	09/03/2022 - 09/09/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	09/10/2022 - 09/16/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	09/17/2022 - 09/23/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	09/24/2022 - 09/30/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	10/01/2022 - 10/07/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	10/08/2022 - 10/14/2022	0.00	0.00	0.00	0.00	0.00	0.00
○	10/15/2022 - 10/21/2022	0.00	0.00	0.00	250.00	0.00	0.00
W	10/22/2022 - 10/28/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	10/29/2022 - 10/29/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	10/30/2022 - 10/30/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	10/31/2022 - 10/31/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	11/01/2022 - 11/01/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	11/02/2022 - 11/02/2022	0.00	0.00	0.00	0.00	0.00	0.00
○	10/22/2022 - 11/03/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	11/04/2022 - 11/30/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	12/01/2022 - 12/31/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2023 - 01/31/2023	0.00	0.00	0.00	0.00	0.00	0.00
○	02/01/2023 - 02/28/2023	0.00	0.00	0.00	168.00	0.00	0.00
●	All Dates (Totals)	7,800.00	0.00	0.00	6,570.35	0.00	0.00

Note: (E) indicates that report was filed electronically

X Indicates that detail has not been released

W Indicates that a waiver was filed and L Indicates that a loan report was filed

Select Detail Type

Contributions ▼

Select Sort Order

Date(Ascending) ▼

Select Output Type

Display On Screen ▼

Submit Query Now

[Query the Campaign Finance Data Base](#)

[\[Department of State\]](#) [\[Division of Elections\]](#) [\[Candidates and Races\]](#) [\[Campaign Finance Information\]](#)

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 22-340**

Respondent: Hispanic Political Action Committee (HISPAC)

Complainant: DOE


1. **Date and time:** March 10, 2023 @ 2:50 pm
Name: Santos Arroyo—Treasurer
Phone #: (561) 328-8450
Summary: I attempted telephone contact to make initial contact. I left a message to return my call.
Entered by: CKO
2. **Date and time:** March 14, 2023 @ 9:30 am
Name: Santos Arroyo—Treasurer
Phone #: (561) 328-8450
Summary: I attempted telephone contact to complete final interview. I left a message to return my call.
Entered by: CKO
3. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
4. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
5. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
6. **Date and time:**
Name:
Phone #:
Summary:
Entered by:

Cedric Oliver

From: Cedric Oliver
Sent: Friday, March 10, 2023 3:02 PM
To: 'santosarroyo@mindspring.com'
Subject: FEC 22-340

Good afternoon Mr. Arroyo. My name is Cedric Oliver and I have been attempting to contact you to address a matter involving the "HISPANIC POLITICAL ACTION COMMITTEE (HISPAC)". Please give me a call upon receipt of this message. Thanks for your prompt attention to this matter.

Cedric Oliver
Investigation Specialist
Florida Elections Commission
(850) 922-4539

 Treasurer Report Status

ID: **74981** Name: **Hispanic Political Action Committee (HISPAC)**

Report: 2022 - P5 - 57

Print Date: **8/18/2022 11:42:15 AM**

Election: 2022 General Election

Covers: 7/23/2022-7/29/2022

Amended Waiver

Due: 8/5/2022

Filed: **8/4/2022 5:47:38 PM**

File Status: **Filed Report**

Reviewed: **8/4/2022**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

Number of Detail Records

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0**

Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'

**FLORIDA ELECTIONS COMMISSION
PHONE LOG**

Case No.: FEC 22-340

Respondent: Hispanic Political Action Committee (HISPAC)

Complainant: DOE

1. **Date and time:** March 10, 2023 @ 2:50 pm
Name: Santos Arroyo—Treasurer
Phone #: (561) 328-8450
Summary: I attempted telephone contact to make initial contact. I left a message to return my call.
Entered by: CKO
2. **Date and time:** March 14, 2023 @ 9:30 am
Name: Santos Arroyo—Treasurer
Phone #: (561) 328-8450
Summary: I attempted telephone contact to complete final interview. I left a message to return my call.
Entered by: CKO
3. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
4. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
5. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
6. **Date and time:**
Name:
Phone #:
Summary:
Entered by:

