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FILED/ACCEPTED

NOV - 6 2012

**Federal Communications Commission
Office of the Secretary**

November 5, 2012

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**—BY HAND DELIVERY AND—
ELECTRONIC MAIL**

Re: Complaint of Randall Terry for Congress regarding CBS Television Stations South Florida, WFOR-TV & WBFS-TV's violation of 47 U.S.C. §312 and §315

To: Media Bureau, Policy Division, Political Programming Branch
Attn: Robert Baker and Hope Cooper

Dear Ms. Dotrch:

Randall Terry for Congress, through its counsel Gammon and Grange, is filing this letter request regarding WFOR-TV and WBFS-TV's willful and ongoing denial of reasonable access to Randall Terry for Congress under sections 312 and 315 of the Communications Act. As Election Day is only one day away, the matter is urgent.

Attached are email exchanges between Randall Terry for Congress ("Terry") and representatives of CBS Television Stations South Florida ("CBS") the licensee of WFOR-TV and WBFS-TV (the "Stations"). CBS and the Stations have willfully and repeatedly denied Mr. Terry reasonable access under 47 U.S.C. §312 and §315.

Mr. Terry has been certified by the state of Florida and placed on the ballot as a candidate for the U.S. House of Representatives in Florida's 20th Congressional District. Proof of such has been provided to CBS and the Stations on several occasions.

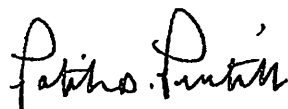
CBS and the Stations continue to refuse Mr. Terry reasonable access under sections 312 and 315 of the Communications Act. On October 10, 2012, CBS and the Stations by counsel sent an email to Mr. Terry's campaign arguing that Mr. Terry's advertisements were not a "use" on behalf of his candidacy and that WFOR and WBFS in Miami would not air the spots. Mr. Terry's campaign responded on October 15, 2012 that "[D]irectly contrary to CBS and the Station's assertions, a candidate who secures time under 47 USCS § 315 need not talk about a subject directly related to his candidacy and may use time as he deems best" and "[D]enying a candidate time on ground that he is not utilizing that time in furtherance of his candidacy is an exercise of censorship prohibited by § 315."

On October 19, 2012, CBS and the Stations, through Ms. Susan Inker-Puretz, refused to provide Mr. Terry reasonable access under the Communications Act. Ms. Inker-Puretz's refusal provided no reason and cited no authority for denying Mr. Terry reasonable access. Despite this lack of rationale, Mr. Terry responded on the same day by addressing the Florida statutory argument that several other stations had raised. Namely, that Fla. Stat. Ann. § 99.012(2), which prohibits a candidate from qualifying as a candidate for more than one public office, did not disqualify Mr. Terry from eligibility for the 20th Congressional District in Florida because he is also a candidate for President of the United States in several other States. Mr. Terry concluded by requesting a response from Ms. Inker-Puretz or from CBS and the Station's counsel. No response was ever received.

Mr. Terry contends that CBS and the Stations' ongoing refusal demonstrates a flagrant disregard of important federally mandated laws guaranteeing access to candidates such as Mr. Terry and of the Commission's authority to administer and enforce sections 312 and 315 of the Communications Act. Given the already substantial delay and the fact that Election Day is one day from now, Mr. Terry asks the Commission to immediately direct CBS and the Stations to provide Mr. Terry reasonable access.

Thank you for your assistance in this matter.

Kind regards,



A. Wray Fitch III
Patrick D. Purtil
Gammon & Grange, P.C.

cc: Howard F. Jaeckel, Sr. VP and General Counsel, CBS Broadcasting, Inc., via
email: hfjaeckel@cbs.com
Robert Baker, Federal Communications Commission, via email: robert.baker@fcc.gov
Hope Cooper, Federal Communications Commission, via email: hope.cooper@fcc.gov

Attachment(s): Correspondence between CBS/Stations and Terry Campaign

ATTACHMENT 1

Patrick Purtill - (3260) PLC: KDKA & WPCW (PA) and WFOR & WBFS (FL) Denial of Reasonable Access under Section 312 and 315

From: Patrick Purtill
To: hfjaeckel@cbs.com
Date: 10/15/2012 4:55 PM
Subject: (3260) PLC: KDKA & WPCW (PA) and WFOR & WBFS (FL) Denial of Reasonable Access under Section 312 and 315
CC: Wray Fitch

October 15, 2012

Howard F. Jaeckel
Senior Vice President, Associate General Counsel
CBS Broadcasting, Inc.
51 West 52nd Street
New York, NY 10019

RE: KDKA and WPCW's (Pennsylvania) and WFOR and WBFS's (Florida) Denial of Reasonable Access under Sections 312 and 315 of the Communications Act

Dear Mr. Jaeckel:

I am following up on a voice mail message and email to you from earlier today. As I mentioned, Gammon & Grange is acting as counsel to Pro-Life Candidates, a joint fund-raising committee registered with the Federal Election Commission. The earlier messages were in response to your October 12, 2012 email to Kathy Offerman regarding KDKA and WPCW's ("Stations") denial of advertisements submitted by a legally qualified candidate requesting reasonable access under section 312(a)(7) of the Communications Act. It has come to our attention that you also sent an email dated October 10, 2012 to Kathy Offerman similarly arguing that Mr. Terry's advertisements were not a "use" on behalf of his candidacy and that WFOR and WBFS in Miami would not air the spots where he is a legally qualified candidate for the 20th Congressional District.

As we stated earlier, CBS and the Station's assertion (including the assertions by the Stations in Florida) that the content of the submitted advertisement demonstrates that the ads are not "on behalf of his candidacy" under section 312, is unsupported by the Communications Act, the Commission's rules and all relevant precedent. According to the U.S. Supreme Court, the word "censorship" as used in 47 USCS § 315, which provides that licensee "shall have no power of censorship over the material broadcast," is to be defined as it is commonly understood, that is, as connoting any examination of thought or expression in order to prevent publication of "objectionable" material. *Farmers Educational & Cooperative Union v WDAY, Inc.*, 360 US 525 (1959). Additionally, under 47 USCS § 315, licensees may determine total time and duration of broadcasts by candidates, but they may not reject or censure content or format of any such use. *In re James L.*

Buckley, 67 FCC2d 5 (1977). Directly contrary to CBS and the Station's assertions, a candidate who secures time under 47 USCS § 315 need not talk about a subject directly related to his candidacy and may use time as he deems best. Denying a candidate time on ground that he is not utilizing that time in furtherance of his candidacy is an exercise of censorship prohibited by § 315. *In re Socialist Labor Party of America*, 40 FCC 241 (1952); *In re Public Notice*, 24 FCC2d 874 (1970, FCC 70-871); *In re Pacific Broadcasting Co.*, 32 FCC2d 263 (1971); *In re Pat Paulsen*, 33 FCC2d 835 (1972).

We had hoped to resolve this matter with CBS this afternoon as there are precious few days left before Election Day. As we informed you earlier today, the FCC made an oral ruling in PLC's favor regarding broadcast of these advertisements on October 12, 2012. One of the arguments rejected by the FCC is the argument raised by CBS relating to the message of the advertisements. The Commission also cautioned that every day a candidate is not provided equal access under section 312 could be viewed as separate willful and repeated failure to provide reasonable access.

If CBS and the Stations (including WFOR and WBFS in Florida) do not respond to these requests for reasonable access by a legally qualified candidate by close of business today, we will file a complaint with the FCC tomorrow morning. Given the ruling of the FCC and the correspondence forwarded to you earlier today placing you on notice of their decision, we still hope this will be unnecessary.

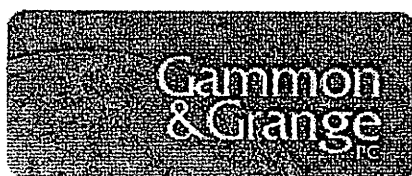
Once again, if you have any questions, please feel free to contact us and thank you for your assistance in this matter.

Kind regards,

Patrick D. Purtil

Patrick D. Purtil

Associate



Gammon & Grange, P.C.

8280 Greensboro Dr - 7th Floor

McLean, VA 22102

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ATTACHMENT 2

Patrick Purtill - Order Randall Terry for US House WFOR & WBFS

From: Patrick Purtill
To: inkers@wfor.cbs.com
Date: 10/19/2012 6:20 PM
Subject: Order Randall Terry for US House WFOR & WBFS
CC: Wray Fitch
Attachments: Fwd: Order Randall Terry for US House WFOR & WBFS

October 19, 2012

Susan Inker-Puretz
Senior Account Executive
WFOR/WBFS (CBS Miami)
via email

Dear Ms. Inker-Puretz:

Thank you for your note to Ms. Kathy Offerman which she has forwarded to me for response. Mr. Terry is a legally qualified candidate for Federal office under section 312 and 315 of the Communications Act. Unfortunately, your note provides no reason and cites no authority for denying Mr. Terry reasonable access under the Communications Act.

By email dated October 17, 2012, Ms. Offerman provided you with a document from the Florida Secretary of State's Office confirming Mr. Terry is on the ballot for the 20th Congressional District. Additionally, her email applied the FCC's three part test to determine who is a legally qualified candidate to Mr. Terry's candidacy. Ms. Offerman's original email and its attachments is attached to this email for your information. Somehow, it was dropped from your response.

I will assume that WFOR/WBFS and CBS are proceeding in good faith. Therefore, I will answer an objection that the Terry campaign has received from other stations in Florida even though you have raised no rationale for your denial.

Some stations in Florida have asserted that Fla. Stat. Ann. § 99.012(2), which prohibits a candidate from qualifying as a candidate for more than one public office, disqualifies Mr. Terry from eligibility for the 20th Congressional District in Florida because he is also a candidate for President of the United States in several other States. However, this assertion is incorrect and violates a basic rule of statutory interpretation: namely, that Florida cannot apply its laws outside of its own borders. A simple example should make the matter clear. If this were the case, WFOR & WBFS as well as all of CBS's affiliates in Florida would be required to deny reasonable access to the Romney/Ryan campaign. As I am sure you know, Paul Ryan is presently on the ballot in Florida as a candidate for Vice President of the United States and on the ballot in Wisconsin for U.S. Representative for the 1st Congressional District. If a Florida station making this argument did not deny the Romney/Ryan campaign reasonable access under section 312 but did deny Mr. Terry's campaign, it would raise the question as to why Mr. Terry's campaign has been singled out for additional scrutiny, put to a higher level of proof, and denied the same access provided to the Romney/Ryan campaign. It could be argued that such

actions implicate the anti-discrimination provisions of Section 73.1941(e) of the Federal Communication Commission's rules.

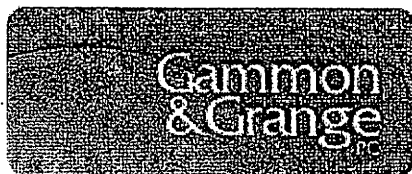
I raise the issue simply because you have provided no rationale for denying Mr. Terry reasonable access under section 312 and I am assuming that you have an honest rationale. I expect that this communication coupled with the October 17, 2012 email from Ms. Offerman provides all of the proof you need to confirm that Mr. Terry is a "legally qualified candidate" for Federal office and entitled to reasonable access under section 312. If your response is another denial of reasonable access to Mr. Terry's campaign with no rationale or authority cited, we will be forced to ask the Commission to step in and help resolve the matter. I sincerely hope that is not necessary. If you are unsure as to how to proceed, I recommend that you forward this email in its entirety, including attachments, to WFOR/WBFS' legal counsel or legal counsel in CBS's headquarters.

Election Day is rapidly approaching and time is of the essence in this matter. I hope to hear from you or your counsel shortly. Thank you.

Sincerely,

Patrick Purtill

Patrick D. Purtill
Associate



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McLean, VA 22102
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>>> Kathy Offerman <kmofferman@gmail.com> 10/19/2012 4:35 PM >>>

Sent from my iPhone

Begin forwarded message:

From: "Inker-Puretz, Susan" <inkers@wfor.cbs.com>
Date: October 19, 2012, 4:30:03 PM EDT
To: Kathy Offerman <kmofferman@gmail.com>
Subject: Randall Terry

Kathy,
We respectfully decline to broadcast the spot you have submitted.
Susan

Susan Inker-Puretz | Senior Account Executive



Ph: 954-763-5620 | Fax: 305-639-4654 | inkers@wfor.cbs.com
cbsmiami.com | WFOR/WBFS | 8900 NW 18 Terrace Miami Florida 33172

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FILED/ACCEPTED

NOV - 6 2012

**Federal Communications Commission
Office of the Secretary**

November 5, 2012

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**—BY HAND DELIVERY AND—
ELECTRONIC MAIL**

**Re: Complaint of Randall Terry for President regarding WSCV & WTVJ's violation of 47
U.S.C. §312 and §315**

To: Media Bureau, Policy Division, Political Programming Branch
Attn: Robert Baker and Hope Cooper

Dear Ms. Dotrch:

Randall Terry for Congress, through its counsel Gammon and Grange, is filing this letter request regarding WSCV & WTVJ's willful and ongoing denial of reasonable access to Randall Terry for Congress under sections 312 and 315 of the Communications Act. As Election Day is only one day away, the matter is urgent.

Attached is an email exchange between Randall Terry for Congress ("Terry") and representatives of NBCUniversal ("NBC") the licensee of WSCV & WTVJ (the "Stations"). NBC and the Stations have willfully and repeatedly denied Mr. Terry reasonable access under 47 U.S.C. §312 and §315.

Mr. Terry has been certified by the state of Florida and placed on the ballot as a candidate for the U.S. House of Representatives in Florida's 20th Congressional District. Proof of such has been provided to NBC and the Stations on several occasions.

NBC and the Stations continue to refuse Mr. Terry reasonable access under sections 312 and 315 of the Communications Act. On October 18, 2012, NBC and the Stations requested substantiation that Mr. Terry was a legally qualified candidate and that Fla. Stat. Ann. § 99.012(2), which prohibits a candidate from qualifying as a candidate for more than one public office, did not disqualify Mr. Terry from eligibility for the 20th Congressional District in Florida because he is also a candidate for President of

the United States in several other States. In relevant part, The Florida statute reads as follows: "No person may qualify as a candidate for more than one public office, whether federal, state, district, county, or municipal, if the terms or any part thereof run concurrently with each other." Fla. Stat. Ann. § 99.012(2).

Mr. Terry replied the same day detailing that Mr. Terry met the Commission's test to be considered a legally qualified candidate and that the assertion that Fla. Stat. Ann. § 99.012(2) precluded Mr. Terry was incorrect. Mr. Terry noted that this logic would require NBC and the Stations to deny reasonable access to the Romney/Ryan campaign as Paul Ryan is presently on the ballot in Florida as a candidate for Vice President of the United States and on the ballot in Wisconsin for U.S. Representative for the 1st Congressional District (see attached). Mr. Terry does not appear on two ballots in Florida. He appears on a ballot in Florida as a Congressional candidate and on ten ballots outside of the state of Florida as a Presidential candidate.

On October 19, 2012, Ms. Tobey responded that NBC and the Stations were "reviewing your response with our outside counsel and will get back to you as soon as possible." To the best of our information, NBC and the Stations have not responded since to Mr. Terry's request for reasonable access under sections 312 and 315. Caplin & Drysdale, outside counsel for NBC and the Stations, did subsequently file briefs in support of WPLG-TV, another Florida station that had denied Mr. Terry reasonable access on the same basis as NBC and the Stations, in a pending complaint Mr. Terry had filed with the Commission.

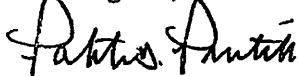
Fla. Stat. Ann. § 99.012(2) is intended to prevent an individual from appearing on the ballot in Florida for two offices whose terms run concurrently (in whole or in part). This is to prevent, for instance, a candidate from running for U.S. Congress (House or Senate) from Florida and at the same time running for Vice President or President of the United States on the ballot in Florida. Many states have such prohibitions and many states have removed them (as did Texas when Lyndon Johnson was chosen as John F. Kennedy's running mate). It is Florida's prerogative to limit access to its ballot to one office in these situations. It is not Florida's prerogative to limit access to its ballot based on a candidate's ballot access in a foreign state.

Mr. Terry contends that NBC and the Stations' ongoing refusal demonstrates a flagrant disregard of important federally mandated laws guaranteeing access to candidates such as Mr. Terry and of the Commission's authority to administer and enforce sections 312 and 315 of the Communications Act.

Given the already substantial delay and the fact that Election Day is one day from now, Mr. Terry asks the Commission to immediately direct NBC and the Stations to provide Mr. Terry reasonable access.

Thank you for your assistance in this matter.

Kind regards,



A. Wray Fitch III

Patrick D. Purtil

Gammon & Grange, P.C.

cc: Margaret Tobey, VP Regulatory Affairs, NBCUniversal, via email: margaret.tobey@nbcuni.com
Trevor Potter, Caplin & Drysdale, via email: tpotter@capdale.com
Matthew T. Sanderson, Caplin & Drysdale, via email: msanderson@capdale.com
Robert Baker, Federal Communications Commission, via email: robert.baker@fcc.gov
Hope Cooper, Federal Communications Commission, via email: hope.cooper@fcc.gov

Attachment(s): Correspondence between NBC/Stations and Terry Campaign

ATTACHMENT 1

Patrick Purtill - RE: Request by Station WSCV & WTVJ for documentation

From: Patrick Purtill
To: Margaret (NBCUniversal) Tobey
Date: 10/19/2012 4:20 PM
Subject: RE: Request by Station WSCV & WTVJ for documentation
CC: Wray Fitch

Dear Ms. Tobey:

Thank you for the update. I want to remind us all that time is becoming critical. We are quickly approaching Election Day and running out of time for the placement of candidate ads. It would be very helpful to get an answer at your earliest possible convenience. Thank you again for the update.

Kind regards,

Patrick Purtill

Patrick D. Purtill
Associate



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McLean, VA 22102
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>>> "Tobey, Margaret (NBCUniversal)" <Margaret.Tobey@nbcuni.com> 10/19/2012 4:09 PM >>>

Dear Mr. Purtill:

Thank you for your email. We are reviewing your response with our outside counsel and will get back to you as soon as possible.

Margaret Tobey

From: Patrick Purtill [<mailto:PDP@GG-Law.com>]
Sent: Thursday, October 18, 2012 6:07 PM
To: Tobey, Margaret (NBCUniversal)
Cc: Wray Fitch
Subject: Request by Station WSCV & WTVJ for documentation

October 18, 2012

Margaret L. Tobey
Vice President, Regulatory Affairs
NBCUniversal
300 New Jersey Avenue, NW
Suite 700
Washington, DC 20001

Dear Ms. Tobey:

Thank you for your emails regarding Mr. Terry's request for reasonable access under section 312 of the Communications Act on WSCV (Ft. Lauderdale, FL) and WTVJ (Miami, FL). Mr. Henderson forwarded them to me for response. As I understand it, you have raised two separate issues that will be addressed separately in this email.

(1) You assert that Fla. Stat. Ann. § 99.012(2), which prohibits a candidate from qualifying as a candidate for more than one public office, disqualifies Mr. Terry from eligibility for the 20th Congressional District in Florida because he is also a candidate for President of the United States in several other States. However, your assertion is incorrect and violates a basic rule of statutory interpretation: namely, Florida cannot apply its laws outside of its own borders. A simple example should make the matter clear. If your argument were correct, all of NBC Universal's affiliates in Florida would be required to deny reasonable access to the Romney/Ryan campaign. As I am sure you know, Paul Ryan is presently on the ballot in Florida as a candidate for Vice President of the United States and on the ballot in Wisconsin for U.S. Representative for the 1st Congressional District.

If you are not denying the Romney/Ryan campaign reasonable access under section 312, then you are violating the anti-discrimination provisions of Section 73.1941(e) of the Federal Communication Commission's rules by applying a different standard to Mr. Terry who is clearly a similarly-situated "legally qualified candidate" for Federal office.

(2) You assert that "Mr. Terry's initial response to WTVJ's request for information was limited to a simple print-out from the Florida Department of State that lists him as a candidate" and that this "was obviously insufficient to establish that Mr. Terry satisfied all three "prongs" of the FCC's "legally qualified candidate" definition." Please note, that the FCC verbally ruled on October 12, 2012 that a candidate in Mr. Terry's exact same position was a legally qualified candidate for Federal office under the Communications Act. However, in the interest of thoroughness, let me address each of your concerns to move this matter forward.

Mr. Terry has been certified by the state of Florida and placed on the ballot as a candidate for the U.S. House of Representatives in Florida's 20th Congressional District. Below is the link to the Secretary of State's website demonstrating Mr. Terry is on the ballot.

