

DECLARATION OF J. ANDREW GAY
Re: Andrew Gillum for Governor, MUR 7582

Pursuant to 28 U.S.C. Section 1746, the undersigned states as follows:

1. I am over the age of eighteen (18) and competent to make this declaration.
2. I am a licensed Certified Public Accountant in the State of Florida with applicable experience in the area of campaign finance reporting.
3. I was appointed as the Treasurer for the Andrew Gillum for Governor Campaign (the "Campaign") on February 28, 2017. My involvement with the campaign effectively ceased on September 18, 2018, when Shelby Green was appointed Treasurer and I was appointed Deputy Treasurer. I formally resigned on December 6, 2018. On January 18, 2019, I was again appointed Deputy Treasurer to wind-down the Campaign and complete its termination report in Ms. Green's absence. My firm has access to the Campaign's finance records.
4. I have served as the treasurer for several campaigns and am familiar with federal and Florida law prohibiting the acceptance of contributions from a foreign national. I have several safeguards in place to ensure that any contributions received from a suspected foreign national are timely returned. If any of these safeguards were triggered by Contributions received by the Campaign, I would have initiated a refund of same as is my normal practice.
5. On the morning of May 20, 2019, I first learned that a complaint (MUR 7582) was filed with the Federal Election Commission accusing the Campaign of receiving a contribution from a foreign national. I reviewed my firm's records and found no contributions from Aner Ben-Ami, nor from Candide Group, LLC.
6. All campaign contributions and expenditures are publicly listed on the Florida Division of Elections' website. I conducted the search described at footnote 8 of the complaint,

as well as other similar searches, on the Division's website, and did not locate any contributions to the Campaign from Aner Ben-Arai, nor from Candide Group, LLC.

7. I was not aware that the Candide Group, LLC claimed to have endorsed the Campaign in any form until I reviewed Exhibit 3 of the complaint. To the extent Exhibit 3 can be considered an expenditure, the Campaign is neither able, nor required, to identify independent expenditures.

8. As Treasurer, and Deputy Treasurer, of the Campaign, I intended to fully comply at all times with federal and Florida election laws.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 20th day of May, 2019



J. Andrew Gray

DECLARATION OF BRIDGET SMITHA
Re: Andrew Gillum for Governor, MUR 7582

Pursuant to 28 U.S.C. Section 1746, the undersigned states as follows:

1. I am over the age of eighteen (18) and competent to make this declaration.
2. I have been a member of The Florida Bar (0709581) since 2004 and have been a partner of Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A. ("Stearns Weaver") since 2014.
3. Stearns Weaver served as counsel for the Andrew Gillum for Governor Campaign (the "Campaign") from its inception through its termination in February 2019. I personally worked with the Campaign's treasurers, Andrew Gay and Shelby Green, to comply with federal and Florida law.
4. The Campaign ceased to exist on February 5, 2019. It has no employees, registered agents, funds, assets, office space, etc. At various points in the Campaign, it operated out of 240 N. Magnolia Avenue, Tallahassee, FL 32301. On the evening of May 19, 2019, a person unaffiliated with the Campaign e-mailed to me the document attached as Exhibit A, which appears to be the first page of a Federal Election Commission letter concerning MUR 7582 (the "Complaint"). On the morning of May 20, 2019, I obtained a copy of the Complaint from Assistant General Counsel Jeff Jordan.
5. The Complaint states: "In 2018, Candide highlighted on its website five state and federal candidates from the 2018 cycle who received Candide's contributions." See Complaint, pg. 2 (emphasis added). However, for this proposition, the complaint cites to a webpage (<https://candidegroup.com/political-donations/>), which does not say that Candide Group "contributed" to the Campaign, but rather states only that it "endorses" and "supports" the Campaign; neither of which are an admission of making monetary payments to the Campaign. See Complaint, Exhibit 3. Prior to reviewing Exhibit 3 of the Complaint, I was unaware that the Candide Group, LLC claimed to endorse or otherwise support, or actually provided same to, the Campaign, directly or indirectly.
6. My firm has access to the Campaign's emails, documents, and finance records. Upon learning of the Complaint, I immediately reviewed the Campaign's finance records for any contributions from Aner Ben-Ami, or from Candide Group, LLC, and found none. I also performed multiple searches using varying methods and terms on the Florida Division of Elections' website for contributions from Aner Ben-Ami, or from Candide Group, LLC, and again found none.
7. I then searched all of the Campaign's e-mails and documents for any reference to "Ben-Ami" and "Candide." I found no records for Aner Ben-Ami. I only found one record for Candide Group, and it was only tangentially related. Specifically, I found a contribution made individually by Morgan Simon for \$50 on November 7, 2017 via her personal credit card on ActBlue. See Exhibit B. The transaction details identified the "Contributor Address" as Ms. Simon's personal residence: 492 Stow Ave, Oakland, CA. See Exhibit C. (identifying Ms. Simon's personal residence). The only reference to "Candide Group" is as the "Contributor Employer" - making it clear that Candide Group did not make the contribution, but rather only employed the contributor. As a U.S. natural born citizen (see Exhibit C, identifying Ms. Simon's social security number in redacted form), it is my understanding that Ms. Simon has the First Amendment right to contribute her personal funds to any candidate she deems worthy.
8. I found no evidence to suggest this contribution was made by a foreign national. Had I believed the contribution to be in violation of Florida law, 52 U.S. Code § 30121, 11 CFR 110.20, or any other federal law, I would have directed the Campaign to refund the contribution.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 20th day of May, 2019