Cedric Oliver

From: Cedric Oliver
Sent: Friday, March 10, 2023 3:02 PM
To: 'santosarroyo@mindspring.com'
Subject: FEC 22-340

Good afternoon Mr. Arroyo. My name is Cedric Oliver and I have been attempting to contact you to address a matter involving the "HISPANIC POLITICAL ACTION COMMITTEE (HISPAC)". Please give me a call upon receipt of this message. Thanks for your prompt attention to this matter.

Cedric Oliver
Investigation Specialist
Florida Elections Commission
(850) 922-4539



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Name:

Election:

Acct:

Type:

Committee Name: Hispanic Political Action Committee (HISPAC)

Account: 74981

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
3/10/2023	M2	3/4/2023						
2/10/2023	M1	2/2/2023						
1/10/2023	M12	1/3/2023						
12/12/2022	M11	12/9/2022						
11/4/2022	G6	11/4/2022						
11/3/2022	D6	11/4/2022	PEN	1	\$0.00		\$0.00	\$0.00
11/2/2022	D5	11/4/2022	PEN	2	\$0.00		\$0.00	\$0.00
11/1/2022	D4	11/4/2022	PEN	3	\$0.00		\$0.00	\$0.00
10/31/2022	D3	11/4/2022	PEN	4	\$0.00		\$0.00	\$0.00
10/30/2022	D2	11/4/2022	PEN	5	\$0.00		\$0.00	\$0.00
10/29/2022	D1	11/4/2022	CLO	6	\$0.00		\$0.00	\$0.00
10/28/2022	G5	10/27/2022						
10/21/2022	G4A	10/21/2022						
10/14/2022	G4	10/11/2022						
10/7/2022	G3A	10/6/2022						
10/7/2022	G3	9/26/2022						
9/23/2022	G2A	9/26/2022	CLO	3	\$0.00		\$0.00	\$0.00
9/16/2022	G2	9/26/2022	CLO	10	\$0.00		\$0.00	\$0.00
9/9/2022	G1A	9/5/2022						
9/2/2022	G1	9/5/2022	CLO	3	\$0.00		\$0.00	\$0.00
8/26/2022	P7A	9/5/2022	PEN	10	\$0.00		\$0.00	\$0.00
8/19/2022	P7	8/21/2022	CLO	2	\$0.00		\$0.00	\$0.00
8/12/2022	P6	8/12/2022						
8/5/2022	P5	8/4/2022						
7/29/2022	P4	8/4/2022	CLO	6	\$0.00		\$0.00	\$0.00
7/22/2022	P3	7/21/2022						
7/15/2022	P2A	7/21/2022	CLO	6	\$0.00		\$0.00	\$0.00
7/8/2022	P2	7/21/2022	CLO	13	\$0.00		\$0.00	\$0.00
7/1/2022	P1A	7/6/2022	CLO	5	\$0.00		\$0.00	\$0.00
6/24/2022	P1	7/6/2022	CLO	12	\$0.00		\$0.00	\$0.00
6/10/2022	M5	6/13/2022	CLO	3	\$0.00		\$0.00	\$0.00
5/10/2022	M4	5/9/2022						
4/11/2022	M3	4/5/2022						
3/10/2022	M2	3/6/2022						
2/10/2022	M1	2/9/2022						
1/10/2022	M12	1/9/2022						
12/10/2021	M11	12/8/2021						
11/10/2021	M10	11/3/2021						
10/12/2021	M9	10/4/2021						
9/10/2021	M8	9/8/2021						
8/10/2021	M7	8/9/2021						
7/12/2021	M6	7/19/2021	CLO	7	\$0.00		\$0.00	\$0.00