Under the rules of the Federal Communications Commission (specifically 47 CFR §73.1940), a "legally qualified candidate" for public office is any person who has publicly announced his intention to run; AND is qualified under the applicable local, State or Federal law to hold the office for which he is a candidate; AND has *either* qualified for a place on the ballot OR publicly committed to seeking election by the write-in method.

Publicly Announced

Being placed on the ballot establishes the fact that Mr. Terry has publicly announced his candidacy. See the FCC's *Political Primer 1984* which states:

[A] candidate may meet the "public announcement" requirement of the rules by simply stating

publicly that he is a candidate for nomination or election to a certain office. Filing the necessary papers or obtaining the required certification under his State's laws in order to qualify for a place on the ballot is considered to be the equivalent of a public announcement of candidacy. *Political Primer 1984*, 100 F.C.C.2d 1476, 1480 (FCC 1984).

Qualified for the Office for Which He is a Candidate

Mr. Terry is qualified for the Office for which he is candidate. When a candidate's name appears on the ballot, Federal courts have concluded that "there is a strong legal presumption that public officials performed their duty in placing the candidates' names upon the official ballots pursuant to law and after compliance with all legal requirements." *Lamb v Sutton*, 164 F Supp 928 (1958, DC Tenn), *affd* 274 F2d 705 (1960, CA6 Tenn), *cert den* 363 US 830 (1960)

The Commission has historically shared this presumption and has explicitly stated that it "look[s] to the laws of the various states regarding their qualifications for ballot status in determining whether candidates have qualified for places on the ballot. Unless filings by candidates which are required by states before fund-raising operations can begin would also qualify such candidates for places on the ballot, such filings would not make these candidates "legally qualified" so as to bring the equal opportunities provision of Section 315 into play." *In re Sutton*, 67 F.C.C.2d 188, 189 (FCC 1977) Conversely, if the filings of candidates required by states qualify the candidates for a place on the ballot, such filings would make these candidates "legally qualified" so as to bring the equal opportunities provisions of Section 315 into play.

Additionally, on October 12, 2012 the Federal Communications Commission verbally ruled that a candidate on the ballot for a Federal office that did not presently reside in the state was a "legally qualified candidate" entitled to "reasonable access" under Section 312.

Finally, Gary J. Holland, Assistant General Counsel, Florida Department of State by email dated May 23, 2012 stated that "[T]he only residency requirement for a candidate for U.S. Representative is that the candidate must be an inhabitant of the state in which he/she would represent when elected. (U.S. Const. Art I, s.2). (The Constitution also requires the person to be 25 years old and have been a U.S. citizen for 7 years.)" A pdf copy of Mr. Holland's email is attached.

Has Qualified for a Place on the Ballot

See: <http://election.dos.state.fl.us/candidate/CanList.asp> for proof that Mr. Terry is on the ballot as a candidate for the U.S. House of Representatives in Florida's 20th Congressional District.

I expect that this communication provides all of the proof you need to confirm that Mr. Terry is a "legally qualified candidate" for Federal office and entitled to reasonable access under section 312. There are only 19 days left before Election Day. Therefore, time is of the essence in this matter and I hope to hear from you shortly.

Sincerely,

Patrick Purtill

Patrick D. Purtill
Associate

Gammon & Grange, P.C.
8280 Greensboro Dr - 7th Floor
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Fax: 703-761-5023



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>>> "James M. Henderson, Sr." <jmhenderson58@gmail.com> 10/18/2012 1:51 PM >>>
Patrick,

At Randall's instruction, here is another request, this one from WSCV.

Warm regards,

Jim Henderson

From: Tobey, Margaret (NBCUniversal) [<mailto:Margaret.Tobey@nbcuni.com>]
Sent: Thursday, October 18, 2012 1:11 PM
To: jmhenderson58@gmail.com
Cc: kmofferman@gmail.com
Subject: Request by Station WSCV for documentation

Dear Mr. Henderson:

I have been informed that the Randall Terry campaign for a seat in the U.S. House of Representatives representing the 20th District of Florida has requested to buy time on Station WSCV, Ft. Lauderdale, FL, which is commonly owned with Station WTVJ, Miami, FL. Earlier this week, in response to the campaign's request to buy time on WTVJ, I sent you the email set forth below in which I requested additional documentation demonstrating that Mr. Terry is a legally qualified candidate for the office in question. The purpose of this email is to advise you that the same information is needed by Station WSCV.

Sincerely,

Margaret Tobey

Text of email sent 10/16/2012:

Mr. Henderson:

Your email to WTVJ earlier this week has been forwarded to me for response. In that email, you stated that the station made a decision "in error" by declining Mr. Randall Terry's request to purchase advertising time.

To be clear, WTVJ is simply waiting for Mr. Terry to submit adequate evidence that he is a "legally

qualified candidate” entitled to purchase advertising time from WTVJ. As you may know, Mr. Terry bears the burden of proof in establishing his “legally qualified candidate” status. [47 C.F.R. 73.194(d)].

Mr. Terry’s initial response to WTVJ’s request for information was limited to a simple print-out from the Florida Department of State that lists him as a candidate. This was obviously insufficient to establish that Mr. Terry satisfied all three “prongs” of the FCC’s “legally qualified candidate” definition. You have now provided additional information concerning the announcement of Mr. Terry’s congressional candidacy. As set forth below, WTVJ seeks additional information regarding a few specific matters.

WTVJ understands from its affiliated station in Washington, DC, that Mr. Terry is currently claiming to be a candidate for President of the United States in West Virginia’s upcoming general election. Mr. Terry’s campaign website also appears to suggest that he is a candidate for President of the United States in other jurisdictions.

Florida law, however, prohibits simultaneous candidacies for multiple offices: “No person may qualify as a candidate for more than one public office, whether federal, state, district, county, or municipal, if the terms or any part thereof run concurrently with each other.” [Fla. Stat. Ann. § 99.012(2)]. (“Public office,” in turn, means “any federal, state, county, municipal, school, or other district office or position which is filled by vote of the electors.”) [Fla. Stat. Ann. § 97.021(31)]. U.S. Representative and President are both offices filled by the vote of Florida’s electors (i.e., voters). This prohibition therefore indicates that Mr. Terry is not actually qualified as a U.S. House candidate, despite his appearance on the Florida Secretary of State’s listing of candidates. We therefore ask you to forward the correspondence in which Mr. Terry informed the Florida Secretary of State of his presidential candidacy in West Virginia and elsewhere, along with the Florida Secretary of State’s specific approval of this arrangement. (Please note that the “Federal Candidate Oath” that Mr. Terry filed earlier covers the “Resign-to-Run” provision found at Section 99.012(3)(a), not the “simultaneous candidacy” prohibition found at Section 99.012(2).)

Additionally, you stated in your email earlier this week that Mr. Terry “meets the residency ... requirements already.” You have not, however, submitted any evidence that Mr. Terry has established a presence in Florida, such that he can be considered a resident of the state. In fact, filings with government entities (including the Federal Candidate Oath noted above) suggest that Mr. Terry is a resident of another state. We therefore ask you to forward all available evidence that Mr. Terry is a Florida resident, as well as evidence that Mr. Terry’s filings that indicate he is a resident of another state were fully disclosed to the Florida Secretary of State.

We thank you for your cooperation and assistance.

Sincerely,

Margaret L. Tobey
Vice President, Regulatory Affairs

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ATTACHMENT 2

Patrick Purtill - WSCV and WTVJ Brief in Support of WPLG-TV (Randall Terry/WPLG-TV Matter)

From: Matthew Sanderson <msanderson@capdale.com>
To: Robert Baker <Robert.Baker@fcc.gov>
Date: 10/28/2012 10:35 PM
Subject: WSCV and WTVJ Brief in Support of WPLG-TV (Randall Terry/WPLG-TV Matter)
CC: <Hope.Cooper@fcc.gov>, <Mark.Berlin@fcc.gov>, <AWF@GG-Law.com>, <PDP@GG-Law.com>, <kwimmer@cov.com>, "Monroe, Kerry" <kmonroe@cov.com>, "Tobey, Margaret (NBCUniversal)" <Margaret.Tobey@nbcuni.com>, Trevor Potter <tpotter@capdale.com>
Attachments: WSCV and WTVJ Brief in Support of WPLG-TV (Signed).PDF

Mr. Baker:

Attached is a Brief in Support of WPLG-TV by Stations WSCV and WTVJ. A hard copy will be filed with the Commission when it reopens after its Hurricane Sandy-related closure. Please contact Trevor Potter or me with any questions.

Respectfully Submitted,

Matt Sanderson

Matthew T. Sanderson
Caplin & Drysdale, Chartered
(202) 862-5046 (direct)
One Thomas Circle, NW
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www.capdale.com/msanderson/

<-----> To ensure compliance with requirements imposed by the IRS, we inform you that, unless specifically indicated otherwise, any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code, or (ii) promoting, marketing, or recommending to another party any tax-related matter addressed herein. This message is for the use of the intended recipient only. It is from a law firm and may contain information that is privileged and confidential. If you are not the intended recipient any disclosure, copying, future distribution, or use of this communication is prohibited. If you have received this communication in error, please advise us by return e-mail, or if you have received this communication by fax advise us by telephone and delete/destroy the document. <-->



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202-862-5000 202-429-3301 Fax
www.caplindrysdale.com

October 28, 2012

VIA ELECTRONIC MAIL AND HAND DELIVERY

Mr. Robert Baker
Policy Division (Political Programming Office, Media Bureau)
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WSCV and WTVJ Brief in Support of WPLG-TV

Dear Mr. Baker:

WSCV, Ft. Lauderdale, and WTVJ, Miami (the "Stations"), licensed to NBC Telemundo License LLC, understand that on October 22, 2012, Pro-Life Candidates and Randall Terry for Congress filed an informal complaint against Post-Newsweek Stations, Florida, Inc. and WPLG-TV pursuant to 47 C.F.R. § 1.41, claiming that Mr. Terry, as a purported federal candidate, had been denied "reasonable access" under Commission rules. The Stations have not received a complaint from Mr. Terry and therefore understand that their rights will not be adjudicated in this proceeding. Nevertheless, the Stations have received a request to purchase advertising time from Mr. Terry and have had interactions with him that are similar, though not identical, to the interactions between Mr. Terry and WPLG-TV.

Enclosed is a Brief in Support of WPLG-TV that the Stations respectfully request the Commission to consider while resolving this matter. It addresses, as the Stations see it, three main issues relevant to the Terry/WPLG-TV proceedings. If at a later date Mr. Terry files a complaint against the Stations, the Stations would expect to make other arguments at that time in addition to those articulated in the Brief. Accordingly, neither the Commission nor any other party should view the enclosed Brief as the final or comprehensive position of the Stations on these matters. The Stations provide this Brief solely for the benefit of the Commission and the parties involved, and to assist the Commission in resolving this matter in a timely and appropriate manner.

The Commission has ample authority to consider the enclosed Brief. Specifically, the Commission is empowered by statute to "conduct its proceedings in such manner as will best conduce to the proper dispatch of business and to the ends of justice." 47 U.S.C.A. § 154(j). This broad authority also is reflected in Commission rules, which provide that the Commission "may on its own motion or petition of any interested party hold such proceedings as it may deem necessary . . . for the purpose of obtaining information necessary or helpful. . . ." 47 C.F.R. § 1.1. Commission rules also permit interested persons such as the Stations to request Commission

action. 47 C.F.R. § 1.41. This flexibility is in keeping with the Administrative Procedure Act, which provides that “[s]o far as the orderly conduct of public business permits, an interested person may appear before an agency or its responsible employees for the presentation, adjustment, or determination of an issue, request, or controversy in a proceeding....” 5 U.S.C.A. § 555(b).

We believe the enclosed Brief will prove helpful to the Commission’s resolution of this matter. In addition to the arguments presented therein, the Brief demonstrates that the Stations, independently of WPLG-TV, also have determined that Mr. Terry is not a “legally qualified candidate” under Commission rules. We recognize that the determination of “other stations” with regard to whether a person is a legally qualified candidate “does not alone establish” whether a station’s determination is reasonable. See In Re Complaint of Randall Terry Against Station WMAQ-TV, Chicago, Illinois, 27 F.C.C.R. 598, 600 (2012). However, although not dispositive, these separate determinations are nevertheless strong evidence of the reasonableness of WPLG-TV’s similar determination and therefore highly relevant to the Commission’s consideration of this complaint.

In summary, the Stations respectfully urge the Commission to take the enclosed Brief into consideration and request the Commission to find that WPLG-TV has acted reasonably and in good faith in denying the complainant’s request for advertising time.

Respectfully Submitted,



Trevor Potter
Caplin & Drysdale, Chtd.



Matthew T. Sanderson
Caplin & Drysdale, Chtd.

Counsel to NBC Telemundo License LLC

cc: Hope Cooper (by email)
Mark Berlin (by email)
A. Wray Fitch (by email)
Patrick D. Purtill (by email)
Kurt Wimmer (by email)
Kerry L. Monroe (by email)
Margaret L. Tobey (by email)

Enclosure: Brief of WSCV and WTVJ in Support of WPLG-TV

BRIEF OF WSCV AND WTVJ IN SUPPORT OF WPLG-TV

Political activist Randall Terry requested advertising time from several South Florida broadcast stations, including Stations WSCV, Ft. Lauderdale, and WTVJ, Miami, licensed to NBC Telemundo License LLC (“the Stations”), by invoking a Commission regulation that requires broadcast licensees to provide “legally qualified candidates” with “reasonable access to ... reasonable amounts of time” for the sole purpose of advancing their candidacies.¹ The Stations carefully considered evidence supplied by Mr. Terry regarding his ostensible U.S. House candidacy in Florida’s 20th congressional district. They conclude that Mr. Terry has not proven he is a “legally qualified candidate”² because facts and applicable law undermine his claims. They have twice asked Mr. Terry for additional information. Mr. Terry has not responded to the Stations’ requests.

Mr. Terry now asks the Commission in a complaint against WPLG-TV, another South Florida television station, to determine *de novo* that he is a “legally qualified candidate.” But that is not the Commission’s charge here. Congress created only “a *limited* right to ‘reasonable’ access,” and a principal reason the U.S. Supreme Court upheld this limited right was the Commission’s representation that it would provide “leeway to broadcasters and not merely attempt *de novo* to determine the reasonableness of their judgments” and defer to broadcasters if they “considered the relevant factors in good faith.”³ Consequently, agency precedent commits the Commission to this deferential standard of review, which overturns a broadcaster’s reasonable-access determination only if “it was unreasonable or made in bad faith.”⁴ The question before the Commission, then, is simple: Did WPLG-TV act unreasonably or in bad faith by deciding that Mr. Terry has not proven he is a “legally qualified candidate”?

The Stations, like WPLG-TV, interacted with Mr. Terry and are confident that their decision about Mr. Terry’s “legally qualified candidate” status meets the Commission’s standard because they did not act unreasonably or in bad faith in determining: (1) Mr. Terry has not shown he is “qualified ... to hold the office” of U.S. Representative; (2) Mr. Terry has not demonstrated that he is actually “qualified for a place on the ballot”; and (3) Mr. Terry has not established that his advertising is solely “for the purpose of advancing” his supposed candidacy. The Stations describe below their reasons for making these three determinations, which may serve as a resource to the Commission in the Terry/WPLG-TV dispute. Importantly, the Stations note, in order for Mr. Terry to prevail in his complaint, the Commission must find that WPLG-TV made *all three* determinations in an unreasonable or bad-faith manner.

¹ 47 C.F.R. § 73.1944(a).

² Mr. Terry, as an individual claiming “legally qualified candidate” status bore the burden of proof. 47 C.F.R. § 73.1941(d). See also In Re Complaint of Anthony R. Martin-Trigona Against Radio Station WELI New Haven, Connecticut, 2 F.C.C.R. 109 (1987).

³ CBS, Inc. v. F.C.C., 453 U.S. 367, 396-97 (1981) (emphasis in original).

⁴ See, e.g., In Re Complaint by Michael Levinson Against Station WXXI-TV, Rochester, New York, 1 F.C.C.R. 1305 (1986); In Re Complaint of Carter-Mondale Presidential Comm., Inc. Against the ABC, CBS & NBC Television Networks, 74 F.C.C.2d 657, 672 (1979). See also Pub. Notice: The Law of Political Broad. & Cablecasting, 69 F.C.C.2d 2209, 2222 (1978) (“The Commission relies first of all on the reasonable, good faith judgment of broadcasters in deciding what reasonable access is in any particular situation.”).

I. **IT IS NOT UNREASONABLE OR IN BAD FAITH TO CONCLUDE MR. TERRY HAS NOT SHOWN HE IS "QUALIFIED ... TO HOLD THE OFFICE" OF U.S. REPRESENTATIVE**

Mr. Terry is entitled to "reasonable access" as a "legally qualified candidate" only if he shows he is "qualified under the applicable local, State or Federal law to hold the office" of U.S. Representative.⁵ Mr. Terry must be a Florida resident on or before Election Day to be so qualified.⁶

Residency is established by intending to remain permanently in the State of Florida and by demonstrating that same intent through overt acts, like securing a driver's license or receiving utility bills at a personal residence.⁷ Permanence is key. A temporary or conditional presence in Florida "simply does not establish Florida residence."⁸ By Election Day, then, Mr. Terry must possess an intent to remain permanently in Florida and display his intent through overt acts.

To be clear, the Stations do not argue that Mr. Terry must already be a Florida resident at this time. But the Stations have concluded, based on evidence presented thus far, that Mr. Terry has not proven he *will be* a resident of Florida on or before Election Day and that he is thereby "qualified ... to hold the office" of U.S. Representative. They believe this conclusion is correct, and certainly not unreasonable or made in bad faith, because: (A) proof submitted by Mr. Terry does not, as a matter of law, support his claim that he will be a Florida resident on or before Election Day; (B) available facts indicate that Mr. Terry will not be a Florida resident on or before Election Day, and Mr. Terry has not supplied to the Stations any evidence to the contrary.

A. **Mr. Terry's Evidence Does Not, as a Matter of Law, Support His Claim**

Mr. Terry has provided to the Stations two residency-related documents that do not, as a matter of law, support his claim that he will be a Florida resident by Election Day.

The first is an email from the Florida Division of Elections' assistant general counsel that declares: "[t]he only residency requirement for a candidate for U.S. Representative is that the candidate must be an inhabitant of the state in which he/she would represent when elected. (U.S. Const. Art I, s.2)."⁹ Mr. Terry presents this email as if it somehow verifies his Florida residency

⁵ 47 C.F.R. § 73.1940(a)(2).

⁶ U.S. Const. Art. I Sec. 2. *See also* 38 A.L.R. Fed. 2d 335 § 4 (2009) (describing cases interpreting "when elected" term from constitutional provision).

⁷ Bloomfield v. City of St. Petersburg Beach, 82 So. 2d 364, 368 (Fla. 1955) (concluding that "legal residence consists of the concurrence of both fact and intention"). *See also* Fla. Div. of Elections Adv. Op. DE-78-38 (Sept. 1, 1978) (stating that residence "is wherever a person mentally intends it to be and which can be factually supported"); Fla. Atty. Gen. Op. 063-31 (Mar. 20, 1963) (listing the factual support to show residency as voter registration, drivers license, tax receipts, receipt of mail, and carrying on of activities normally indicative of home life).

⁸ Marshall v. Marshall, 988 So. 2d 644, 649 (Fla. Dist. Ct. App. 2008).

⁹ Email from Gary J. Holland to Randall Terry (May 23, 2012), attached hereto as Attachment A.

claim.¹⁰ In reality, this says nothing about Mr. Terry and does nothing more than restate the constitutional requirement for U.S. Representative candidates. The email, on its face, is not credible proof that Mr. Terry will be a Florida resident on or before Election Day.

The second claimed residency-related document is a link to the Florida Secretary of State's 2012 candidate listing.¹¹ An appearance on the Secretary's candidate listing, however, cannot, as a matter of law, serve as evidence that Mr. Terry will be a Florida resident on or before Election Day because: (1) the Florida Secretary of State is both statutorily prohibited and constitutionally constrained from making a residency-related determination; and (2) Commission rules do not allow an individual to use an appearance on a candidate listing to establish that he will be a resident on or before Election Day.