Bridget Smitha



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Shelby Green, Treasurer
Andrew Gillum for Governor
P.O. Box 5654
Tallahassee, FL 32314

MAR 21 2019

RE: MUR 7582

Dear Ms. Green:

The Federal Election Commission received a complaint that indicates Andrew Gillum for Governor may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 7582. Please refer to this number in all future correspondence.

The Act affords you the opportunity to demonstrate in writing that no action should be taken against Andrew Gillum for Governor in this matter. If you wish to file a response, you may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements should be submitted under oath by persons with relevant knowledge. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and § 30109(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. Please be advised that, although the Commission cannot disclose information regarding an investigation to the public, it may share information on a confidential basis with other law enforcement agencies.¹

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission. Please note that you have a legal obligation to preserve all documents, records, and materials relating to the subject matter of the complaint until such time as you are notified that the Commission has closed its file in this matter. See 18 U.S.C. § 1519.

¹ The Commission has the statutory authority to refer knowing and willful violations of the Act to the Department of Justice for potential criminal prosecution, 52 U.S.C. § 30109(a)(5)(C), and to report information regarding violations of law not within its jurisdiction to appropriate law enforcement authorities. *Id.* § 30107(a)(9).

ActBlue Transaction Details

| | |
|---------------------|------------------------------------|
| Recipient Committee | Gillum for Governor |
| Merchant Account ID | 7356547 |
| Date | 7 Nov 2017 01:37 PM |
| Contribution Amount | \$50.00 |
| Contributor | Morgan Simon |
| Address | Oakland, CA 94606 United States |
| Employer | Candide Group |
| Transaction Number | |
| Authorization | Approved |
| ActBlue Fee | \$0.75 |
| Card Type | VISA |
| Card Last4 | |
| Card Expiration | September 2018 |
| Card AVS | 5-Digit zip and address match |



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Statement of Designation of Counsel

Provide one form for each Respondent/Witness
Note: You May E-Mail Form to: CELA@fec.gov

CASE: MUR # 7582

Name of Counsel: Bridget K. Smitha

Firm: Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A.

Address: 106 East College Avenue, Suite 700
Tallahassee, FL 32301

Telephone: (850) 329-4852 Fax: (850) 329-4844

The above named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

5/21/2019 Andrew D. Gillum _____
Date Signature Title

RESPONDENT: Andrew Gillum for Governor
(Committee Name/Company Name/Individual Named In Notification Letter)

MAILING ADDRESS: c/o Andrew Gay, CPA

Grimsley & Company, CPA's, P.A. 1427 Piedmont Drive East, Suite 2, Tallahassee, FL 32308

Telephone:(H): _____ (W): (850) 385-1120

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person receiving the notification or the person with respect to whom the investigation is made.

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