6/10/2021	M5	6/10/2021						
5/10/2021	M4	5/7/2021						
4/12/2021	M3	4/5/2021						
3/10/2021	M2	3/10/2021						
2/10/2021	M1	2/6/2021						
1/11/2021	M12	1/11/2021						
12/10/2020	M11	12/10/2020						
11/10/2020	M10	11/6/2020						
10/30/2020	G6	10/30/2020						
10/29/2020	D6	10/30/2020	CLO	1	\$0.00	\$0.00	\$0.00	\$0.00
10/28/2020	D5	10/28/2020						
10/27/2020	D4	10/28/2020	CLO	1	\$0.00	\$0.00	\$0.00	\$0.00
10/26/2020	D3	10/28/2020	CLO	2	\$0.00	\$0.00	\$0.00	\$0.00
10/25/2020	D2	10/28/2020	CLO	3	\$0.00	\$0.00	\$0.00	\$0.00
10/24/2020	D1	10/28/2020	CLO	4	\$0.00	\$0.00	\$0.00	\$0.00
10/23/2020	G5	10/23/2020						
10/16/2020	G4A	10/16/2020						
10/9/2020	G4	10/9/2020						
10/2/2020	G3A	10/2/2020						
9/25/2020	G3	9/25/2020						
9/18/2020	G2A	9/18/2020						
9/11/2020	G2	9/11/2020						
9/4/2020	G1A	9/8/2020	CLO	4	\$0.00	\$0.00	\$0.00	\$0.00
8/28/2020	G1	8/28/2020						
8/21/2020	P7A	8/19/2020						
8/14/2020	P7	8/14/2020						
8/7/2020	P6	8/6/2020						
7/31/2020	P5	7/28/2020						
7/24/2020	P4	7/23/2020						
7/17/2020	P3	7/15/2020						
7/10/2020	P2A	7/6/2020	CLO	0	\$47.48	\$47.48	\$47.48	\$47.48
7/3/2020	P2	7/6/2020	CLO	3	\$0.00	\$0.00	\$0.00	\$0.00
6/26/2020	P1A	7/1/2020	CLO	5	\$0.00	\$0.00	\$0.00	\$0.00
6/19/2020	P1	6/17/2020						
6/10/2020	M5	6/9/2020						
5/11/2020	M4	5/6/2020						
4/10/2020	M3	4/6/2020						
3/10/2020	M2	3/4/2020						



Florida Department of State Division of Elections

Hispanic Political Action Committee (HISPAC)

Campaign Finance Activity

Note: The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections. [About the Campaign Finance Data Base.](#) If all contributions for a reporting period are less than 1 dollar Then they may not be displayed.

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
○	02/01/2020 - 02/29/2020	100.00	0.00	0.00	0.00	0.00	0.00
○	03/01/2020 - 03/31/2020	5,100.00	0.00	0.00	4,456.64	0.00	0.00
W	04/01/2020 - 04/30/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	05/01/2020 - 05/31/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	06/01/2020 - 06/12/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	06/13/2020 - 06/19/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	06/20/2020 - 06/26/2020	0.00	0.00	0.00	0.00	0.00	0.00
○	06/27/2020 - 07/03/2020	0.00	0.00	0.00	189.90	0.00	0.00
W	07/04/2020 - 07/10/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	07/11/2020 - 07/17/2020	0.00	0.00	0.00	0.00	0.00	0.00
○	07/18/2020 - 07/24/2020	600.00	0.00	0.00	2.50	0.00	0.00
W	07/25/2020 - 07/31/2020	0.00	0.00	0.00	0.00	0.00	0.00
○	08/01/2020 - 08/13/2020	500.00	0.00	0.00	274.75	0.00	0.00
W	08/14/2020 - 08/14/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	08/15/2020 - 08/21/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	08/22/2020 - 08/28/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	08/29/2020 - 09/04/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	09/05/2020 - 09/11/2020	0.00	0.00	0.00	0.00	0.00	0.00
○	09/12/2020 - 09/18/2020	0.00	0.00	0.00	44.56	0.00	0.00
W	09/19/2020 - 09/25/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	09/26/2020 - 10/02/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/03/2020 - 10/09/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/10/2020 - 10/16/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/17/2020 - 10/23/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/24/2020 - 10/24/2020	0.00	0.00	0.00	0.00	0.00	0.00