1. The Secretary of State is Statutorily Prohibited and Constitutionally Constrained from Making a Residency-Related Determination

Mr. Terry suggests his appearance on the Secretary of State's 2012 candidate listing is itself enough to show he will be a Florida resident on or before Election Day, apparently based on an assumption that the Secretary has made some residency-related determination.¹²

The Secretary of State, however, has never determined whether Mr. Terry will be a Florida resident by Election Day. In fact, the Secretary's role is reduced by statute to the mere "ministerial function" of receiving ballot-access submissions.¹³ The Secretary may not even determine whether a submission's content is accurate, let alone decide whether a particular individual like Mr. Terry will be a Florida resident on or before Election Day:

The qualifying officer's role is purely a ministerial one. The qualifying officer is not to look beyond the face of the qualifying papers to determine if the person is a qualified candidate. If the qualifying papers are complete on their face ... *even when the qualifying officer is clearly aware that the candidate does not meet constitutional or statutory requirements for the officer*, the qualifying officer should qualify the candidate and place the candidate's name on the ballot.¹⁴

¹⁰ Complaint of Randall Terry Against WPLG-TV (Oct. 22, 2012) ("Ms. Offerman has provided Post-Newsweek and WPLG with a May 23, 2012 email from Gary J. Holland, Assistant General Counsel, Florida Department of State that states the only residency requirement is to be an inhabitant of the state when elected to the office.").

¹¹ Fla. Div. of Elections Website, Candidate Listing (2012), www.election.dos.state.fl.us/candidate/CanList.asp.

¹² Email from Patrick Putillo to Margaret Tobey (Oct. 18, 2012), attached hereto as Attachment B.

¹³ Fla. Stat. 99.061(7)(c) (mandating that a "filing officer," a term that includes the Secretary of State, perform "a ministerial function in reviewing qualifying papers. In determining whether a candidate is qualified, the filing officer shall review the qualifying papers to determine whether all items required by paragraph (a) have been properly filed and whether each item is complete on its face.... The filing officer may not determine whether the contents of the qualifying papers are accurate.").

¹⁴ Fla. Div. of Elections Adv. Op. DE 11-05 (Nov. 10 2011) (emphasis added). See also Fla. Div. of Elections Adv. Op. DE 12-01 (2012) ("[E]ven if a candidate falsely attests to the statement ..., your duty as a ministerial officer ... is to accept the document and qualify the candidate if all of the candidate's qualifying papers are complete on their face."). The assistant general counsel at the Secretary's Division of Elections confirmed that the Secretary does not review residency-related evidence or conduct any inquiry during the ballot-access process. Email from Gary J. Holland to Matthew Sanderson (Oct. 19, 2012), attached hereto as Attachment C.

Mr. Terry is therefore not on the Secretary's candidate listing because he will be a Florida resident by Election Day. Mr. Terry is on the listing only because he managed to fill-in all the blanks on a form.

Even putting aside these statutory barriers, the Secretary could not determine Mr. Terry's residency because the Secretary is also constitutionally restrained in making residency-related pronouncements about congressional candidates. Residency, as mentioned, is a prerequisite for the office of U.S. Representative prescribed by the congressional "Qualification Clauses" of the U.S. Constitution.¹⁵ In 1995, the U.S. Supreme Court held that although the states may have once possessed "some control over congressional qualifications," the "Qualifications Clauses were intended to preclude the States from exercising *any such power*."¹⁶ Thus, even if the Secretary were not prevented by statute from concluding that Mr. Terry will be a Florida resident on or before Election Day, the Secretary is still constitutionally constrained from doing so.

Now, Mr. Terry could suggest that because the Secretary's discretion is cabined, broadcasters' discretion should be also. But Commission rules and precedents specifically contemplate that the Stations must evaluate whether Mr. Terry, as an individual claiming to be a "legally qualified candidate," has satisfied residency requirements and other applicable conditions.¹⁷ Unlike the Secretary, they are permitted—if not obligated—to appraise the adequacy and accuracy of an individual's representations. The Stations requested additional information from Mr. Terry precisely because they knew that his appearance on the Secretary's candidate listing did not reflect any residency-related finding by the Secretary.

Although Mr. Terry has now been presented with proof from the State of Florida itself that the Secretary did not and cannot decide whether he will be a Florida resident on or before Election Day, Mr. Terry still asks the Commission to give that effect to his appearance on the Secretary's candidate listing. The Stations recognize the Commission may at times find help in a state government official's determination.¹⁸ That is not possible here, though. The Secretary of State is both expressly barred by state statute and constitutionally constrained from assessing Mr. Terry's residency claim. There is simply no state-level decision to which the Commission can defer or refer. Indeed, the Commission cannot credit Mr. Terry's empty appeal to the Secretary's "non-decision" without wresting from broadcasters any ability to evaluate individuals' claims and empowering individuals to determine their own qualifications unchecked. This would

¹⁵ U.S. Const. Art. I Sec. 2.

¹⁶ U.S. Term Limits, Inc. v. Thornton, 514 U.S. 779, 806 (1995) (emphasis added). Courts have also recognized that states may not exercise authority over congressional candidate residency requirements in particular because they are found in the Qualification Clauses. *See e.g.*, Schaefer v. Townsend, 215 F.3d 1031, 1039 (9th Cir. 2000).

¹⁷ *See, e.g.*, Mitchell Rogovin, Esq. Donovan Leisure, 7 F.C.C.R. 1780 (1992) (stating that the Commission "will continue to rely on the reasonable, good faith judgments of licensees to provide reasonable access...").

¹⁸ *See, e.g.* In Re Complaint of John J. Marino Against Station WCVB-TV Boston, Massachusetts, 71 F.C.C.2d 311, 313 (1979) (finding that a state-level official's determination made an individual a "legally qualified candidate.") The Stations note that because of the Florida Secretary of State's statutory prohibitions and constitutional constraints first articulated in 1995, the Commission cannot rely on a state-level decision about congressional *office* qualifications here, as the Commission did in the 1979 *John J. Marino* matter.

effectively give rise to a “general right of access” for individuals to advertising time and vitiate the “limited right to ‘reasonable’ access” Congress created.¹⁹

2. Commission Rules Prevent an Individual from Using a Ballot Certification to Establish that He Will Be a Resident by Election Day

By arguing that his appearance on the Secretary of State’s candidate listing is itself sufficient to demonstrate that he will be a Florida resident on or before Election Day,²⁰ Mr. Terry conflates two separate and equally important elements of the Commission’s “legally qualified candidate” rule—both of which must be satisfied by a would-be candidate.

Mr. Terry’s argument contradicts the plain meaning and structure of the Commission’s rules. Ballot qualification and office qualification are manifestly different, the former allowing an appearance as a candidate on an election ballot and the latter permitting a candidate who is successful in an election to then fill a public office.²¹ This distinction, which is constitutionally mandated for federal candidates, is reflected in Commission rules. To be a “legally qualified candidate,” an individual must, for purposes here, satisfy two main prongs: (1) show he is qualified “to hold [an] office”; and (2) show he is actually “qualified for a place on the ballot.”²² This test deliberately uses the word “and” to signify that both the “office” prong and the “ballot” prong must be met separately, a fact the Commission recognizes.²³

Mr. Terry demands that the Stations, and now the Commission, find that his appearance on the Secretary’s candidate listing is proof he satisfies the “office” qualification prong. The “legally qualified candidate” test’s clear, separate treatment of ballot qualification and office qualification prevents such a finding.²⁴ To give heed to Mr. Terry, the Commission would need to act arbitrarily and capriciously, collapsing the “legally qualified candidate” test’s two prongs into one during an adjudication when the Commission has repeatedly acknowledged that these

¹⁹ CBS, Inc. v. F.C.C., 453 U.S. 367, 396 (1981) (“Petitioners are correct that the Court has never approved a general right of access to the media... Nor do we do so today.”) (emphasis in original) *See also In Re Complaint of Carter-Mondale Presidential Comm., Inc. Against the ABC, CBS & NBC Television Networks*, 74 F.C.C.2d 657, 671 (1979) (“We believe that Section 312(a)(7) cannot, however, be implemented reasonably if either the interests of broadcasters or candidates are allowed to become preeminent.”)

²⁰ Email from Patrick Purtill to Margaret Tobey (Oct. 18, 2012), attached hereto as Attachment B.

²¹ Cartwright v. Barnes, 304 F.3d 1138, 1142 (11th Cir. 2002) (discussing the difference between ballot-access qualification and office qualification). *See also* Fed. Communications Comm’n, 100 F.C.C.2d 1476, 1481 (1984) (remarking that an underage presidential candidate did not meet the “office” qualification prong of the “legally qualified candidate” test even though he or she appeared as a candidate on the ballot in six states).

²² 47 C.F.R. § 73.1940(a)(2), (b)(1).

²³ Fed. Communications Comm’n, 100 F.C.C.2d 1476, 1480 (1984) (“Note the ‘ands’ and ‘ors’ in the above language. For example, a mere announcement that he is a candidate does not make a person legally qualified for the purposes of our rules. He must also be eligible to hold the office he is seeking and either have qualified for a place on the ballot or have qualified, as explained in (2) above, as a write-in candidate.”).

²⁴ *See* United States v. Nordic Vill. Inc., 503 U.S. 30, 36 (1992) (noting language must “if possible, be construed in such fashion that every word has some operative effect.”); Blackmon-Malloy v. U.S. Capitol Police Bd., 575 F.3d 699, 709 (D.C. Cir. 2009) (applying the rule against superfluity in interpreting a regulation’s plain text).

prongs must be satisfied separately.²⁵ The plain meaning and structure of Commission rules therefore show that any appearance on a candidate list—including Mr. Terry’s—is insufficient to establish that an individual will be a resident on or before Election Day.

B. Available Facts Suggest Mr. Terry Will Not Be a Florida Resident On or Before Election Day, and He Has Not Supplied Any Proof to the Contrary

Available facts suggest that Mr. Terry will not be a Florida resident on or before Election Day. For example, the congressional “Federal Candidate Oath” that Mr. Terry has on-file with the Florida Secretary of State reveals that, just one week prior to Election Day, he receives mail in West Virginia and has a West Virginia telephone number.²⁶ Furthermore, Mr. Terry has filed many official documents related to his alleged presidential candidacy that indicate he is a West Virginia resident.²⁷ This is no throwaway representation made by Mr. Terry. A presidential candidate must reside in a particular state for purposes of the formal presidential election process.²⁸ If Mr. Terry is somehow a *bona fide* candidate for both U.S. Representative and President, as he claims, then he is making conflicting representations about his residency on Election Day that cannot be reconciled. Mr. Terry cannot exhibit the intention to remain in two places permanently, an intention that is required to establish residency.

Aside from referencing his appearance on the Secretary’s candidate listing, Mr. Terry has not supplied any other proof that he will be a Florida resident on or before Election Day. As mentioned, residency is established both by possessing an intent to remain permanently in the State of Florida and by demonstrating that same intent through overt acts.²⁹ Mr. Terry, however, has not expressed to the Stations any intention to make Florida his permanent residence on or before Election Day, nor has he provided any proof of overt acts that would display this intent. Since, as Mr. Terry notes, Election Day is only days away, the Stations believe he should have had no trouble gathering the requisite documentation (e.g., Florida driver’s license, utility bill) if he honestly intends to make Florida his permanent—not temporary—residence by Election Day.

In sum, the Stations do not contend that Mr. Terry must already be a Florida resident at this time. Rather, the Stations have reasonably concluded that Mr. Terry has not established that he will be a Florida resident by Election Day because he still appears to reside in West Virginia just a matter of days before the 2012 general election.

²⁵ I.N.S. v. Cardoza-Fonseca, 480 U.S. 421, 445-46 (1987) (employing “traditional tools of statutory construction” to hold that deference to an agency’s interpretation was not appropriate).

²⁶ Randall A. Terry Federal Candidate Oath, attached hereto as Attachment D.

²⁷ See, e.g., Randall A. Terry FEC Form 2 Statement of Candidacy, available at <http://images.nictusa.com/pdf/856/12951956856/12951956856.pdf>.

²⁸ U.S. Const. amend. XII (“The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves...”).

²⁹ Bloomfield v. City of St. Petersburg Beach, 82 So. 2d 364, 368 (Fla. 1955) (concluding that “legal residence consists of the concurrence of both fact and intention”). See also Fla. Div. of Elections Adv. Op. DE-78-38 (Sept. 1, 1978) (stating that residence “is wherever a person mentally intends it to be and which can be factually supported”).

II. **IT IS NOT UNREASONABLE OR IN BAD FAITH TO CONCLUDE MR. TERRY HAS NOT DEMONSTRATED HE IS ACTUALLY "QUALIFIED FOR A PLACE ON THE BALLOT"**

Mr. Terry is entitled to "reasonable access" as a "legally qualified candidate" only if he shows that he is actually "qualified for a place on the ballot."³⁰

Mr. Terry again cites his appearance on the Florida Secretary of State's 2012 candidate listing, this time as proof that he is "qualified for a place on the ballot." This is incorrect. Mr. Terry's presence on the candidate listing does not mean he is actually "qualified." The Secretary did not and cannot³¹ ascertain whether Mr. Terry truly meets all relevant legal qualifications to appear as a candidate on the ballot:

*The qualifying officer's role is purely a ministerial one. The qualifying officer is not to look beyond the face of the qualifying papers to determine if the person is a qualified candidate. If the qualifying papers are complete on their face ... even when the qualifying officer is clearly aware that the candidate does not meet constitutional or statutory requirements for the officer, the qualifying officer should qualify the candidate and place the candidate's name on the ballot.*³²

The Secretary, in other words, is flatly prohibited from making any decision with regard to a particular candidate's ballot qualification.³³ A list compiled after an automatic, discretion-free process is meaningless. The Secretary's list does not show that Mr. Terry is a qualified candidate any more than a Who'sWho listing would demonstrate that he is prominent or accomplished.

Unlike the Secretary, the Stations have a responsibility under Commission rules to make a determination about whether a particular individual is truly "qualified for a place on the ballot."³⁴ The Secretary's "non-decision" regarding Mr. Terry's ballot qualification does not compel the Stations to ignore facts that may speak to whether Mr. Terry is actually "qualified."

³⁰ 47 C.F.R. § 73.1940(b)(1).

³¹ Fla. Stat. 99.061(7)(c) (mandating that a "filing officer," a term that includes the Secretary of State, "performs a ministerial function in reviewing qualifying papers.... The filing officer may not determine whether the contents of the qualifying papers are accurate.").

³² Fla. Div. of Elections Adv. Op. DE 11-05 (Nov. 10 2011) (emphasis added). *See also* Fla. Stat. 99.061(7)(c) (mandating that a "filing officer," a term that includes the Secretary of State, "may not determine whether the contents of the qualifying papers are accurate."); Fla. Div. of Elections Adv. Op. DE 12-01 (2012) (stating to a filing officer that "[E]ven if a candidate falsely attests to the statement ..., your duty as a ministerial officer ... is to accept the document and qualify the candidate if all of the candidate's qualifying papers are complete on their face.").

³³ Please note that the unlike with office qualification, the Secretary's ballot-access qualification discretion is governed only by state statute. As a matter of constitutional law, the Secretary may issue, interpret, and enforce ballot-access regulations. *See Cartwright v. Barnes*, 304 F.3d 1138, 1142 (11th Cir. 2002) (discussing the difference between ballot-access qualification and office qualification).

³⁴ Pub. Notice: The Law of Political Broad. & Cablecasting, 69 F.C.C.2d 2209, 2222 (1978) (favoring reliance on "reasonable, good faith judgment of broadcasters in deciding what reasonable access is in any particular situation").

One such fact known by the Stations is that Mr. Terry, in addition to his purported congressional candidacy, also professes to be a candidate for President of the United States in West Virginia and elsewhere. Florida state law prohibits an individual from qualifying as a candidate if he runs “for more than one public office, whether federal, state, district, county, or municipal, if the terms or any part thereof run concurrently with each other.”³⁵

The Florida Secretary of State has not yet issued an advisory opinion that interprets this “multiple-candidacy” prohibition in a context similar to Mr. Terry’s circumstance. Mr. Terry has characterized an informal, non-binding³⁶ email from the Secretary’s attorney staff member as authoritative guidance in an apparent attempt to circumvent the process under which the Secretary’s personnel are legally allowed to issue an opinion.³⁷ After the attorney staff member discovered Mr. Terry had submitted this email to the Commission, the staff member clarified:

There are certainly other interpretations that could be made concerning this matter based upon relevant legislative history and statutory interpretations. The bottom line: Reasonable persons can reasonably disagree over the same law and my interpretation should not be considered the position of the Florida Department of State/Division of Elections and *it should not be relied upon as authoritative in any manner.*³⁸

The Stations read the multiple-candidacy prohibition to preclude from ballot qualification an individual like Mr. Terry who claims to seek multiple federal-level public offices filled by Florida voters, even if one of those offices is pursued out-of-state. The Stations have thoroughly reviewed this position and believe it is correct. Because the Commission’s standard of review is not *de novo* review, the Commission may disregard the Stations’ view that the prohibition makes Mr. Terry not actually “qualified for a place on the ballot” in Florida only if it determines that view to be unreasonable or held in bad faith. The Stations’ interpretation is not unreasonable or in bad faith, though, because it rests squarely on: (A) the plain meaning of statutory terms; (B) the public policy interests served by the multiple-candidacy prohibition.

A. The Plain Meaning of Statutory Terms Favor the Stations’ Interpretation

Again, the multiple-candidacy prohibition states that an individual may not qualify as a Florida candidate if he runs “for more than one public office, whether federal, state, district, county, or municipal, if the terms or any part thereof run concurrently....” “Public office,” in turn, means “*any* federal, state, county, municipal, school, or other district office or position which is filled by vote of the electors.”³⁹ The Secretary has previously concluded that the prohibition applies to candidacies for “all public offices, regardless of the level of government”

³⁵ Fla. Stat. Ann. § 99.012(2).

³⁶ Fla. Admin. Code Ann. r. 1S-2.010(7) (“The process described in the preceding provisions of Rule 1S-2.010, F.A.C., is the only process by which the Division of Elections is authorized to provide advisory opinions pursuant to Section 106.23(2), F.S. *Other telephone, verbal or written advice does not constitute an advisory opinion rendered pursuant to that law.*”).

³⁷ Fla. Admin. Code Ann. r. 1S-2.010(1)-(6).

³⁸ Email from Gary J. Holland to Patrick Purtill (Oct. 24, 2012) (emphasis added), attached hereto as Attachment E.

³⁹ Fla. Stat. Ann. § 97.021(31) (emphasis added).

and has a “wide application.”⁴⁰ Thus, the scope of “public office” and therefore the prohibition’s scope, is limited only by the caveat that both offices must be “filled by vote of the electors.”

President of the United States is a “public office” under Florida law because it is a national “office or position which is filled by the vote of the [Florida] electors.” While it is true that Florida voters will not be able to vote for Mr. Terry for president, that fact is not material under the statute as it is currently structured because the *office* of President of the United States is still “filled by vote of the [Florida] electors.” Mr. Terry’s simultaneous assertions that he is running for both the U.S. House and President of the United States therefore appear, by plain meaning of the statute, to make him not actually qualified as a U.S. House candidate for a place on the ballot, despite his inclusion on the Secretary of State’s listing of candidates.

Legislative history lends further credibility to this plain-language interpretation. The original version of the multiple-candidacy prohibition contained the phrase “within the state of Florida.”⁴¹ The legislature has now removed that language, conceivably because it wanted the prohibition to apply to individuals like Mr. Terry who claim to seek multiple federal-level public offices filled by Florida voters, even if one of those offices is pursued out-of-state.

Mr. Terry counters that this interpretation cannot be correct because it “violates a basic rule of statutory interpretation” against extraterritorial jurisdiction.⁴² The Stations do not contend that this is an extraterritorial prohibition, which would purport to exercise direct control over property and persons outside of Florida.⁴³ An extraterritorial prohibition would, for example, forbid *another state* from certifying Mr. Terry as a candidate on its ballot because of his supposed Florida candidacy. The multiple-candidacy prohibition does nothing of the sort. It is instead focused only on the conditions for qualification as a candidate on the Florida ballot. The prohibition need not reach beyond Florida’s borders to give effect to its plain meaning.

Mr. Terry also mentions that if the Stations hold to their interpretation, they must deny the Romney-Ryan campaign “reasonable access” to advertising time. This is incorrect. Mr. Ryan’s qualification for the congressional ballot is a matter of Wisconsin state law, which differs greatly from Florida law in this respect.⁴⁴ Moreover, the Stations have reasonably concluded that Mitt Romney is a “legally qualified candidate” in Florida and therefore need not reach a determination of whether Paul Ryan, Mr. Romney’s running mate, is also “legally qualified” when providing reasonable access to the Romney-Ryan campaign.

Mr. Terry’s two objections to the Stations’ reading both wither upon closer inspection. He is unable to find any justification to narrow the plain interpretation of the multiple-candidacy prohibition’s language that the Stations favor.

