



FLORIDA ELECTIONS COMMISSION

**107 W. Gaines Street,
Suite 224 Collins Building
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783**

July 3, 2012

CERTIFIED MAIL 7004 1160000491863347

Thomas J. Leek, Esq.
150 Magnolia Avenue
Daytona Beach, FL 32115

RE: Case No.: FEC 12-100

Dear Mr Leek:

In a letter dated June 6, 2012, the Florida Elections Commission sent your client a copy of a complaint in the above referenced matter. I have reviewed the complaint and find that it contains one or more legally sufficient allegations. Along with all allegations in the complaint, the Commission staff will investigate the following alleged violations:

Section 106.07(5), Florida Statutes: Carl G. Persis, candidate for the Volusia County Council Chairman, certified that his 2011 Q3 campaign report was true, correct, and complete when it was not.

Section 106.19(1)(a), Florida Statutes: Carl G. Persis, candidate for the Volusia County Council Chairman, accepted an excessive contribution when he accepted a \$25,000 contribution from Susan Persis as alleged in the complaint.

Section 106.19(1)(c), Florida Statutes: Carl G. Persis, candidate for the Volusia County Council Chairman, falsely reported, or deliberately failed to report a \$25,000 contribution from Susan Persis as alleged in the complaint.

You may respond to the allegations above by filing a notarized statement providing any information regarding the facts and circumstances surrounding the allegation. If you choose to file a response to the alleged violation, you should do so within 20 days of the date you receive this letter. Your response will be included as an attachment to the investigator's report.

When we conclude the investigation, you will receive a copy of the Report of Investigation. You may file a response to the report within 14 days from the date the report is mailed to you. Based

on the results of the investigation, legal staff will make a written recommendation to the Commission on whether there is probable cause to believe you have violated Chapter 104 or 106, Florida Statutes. You will receive a copy of the Staff Recommendation and may file a response within 14 days from the date the recommendation is mailed to you. Your timely filed response will be considered by the Commission when determining probable cause.

The Commission will then hold a hearing to determine whether there is probable cause to believe you have violated Chapter 104 or 106, Florida Statutes. You and the complainant will receive a notice of hearing at least 14 days before the hearing. The notice of hearing will indicate the location, date, and time of your hearing. You will have the opportunity to make a brief oral statement to the Commission, but you will not be permitted to testify or call others to testify, or introduce any documentary or other evidence. The Commission also may allow the complainant to make a brief oral statement.

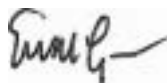
At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement.

The Report of Investigation, Staff Recommendation, and Notice of Hearing will be mailed to the same address as this letter. Therefore, if your address changes, you must notify the investigator assigned to this case of your new address. Otherwise, you may not receive the correspondence from the staff. Failure to receive the documents will not delay the probable cause hearing.

Under section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you, the Respondent, unless you waive confidentiality in writing. The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her.

If you have any questions or need additional information, please contact **Keith Smith**, the investigator assigned to this case, at extension 112.

Sincerely,



Rosanna
Rosanna Catalano
Executive Director

cc: William G Tavernier, Complainant