W	10/25/2020 - 10/25/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/26/2020 - 10/26/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/27/2020 - 10/27/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/28/2020 - 10/28/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/17/2020 - 10/29/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/30/2020 - 10/31/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	11/01/2020 - 11/30/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	12/01/2020 - 12/31/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2021 - 01/31/2021	0.00	0.00	0.00	0.00	0.00	0.00
○	02/01/2021 - 02/28/2021	0.00	0.00	0.00	184.00	0.00	0.00
W	03/01/2021 - 03/31/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	04/01/2021 - 04/30/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	05/01/2021 - 05/31/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	06/01/2021 - 06/30/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	07/01/2021 - 07/31/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	08/01/2021 - 08/31/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	09/01/2021 - 09/30/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	10/01/2021 - 10/31/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	11/01/2021 - 11/30/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	12/01/2021 - 12/31/2021	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2022 - 01/31/2022	0.00	0.00	0.00	0.00	0.00	0.00
○	02/01/2022 - 02/28/2022	1,500.00	0.00	0.00	1,000.00	0.00	0.00
W	03/01/2022 - 03/31/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	04/01/2022 - 04/30/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	05/01/2022 - 05/31/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	06/01/2022 - 06/17/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	06/18/2022 - 06/24/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	06/25/2022 - 07/01/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	07/02/2022 - 07/08/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	07/09/2022 - 07/15/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	07/16/2022 - 07/22/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	07/23/2022 - 07/29/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	07/30/2022 - 08/05/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	08/06/2022 - 08/18/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	08/19/2022 - 08/19/2022	0.00	0.00	0.00	0.00	0.00	0.00

W	08/20/2022 - 08/26/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	08/27/2022 - 09/02/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	09/03/2022 - 09/09/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	09/10/2022 - 09/16/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	09/17/2022 - 09/23/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	09/24/2022 - 09/30/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	10/01/2022 - 10/07/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	10/08/2022 - 10/14/2022	0.00	0.00	0.00	0.00	0.00	0.00
○	10/15/2022 - 10/21/2022	0.00	0.00	0.00	250.00	0.00	0.00
W	10/22/2022 - 10/28/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	10/29/2022 - 10/29/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	10/30/2022 - 10/30/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	10/31/2022 - 10/31/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	11/01/2022 - 11/01/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	11/02/2022 - 11/02/2022	0.00	0.00	0.00	0.00	0.00	0.00
○	10/22/2022 - 11/03/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	11/04/2022 - 11/30/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	12/01/2022 - 12/31/2022	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2023 - 01/31/2023	0.00	0.00	0.00	0.00	0.00	0.00
○	02/01/2023 - 02/28/2023	0.00	0.00	0.00	168.00	0.00	0.00
●	All Dates (Totals)	7,800.00	0.00	0.00	6,570.35	0.00	0.00

Note: (E) indicates that report was filed electronically

X Indicates that detail has not been released

W Indicates that a waiver was filed and L Indicates that a loan report was filed

Select Detail Type

Contributions ▼

Select Sort Order

Date(Ascending) ▼

Select Output Type

Display On Screen ▼

Submit Query Now

[Query the Campaign Finance Data Base](#)

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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



October 13, 2022

Samuel Roman, Chair
Hispanic Political Action Committee (HISPAC)
4201 Westgate Avenue; Suite 7
West Palm Beach, FL 33409

RE: Case No.: FEC 22-340; Respondent: Hispanic Political Action Committee (HISPAC)

Dear Mr. Roman:

On September 14, 2022, the Florida Elections Commission received a complaint alleging your committee 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 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2022 P1
- 2022 P1A
- 2022 P2
- 2022 P2A
- 2022 P4
- 2022 P5

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 \$300**, 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

Samuel Roman
October 13, 2022
Page 2
FEC 22-340

the Commission. You and the Complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

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 your committee.