B. Underlying Public Policy Interests Support the Stations’ Interpretation

⁴⁰ Fla. Div. of Elections Adv. Op. DE-78-38 (Sept. 1, 1978).

⁴¹ Fla. State Senate, Journal of the Senate at 676 (May 8, 1963).

⁴² Complaint of Randall Terry Against WPLG-TV (Oct. 22, 2012).

⁴³ See *Hotchkiss v. Martin*, 52 So. 2d 113, 114 (Fla. 1951); *State v. Hocker*, 35 Fla. 19, 22 (1895).

⁴⁴ Wis. Stat. Ann. § 8.03(1)-(2).

The multiple-candidacy prohibition was instituted to serve several underlying public policy interests that are articulated in the Florida Supreme Court case *State ex rel Fair v. Adams*.⁴⁵ The *Adams* Court considered an individual's ability to run simultaneously for three public offices filled by Florida electors and concluded that "multiple candidacies are not consistent with the public policy of this state."⁴⁶ In particular, the Court found that the following public policy considerations justified the prohibition:

- "[T]he election machinery, which is run at such a great expense to the public, is for the purpose of doing a *useful, and not a useless thing*.' In other words, an election under such circumstances [i.e. an election allowing multiple candidacies] would be a futility."
- Multiple candidacies empower candidates to choose one office over another "upon [their] whim and option ... without reference to the will of the people who voted," an act that causes votes as to the discarded offices to be "frittered away" or "thrown away."
- Voters "have a right to expect one seeking their suffrage to qualify and fill the office he seeks" and when an individual submits a candidate oath "he should be held to have represented to the electorate not only that he is qualified to fill, but also that if successful in his bid *will fill* the office which he seeks at their hands."⁴⁷

All these public policy considerations would be served by interpreting the prohibition to apply to individuals like Mr. Terry who claim to seek multiple federal-level public offices filled by Florida voters, even if one office is pursued out-of-state. Public policy should, of course, be considered when interpreting a statute. And the public policy interests served here indicate that a broader reading is in order rather than the narrow interpretation Mr. Terry supports.

III. IT IS NOT UNREASONABLE OR IN BAD FAITH TO CONCLUDE MR. TERRY HAS NOT ESTABLISHED THAT HIS PROPOSED ADVERTISEMENT IS "ONLY FOR THE PURPOSE OF ADVANCING" HIS SUPPOSED CANDIDACY

Mr. Terry is entitled to "reasonable access" only if he establishes that his proposed advertisement is solely "for the purpose of advancing" his supposed candidacy.

In reviewing the constitutionality of the "reasonable access" requirement, the U.S. Supreme Court noted that Congress created "a *limited* right to 'reasonable' access."⁴⁸ The Court found that its "limited" nature is derived from it being available only to a certain group of individuals ("legally qualified candidates") for only a single purpose ("only for the purpose of advancing their candidacies").⁴⁹ Even a "legally qualified candidate," then, is restricted in utilizing reasonable access *only* for the purpose of advancing *his* candidacy, not for attacking anyone other than his opponent and not for the purpose of promoting any other person.

⁴⁵ See Fla. Div. of Elections Adv. Op. DE-78-38 (Sept. 1, 1978) (saying *Adams* led to the multiple-candidacy ban).

⁴⁶ *State ex rel. Fair v. Adams*, 139 So. 2d 879, 881 (Fla. 1962).

⁴⁷ *Id.* at 883-884.

⁴⁸ *CBS, Inc. v. F.C.C.*, 453 U.S. 367, 396 (1981).

⁴⁹ *Id.*

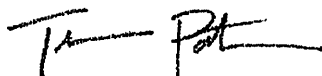
Mr. Terry presented to the Stations an advertisement that does not reference his apparent congressional candidacy or mention the candidacies of any congressional opponents. The ad instead mentions only President Barack Obama, who is not running for U.S. Representative in Florida's 20th district. It is not apparent how this type of advertisement could advance Mr. Terry's alleged congressional campaign. Further, Mr. Terry's own printed campaign materials prove conclusively that his only purpose in running his supposed congressional candidacy is to support Mitt Romney by attempting to take perverse advantage of "reasonable access" in hope of taking votes away from Barack Obama.⁵⁰ Interestingly, Federal Election Commission rules would prohibit Mr. Terry from using a congressional campaign committee in this manner.⁵¹ Because of these facts and because Mr. Terry has not offered an explanation, the Stations do not act unreasonably or in bad faith by concluding that Mr. Terry has not proven that his advertisement was "only for the purpose of advancing" his own candidacy.

IV. CONCLUSION

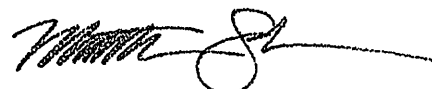
The Commission may overrule a broadcaster's reasonable-access determination only if "it was unreasonable or made in bad faith." WPLG-TV could have found Randall Terry was not a "legally qualified candidate" and therefore ineligible to demand advertising time based on three independent grounds, any one of which was sufficient: (1) Mr. Terry's failure to show he is "qualified ... to hold the office" of U.S. Representative; (2) Mr. Terry's failure to demonstrate that he is actually "qualified for a place on the ballot"; and (3) Mr. Terry's failure to establish that his advertising is solely "for the purpose of advancing" his supposed candidacy. Mr. Terry may prevail in his complaint, then, only if the Commission finds that WPLG-TV made *all three* determinations in an unreasonable or bad-faith manner.

For the foregoing reasons described in this Brief, the Stations believe WPLG-TV did not act unreasonably or in bad faith, and they therefore urge the Commission to dismiss this matter.

Respectfully Submitted,



Trevor Potter
Caplin & Drysdale, Chtd.



Matthew T. Sanderson
Caplin & Drysdale, Chtd.

Counsel to NBC Telemundo License LLC

⁵⁰ Randall A. Terry, *Want Obama Defeated* (2012) ("Friend, Florida is perhaps our boldest, most daring effort, which could cost Obama the White House."), available at www.terryforpresident.com/documents/WantObamaDefeated.com.

⁵¹ 2 U.S.C. § 432(e)(3) ("No political committee which supports or has supported more than one candidate may be designated as an authorized committee."). *See also* 11 C.F.R. § 102.13(c)(1).

ATTACHMENT A

Patrick Purtill - From FL SOS Will you confirm to me the residency issues in the state of Florida to run for U.S. House.

From: Randall Terry <1randallterry@gmail.com>
To: Patrick Purtill <PDP@gg-law.com>
Date: 10/18/2012 3:18 PM
Subject: From FL SOS Will you confirm to me the residency issues in the state of Florida to run for U.S. House.

----- Forwarded message -----

From: Holland, Gary J. <Gary.Holland@dos.myflorida.com>
Date: Wed, May 23, 2012 at 9:52 AM
Subject: RE: Will you confirm to me the residency issues in the state of Florida to run for U.S. House.
To: Randall Terry <1randallterry@gmail.com>
Cc: "Small, Stacey L." <Stacey.Small@dos.myflorida.com>

The only residency requirement for a candidate for U.S. Representative is that the candidate must be an inhabitant of the state in which he/she would represent when elected. (U.S. Const. Art I, s.2). (The Constitution also requires the person to be 25 years old and have been a U.S. citizen for 7 years.)

Gary J. Holland

Assistant General Counsel

Florida Department of State

R.A. Gray Building, 500 S. Bronough Street

Tallahassee, FL 32399-0250

Phone: 850-245-6536

Fax: 850-245-6127

Note: This response is provided for reference only and does not constitute a formal legal opinion or representation from the Department of State or the Division of Elections. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult an attorney to represent their interests before drawing any legal conclusions or relying upon the information provided.

Florida has a very broad public records law. Written communications to or from state officials regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, this email and any that you sent that generated this response may be subject to public disclosure.

From: Randall Terry [mailto:1randallterry@gmail.com]

Sent: Wednesday, May 23, 2012 9:47 AM

To: Small, Stacey L.; Holland, Gary J.

Subject: ~~850-245-6536~~. Stacey, Gary Holland. Thank you for your time. Will you confirm to me the residency issues in the state of Florida to run for U.S. House.

Can you please email me what we talked about concerning residency?

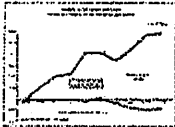
I will get the paperwork to you asap.


Thank you,

Randall Terry

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ATTACHMENT B

From: Patrick Purtill [<mailto:PDP@GG-Law.com>]
Sent: Thursday, October 18, 2012 6:07 PM
To: Tobey, Margaret (NBCUniversal)
Cc: Wray Fitch
Subject: Request by Station WSCV & WTVJ for documentation

October 18, 2012

Margaret L. Tobey
Vice President, Regulatory Affairs
NBCUniversal
300 New Jersey Avenue, NW
Suite 700
Washington, DC 20001

Dear Ms. Tobey:

Thank you for your emails regarding Mr. Terry's request for reasonable access under section 312 of the Communications Act on WSCV (Ft. Lauderdale, FL) and WTVJ (Miami, FL). Mr. Henderson forwarded them to me for response. As I understand it, you have raised two separate issues that will be addressed separately in this email.

(1) You assert that Fla. Stat. Ann. § 99.012(2), which prohibits a candidate from qualifying as a candidate for more than one public office, disqualifies Mr. Terry from eligibility for the 20th Congressional District in Florida because he is also a candidate for President of the United States in several other States. However, your assertion is incorrect and violates a basic rule of statutory interpretation: namely, Florida cannot apply its laws outside of its own borders. A simple example should make the matter clear. If your argument were correct, all of NBC Universal's affiliates in Florida would be required to deny reasonable access to the Romney/Ryan campaign. As I am sure you know, Paul Ryan is presently on the ballot in Florida as a candidate for Vice President of the United States and on the ballot in Wisconsin for U.S. Representative for the 1st Congressional District.

If you are not denying the Romney/Ryan campaign reasonable access under section 312, then you are violating the anti-discrimination provisions of Section 73.1941(e) of the Federal Communication Commission's rules by applying a different standard to Mr. Terry who is clearly a similarly-situated "legally qualified candidate" for Federal office.

(2) You assert that "Mr. Terry's initial response to WTVJ's request for information was limited to a simple print-out from the Florida Department of State that lists him as a candidate" and that this "was obviously insufficient to establish that Mr. Terry satisfied all three "prongs" of the FCC's "legally qualified candidate" definition." Please note, that the FCC verbally ruled on October 12, 2012 that a candidate in Mr. Terry's exact same position was a legally qualified candidate for Federal office under the Communications Act. However, in the interest of thoroughness, let me address each of your concerns to move this matter forward.

Mr. Terry has been certified by the state of Florida and placed on the ballot as a candidate for the U.S. House of Representatives in Florida's 20th Congressional District. Below is the link to the Secretary of State's website demonstrating Mr. Terry is on the ballot.

Under the rules of the Federal Communications Commission (specifically 47 CFR §73.1940), a "legally qualified candidate" for public office is any person who has publicly announced his intention to run; AND is qualified under the applicable local, State or Federal law to hold the office for which he is a candidate; AND has *either* qualified for a place on the ballot OR publicly committed to seeking election by the write-in method.

Publicly Announced

Being placed on the ballot establishes the fact that Mr. Terry has publicly announced his candidacy. See the FCC's *Political Primer 1984* which states:

[A] candidate may meet the "public announcement" requirement of the rules by simply stating publicly that he is a candidate for nomination or election to a certain office. Filing the necessary papers or obtaining the required certification under his State's laws in order to qualify for a place on the ballot is considered to be the equivalent of a public announcement of candidacy. *Political Primer 1984*, 100 F.C.C.2d 1476, 1480 (FCC 1984).

Qualified for the Office for Which He is a Candidate

Mr. Terry is qualified for the Office for which he is candidate. When a candidate's name appears on the ballot, Federal courts have concluded that "there is a strong legal presumption that public officials performed their duty in placing the candidates' names upon the official ballots pursuant to law and after compliance with all legal requirements." *Lamb v Sutton*, 164 F Supp 928 (1958, DC Tenn), *affd* 274 F2d 705 (1960, CA6 Tenn), *cert den* 363 US 830 (1960)

The Commission has historically shared this presumption and has explicitly stated that it "look[s] to the laws of the various states regarding their qualifications for ballot status in determining whether candidates have qualified for places on the ballot. Unless filings by candidates which are required by states before fund-raising operations can begin would also qualify such candidates for places on the ballot, such filings would not make these candidates "legally qualified" so as to bring the equal opportunities provision of Section 315 into play." *In re Sutton*, 67 F.C.C.2d 188, 189 (FCC 1977) Conversely, if the filings of candidates required by states qualify the candidates for a place on the ballot, such filings would make these candidates "legally qualified" so as to bring the equal opportunities provisions of Section 315 into play.

Additionally, on October 12, 2012 the Federal Communications Commission verbally ruled that a candidate on the ballot for a Federal office that did not presently reside in the state was a "legally qualified candidate" entitled to "reasonable access" under Section 312.

Finally, Gary J. Holland, Assistant General Counsel, Florida Department of State by email dated May 23, 2012 stated that "[T]he only residency requirement for a candidate for U.S. Representative is that the candidate must be an inhabitant of the state in which he/she would represent when elected. (U.S. Const. Art I, s.2). (The Constitution also requires the person to be 25 years old and have been a U.S. citizen for 7 years.)" A pdf copy of Mr. Holland's email is attached.

Has Qualified for a Place on the Ballot

See: <http://election.dos.state.fl.us/candidate/CanList.asp> for proof that Mr. Terry is on the ballot as a candidate for the U.S. House of Representatives in Florida's 20th Congressional District.

I expect that this communication provides all of the proof you need to confirm that Mr. Terry is a "legally qualified candidate" for Federal office and entitled to reasonable access under section 312. There are only 19 days left before Election Day. Therefore, time is of the essence in this matter and I hope to hear from you shortly.

Sincerely,

Patrick Purtill

Patrick D. Purtill
Associate



Gammon & Grange, P.C.
8280 Greensboro Dr - 7th Floor
McLean, VA 22102
Phone: 703-761-5000 ext. 123
Fax: 703-761-5023
PDP@GG-Law.com

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>>> "James M. Henderson, Sr." <jmhenderson58@gmail.com> 10/18/2012 1:51 PM >>>
Patrick,

At Randall's instruction, here is another request, this one from WSCV.

Warm regards,

Jim Henderson

From: Tobey, Margaret (NBCUniversal) [<mailto:Margaret.Tobey@nbcuni.com>]
Sent: Thursday, October 18, 2012 1:11 PM
To: jmhenderson58@gmail.com
Cc: kmofferman@gmail.com
Subject: Request by Station WSCV for documentation

Dear Mr. Henderson:

I have been informed that the Randall Terry campaign for a seat in the U.S. House of Representatives representing the 20th District of Florida has requested to buy time on Station WSCV, Ft. Lauderdale, FL, which is commonly owned with Station WTVJ, Miami, FL. Earlier

this week, in response to the campaign's request to buy time on WTVJ, I sent you the email set forth below in which I requested additional documentation demonstrating that Mr. Terry is a legally qualified candidate for the office in question. The purpose of this email is to advise you that the same information is needed by Station WSCV.

Sincerely,

Margaret Tobey

Text of email sent 10/16/2012:

Mr. Henderson:

Your email to WTVJ earlier this week has been forwarded to me for response. In that email, you stated that the station made a decision "in error" by declining Mr. Randall Terry's request to purchase advertising time.

To be clear, WTVJ is simply waiting for Mr. Terry to submit adequate evidence that he is a "legally qualified candidate" entitled to purchase advertising time from WTVJ. As you may know, Mr. Terry bears the burden of proof in establishing his "legally qualified candidate" status. [47 C.F.R. 73.194(d)].

Mr. Terry's initial response to WTVJ's request for information was limited to a simple print-out from the Florida Department of State that lists him as a candidate. This was obviously insufficient to establish that Mr. Terry satisfied all three "prongs" of the FCC's "legally qualified candidate" definition. You have now provided additional information concerning the announcement of Mr. Terry's congressional candidacy. As set forth below, WTVJ seeks additional information regarding a few specific matters.

WTVJ understands from its affiliated station in Washington, DC, that Mr. Terry is currently claiming to be a candidate for President of the United States in West Virginia's upcoming general election. Mr. Terry's campaign website also appears to suggest that he is a candidate for President of the United States in other jurisdictions.

Florida law, however, prohibits simultaneous candidacies for multiple offices: "No person may qualify as a candidate for more than one public office, whether federal, state, district, county, or municipal, if the terms or any part thereof run concurrently with each other." [Fla. Stat. Ann. § 99.012(2)]. ("Public office," in turn, means "any federal, state, county, municipal, school, or other district office or position which is filled by vote of the electors.") [Fla. Stat. Ann. § 97.021(31)]. U.S. Representative and President are both offices filled by the vote of Florida's electors (i.e., voters). This prohibition therefore indicates that Mr. Terry is not actually qualified as a U.S. House candidate, despite his appearance on the Florida Secretary of State's listing of candidates. We therefore ask you to forward the correspondence in which Mr. Terry informed the Florida Secretary of State of his presidential candidacy in West Virginia and elsewhere,

along with the Florida Secretary of State's specific approval of this arrangement. (Please note that the "Federal Candidate Oath" that Mr. Terry filed earlier covers the "Resign-to-Run" provision found at Section 99.012(3)(a), not the "simultaneous candidacy" prohibition found at Section 99.012(2).)

Additionally, you stated in your email earlier this week that Mr. Terry "meets the residency ... requirements already." You have not, however, submitted any evidence that Mr. Terry has established a presence in Florida, such that he can be considered a resident of the state. In fact, filings with government entities (including the Federal Candidate Oath noted above) suggest that Mr. Terry is a resident of another state. We therefore ask you to forward all available evidence that Mr. Terry is a Florida resident, as well as evidence that Mr. Terry's filings that indicate he is a resident of another state were fully disclosed to the Florida Secretary of State.

We thank you for your cooperation and assistance.

Sincerely,

Margaret L. Tobey
Vice President, Regulatory Affairs

+1 202-524 6401 (phone)
+1 202-262-8480 (mobile)
margaret.tobey@nbcuni.com

NBCUniversal
300 New Jersey Avenue, NW
Suite 700
Washington, DC 20001

www.nbcuni.com

ATTACHMENT C

Matthew Sanderson

From: Holland, Gary J. [Gary.Holland@DOS.MyFlorida.com]
Sent: Friday, October 19, 2012 1:51 PM
To: Matthew Sanderson
Subject: RE: Question on Ballot Certification

Matt:

Your interpretation is correct and the Secretary of State does not require any sort of evidence from the candidate other than the candidate oath or conduct any independent inquiry. The Secretary performs a purely ministerial role – see s. 99.061(7)(c), Fla. Stat.:

(c) The filing officer performs a ministerial function in reviewing qualifying papers. In determining whether a candidate is qualified, the filing officer shall review the qualifying papers to determine whether all items required by paragraph (a) have been properly filed and whether each item is complete on its face, including whether items that must be verified have been properly verified pursuant to s. 92.525(1)(a). The filing officer may not determine whether the contents of the qualifying papers are accurate.

Also, the US Constitution, Art. II, s. 5, provides each House shall be the judge of the elections and qualifications of its members, so once elected, jurisdiction over the qualifications of the winning candidate rests solely with the U.S. House of Representatives.


Regards,

Gary J. Holland
Assistant General Counsel
Florida Department of State
R.A. Gray Building, 500 S. Bronough Street
Tallahassee, FL 32399-0250
Phone: 850-245-6536
Fax: 850-245-6127

Note: This response is provided for reference only and does not constitute a formal legal opinion or representation from the Department of State or the Division of Elections. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult an attorney to represent their interests before drawing any legal conclusions or relying upon the information provided.

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From: Matthew Sanderson [mailto:msanderson@capdale.com]
Sent: Friday, October 19, 2012 1:38 PM
To: Holland, Gary J.
Subject: Question on Ballot Certification

Mr. Holland:

My colleague Bryson Morgan worked with you on a recent Advisory Opinion Request. He gave me your contact information and mentioned that you were very helpful/knowledgeable.

I am emailing today because I have a brief question about the existing process conducted by the Secretary of State's office when certifying an individual for the ballot as a U.S. House of Representatives candidate. I understand, of course, that the U.S. Constitution, aside from age and citizenship, requires only that an individual be a Florida resident by Election Day in order to be qualified to hold the office of U.S. Representative. My question is—does the Secretary of State's office require an individual attempting to qualify for the ballot to submit any evidence that he/she will be a Florida resident by Election Day? If not, does the Secretary of State's office conduct any kind of independent inquiry into whether an individual will be a Florida resident by Election Day?

