



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

December 6, 2024

By Electronic Mail

kheuser@heuserlawfirm.com

Kristina S. Heuser, Esq.
Heuser Law Firm, PA
305 Fifth Avenue South, Suite 204-K
Naples, FL 34102

RE: MUR 8185
Keith Gross for Florida and
Jason D. Bowles in his official
capacity as treasurer
Keith Gross
Jason D. Bowles
Pure Blue, Inc.
1954 Capital Partners LLC
Vigilant RE 320 LLC

Dear Ms. Heuser:

On November 7, 2024, the Federal Election Commission notified your clients, Keith Gross for Florida and Jason D. Bowles in his official capacity as treasurer (the “Committee”), Keith Gross, Jason D. Bowles, Pure Blue, Inc., and 1954 Capital Partners LLC, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (“the Act”). A copy of the complaint was forwarded to your clients at that time. On January 24, 2024, the Commission notified your clients of an amended complaint alleging violations of certain sections of the Act. A copy of the amended complaint was forwarded to you at that time. Also on January 24, 2024, the Commission notified your client Vigilant RE 320 LLC of the amended complaint. A copy of the amended complaint was forwarded to it at that time.

Upon further review of the allegations contained in the complaint and amended complaint, and information supplied by you, the Commission, on November 6, 2024, voted to dismiss this matter effective December 6, 2024.

Documents related to the case will be placed on the public record today. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016).

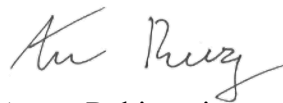
MUR 8185 (Keith Gross for Florida, *et al.*)

Letter to Kristina S. Heuser, Esq.

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If you have any questions, please contact Kenneth Sealls, the attorney assigned to this matter, at (202) 694-1210.

Sincerely,

A handwritten signature in cursive script, appearing to read "Aaron Rabinowitz".

Aaron Rabinowitz
Assistant General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION
ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT

MUR: 8185

Respondents: Keith Gross for Florida and Jason D. Boles in his official capacity as treasurer
 Keith Gross
 Jason D. Boles
 Pure Blue, Inc.
 1954 Capital Partners LLC
 Vigilant RE 320 LLC

Complaint Receipt Date: November 2, 2023

Response Dates: November 22, 2023; February 15, 2024

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Alleged Statutory and Regulatory Violations:

52 U.S.C. §§ 30101(8)(A)(i), 30118(a)
 11 C.F.R. §§ 110.1(g)(2)-(4), 114.9(a)(1), 116.3(a)-(b)

The Complaint alleges that 2024 senatorial candidate Keith Gross and his principal campaign committee, Keith Gross for Florida and Jason D. Boles in his capacity as treasurer (the “Committee”),¹ as well as Gross and Boles in their personal capacities, violated the Federal Election Campaign Act of 1971, as amended (the “Act”), when the Committee received free rent from Pure Blue Inc., based on unpaid debt the Committee owes to the corporation in the amount of \$13,500 for a lease, and received free transportation from 1954 Capital Partners LLC, based on an unpaid debt the Committee owes to the LLC in the amount of \$12,600.² The Amended Complaint further alleges that the Committee is using corporate business space as campaign

¹ Gross, a first-time candidate for federal office, was defeated in the primary election having received 9.4% of the vote. FL Dep’t of State Republican Primary results, <https://results.elections.myflorida.com/Index.asp?ElectionDate=8/20/2024#:~:text=Division%20of%20Elections.%20August%202020,%202024%20Primary%20Election.%20Welcome%20to> (Aug. 20, 2024).

² Compl. at 2 (Nov. 2, 2023).

1 headquarters because an email from the Committee to the Commission listed an address that
2 matches property owned by Vigilant RE 320 LLC.³

3 In their joint Response to the Complaint, Respondents deny the allegations and attach an
4 Affidavit from Gross, asserting that neither Pure Blue nor 1954 Capital extended credit to the
5 Committee, and attach what appear to be checks dated November 17, 2023, reflecting that Pure
6 Blue and 1954 Capital were paid on November 17, 2023, approximately two weeks after the
7 Complaint was filed.⁴ Regarding the use of Vigilant RE 320 LLC's address on an email,
8 Respondents assert that Gross incidentally and occasionally used the address of this LLC, which
9 is a building owned by a corporation by whom Gross is employed, for campaign purposes and
10 that doing so did not increase the overhead or costs of the corporation.⁵

11 Based on its experience and expertise, the Commission has established an Enforcement
12 Priority System using formal, pre-determined scoring criteria to allocate agency resources and
13 assess whether particular matters warrant further administrative enforcement proceedings. These
14 criteria include (1) the gravity of the alleged violation, taking into account both the type of
15 activity and the amount in violation; (2) the apparent impact the alleged violation may have had
16 on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent
17 trends in potential violations and other developments in the law. This matter is rated as low
18 priority for Commission action after application of these pre-established criteria. Given that low
19 rating, and low apparent dollar amount at issue, we recommend that the Commission dismiss the
20 Complaint consistent with the Commission's prosecutorial discretion to determine the proper

³ Am. Compl. at 2 (Jan. 17, 2024).

⁴ Joint Resp. to Compl., Gross Aff. ¶ 4 (Nov. 22, 2023).

⁵ Resp. to Am. Compl. at 2-3 (Feb. 15, 2024).

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EPS Dismissal Report
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1 ordering of its priorities and use of agency resources⁶ and close the file as to all Respondents
2 effective 30 days from the date the certification of this vote is signed (or on the next business day
3 after the 30th day, if the 30th day falls on a weekend or holiday) and send the appropriate letters.

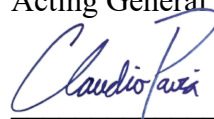
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Lisa J. Stevenson
Acting General Counsel

6 10/25/2024

7 Date

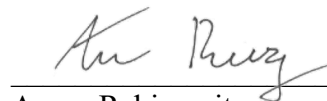
BY:



Claudio J. Pavia
Deputy Associate General Counsel

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Aaron Rabinowitz
Assistant General Counsel

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Kenneth E. Sealls
Attorney

⁶ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).