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/jd

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

To FEC from Division of Elections

REC'D: FL ELECTIONS COM
14 SEP '22 PM 3:35

Name: Hispanic Political Action Committee (HISPAC)
Account Number: 74981
Chairperson: Samuel Roman
Treasurer: Santos Arroyo
Registered Agent: Samuel Roman

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to sections 106.07(8)(d), 106.22(7), and 106.25(2), Florida Statutes. An apparent violation of Chapter 106, Florida Statutes, has occurred based upon repeated late filings or failure to notify the filing officer in writing that no report was being filed on the prescribed reporting date as required by section 106.07(7), Florida Statutes, for the following reports:

2022 P1	2022 P1A
2022 P2	2022 P2A
2022 P4	2022 P5

- Hispanic Political Action Committee (HISPAC) (74981) is a political committee registered with the Division of Elections. On February 10, 2020, the committee filed the DSDE 5 and DSDE 6 with the Division appointing Samuel Roman as the chairperson and Santos Arroyo as treasurer for the committee.
- The 2022 P1 campaign treasurer's report was due on June 24, 2022. Hispanic Political Action Committee (HISPAC) failed to notify the Division that no report was being filed on the prescribed reporting date. On July 6, 2022, the committee filed a notification of no activity. (See attached file receipt.)
- The 2022 P1A campaign treasurer's report was due on July 1, 2022. Hispanic Political Action Committee (HISPAC) failed to notify the Division that no report was being filed on the prescribed reporting date. On July 6, 2022, the committee filed a notification of no activity. (See attached file receipt.)

- The 2022 P2 campaign treasurer's report was due on July 8, 2022. Hispanic Political Action Committee (HISPAC) failed to notify the Division that no report was being filed on the prescribed reporting date. On July 21, 2022, the committee filed a notification of no activity. (See attached file receipt.)
- The 2022 P2A campaign treasurer's report was due on July 15, 2022. Hispanic Political Action Committee (HISPAC) failed to notify the Division that no report was being filed on the prescribed reporting date. On July 21, 2022, the committee filed a notification of no activity. (See attached file receipt and letter.)
- The 2022 P4 campaign treasurer's report was due on July 29, 2022. Hispanic Political Action Committee (HISPAC) failed to notify the Division that no report was being filed on the prescribed reporting date. On August 4, 2022, the committee filed a notification of no activity. (See attached file receipt and letter.)
- The 2022 P5 campaign treasurer's report was due on August 5, 2022. Hispanic Political Action Committee (HISPAC) failed to notify the Division that no report was being filed on the prescribed reporting date. On August 4, 2022, the committee filed a notification of no activity. (See attached file receipt.)

Sent By: Donna S. Brown *DSB*
Date: September 9, 2022

jmn

 **Treasurer Report Status**

ID: **74981** Name: **Hispanic Political Action Committee (HISPAC)**

Report: 2022 - P1 - 51

Print Date: **8/18/2022 11:41:34 AM**

Election: 2022 General Election

Covers: 6/1/2022-6/17/2022

Amended Waiver

Due: 6/24/2022

Filed: **7/6/2022 9:09:33 PM**

File Status: **Filed Report**

Reviewed: **7/6/2022**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

Number of Detail Records

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0**

Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'

 **Treasurer Report Status**

ID: **74981** Name: **Hispanic Political Action Committee (HISPAC)**

Report: 2022 - P1A - 52

Print Date: **8/18/2022 11:42:44 AM**

Election: 2022 General Election

Covers: 6/18/2022-6/24/2022

Amended Waiver

Due: 7/1/2022

Filed: **7/6/2022 9:11:00 PM**

File Status: **Filed Report**

Reviewed: **7/6/2022**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

Number of Detail Records

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0**

Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'