My understanding has always been that the Secretary's office relies only on the candidate's own declaration ("I am qualified under the Constitution and the laws of the United State to hold the office of which I desire to be nominated or elected") as part of the Oath of Candidate Form, and I wanted to confirm that was true.

Thank you for your help.

Best,

Matt

Matthew T. Sanderson
Caplin & Drysdale, Chartered
(202) 862-5046 (direct)
One Thomas Circle, NW
Washington, DC 20005
msanderson@capdale.com
www.capdale.com/msanderson/

<-----> To ensure compliance with requirements imposed by the IRS, we inform you that, unless specifically indicated otherwise, any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code, or (ii) promoting, marketing, or recommending to another party any tax-related matter addressed herein. This message is for the use of the intended recipient only. It is from a law firm and may contain information that is privileged and confidential. If you are not the intended recipient any disclosure, copying, future distribution, or use of this communication is

ATTACHMENT D

**FEDERAL CANDIDATE OATH -
CANDIDATE WITH NO PARTY AFFILIATION**

RECEIVED
12 JUN -5 AM 9:50
DIVISION OF ELECTIONS
SECRETARY OF STATE

OFFICE USE ONLY

OATH OF CANDIDATE
(Section 99.021, Florida Statutes)

I, Randall Terry
(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT * - NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING)

am a candidate with no party affiliation for the office of US House of Representatives
(office)

20 ; I am qualified under the Constitution and the laws of the United States to hold the office to
(district #)

which I desire to be nominated or elected; I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I will support the Constitution of the United States.

x *Randall Terry* 304-289-3700 1randallterry@gmail.com
Signature of Candidate Telephone Number Email Address

101 Cantwell Ct. Purgitsville WV 26852
Address City State ZIP Code

Candidate's Florida Voter Registration Number (located on your voter information card): _____

* Please print name phonetically on the line below as you wish it to be pronounced on the audio ballot for persons with disabilities (see instructions on page 2 of this form):

Randuhl Teree

STATE OF ~~FLORIDA~~ WV West Virginia
COUNTY OF Hampshire

Sworn to (or affirmed) and subscribed before me this 4th day of June, 20 12

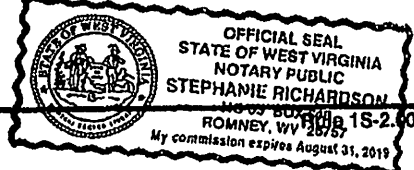
Personally Known: _____ or

Stephanie Richardson
Signature of Notary Public

Produced Identification: ✓

Print, Type, or Stamp Commissioned Name of Notary Public

Type of Identification Produced: drivers license



ATTACHMENT E

Matthew Sanderson

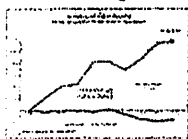
From: Holland, Gary J. [Gary.Holland@DOS.MyFlorida.com]
Sent: Wednesday, October 24, 2012 4:50 PM
To: Matthew Sanderson
Subject: FW: Question Regarding Application of Fla. Stat. Ann. § 99.012(2)


FYI

Gary J. Holland
Assistant General Counsel
Florida Department of State
R.A. Gray Building, 500 S. Bronough Street
Tallahassee, FL 32399-0250
Phone: 850-245-6536
Fax: 850-245-6127

Florida has a very broad public records law. Written communications to or from state officials regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, this email and any that you sent that generated this response may be subject to public disclosure.

Florida is headed in the
right direction!
Click to Enlarge



 <p>The Department of State is leading the commemoration of Florida's 500th anniversary in 2013. For more information, please go to www.fl500.com.</p>
--

The Department of State is committed to excellence.
Please take our [Customer Satisfaction Survey](#).

From: Holland, Gary J.
Sent: Wednesday, October 24, 2012 4:49 PM
To: 'Patrick Purtill'
Cc: 'Wray Fitch'
Subject: RE: Question Regarding Application of Fla. Stat. Ann. § 99.012(2)

Dear Mr. Purtill:

I have learned that you provided the email that I provided you yesterday to the Federal Communications Commission to apparently bolster your position before that agency. Please understand that my email also contains the same caveat that this one contains:

Note: This response is provided for reference only and does not constitute a formal legal opinion or representation from the Department of State or the Division of Elections. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult an attorney to represent their interests before drawing any legal conclusions or relying upon the information provided.

The email is what it is – my personal opinion only and does not represent the position of my employer. As you are aware, there is a process for obtaining a formal opinion from the Florida Division of Elections and while I may initially draft some of those opinions, I am not the signer or the final approval authority for them. There are certainly other interpretations that could be made concerning this matter based upon relevant

legislative history and statutory interpretations. The bottom-line: Reasonable persons can reasonably disagree over the same law and my interpretation should not be considered the position of the Florida Department of State/Division of Elections and it should not be relied upon as authoritative in any manner.

Regards,

Gary J. Holland
Assistant General Counsel
Florida Department of State
R.A. Gray Building, 500 S. Bronough Street
Tallahassee, FL 32399-0250
Phone: 850-245-6536
Fax: 850-245-6127

Note: This response is provided for reference only and does not constitute a formal legal opinion or representation from the Department of State or the Division of Elections. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult an attorney to represent their interests before drawing any legal conclusions or relying upon the information provided.

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From: Holland, Gary J.
Sent: Tuesday, October 23, 2012 2:47 PM
To: 'Patrick Purtill'
Cc: Wray Fitch
Subject: RE: Question Regarding Application of Fla. Stat. Ann. § 99.012(2)

Dear Mr. Purtill:

Section 99.012(2), Florida Statutes, as you quote in your email below, has no extraterritorial jurisdiction outside the state of Florida. Thus, the section essentially precludes a person qualifying as a candidate for two offices which will appear on the ballot in Florida. Because Mr. Terry will appear on the ballot only for the congressional race in Florida, he is not in violation of the statute. In fact, this conclusion is buttressed by section 99.021(1)(a)2., Florida Statutes, which contains the federal Candidate Oath, which indicates that "he has qualified for no other public office in the state...." The Candidate Oath is a required qualifying paper which Mr. Terry had to file to qualify to be a congressional candidate. He has only qualified for one office in the state, therefore the oath is truthful. Also, even if he had been untruthful, it could not preclude a filing officer from qualifying him – per s. 99.061(7)(c), Florida Statutes, a filing officer must accept qualifying papers at face value and may not determine the accuracy of their contents. A court order would be required to disqualify a candidate who lied on his qualifying paperwork. I am aware of no court order disqualifying Mr. Terry from being a qualified candidate in Florida; without such, he is a qualified candidate even if he is on the ballot in other states.

As an aside, if the TV station you mention below is truly concerned about persons qualifying for two offices, it would have to deny the Romney-Ryan campaign airtime since Mr. Ryan has qualified as a candidate on the Florida ballot and is also running for Congress in the state of Wisconsin. Again, the fact that Mr. Ryan is on the ballot as a vice presidential candidate in Florida and is on a ballot elsewhere for a different office shows that s. 99.012(2), Florida Statutes, only applies to situations when the candidate has qualified for two offices that appear on the Florida ballot.

Regards,

Gary J. Holland
Assistant General Counsel
Florida Department of State
R.A. Gray Building, 500 S. Bronough Street
Tallahassee, FL 32399-0250
Phone: 850-245-6536
Fax: 850-245-6127

Note: This response is provided for reference only and does not constitute a formal legal opinion or representation from the Department of State or the Division of Elections. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult an attorney to represent their interests before drawing any legal conclusions or relying upon the information provided.

Florida has a very broad public records law. Written communications to or from state officials regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, this email and any that you sent that generated this response may be subject to public disclosure.

From: Patrick Purtill [<mailto:PDP@GG-Law.com>]
Sent: Tuesday, October 23, 2012 2:19 PM
To: Holland, Gary J.
Cc: Wray Fitch
Subject: Question Regarding Application of Fla. Stat. Ann. § 99.012(2)

October 23, 2012

Mr. Gary J. Holland
Assistant General Counsel
Florida Department of State
Division of Elections
R.A. Gray Building, 500 S. Bronough Street
Tallahassee, FL 32399-0250

Dear Mr. Holland:

Thank you for your help this afternoon. As we discussed, Mr. Randall Terry is on the ballot in the state of Florida as a candidate for the U.S. House of Representatives in Florida's 20th Congressional District. Mr. Terry is also a candidate for the Presidency of the United States and appears on the ballots of several states, but not Florida's ballot, for that office. Mr. Terry has requested several Florida broadcast stations to provide his Congressional campaign with reasonable access to advertising time as a candidate for Federal office under the Communications Act.

At least one station has denied Mr. Terry's requests citing Fla. Stat. Ann. § 99.012(2) which reads as follows: "No person may qualify as a candidate for more than one public office, whether federal, state, district, county, or municipal, if the terms or any part thereof run concurrently with each other." According to the station, Mr. Terry is not a legally qualified candidate for Congress in Florida under § 99.012(2) because his simultaneous candidacy for President of the United States in several other states. In Florida, Mr. Terry only appears on the ballot for the 20th Congressional District.

Could you please clarify whether § 99.012(2) would prevent a candidate from appearing on the ballot in Florida if he also appeared on the ballot of another state? Thank you for your help.

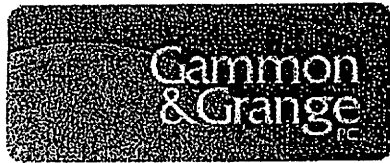
If you need any more information from you, please feel free to contact me. Thank you again for your help.

Take care,

Patrick Purtill

Patrick D. Purtill

Associate



Gammon & Grange, P.C.

8280 Greensboro Dr - 7th Floor

McLean, VA 22102

Phone: 703-761-5000 ext. 123

Fax: 703-761-5023

PDP@GG-Law.com

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GAMMON & GRANGE, P.C.

ATTORNEYS AND COUNSELORS AT LAW

SEVENTH FLOOR
8280 GREENSBORO DRIVE
McLEAN, VA 22102-3807

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* CO-FOUNDER 1934-2011
** NOT ADMITTED TO VA
† OF COUNSEL -- McLEAN
‡ OF COUNSEL -- LEESBURG

FILED/ACCEPTED

NOV - 6 2012

Federal Communications Commission
Office of the Secretary

November 5, 2012

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**—BY HAND DELIVERY AND—
ELECTRONIC MAIL**

Re: Complaint of Randall Terry for President regarding WFLX-TV's violation of 47 U.S.C. §312 and §315

To: Media Bureau, Policy Division, Political Programming Branch
Attn: Robert Baker and Hope Cooper

Dear Ms. Dotrch:

Randall Terry for Congress, through its counsel Gammon and Grange, is filing this letter request regarding WFLX-TV's willful and ongoing denial of reasonable access to Randall Terry for Congress under sections 312 and 315 of the Communications Act. As Election Day is only one day away, the matter is urgent.

Attached is an email exchange between Ms. Kathy Offerman, the media buyer for Randall Terry for Congress ("Terry") and representatives of Raycom Media, Inc. ("Raycom") the licensee of WFLX-TV (Florida). Raycom and WFLX have willfully and repeatedly denied Mr. Terry reasonable access under 47 U.S.C. §312 and §315.

Mr. Terry has been certified by the state of Florida and placed on the ballot as a candidate for the U.S. House of Representatives in Florida's 20th Congressional District. Proof of such has been provided to Raycom and WFLX on several occasions (see attached).

Raycom and WFLX continue to refuse Mr. Terry reasonable access under sections 312 and 315 of the Communications Act. On October 19, 2012, Raycom and WFLX requested substantiation that Fla. Stat. Ann. § 99.012(2), which prohibits a candidate from qualifying as a candidate for more than one public office, did not disqualify Mr. Terry from eligibility for the 20th Congressional District in Florida

because he is also a candidate for President of the United States in several other States. In relevant part, The Florida statute reads as follows: "No person may qualify as a candidate for more than one public office, whether federal, state, district, county, or municipal, if the terms or any part thereof run concurrently with each other." Fla. Stat. Ann. § 99.012(2).

Mr. Terry replied the same day that this assertion was incorrect and its logic would require Raycom and WFLX to deny reasonable access to the Romney/Ryan campaign as Paul Ryan is presently on the ballot in Florida as a candidate for Vice President of the United States and on the ballot in Wisconsin for U.S. Representative for the 1st Congressional District (see attached). Mr. Terry does not appear on two ballots in Florida. He appears on a ballot in Florida as a Congressional candidate and on ten ballots outside of the state of Florida as a Presidential candidate.

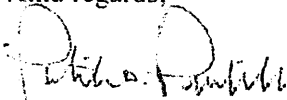
The simple fact of the matter is that Fla. Stat. Ann. § 99.012(2) is intended to prevent an individual from appearing on the ballot in Florida for two offices whose terms run concurrently (in whole or in part). This is to prevent, for instance, a candidate from running for U.S. Congress (House or Senate) from Florida and at the same time running for Vice President or President of the United States on the ballot in Florida. Many states have such prohibitions and many states have removed them (as did Texas when Lyndon Johnson was chosen as John F. Kennedy's running mate). It is Florida's prerogative to limit access to its ballot to one office in these situations. It is not Florida's prerogative to limit access to its ballot based on a candidate's ballot access in a foreign state.

Mr. Terry contends that Raycom and WFLX's ongoing refusal demonstrates a flagrant disregard of important federally mandated laws guaranteeing access to candidates such as Mr. Terry and of the Commission's authority to administer and enforce sections 312 and 315 of the Communications Act.

Given the already substantial delay and the fact that Election Day is one day from now, Mr. Terry asks the Commission to immediately direct Raycom and WFLX-TV to provide Mr. Terry reasonable access.

Thank you for your assistance in this matter.

Kind regards,



A. Wray Fitch III
Patrick D. Purtil
Gammon & Grange, P.C.

cc: Christopher G. Tygh, Asst. General Counsel, Raycom Media, Inc.: ctygh@raycommedia.com
Robert Baker, Federal Communications Commission, via email: robert.baker@fcc.gov
Hope Cooper, Federal Communications Commission, via email: hope.cooper@fcc.gov

Attachment(s): Correspondence between Raycom/WFLX and Terry Campaign

Emily Knapp - Fwd: (3260-001) Terry Campaign WFLX/Raycom Reasonable Access Response

From: Patrick Purtill
To: Emily Knapp
Date: 11/5/2012 3:50 PM
Subject: Fwd: (3260-001) Terry Campaign WFLX/Raycom Reasonable Access Response
Attachments: image001.jpg; Florida SOS Candidate Listing 2012 General Election.pdf; 10-22 FTP & Traffic InstructionsTerry US House.docx; WFLX 10-23 Terry House Florida Order Form.docx; image002.jpg; image001.jpg

>>> Patrick Purtill 10/19/2012 5:08 PM >>>

October 18, 2012

Christopher G. Tygh
Assistant General Counsel
Raycom Media, Inc.
Via email: ctygh@raycommedia.com

Dear Mr. Tygh:

Thank you for your email which Ms. Offerman forwarded to me for response. Before responding to your question, it is my assumption that, but for your argument regarding Fla. Stat. Ann. § 99.012(2), you recognize Mr. Terry is a legally qualified candidate for Federal office and entitled to reasonable access under the Communications Act. This would be in conformity with the FCC's verbal ruling against Raycom Media, Inc. on October 12, 2012 regarding its assertion that Mr. Andrew Beacham was not a legally qualified candidate for Federal office under the Communications Act because he was not presently inhabiting the state on whose ballot his name appeared. If this assumption is incorrect and WFLX and Raycom Media, Inc. harbor additional, unexpressed objections to providing reasonable access under section 312, please let me know immediately as we are rapidly approaching Election Day.

You assert that Fla. Stat. Ann. § 99.012(2), which prohibits a candidate from qualifying as a candidate for more than one public office, disqualifies Mr. Terry from eligibility for the 20th Congressional District in Florida because he is also a candidate for President of the United States in several other States. However, your assertion is incorrect and violates a rule of statutory interpretation and construction: namely, that Florida cannot apply its laws outside of its own borders. A simple example should make the matter clear. If your argument were correct, WFLX (West Palm Beach, FL) and all Raycom Media, Inc. stations in Florida would be required to deny reasonable access to the Romney/Ryan campaign. As I am sure you know, Paul Ryan is presently on the ballot in Florida as a candidate for Vice President of the United States and on the ballot in Wisconsin for U.S. Representative for the 1st Congressional District. As a historical footnote, Vice President Biden also

appeared on the Florida ballot in 2008 for the Office of Vice President while he simultaneously appeared on the ballot in Delaware for the office of U.S. Senator.

Under your interpretation of Fla. Stat. Ann. § 99.012(2), you would be forced to deny reasonable access to the Romney/Ryan campaign as well as Mr. Terry's campaign. In fact, if WFLX and Raycom Media, Inc. are not presently denying the Romney/Ryan campaign reasonable access under section 312, it raises the question as to why Mr. Terry's campaign has been singled out for additional scrutiny, put to a higher level of proof, and denied the same access provided to the Romney/Ryan campaign. It could be viewed as implicating the anti-discrimination provisions of Section 73.1941(e) of the Federal Communication Commission's rules.

I hope that this communication and the Commission's verbal ruling on October 12, 2012 provide all of the proof you need to confirm that Mr. Terry is a "legally qualified candidate" for Federal office and entitled to reasonable access under section 312. As Election Day is rapidly approaching, time is of the essence in this matter and I hope to hear from you shortly.

Thank you for your help.

Sincerely,

Patrick Purtill

Patrick D. Purtill
Associate



Gammon & Grange, P.C.
8280 Greensboro Dr - 7th Floor
McLean, VA 22102
Phone: 703-761-5000 ext. 123
Fax: 703-761-5023
PDP@GG-Law.com

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>>> Kathy Offerman <kmofferman@gmail.com> 10/19/2012 11:46 AM >>>

Sent from my iPhone

Begin forwarded message:

From: "Tygh, Christopher" <ctygh@raycommedia.com>
Date: October 19, 2012, 11:08:17 AM EDT
To: Kathy Offerman <kmofferman@gmail.com>
Subject: FW: Order Randall Terry for US House WFLX

Ms. Offerman:

Our station WFLX, West Palm Beach, FL, received the attached order from Randall Terry. WFLX requests substantiation that Mr. Terry is legally qualified under Florida law, specifically Fla. Stat. Ann. §§ 99.012(2) and 97.021(31), to run simultaneous candidacies for U.S. President and U.S. Congress in the State of Florida.

Thank you.

Christopher G. Tygh
Assistant General Counsel

Florida Department of State

- Room 316, R.A. Gray Building
- 500 South Bronough Street
- Tallahassee, FL 32399-0250
- (850)245-6200

Division of Elections

Candidate Listing for 2012 General Election

Change Election

Group: ALL Status: ALL (except WIT/DNQ)
 Office: ALL County: ALL
 Last Name Like: Order by: Name

* You can narrow your search results for candidates by county. This will bring up the list of candidates who qualified with the Division of Elections, and are multi-county candidates. It will include every district within the county. If you would like to know the candidates you will be voting on at the county level, please contact your local county Supervisor of Elections

RUN QUERY

President of the United States

Candidate	Status	Primary	General
<u>Alexander, Stewart</u> (SOC) / Mendoza, Alex	Qualified		
<u>Anderson, Ross C. "Rocky"</u> (JPF) / Rodriguez, Luis J.	Qualified		
<u>Barnett, Andre</u> (REF) / Cross, Kenneth	Qualified		
<u>Barr, Roseanne</u> (PFP) / Sheehan, Cindy	Qualified		
<u>Byrne, David C.</u> (WRI) / Harris, Taralyn Treat	Qualified		
<u>Coniglio, Andrew Charles</u> (WRI) / Walsh, John William	Qualified		
<u>Duncan, Richard</u> (WRI) / Johnson, Ricky	Qualified		
<u>Durham, Stephen G.</u> (WRI) / Lopez, Christina	Qualified		
<u>Goode, Jr., Virgil H.</u> (CPF) / Clymer, James N.	Qualified		
<u>Hoefling, Tom</u> (AIP) / Ellis, Jonathan D.	Qualified		
<u>Johnson, Gary</u> (LIB) / Gray, James P.	Qualified		
<u>Lindsay, Peta</u> (PSL) / Osorio, Yari	Qualified		
<u>Magee, Erin Kent</u> (WRI) / Hamey, William Thomas	Qualified		
<u>Obama, Barack</u> (DEM) / Biden, Joe *Incumbent	Qualified		
<u>Reed, Jill</u> (WRI) / Cary, Tom	Qualified		
<u>Romney, Mitt</u> (REP) / Ryan, Paul	Qualified		
<u>Stein, Jill</u> (GRE) / Honkala, Cheri	Qualified		
<u>Stevens, Thomas Robert</u> (OBJ) / Link, Aiden	Qualified		

United States Senator

Candidate	Status	Primary	General
<u>Blass, Piotr</u> (WRI)	Qualified		
<u>Borgia, Chris</u> (NPA)	Qualified		
<u>Burkett, Glenn A.</u> (DEM)	Defeated	Eliminated	
<u>Craine, Naomi</u> (WRI)	Qualified		
<u>Gaylor, Bill</u> (NPA)	Qualified		
<u>Long, Lionel</u> (WRI)	Qualified		
<u>Mack, Connie</u> (REP)	Qualified	Won	
<u>McCallister, Mike</u> (REP)	Defeated	Eliminated	
<u>Monroe, Robert</u> (WRI)	Qualified		
<u>Nelson, Bill</u> (DEM)	Qualified	Won	
<u>Scott, Lawrence Sidney</u> (WRI)	Qualified		
<u>Stuart, Marielena</u> (REP)	Defeated	Eliminated	
<u>Weldon, Dave</u> (REP)	Defeated	Eliminated	

United States Representative

District	Candidate	Status	Primary	General
1	<u>Bryan, Jim</u> (DEM)	Qualified	Unopposed	
	<u>Drummond II, William Cleave</u> (WRI)	Qualified		
	<u>Fretts, Calen</u> (LIB)	Qualified		
	<u>Miller, Jeff</u> (REP)	Qualified	Unopposed	
2	<u>Bembry, Leonard</u> (DEM)	Defeated	Eliminated	
	<u>Lawson, Al</u> (DEM)	Qualified	Won	
	<u>Miller, Floyd Patrick</u> (WRI)	Qualified		
	<u>Peters, Alvin L.</u> (DEM)	Defeated	Eliminated	
	<u>Schlakman, Mark</u> (DEM)	Defeated	Eliminated	
3	<u>Southerland, Steve</u> (REP)	Qualified	Unopposed	
	<u>Dodds, Phillip</u> (NPA)	Qualified		
	<u>Gallot, J.R.</u> (DEM)	Qualified	Unopposed	
	<u>Jett, James</u> (REP)	Defeated	Eliminated	
	<u>Oatrich, Steve</u> (REP)	Defeated	Eliminated	
	<u>Ricks, Michael</u> (WRI)	Qualified		
	<u>Stearns, Clifford B. "Cliff"</u> (REP)	Defeated	Eliminated	
	<u>Yoho, Ted</u> (REP)	Qualified	Won	
	4	<u>Black, Bob</u> (REP)	Defeated	Eliminated
<u>Crenshaw, Ander</u> (REP)		Qualified	Won	
<u>Klauder, Jim</u> (NPA)		Qualified		
<u>Koniz, Gary</u> (WRI)		Qualified		
<u>Pueschel, Deborah Katz</u> (REP)		Defeated	Eliminated	
5	<u>Brown, Corrine</u> (DEM)	Qualified	Unopposed	
	<u>Fleming, Eileen</u> (NPA)	Qualified		
	<u>Kolb, LeAnne</u> (REP)	Qualified	Unopposed	

	<u>Riggs, Bruce Ray</u> (WRI)	Qualified		
6	<u>Beaven, Heather</u> (DEM)	Qualified	Won	
	<u>Clark, Richard</u> (REP)	Defeated	Eliminated	
	<u>Costello, Fred</u> (REP)	Defeated	Eliminated	
	<u>Desantis, Ron</u> (REP)	Qualified	Won	
	<u>Kogut, William Billy</u> (REP)	Defeated	Eliminated	
	<u>Miller, Craig</u> (REP)	Defeated	Eliminated	
	<u>Pueschel, Alec</u> (REP)	Defeated	Eliminated	
	<u>Slough, Beverly</u> (REP)	Defeated	Eliminated	
	<u>Verma, Vipin</u> (DEM)	Defeated	Eliminated	
7	<u>Adams, Sandra "Sandy"</u> (REP)	Defeated	Eliminated	
	<u>Kendall, Jason H.</u> (DEM)	Qualified	Won	
	<u>Marra, Fred</u> (WRI)	Qualified		
	<u>Mica, John</u> (REP)	Qualified	Won	
	<u>Rutz III, Nicholas</u> (DEM)	Defeated	Eliminated	
8	<u>Gillmor, Richard H.</u> (NPA)	Qualified		
	<u>Posey, Bill</u> (REP)	Qualified	Unopposed	
	<u>Roberts, Shannon</u> (DEM)	Qualified	Unopposed	
9	<u>Grayson, Alan</u> (DEM)	Qualified	Unopposed	
	<u>Long, Todd</u> (REP)	Qualified	Won	
	<u>Melendez, Julius Anthony</u> (REP)	Defeated	Eliminated	
	<u>Oxner, Mark</u> (REP)	Defeated	Eliminated	
	<u>Quinones, John "Q"</u> (REP)	Defeated	Eliminated	
10	<u>Damings, Val B.</u> (DEM)	Qualified	Unopposed	
	<u>Seegolam, Naipaul</u> (WRI)	Qualified		
	<u>Webster, Daniel</u> (REP)	Qualified	Unopposed	
11	<u>Nugent, Richard B. "Rich"</u> (REP)	Qualified	Unopposed	
	<u>Werder, H. David</u> (DEM)	Qualified	Unopposed	
12	<u>Bilirakis, Gus Michael</u> (REP)	Qualified	Unopposed	
	<u>Elliot, Paul Sidney</u> (NPA)	Qualified		
	<u>Russell, John</u> (NPA)	Qualified		
	<u>Snow, Jonathan Michael</u> (DEM)	Qualified	Unopposed	
13	<u>Ayres, Darren</u> (REP)	Defeated	Eliminated	
	<u>Ehrlich, Jessica</u> (DEM)	Qualified		
	<u>Vance, Madeline</u> (REP)	Defeated	Eliminated	
	<u>Young, C. W. Bill</u> (REP)	Qualified	Won	
14	<u>Adams, Jr., Eddie</u> (REP)	Defeated	Eliminated	
	<u>Castor, Kathy</u> (DEM)	Qualified	Unopposed	
	<u>Otero, Evello "EJ"</u> (REP)	Qualified	Won	
15	<u>Ross, Dennis</u> (REP)	Unopposed	Unopposed	Unopposed
16	<u>Buchanan, Vern</u> (REP)	Qualified	Unopposed	
	<u>Fitzgerald, Keith</u> (DEM)	Qualified	Unopposed	
17	<u>Arnold, Joe</u> (REP)	Defeated	Eliminated	
	<u>Baumann, Tom</u> (WRI)	Qualified		
	<u>Bronson, William</u> (DEM)	Qualified	Unopposed	
	<u>Rooney, Tom</u> (REP)	Qualified	Won	
18	<u>Buechler, Jerry Lee</u> (DEM)	Defeated	Eliminated	

	<u>Crowder, Robert L.</u> (REP)	Defeated	Eliminated
	<u>Holloman, Marilyn Davis</u> (WRI)	Qualified	
	<u>Horn, Jim</u> (DEM)	Defeated	Eliminated
	<u>Murphy, Patrick</u> (DEM)	Qualified	Won
	<u>West, Allen B.</u> (REP)	Qualified	Won
19	<u>Aubuchon, Gary</u> (REP)	Defeated	Eliminated
	<u>Davidow, Joe</u> (REP)	Defeated	Eliminated
	<u>Donalds, Byron</u> (REP)	Defeated	Eliminated
	<u>Goss, Chauncey Porter</u> (REP)	Defeated	Eliminated
	<u>Kreegel, Paige</u> (REP)	Defeated	Eliminated
	<u>Radel, Trey</u> (REP)	Qualified	Won
	<u>Roach, Jim</u> (DEM)	Qualified	Unopposed
	<u>Smith, Brandon M.</u> (NPA)	Qualified	
20	<u>Dutrow, Anthony M.</u> (WRI)	Qualified	
	<u>Hastings, Alcee L.</u> (DEM)	Qualified	Unopposed
	<u>Terry, Randall</u> (NPA)	Qualified	
21	<u>Deutch, Ted</u> (DEM)	Qualified	Unopposed
	<u>Henao, Cesar</u> (NPA)	Qualified	
	<u>Trout, W Michael (Mike)</u> (NPA)	Qualified	
22	<u>Frankel, Lois</u> (DEM)	Qualified	Won
	<u>Hasner, Adam</u> (REP)	Qualified	Unopposed
	<u>Jacobs, Kristin</u> (DEM)	Defeated	Eliminated
23	<u>Bresso, Gineen</u> (REP)	Defeated	Eliminated
	<u>deFaria, Ozzie</u> (REP)	Defeated	Eliminated
	<u>Garcia, Juan Elier</u> (REP)	Defeated	Eliminated
	<u>Harrington, Karen</u> (REP)	Qualified	Won
	<u>Katz, Ilya</u> (NPA)	Qualified	
	<u>Kaufman, Joseph "Joe"</u> (REP)	Defeated	Eliminated
	<u>Wasserman Schultz, Debbie</u> (DEM)	Qualified	Unopposed
24	<u>Moise, Rudolph "Rudy"</u> (DEM)	Defeated	Eliminated
	<u>Wilson, Frederica S.</u> (DEM)	Qualified	Won
25	<u>Blumenthal, Stanley</u> (NPA)	Qualified	
	<u>Diaz-Balart, Mario</u> (REP)	Qualified	Unopposed
	<u>VoteForEddie.Com</u> (NPA)	Qualified	
26	<u>Fernandez, Angel</u> (NPA)	Qualified	
	<u>Garcia, Joe</u> (DEM)	Qualified	Won
	<u>Marin, Gustavo</u> (DEM)	Defeated	Eliminated
	<u>Peixoto, Jose</u> (NPA)	Qualified	
	<u>Rivera, David</u> (REP)	Qualified	Unopposed
	<u>Romero Roses, Gloria</u> (DEM)	Defeated	Eliminated
	<u>Sternad, Lamar</u> (DEM)	Defeated	Eliminated
27	<u>Cruz-Wiggins, Thomas Joe</u> (NPA)	Qualified	
	<u>Ros-Lehtinen, Ileana</u> (REP)	Qualified	Unopposed
	<u>Yevancey, Manny</u> (DEM)	Qualified	Unopposed

State Attorney

Circuit	Candidate	Status	Primary	General
1	<u>Eddins, William</u> (REP) *Incumbent	Unopposed	Unopposed	Unopposed
2	<u>Meggs, William N. (Willie)</u> (DEM) *Incumbent	Qualified	Unopposed	
	<u>Williams, Pete</u> (REP)	Qualified	Unopposed	
3	<u>Brannon, Bill</u> (DEM) <u>Siegemeister, Jeff</u> (REP)	Qualified	Unopposed	
4	<u>Corey, Angela B.</u> (REP) *Incumbent	Unopposed	Unopposed	Unopposed
5	<u>King, Brad</u> (REP) *Incumbent	Unopposed	Unopposed	Unopposed
6	<u>McCabe, Bernie</u> (REP) *Incumbent	Unopposed	Unopposed	Unopposed
7	<u>Larizza, R.J.</u> (REP) *Incumbent <u>Warren, Stasia</u> (REP)	Unopposed	Won	Unopposed
		Defeated	Eliminated	
8	<u>Cervone, Bill</u> (REP) *Incumbent	Unopposed	Unopposed	Unopposed
9	<u>Ashton, Jeff</u> (DEM) <u>Lamar, Lawson Ledran</u> (DEM) *Incumbent	Unopposed	Won	Unopposed
		Defeated	Eliminated	
10	<u>Hill, Jerry</u> (REP) *Incumbent	Unopposed	Unopposed	Unopposed
11	<u>Malone, Omar</u> (WRI) <u>Rundle, Katherine Fernandez</u> (DEM) *Incumbent	Qualified	Won	
	<u>Samaroo, Michele</u> (WRI)	Qualified		
	<u>Vereen, Rod</u> (DEM)	Defeated	Eliminated	
12	<u>Brodsky, Ed</u> (REP) <u>Lombardo, Peter</u> (REP) <u>Torraco, John</u> (DEM)	Qualified	Won	
		Defeated	Eliminated	
		Qualified	Unopposed	
13	<u>Ober, Mark A.</u> (REP) *Incumbent	Unopposed	Unopposed	Unopposed
14	<u>Appleman, Jim</u> (REP) <u>Hess, Glenn</u> (REP) *Incumbent	Defeated	Eliminated	
		Unopposed	Won	Unopposed
15	<u>Aronberg, Dave</u> (DEM) <u>Gershman, Robert</u> (NPA) <u>Keever, Dina A.</u> (REP)	Qualified	Unopposed	
		Qualified		
		Qualified	Unopposed	
16	<u>Kohl, Mark E.</u> (REP) <u>Vogel, Catherine</u> (DEM) <u>Ward, Dennis W.</u> (DEM) *Incumbent	Qualified	Unopposed	
		Qualified	Won	
		Defeated	Eliminated	
17	<u>Lewis, Jim</u> (REP) <u>Mancini, Chris</u> (DEM) <u>Satz, Mike</u> (DEM) *Incumbent	Qualified	Unopposed	
		Defeated	Eliminated	
		Qualified	Won	
18	<u>Archer, Phil</u> (REP) <u>Veslo, Ryan James</u> (DEM)	Qualified	Unopposed	
		Qualified	Unopposed	
19	<u>Colton, Bruce</u> (REP) *Incumbent	Unopposed	Unopposed	Unopposed

Public Defender

Circuit	Candidate	Status	Primary	General
1	<u>Miller, Bruce A.</u> (REP)	Unopposed	Won	Unopposed
	<u>Owens, James</u> (REP) *Incumbent	Defeated	Eliminated	

2	<u>Daniels, Nancy</u> (DEM) *Incumbent	Unopposed	Unopposed	Unopposed
3	<u>Payne, Blair</u> (DEM)	Unopposed	Unopposed	Unopposed
4	<u>Fletcher, William Charles "Chuck"</u> (REP)	Defeated	Eliminated	
	<u>Shirk, Matthew A. (Matt)</u> (REP) *Incumbent	Unopposed	Won	Unopposed
5	<u>Graves, Mike</u> (REP)	Unopposed	Won	Unopposed
	<u>Samargya, Bo</u> (REP)	Defeated	Eliminated	
6	<u>Dillinger, Bob</u> (REP) *Incumbent	Unopposed	Unopposed	Unopposed
7	<u>Purdy, James S.</u> (REP) *Incumbent	Unopposed	Unopposed	Unopposed
8	<u>Scott, Stacy Ann</u> (DEM) *Incumbent	Unopposed	Unopposed	Unopposed
9	<u>Wesley, Bob</u> (DEM) *Incumbent	Unopposed	Unopposed	Unopposed
10	<u>Dimmig, Rex</u> (REP)	Unopposed	Unopposed	Unopposed
11	<u>Martinez, Carlos J.</u> (DEM) *Incumbent	Unopposed	Unopposed	Unopposed
12	<u>Eger, Larry Louis</u> (REP) *Incumbent	Unopposed	Unopposed	Unopposed
13	<u>Holt, Julianne M.</u> (DEM) *Incumbent	Unopposed	Unopposed	Unopposed
14	<u>Laramore, Herman D.</u> (DEM) *Incumbent	Unopposed	Unopposed	Unopposed
15	<u>Hauchwout, Carey</u> (DEM) *Incumbent	Unopposed	Unopposed	Unopposed
16	<u>Enright, Rosemary E.</u> (DEM) *Incumbent	Unopposed	Unopposed	Unopposed
17	<u>Finkelstein, Howard</u> (DEM) *Incumbent	Unopposed	Unopposed	Unopposed
18	<u>Rhoden, Ken</u> (REP)	Defeated	Eliminated	
	<u>Trettis, Blaise</u> (REP)	Qualified	Won	Unopposed
19	<u>Litty, Diamond R</u> (REP) *Incumbent	Unopposed	Unopposed	Unopposed

State Senator

District	Candidate	Status	Primary	General
1	<u>Gaetz, Don</u> (REP)	Qualified	Unopposed	
	<u>Harrison, Richard</u> (NPA)	Qualified		
2	<u>Evers, Greg</u> (REP)	Qualified	Unopposed	
	<u>Hartigan, Joshua W.</u> (WRI)	Qualified		
3	<u>Montford, Bill</u> (DEM)	Qualified	Unopposed	
	<u>Shaw, John</u> (REP)	Qualified	Unopposed	
4	<u>Bean, Aaron</u> (REP)	Qualified	Won	
	<u>Bedran, Kyle Alexander</u> (WRI)	Qualified		
	<u>Mency, Patrick Dewayne</u> (WRI)	Qualified		
	<u>Soderberg, Nancy</u> (DEM)	Qualified	Unopposed	
	<u>Weinstein, Mike</u> (REP)	Defeated	Eliminated	
5	<u>Dean, Charles S.</u> (REP)	Unopposed	Unopposed	Unopposed
	<u>Kravitz, Dick</u> (REP)	Transferred to Local Office		
6	<u>Thrasher, John</u> (REP)	Qualified	Unopposed	
	<u>Trued, Kathleen</u> (DEM)	Qualified	Unopposed	
7	<u>Bradley, Rob</u> (REP)	Qualified	Unopposed	
	<u>Mazzota, William</u> (DEM)	Qualified	Unopposed	
8	<u>Bruno, Jr., Frank T.</u> (DEM)	Qualified	Unopposed	
	<u>Hukill, Dorothy L.</u> (REP)	Qualified	Unopposed	

	<u>Patterson, Pat</u> (REP)	Transferred to Local Office	
9	<u>Gibson, Audrey</u> (DEM)	Qualified	Unopposed
	<u>Newby, Cherron "CC"</u> (REP)	Qualified	Unopposed
10	<u>Adameczyk, James Patrick</u> (WRI)	Qualified	
	<u>Cruz, Leo</u> (DEM)	Qualified	Unopposed
	<u>Simmons, David</u> (REP)	Qualified	Unopposed
11	<u>Hays, Alan</u> (REP)	Qualified	Unopposed
	<u>Iler, John</u> (NPA)	Qualified	
12	<u>Seide, Fritz Jackson</u> (REP)	Qualified	Unopposed
	<u>Spilln, Victoria</u> (DEM)	Defeated	Eliminated
	<u>Thompson, Geraldine F.</u> (DEM)	Qualified	Won
13	<u>Gardiner, Andy</u> (REP)	Qualified	Unopposed
	<u>Pennington, Christopher Charles</u> (DEM)	Qualified	Unopposed
	<u>Waters, Leslie</u> (REP)	Transferred to Local Office	
14	<u>McBride, William</u> (REP)	Qualified	Unopposed
	<u>Soto, Darren</u> (DEM)	Qualified	Unopposed
15	<u>Blue, Stego</u> (DEM)	Qualified	Unopposed
	<u>Myers, Jack R.</u> (REP)	Defeated	Eliminated
	<u>Rushing, Ronald D.</u> (REP)	Defeated	Eliminated
	<u>Stargel, Kelli</u> (REP)	Qualified	Won
16	<u>Altman, Thad</u> (REP)	Qualified	Unopposed
	<u>Fallo II, Dominic A</u> (DEM)	Qualified	Unopposed
17	<u>Korsak, John</u> (REP)	Defeated	Eliminated
	<u>Legg, John</u> (REP)	Unopposed	Won Unopposed
	<u>Wallace, Rob</u> (REP)	Defeated	Eliminated
18	<u>Simpson, Wilton</u> (REP)	Unopposed	Unopposed Unopposed
19	<u>Joyner, Arthenia L.</u> (DEM)	Unopposed	Unopposed Unopposed
20	<u>Latvala, Jack</u> (REP)	Qualified	Won
	<u>Rhodes-Courter, Ashley M.</u> (DEM)	Qualified	Unopposed
	<u>Roy, Zahid</u> (REP)	Defeated	Eliminated
21	<u>Grimsley, Denise</u> (REP)	Qualified	Unopposed
	<u>McCland, Stacy Anderson</u> (DEM)	Qualified	Unopposed
22	<u>Baker, Raymond Alan</u> (WRI)	Qualified	
	<u>Brandes, Jeff</u> (REP)	Qualified	Won
	<u>Frishe, James C. "Jim"</u> (REP)	Defeated	Eliminated
23	<u>Richter, Garrett</u> (REP)	Unopposed	Unopposed Unopposed
24	<u>Belcher, Elizabeth</u> (DEM)	Qualified	Unopposed
	<u>Burgin, Rachel V.</u> (REP)	Defeated	Eliminated
	<u>Lee, Tom</u> (REP)	Qualified	Won
	<u>Link, Randolph</u> (WRI)	Qualified	
25	<u>Abruzzo, Joseph</u> (DEM)	Qualified	Unopposed
	<u>Peterson, Melanie</u> (REP)	Qualified	Won
	<u>Sommers, Geoff</u> (REP)	Defeated	Eliminated