 **Treasurer Report Status**

ID: 74981 **Name: Hispanic Political Action Committee (HISPAC)**

Report: 2022 - P2 - 53

Print Date: **8/18/2022 11:41:49 AM**

Election: 2022 General Election

Covers: 6/25/2022-7/1/2022

Amended Waiver

Due: 7/8/2022

Filed: **7/21/2022 6:50:42 PM**

File Status: **Filed Report**

Reviewed: **7/21/2022**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

Entry Method: Web Data Entry

Pending Queued Items: **0**

Number of Detail Records:

Contributions: 0

Expenditures: 0

Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'

 Treasurer Report Status

ID: 74981		Name: Hispanic Political Action Committee (HISPAC)	
Report: 2022 - P2A - 54		Print Date: 8/18/2022 11:42:01 AM	
Election: 2022 General Election			
Covers: 7/2/2022-7/8/2022		<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver	
Due: 7/15/2022			
Filed: 7/21/2022 6:51:45 PM		File Status: Filed Report	
Reviewed: 7/21/2022		Review Status: Reviewed	
		Detail Complete: No Detail Records Found	
File Method: Web Filed		<u>Number of Detail Records</u>	
Entry Method: Web Data Entry		Contributions: 0	
		Expenditures: 0	
Pending Queued Items: 0		Fund Transfers: 0	
		Distributions: 0	
To Print Report: Right Click Mouse and Select 'Print'			



FLORIDA DEPARTMENT OF STATE
Cord Byrd
Secretary of State
DIVISION OF ELECTIONS

August 26, 2022

Santos Arroyo, Treasurer
Hispanic Political Action Committee (HISPAC)
4201 Westgate Avenue
Suite A7
West Palm Beach, FL 33409-3409

PAC 74981

Dear Mr. Arroyo:

The notification that you had no reportable activity for the report deadline of July 15, 2022, was not filed until July 21, 2022. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Donna S. Brown, Chief
Bureau of Election Records

cc: Samuel Roman, Chairperson

 **Treasurer Report Status**

ID: 74981 **Name: Hispanic Political Action Committee (HISPAC)**

Report: 2022 - P4 - 56

Print Date: **8/18/2022 11:42:30 AM**

Election: 2022 General Election

Covers: 7/16/2022-7/22/2022

Amended Waiver

Due: 7/29/2022

Filed: **8/4/2022 5:46:43 PM**

File Status: **Filed Report**

Reviewed: **8/4/2022**

Review Status: **Reviewed**

Detail Complete: **No Detail Records Found**

File Method: Web Filed

Number of Detail Records

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0**

Fund Transfers: 0

Distributions: 0

To Print Report: Right Click Mouse and Select 'Print'



FLORIDA DEPARTMENT OF STATE

Cord Byrd
Secretary of State

DIVISION OF ELECTIONS

August 9, 2022

Santos Arroyo, Treasurer
Hispanic Political Action Committee (HISPAC)
4201 Westgate Avenue
Suite A7
West Palm Beach, FL 33409-3409

PAC 74981

Dear Mr. Arroyo:

The notification that you had no reportable activity for the report deadline of July 29, 2022, was not filed until August 4, 2022. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Donna S. Brown, Chief
Bureau of Election Records

cc: Samuel Roman, Chairperson

 Treasurer Report Status

ID: 74981	Name: Hispanic Political Action Committee (HISPAC)
Report: 2022 - P5 - 57	Print Date: 8/18/2022 11:42:15 AM
Election: 2022 General Election	
Covers: 7/23/2022-7/29/2022	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Waiver
Due: 8/5/2022	
Filed: 8/4/2022 5:47:38 PM	File Status: Filed Report
Reviewed: 8/4/2022	Review Status: Reviewed
	Detail Complete: No Detail Records Found
File Method: Web Filed	<u>Number of Detail Records</u>
Entry Method: Web Data Entry	Contributions: 0
	Expenditures: 0
Pending Queued Items: 0	Fund Transfers: 0
	Distributions: 0
To Print Report: Right Click Mouse and Select 'Print'	