26	<u>Galvano, Bill</u> (REP)	Qualified	Unopposed
	<u>House, Paula</u> (DEM)	Qualified	Unopposed
27	<u>Bernard, Mack</u> (DEM)	Defeated	Eliminated
	<u>Clemens, Jeff</u> (DEM)	Qualified	Won
	<u>Harris, Travis Genard</u> (WRI)	Qualified	
28	<u>Deterf, Nancy C.</u> (REP)	Unopposed	Unopposed Unopposed
29	<u>Ring, Jeremy</u> (DEM)	Qualified	Unopposed
	<u>Swensen, Soren</u> (REP)	Qualified	Unopposed
30	<u>Benacquisto, Lizbett</u> (REP)	Qualified	Unopposed
	<u>Jordan, Debbie</u> (DEM)	Qualified	Unopposed
31	<u>Smith, Christopher "Chris"</u> (DEM)	Qualified	Unopposed
	<u>Smithmyer, Christopher "Chris"</u> (REP)	Qualified	Unopposed
32	<u>D'Amiano, Ray</u> (DEM)	Qualified	Unopposed
	<u>Negron, Joe</u> (REP)	Qualified	Unopposed
33	<u>Gambardella, Rita</u> (WRI)	Qualified	
	<u>Selaya, Juan</u> (REP)	Qualified	Unopposed
	<u>Sobel, Eleanor</u> (DEM)	Qualified	Unopposed
34	<u>Bogdanoff, Ellyn</u> (REP)	Qualified	Won
	<u>Kiar, Martin David</u> (DEM)	Transferred to Local Office	
	<u>Lamever, Mike</u> (REP)	Defeated	Eliminated
	<u>Sachs, Maria</u> (DEM)	Qualified	Unopposed
35	<u>Couriel, John Daniel</u> (REP)	Qualified	Unopposed
	<u>Marqolis, Gwen</u> (DEM)	Qualified	Unopposed
36	<u>Bravnon, II, Oscar</u> (DEM)	Unopposed	Unopposed Unopposed
37	<u>Flores, Anitere</u> (REP)	Unopposed	Unopposed Unopposed
38	<u>Garcla, Rene</u> (REP)	Unopposed	Unopposed Unopposed
39	<u>Bullard, Dwight</u> (DEM)	Qualified	Won
	<u>Bush III, James</u> (DEM)	Defeated	Eliminated
	<u>Gulierrez, Sal</u> (DEM)	Defeated	Eliminated
	<u>Hopes, Scott</u> (REP)	Qualified	Unopposed
	<u>Johnson, John "JJ"</u> (DEM)	Defeated	Eliminated
	<u>Saunders, Ron</u> (DEM)	Defeated	Eliminated
40	<u>Diaz de la Portilla, Miguel</u> (REP)	Unopposed	Unopposed Unopposed

State Representative

District	Candidate	Status	Primary	General
1	<u>Ingram, Clay</u> (REP)	Unopposed	Unopposed	Unopposed
2	<u>Bosso, Jeremy M.</u> (REP)	Defeated	Eliminated	
	<u>Ford, C.V. (Clay)</u> (REP)	Unopposed	Won	Unopposed
3	<u>Broxson, Doug</u> (REP)	Qualified	Won	
	<u>Smith, Margaret "Peggi"</u> (WRI)	Qualified		
	<u>Williamson, Jayer</u> (REP)	Defeated	Eliminated	

4	<u>Gaetz, Matt</u> (REP)	Unopposed	Unopposed Unopposed
5	<u>Coley, Marti</u> (REP)	Qualified	Won
	<u>Glidewell, Danny</u> (REP)	Defeated	Eliminated
	<u>Holman, Eddy G.</u> (WRI)	Qualified	
	<u>Pitts, Travis W.</u> (NPA)	Qualified	
6	<u>Patronis, Jimmy</u> (REP)	Unopposed	Unopposed Unopposed
7	<u>Beshears, Halsey</u> (REP)	Qualified	Won
	<u>Curtis, Don</u> (REP)	Defeated	Eliminated
	<u>Dickens, Thomas</u> (DEM)	Defeated	Eliminated
	<u>Hill, Robert</u> (DEM)	Qualified	Won
	<u>Smith, A.J.</u> (DEM)	Defeated	Eliminated
	<u>Westbrook, Jamey</u> (REP)	Defeated	Eliminated
	<u>Williams, Mike</u> (REP)	Defeated	Eliminated
8	<u>Williams, Alan</u> (DEM)	Unopposed	Unopposed Unopposed
9	<u>Maxwell, Bradley</u> (REP)	Qualified	Unopposed
	<u>Rehwinkel Vasillinda, Michelle</u> (DEM)	Qualified	Unopposed
10	<u>Porter, Elizabeth</u> (REP)	Unopposed	Unopposed Unopposed
11	<u>Adkins, Janet H.</u> (REP)	Qualified	Won
	<u>Byrd, Cord</u> (REP)	Defeated	Eliminated
	<u>Smith, Dave</u> (DEM)	Qualified	Unopposed
	<u>Walsh, Daniel F. (Walshie)</u> (WRI)	Qualified	
12	<u>Morian, Karen</u> (GRE)	Qualified	
	<u>Rav, Lake</u> (REP)	Qualified	Unopposed
13	<u>Fullwood, Reggie</u> (DEM)	Unopposed	Unopposed Unopposed
14	<u>Jones, Mia L.</u> (DEM)	Qualified	Unopposed
	<u>Loesche, Jonathan</u> (LIB)	Qualified	
15	<u>Davis, Daniel</u> (REP)	Unopposed	Unopposed Unopposed
16	<u>McBurney, Charles</u> (REP)	Unopposed	Unopposed Unopposed
17	<u>Davis, Mike</u> (REP)	Defeated	Eliminated
	<u>Kendall, Kim J.</u> (REP)	Defeated	Eliminated
	<u>Renuart, Ronald "Doc"</u> (REP)	Qualified	Won
	<u>Sharp, Rebecca "Sue"</u> (NPA)	Qualified	
18	<u>Cummings, Travis</u> (REP)	Unopposed	Unopposed Unopposed
19	<u>Van Zant, Charles</u> (REP)	Unopposed	Unopposed Unopposed
20	<u>Brinkman, Robert W</u> (WRI)	Qualified	
	<u>Watson, Jr., Clovis</u> (DEM)	Qualified	Won
	<u>Wheeler, Marihelen</u> (DEM)	Defeated	Eliminated
21	<u>Bosshardt, Aaron</u> (DEM)	Defeated	Eliminated
	<u>Morey, Andrew</u> (DEM)	Qualified	Won
	<u>Perry, Keith</u> (REP)	Qualified	Unopposed
22	<u>Stone, Charlie</u> (REP)	Unopposed	Unopposed Unopposed
23	<u>Baxley, Dennis</u> (REP)	Unopposed	Unopposed Unopposed
24	<u>Cornish, Michael</u> (NPA)	Qualified	
	<u>Courtney, Doug</u> (DEM)	Defeated	Eliminated
	<u>Holland, Milissa</u> (DEM)	Qualified	Won
	<u>Hulson, Travis</u> (REP)	Qualified	Unopposed

25	<u>Hood, Dave</u> (REP)	Qualified	Unopposed
	<u>Spencer-Kephart, Christina</u> (NPA)	Qualified	
26	<u>Taylor, Dwayne L.</u> (DEM)	Unopposed	Unopposed Unopposed
27	<u>Giorno, Phil</u> (DEM)	Qualified	
	<u>Sanliago, David</u> (REP)	Qualified	Won
	<u>Trovato, George</u> (REP)	Defeated	Eliminated
28	<u>Brodeur, Jason</u> (REP)	Qualified	Won
	<u>Bush, John F.</u> (REP)	Defeated	Eliminated
	<u>Perez, Franklin</u> (LIB)	Qualified	
29	<u>Clelland, Mike</u> (DEM)	Qualified	Unopposed
	<u>Dorworth, Chris</u> (REP)	Qualified	Won
	<u>Moffitt, John</u> (REP)	Defeated	Eliminated
	<u>Onest, Jeffrey</u> (REP)	Defeated	Eliminated
30	<u>Dentel, Karen Castor</u> (DEM)	Qualified	Unopposed
	<u>Dentel, Karen Castor</u> (DEM)	Active	
	<u>Plakon, Scott</u> (REP)	Qualified	Unopposed
31	<u>Nelson, Bryan</u> (REP)	Unopposed	Unopposed Unopposed
32	<u>Metz, Larry</u> (REP)	Unopposed	Unopposed Unopposed
33	<u>O'Toole, H. Mariene</u> (REP)	Unopposed	Unopposed Unopposed
34	<u>Argenziano, Nancy</u> (INT)	Qualified	
	<u>Goocher, Robert Raymond</u> (DEM)	Defeated	Eliminated
	<u>Smith, Jimmie T.</u> (REP)	Qualified	Unopposed
35	<u>Rocco, Rose</u> (DEM)	Qualified	Unopposed
	<u>Schenck, Robert</u> (REP)	Qualified	Unopposed
36	<u>Fasano, Mike</u> (REP)	Qualified	Won
	<u>Kennedy, Michael</u> (REP)	Defeated	Eliminated
	<u>Mathieu, James</u> (REP)	Defeated	Eliminated
	<u>Verola, Joseph Antimo</u> (WRI)	Qualified	
37	<u>Corcoran, Richard</u> (REP)	Unopposed	Won Unopposed
	<u>Hammond, Strother</u> (REP)	Defeated	Eliminated
38	<u>Weatherford, Will</u> (REP)	Unopposed	Unopposed Unopposed
39	<u>Castagnero, Carol</u> (NPA)	Qualified	
	<u>Combee, Neil</u> (REP)	Qualified	Unopposed
40	<u>Lima, Lillian</u> (NPA)	Qualified	
	<u>McKeel, Seth</u> (REP)	Qualified	Unopposed
41	<u>Lindsey Jr., John W.</u> (REP)	Defeated	Eliminated
	<u>Welzel, Karen Cooper</u> (DEM)	Qualified	Unopposed
	<u>Wood, John</u> (REP)	Qualified	Won
42	<u>Game, Eileen</u> (DEM)	Qualified	Unopposed
	<u>LaRosa, Mike</u> (REP)	Qualified	
43	<u>Otero, Art</u> (REP)	Qualified	Unopposed
	<u>Rangel, Ricardo</u> (DEM)	Qualified	Unopposed
44	<u>Precourt, Steve</u> (REP)	Unopposed	Unopposed Unopposed
45	<u>Bracy, Randolph</u> (DEM)	Qualified	Won
	<u>Currie, Shannon</u> (DEM)	Defeated	Eliminated
	<u>Heinzelman, Heinle</u> (WRI)	Qualified	
	<u>Oliveira, Ronney Roger</u> (REP)	Qualified	Unopposed

46	<u>Antone, Bruce</u> (DEM)	Unopposed	Won	Unopposed
	<u>Bradford, Sean</u> (DEM)	Defeated	Eliminated	
	<u>Henry, Jason</u> (DEM)	Defeated	Eliminated	
	<u>Johnson, Rosalind B.</u> (DEM)	Defeated	Eliminated	
	<u>Powell, Pam</u> (DEM)	Defeated	Eliminated	
47	<u>Brooks, Bob</u> (REP)	Qualified	Unopposed	
	<u>Stewart, Linda</u> (DEM)	Qualified	Unopposed	
48	<u>Torres, Jr., Victor M.</u> (DEM)	Unopposed	Unopposed	Unopposed
49	<u>Elahi, Shayan</u> (DEM)	Defeated	Eliminated	
	<u>Pena, Marco</u> (REP)	Qualified	Won	
	<u>Plasencia, Rene "Coach P"</u> (REP)	Defeated	Eliminated	
	<u>Saunders, Joe</u> (DEM)	Qualified	Won	
50	<u>Ashby, Sean</u> (DEM)	Qualified	Unopposed	
	<u>Goodson, Tom</u> (REP)	Qualified	Unopposed	
51	<u>Crisafulli, Steve</u> (REP)	Unopposed	Unopposed	Unopposed
52	<u>Workman, Ritch</u> (REP)	Unopposed	Unopposed	Unopposed
53	<u>Alvarez, John Paul</u> (DEM)	Qualified	Won	
	<u>Geier, Edward (Ed) Lewis</u> (DEM)	Defeated	Eliminated	
	<u>Holton, Tres</u> (REP)	Defeated	Eliminated	
	<u>Tobia, John</u> (REP)	Qualified	Won	
	<u>Trent, Laureen</u> (REP)	Defeated	Eliminated	
54	<u>Mayfield, Debbie</u> (REP)	Unopposed	Unopposed	Unopposed
55	<u>Drake, Crystal</u> (DEM)	Qualified	Unopposed	
	<u>Johnson, Randy</u> (REP)	Defeated	Eliminated	
	<u>Pigman, Cary</u> (REP)	Qualified	Won	
56	<u>Albritton, Ben</u> (REP)	Unopposed	Unopposed	Unopposed
57	<u>Barnett, Bruce</u> (DEM)	Qualified	Unopposed	
	<u>Hollands, Brian</u> (REP)	Defeated	Eliminated	
	<u>Raburn, Jake</u> (REP)	Qualified	Won	
58	<u>Raulerson, Dan</u> (REP)	Qualified	Unopposed	
	<u>Vazquez, Jose</u> (DEM)	Qualified	Unopposed	
59	<u>Floyd, Michael "Mike"</u> (REP)	Defeated	Eliminated	
	<u>Gottlieb, Gail</u> (DEM)	Qualified	Unopposed	
	<u>Spano, Ross</u> (REP)	Qualified	Won	
	<u>Tompkins, Betty Jo</u> (REP)	Defeated	Eliminated	
	<u>Wicker, Joe</u> (REP)	Defeated	Eliminated	
60	<u>Young, Dana</u> (REP)	Unopposed	Unopposed	Unopposed
61	<u>Danson, Taliana M.</u> (DEM)	Defeated	Eliminated	
	<u>Reed, Betty</u> (DEM)	Unopposed	Won	Unopposed
62	<u>Cruz, Janet</u> (DEM)	Qualified	Unopposed	
	<u>Warren, Wesley G.</u> (REP)	Qualified	Unopposed	
63	<u>Danish, Mark</u> (DEM)	Qualified	Won	
	<u>Hafeez, Z. J.</u> (DEM)	Defeated	Eliminated	
	<u>Harrison, Shawn</u> (REP)	Qualified	Unopposed	
64	<u>Grant, James</u> (REP)	Unopposed	Unopposed	Unopposed
85	<u>Baker, Marg</u> (REP)	Defeated	Eliminated	
	<u>Nehr, Peter</u> (REP)	Qualified	Won	

	<u>Perfetti, Tory</u> (REP)	Defeated	Eliminated	
	<u>Tropea, Philip</u> (REP)	Defeated	Eliminated	
	<u>Zimmermann, Carl "Z"</u> (DEM)	Qualified	Unopposed	
66	<u>Ahem, Larry</u> (REP)	Qualified	Unopposed	
	<u>Ambrose, Mary Louise</u> (DEM)	Qualified	Won	
	<u>Kennedy, Joanne "Cookie"</u> (DEM)	Defeated	Eliminated	
67	<u>Farrell, Ben</u> (DEM)	Qualified	Unopposed	
	<u>Hooper, Ed</u> (REP)	Qualified	Won	
	<u>Shepard, Christopher</u> (REP)	Defeated	Eliminated	
68	<u>Dudley, Dwight</u> (DEM)	Qualified	Unopposed	
	<u>Farkas, Frank</u> (REP)	Qualified	Won	
	<u>Hamel, Daryle L.</u> (REP)	Defeated	Eliminated	
	<u>Weidner, Matthew D.</u> (NPA)	Qualified		
69	<u>Dobyns, Jim</u> (REP)	Defeated	Eliminated	
	<u>Peters, Kathleen</u> (REP)	Qualified	Won	
	<u>Phillips, David</u> (REP)	Defeated	Eliminated	
	<u>Shulman, Josh</u> (DEM)	Qualified	Unopposed	
70	<u>Rouson, Darryl Ervin</u> (DEM)	Unopposed	Unopposed	Unopposed
71	<u>Boyd, Jim</u> (REP)	Qualified	Unopposed	
	<u>Tebrugge, Adam</u> (DEM)	Qualified	Unopposed	
72	<u>Albert, Liz</u> (DEM)	Qualified	Unopposed	
	<u>Pilon, Ray</u> (REP)	Qualified	Unopposed	
73	<u>McCann, Bob (Doc)</u> (NPA)	Qualified		
	<u>Steube, Greg</u> (REP)	Qualified	Unopposed	
74	<u>Holder, Doug</u> (REP)	Unopposed	Unopposed	Unopposed
75	<u>Roberson, Ken</u> (REP)	Unopposed	Unopposed	Unopposed
76	<u>Grant, Michael</u> (REP)	Defeated	Eliminated	
	<u>Rodrigues, Ray</u> (REP)	Unopposed	Won	Unopposed
	<u>Solinger, Chauncey</u> (REP)	Defeated	Eliminated	
77	<u>Berardi, Chris</u> (REP)	Defeated	Eliminated	
	<u>Clare, Arvella M.</u> (DEM)	Qualified	Unopposed	
	<u>Eagle, Dane</u> (REP)	Qualified	Won	
78	<u>Babb, Kerry</u> (INT)	Qualified		
	<u>Fitzenhagen, Heather</u> (REP)	Qualified	Won	
	<u>Martin, Jonathan</u> (REP)	Defeated	Eliminated	
79	<u>Caldwell, Matt</u> (REP)	Unopposed	Won	Unopposed
	<u>Shudlick, Jon Larsen</u> (REP)	Defeated	Eliminated	
80	<u>Brown, Pam</u> (NPA)	Qualified		
	<u>Hudson, Matt</u> (REP)	Qualified	Unopposed	
81	<u>O'Hara, James Ryan</u> (REP)	Qualified	Unopposed	
	<u>Perman, Steve</u> (DEM)	Defeated	Eliminated	
	<u>Rader, Kevin</u> (DEM)	Qualified	Won	
82	<u>Domino, Carl J.</u> (REP)	Defeated	Eliminated	
	<u>Hires, Beverly Joy</u> (WRI)	Qualified		
	<u>Magar, MaryLynn</u> (REP)	Qualified	Won	
	<u>Milton, Jonathan W.</u> (REP)	Defeated	Eliminated	

	<u>Pasqualone, Jonathan "Jon" W.</u> (REP)	Defeated	Eliminated
	<u>Turnquest, Calvin D.</u> (REP)	Defeated	Eliminated
83	<u>Conaway, Dana Kaye</u> (WRI)	Qualified	
	<u>Harrell, Gayle</u> (REP)	Qualified	Unopposed
84	<u>Fetterman, Adam</u> (DEM)	Defeated	Eliminated
	<u>Lee, Jr., Larry</u> (DEM)	Qualified	Won
	<u>Miller, Michelle</u> (REP)	Qualified	Unopposed
	<u>Stinnette, L. Kevin</u> (DEM)	Defeated	Eliminated
85	<u>Lutin, David</u> (DEM)	Qualified	Unopposed
	<u>Rooney, Jr., Pat</u> (REP)	Qualified	Unopposed
86	<u>Donnally, Tami L.</u> (REP)	Qualified	Unopposed
	<u>Pafford, Mark</u> (DEM)	Qualified	Unopposed
87	<u>Kerner, Dave</u> (DEM)	Unopposed	Won Unopposed
	<u>Rios, Mike</u> (DEM)	Defeated	Eliminated
88	<u>Bantel, Charles</u> (DEM)	Defeated	Eliminated
	<u>Garcia, Evelyn T.</u> (DEM)	Defeated	Eliminated
	<u>Powell, Bobby</u> (DEM)	Unopposed	Won Unopposed
	<u>Wells, Nikasha</u> (DEM)	Defeated	Eliminated
89	<u>Gustafson, Tom</u> (DEM)	Qualified	Unopposed
	<u>Hager, Bill</u> (REP)	Qualified	Unopposed
90	<u>Berman, Lori</u> (DEM)	Qualified	Unopposed
	<u>Kasper, Sean Michael</u> (REP)	Qualified	Unopposed
91	<u>Slosberg, Irving "Irv"</u> (DEM)	Unopposed	Unopposed Unopposed
92	<u>Clarke-Reed, Gwyndolen "Gwyn"</u> (DEM)	Unopposed	Unopposed Unopposed
93	<u>Capotosto, Gerri Ann</u> (DEM)	Qualified	Unopposed
	<u>Moralis, George</u> (REP)	Qualified	Unopposed
94	<u>Herman, Scott</u> (REP)	Qualified	Unopposed
	<u>Thurston, Jr., Perry E.</u> (DEM)	Qualified	Unopposed
95	<u>Rogers, Hazelle P.</u> (DEM)	Unopposed	Unopposed Unopposed
96	<u>Waldman, Jlm</u> (DEM)	Unopposed	Unopposed Unopposed
97	<u>Gleason, James</u> (REP)	Qualified	Unopposed
	<u>Moskowitz, Jared E.</u> (DEM)	Qualified	Unopposed
98	<u>Edwards, Katie</u> (DEM)	Qualified	Won
	<u>Pavalock, Cara Christine</u> (REP)	Qualified	Unopposed
	<u>Reinstein, Louis</u> (DEM)	Defeated	Eliminated
	<u>Stermer, Daniel J.</u> (DEM)	Transferred to Local Office	
99	<u>Eddy, Elizabeth Anne "Libby"</u> (REP)	Qualified	Unopposed
	<u>Schwartz, Elaine J.</u> (DEM)	Qualified	Unopposed
100	<u>Gibbons, Joseph "Joe"</u> (DEM)	Unopposed	Won Unopposed
	<u>Jenne, Evan</u> (DEM)	Transferred to Local Office	
	<u>Lisbon, Sheldon</u> (DEM)	Defeated	Eliminated
101	<u>Jones, Shevrin D.</u> (DEM)	Unopposed	Unopposed Unopposed
102	<u>Bratton, Melvin L.</u> (DEM)	Defeated	Eliminated

		Transferred to Local Office		
	<u>Fortich, Jessica "Jessie" (REP)</u>			
	<u>Pritchett, Sharon (DEM)</u>	Qualified	Won	
	<u>Walters, Alejandro Manuel (WRI)</u>	Qualified		
103	<u>Diaz de la Portilla, Renier (REP)</u>	Defeated	Eliminated	
	<u>Diaz, Jr., Manny (REP)</u>	Qualified	Won	
	<u>Naredo-Acosta, Alfredo (REP)</u>	Defeated	Eliminated	
	<u>Vazquez, Josue (WRI)</u>	Qualified		
104	<u>Behrman, Robln P. (DEM)</u>	Defeated	Eliminated	
	<u>Harrison, Douglas "Doug" Andrew Gordon (REP)</u>	Qualified	Unopposed	
	<u>Mersinger, Alanna O. (DEM)</u>	Defeated	Eliminated	
	<u>Stark, Richard "Rick" (DEM)</u>	Qualified	Won	
105	<u>Crespo, Paul (REP)</u>	Defeated	Eliminated	
	<u>Robayna, Raul Rene (WRI)</u>	Qualified		
	<u>Trullio, Carlos (REP)</u>	Qualified	Won	
106	<u>Bolduc, David P. (REP)</u>	Defeated	Eliminated	
	<u>Passidomo, Kathleen (REP)</u>	Qualified	Won	
	<u>Richter, Peter (LIB)</u>	Qualified		
107	<u>Julien, John Patrick (DEM)</u>	Defeated	Eliminated	
	<u>Rhymes, Janice Denise (WRI)</u>	Qualified		
	<u>Watson, Barbara (DEM)</u>	Qualified	Won	
	<u>Williams, Vickie Renee (WRI)</u>	Qualified		
108	<u>Campbell, Daphne (DEM)</u>	Unopposed	Won	Unopposed
	<u>Desulme, Alix (DEM)</u>	Defeated	Eliminated	
	<u>Santangelo, Pal (DEM)</u>	Defeated	Eliminated	
109	<u>Bush, Bernadine (DEM)</u>	Defeated	Eliminated	
	<u>Stafford, Cynthia A. (DEM)</u>	Unopposed	Won	Unopposed
110	<u>Abay, Ileana (REP)</u>	Defeated	Eliminated	
	<u>Morera, Angel E. (WRI)</u>	Qualified		
	<u>Oliva, Jose (REP)</u>	Qualified	Won	
111	<u>Balboa, Maykel "Miguel" (REP)</u>	Defeated	Eliminated	
	<u>Gonzalez, Eddy (REP)</u>	Qualified	Won	
	<u>Limia, Grettel (WRI)</u>	Qualified		
	<u>Rodriguez, Lizette B. (WRI)</u>	Qualified		
112	<u>Barreiro, Gustavo (REP)</u>	Defeated	Eliminated	
	<u>Diaz de la Portilla, Alex (REP)</u>	Qualified	Won	
	<u>Dominguez, Alex (DEM)</u>	Defeated	Eliminated	
	<u>Rodriguez, Jose Javier (DEM)</u>	Qualified	Won	
113	<u>Faura, Waldo (DEM)</u>	Defeated	Eliminated	
	<u>Kravitz, Adam Marc (DEM)</u>	Defeated	Eliminated	
	<u>Richardson, David (DEM)</u>	Unopposed	Won	Unopposed
	<u>Weithorn, Mark (DEM)</u>	Defeated	Eliminated	
114	<u>Bodln, Amory (REP)</u>	Defeated	Eliminated	
	<u>Fresen, Erik (REP)</u>	Qualified	Won	
	<u>Hancock, Ross (DEM)</u>	Qualified	Unopposed	
115	<u>Bileca, Michael (REP)</u>	Qualified	Won	

	<u>Perez, Eugenio</u> (REP)	Defeated	Eliminated
	<u>Solomon, Jeffrey (Doc)</u> (DEM)	Qualified	Unopposed
116	<u>Daire, Javier</u> (WRI)	Qualified	
	<u>Diaz, Jose Felix</u> (REP)	Qualified	Won
	<u>Logan, Ana Rivas</u> (REP)	Defeated	Eliminated
	<u>Mena, Maria Elisa</u> (WRI)	Qualified	
117	<u>Ford, Harold</u> (DEM)	Defeated	Eliminated
	<u>McGhee, Klonne L.</u> (DEM)	Qualified	Won
	<u>Morris, Carmen</u> (DEM)	Defeated	Eliminated
	<u>Vaz, Xzavia S.</u> (WRI)	Qualified	
118	<u>Artiles, Frank</u> (REP)	Qualified	Unopposed
	<u>Garganta, Ramon Julio</u> (WRI)	Qualified	
119	<u>Nunez, Jeanette M.</u> (REP)	Qualified	Won
	<u>Oria, Beatrice</u> (WRI)	Qualified	
	<u>Perez, Libby</u> (REP)	Defeated	Eliminated
120	<u>McPherson, Morgan J.</u> (REP)	Defeated	Eliminated
	<u>Raschein, Holly Merrill</u> (REP)	Qualified	Won
	<u>Whitney, Jan</u> (DEM)	Qualified	Unopposed

Supreme Court Justice

Candidate	Status	Primary	General
<u>Lewis, R. Fred</u> (NOP)	Qualified		
<u>Pariente, Barbara J.</u> (NOP)	Qualified		
<u>Quince, Peggy A.</u> (NOP)	Qualified		

District Court of Appeal

District	Candidate	Status	Primary	General
1	<u>Marstiller, Simone</u> (NOP)	Qualified		
	<u>Ray, Stephanie</u> (NOP)	Qualified		
	<u>Swanson, Ron</u> (NOP)	Qualified		
	<u>Thomas, Brad</u> (NOP)	Qualified		
2	<u>Black, Anthony K.</u> (NOP)	Qualified		
	<u>Casanueva, Darryl C.</u> (NOP)	Qualified		
	<u>Davis Jr., Charles A.</u> (NOP)	Qualified		
	<u>LaRose, Edward C.</u> (NOP)	Qualified		
3	<u>Cortinas, Angel A.</u> (NOP)	Qualified		
	<u>Emas, Kevin</u> (NOP)	Qualified		
	<u>Fernandez, Ivan F.</u> (NOP)	Qualified		
	<u>Rothenberg, Leslie B.</u> (NOP)	Qualified		
4	<u>Suarez, Richard J.</u> (NOP)	Qualified		
	<u>Conner, Burton C.</u> (NOP)	Qualified		
	<u>Taylor, Carole Y.</u> (NOP)	Qualified		

Circuit Judge

Circuit / Group	Candidate	Status	Primary	General
1 / 1	<u>Gontarek, John Jay</u> (NOP)	Unopposed	Unopposed	Unopposed
1 / 6	<u>Rimmer, David</u> (NOP)	Unopposed	Unopposed	Unopposed
	*Incumbent			
1 / 7	<u>Goodman, Marci Levin</u> (NOP)	Unopposed	Unopposed	Unopposed
	*Incumbent			
1 / 9	<u>Wells, Kelvin Clyde</u> (NOP)	Unopposed	Unopposed	Unopposed
	*Incumbent			
1 / 13	<u>Polson, Mary</u> (NOP)	Unopposed	Unopposed	Unopposed
1 / 14	<u>Nobles, Linda L.</u> (NOP)	Unopposed	Unopposed	Unopposed
	*Incumbent			
1 / 15	<u>Ketchel, Terry</u> (NOP)	Unopposed	Won	
	*Incumbent			
	<u>Murphy, Thomas</u> (NOP)	Defeated	Eliminated	
1 / 18	<u>Miller, John L.</u> (NOP)	Unopposed	Unopposed	Unopposed
	*Incumbent			
1 / 23	<u>Bergosh, Gary L.</u> (NOP)	Unopposed	Unopposed	Unopposed
	*Incumbent			
1 / 24	<u>Goodman, Ross M.</u> (NOP)	Unopposed	Unopposed	Unopposed
	*Incumbent			
2 / 1	<u>Reynolds, George</u> (NOP)	Unopposed	Unopposed	Unopposed
2 / 2	*Incumbent			
	<u>Dunn, Kris</u> (NOP)	Defeated	Eliminated	
	<u>Hobbs, Barbara</u> (NOP)	Qualified	Runoff	

	<u>Tamayo, Josefina M.</u> (NOP) *Incumbent	Qualified	Runoff
2 / 3	<u>Shelfer, James O.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
2 / 12	<u>Lewis, Terry P.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
3 / 2	<u>Decker III, Andrew J. "Andy"</u> (NOP)	Unopposed	Won
	<u>Schulte IV, Frederick John "Rick"</u> (NOP)	Defeated	Eliminated
3 / 3	<u>Fina, David W.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
3 / 5	<u>Cancio, Angela M.</u> (WRI)	Qualified	
	<u>Douglas, Wes</u> (NOP)	Qualified	Won
	<u>Prevatt, Jimmy</u> (NOP)	Defeated	Eliminated
4 / 1	<u>Buncome (Williams), Melina E.</u> (NOP)	Defeated	Eliminated
	<u>Davis, Brian J.</u> (NOP) *Incumbent	Qualified	Won
	<u>Mairs, Don</u> (NOP)	Defeated	Eliminated
	<u>Messore, Greg</u> (NOP)	Defeated	Eliminated
	<u>Wilkerson, Gerald L.</u> (WRI)	Qualified	
4 / 3	<u>Lester, Don H.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
4 / 6	<u>Foster, Robert M.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
4 / 7	<u>Haddock, Lawrence Page</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
4 / 14	<u>Beverly, Thomas More</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
4 / 15	<u>Mathis, E. McRae</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
4 / 16	<u>Cole, Karen K.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
4 / 17	<u>Dearing, Peter Lennings</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
4 / 18	<u>Carlthers, Hugh A.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
4 / 19	<u>Blasz, Kevin A.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
4 / 24	<u>Wiggins, David C.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
4 / 29	<u>Barlow, Alvin Wellington</u> (NOP)	Defeated	Eliminated
	<u>Borello, Mark</u> (NOP)	Unopposed	Won
4 / 33	<u>Senterfitt, Elizabeth</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
4 / 34	<u>Bass, Suzanne</u> (NOP)	Unopposed	Won
	<u>Merrett, John</u> (NOP) *Incumbent	Defeated	Eliminated

4 / 35	<u>Wilensky, Daniel E.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
5 / 4	<u>Thomas, Patricia V.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
5 / 7	<u>Morley, Michelle T.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
5 / 8	<u>Rogers, Steven G.</u> (NOP)	Unopposed	Unopposed Unopposed
5 / 13	<u>Davis, Heldl.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
5 / 16	<u>Stancil, Hale R.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
5 / 17	<u>Law, Jr., William G.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
5 / 19	<u>Toner, Jr., Stephen E.</u> (NOP)	Unopposed	Unopposed Unopposed
5 / 20	<u>Eddy, David B.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
5 / 26	<u>Tatti, Anthony M.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
5 / 29	<u>Scott, Edward L.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
5 / 30	<u>Takac, Michael G.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
5 / 31	<u>Merritt Jr., Daniel B.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
6 / 4	<u>Tepper, Lynn.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
6 / 9	<u>Helinger, Christine.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
6 / 10	<u>Federico, Phillip J.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
6 / 11	<u>Ramsberger, Tom.</u> (NOP)	Unopposed	Unopposed Unopposed
6 / 12	<u>Farnell, Dee Anna.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
6 / 14	<u>Webb, Bill.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
6 / 15	<u>Burgess, Bill.</u> (NOP)	Unopposed	Won
	<u>Steingold, Andy.</u> (NOP)	Defeated	Eliminated
6 / 23	<u>Williams, Amy.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
6 / 24	<u>Bulone, Joseph A.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
6 / 31	<u>Battaglia, Brian.</u> (NOP)	Defeated	Eliminated
	<u>Campbell, Kimberly "Kim"</u> (NOP)	Unopposed	Won
6 / 32	<u>Siracusa, Pat E.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
6 / 34	<u>Lev, Nancy Moale.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
6 / 36	<u>Quesada, Frank.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
6 / 40	<u>Minkoff, Thomas H. "Tommy"</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
6 / 45	<u>Day, Jack.</u> (NOP) *Incumbent	Unopposed	Won

	<u>McCabe, Agnes Theresa</u> (NOP)	Defeated	Eliminated
7 / 2	<u>Christensen, Patti A.</u> (WRI) *Incumbent	Unopposed	Unopposed Unopposed
7 / 9	<u>Perkins, Terence R.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
7 / 12	<u>Smith, III, C. McFerrin</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
7 / 15	<u>Travnor, J. Michael</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
7 / 16	<u>Case, Leah R.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
7 / 19	<u>Berger, Wendy W.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
7 / 21	<u>Parsons, William A</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
7 / 27	<u>Wolfe, Clyde E.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
8 / 4	<u>Griffis, Stan</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
8 / 5	<u>Monaco, Toby S.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
8 / 6	<u>Coker, Mary Day</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
8 / 8	<u>Huislander, Victor L.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
9 / 3	<u>Perry, Daniel</u> (NOP)	Defeated	Eliminated
	<u>Perry, Jr., Belvin</u> (NOP) *Incumbent	Unopposed	Won
9 / 5	<u>Davis, Jenifer</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
9 / 7	<u>DuBois, Eric</u> (NOP)	Defeated	Eliminated
	<u>Marques, Leticia "Letty"</u> (NOP)	Qualified	Runoff
	<u>Wilson, Joel</u> (NOP)	Qualified	Runoff
9 / 11	<u>Adams, Gall A.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
9 / 15	<u>Lubet, Marc L.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
9 / 19	<u>Murphy, Mike</u> (WRI) *Incumbent	Unopposed	Unopposed Unopposed
9 / 20	<u>Blechman, Mark S.</u> (NOP)	Unopposed	Unopposed Unopposed
9 / 26	<u>Rodriguez, Jose R.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
9 / 27	<u>Torroella, Jose</u> (NOP)	Defeated	Eliminated
	<u>White, Keith</u> (NOP) *Incumbent	Unopposed	Won
9 / 28	<u>Doherty, Patricia</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
9 / 29	<u>Evans, Bob</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
9 / 41	<u>Kest, Sally D. M.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
9 / 42	<u>Malaret, Pedro J.</u> (NOP)	Defeated	Eliminated

	<u>Shea, Tim</u> (NOP) *Incumbent	Unopposed	Won
9 / 43	<u>LeBlanc, Bob</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
10 / 3	<u>Selph, Steven L.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
10 / 4	<u>Curry, Charles B.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
10 / 7	<u>Helms, Larry</u> (NOP)	Defeated	Eliminated
	<u>Sites, William "Bill"</u> (NOP)	Qualified	Runoff
	<u>Thornhill, Christine Trakas</u> (NOP)	Qualified	Runoff
10 / 10	<u>Hofstad, Mark H.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
10 / 11	<u>Ezelle, Marcus J.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
10 / 14	<u>Durden, Wayne M.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
10 / 17	<u>Harlan, Beth</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
10 / 27	<u>Combee, Catherine L.</u> (NOP)	Unopposed	Won
	<u>Kaylor, Mark</u> (NOP)	Defeated	Eliminated
10 / 28	<u>Stargel, John K.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 6	<u>Bloom, Beth</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 8	<u>Miller, David C.</u> (NOP) *Incumbent	Unopposed	Won
	<u>Padilla, Mauricio</u> (NOP)	Defeated	Eliminated
11 / 9	<u>Gayles, Darrin P.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 13	<u>Fernandez, Jose "Joe"</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 14	<u>Lederman, Cindy S.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 15	<u>Coppel, Robert</u> (NOP)	Defeated	Eliminated
	<u>Verde, Maria Elena</u> (NOP)	Unopposed	Won
11 / 21	<u>Miller, Bronwyn Catherine</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 22	<u>Cardonne Ely, Gisela</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 24	<u>Glazer, Mindy S.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 25	<u>Murphy, Dennis J.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 29	<u>Echarte, Jr., Pedro P.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 31	<u>Korvick, Maria Marinello</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 36	<u>Walsh, Lisa Sharon</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 42	<u>de la O, Miquel</u> (NOP)	Unopposed	Unopposed Unopposed

	<u>Wallace, Greer Elaine</u> (NOP)	Transferred to Local Office	
11 / 43	<u>Venzer, Ellen Sue</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 47	<u>Labora, Alex Jimenez</u> (NOP)	Defeated	Eliminated
	<u>Santovenia, Maria de Jesus</u> (NOP)	Unopposed	Won
11 / 49	<u>De Yurre, Victor H.</u> (NOP)	Defeated	Eliminated
	<u>Pooler, Teresa Mary</u> (NOP)	Unopposed	Won
11 / 53	<u>Brennan, Victoria R.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 54	<u>Arzola, Antonio "Tony"</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 56	<u>Dennis, Maria Espinosa</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 60	<u>Hanzman, Michael A.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 61	<u>Leesfield, Ellen L.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 66	<u>Brown, Joel H.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 67	<u>Platzer, Victoria</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 68	<u>Blake, Stan</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 78	<u>Schurr, Valerie R. Manno</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 79	<u>Marin, Antonio "Tony"</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
11 / 80	<u>Mendez, Marisa Tinkler</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
12 / 3	<u>Williams, Charles E.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
12 / 7	<u>Lakin, John F</u> (NOP)	Unopposed	Unopposed Unopposed
12 / 13	<u>Haworth, Lee E.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
12 / 14	<u>Mercurio, Frederick P.</u> (NOP)	Unopposed	Unopposed Unopposed
12 / 15	<u>Dunnigan, Janette</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
12 / 16	<u>Berlin, Donna Padar</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
12 / 20	<u>Riva, Debra Johres</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
12 / 21	<u>Curley, Rochelle Taylor</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
13 / 12	<u>Huey, Paul</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
13 / 14	<u>Byrd, Jr., Johnnie B.</u> (NOP)	Defeated	Eliminated
	<u>Wolfe, Mark R.</u> (NOP) *Incumbent	Unopposed	Won

13 / 16	<u>Thomas, Cheryl K.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
13 / 25	<u>Foster, Jr., Robert A.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
13 / 26	<u>Ficarotta, Ronald N.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
13 / 32	<u>Silver, Bernard "Bernie"</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
13 / 42	<u>Sheehan, Brenda "Tracy"</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
13 / 43	<u>Fernandez, Kimberly Kay</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
13 / 44	<u>Peacock, Emily A.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
13 / 45	<u>Moody, Ashley Brooke</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
14 / 3	<u>Fishel, II, John L.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
14 / 6	<u>Gay, Shonna Young</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
14 / 11	<u>Smiley, Elijah</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
15 / 2	<u>Lane, Jody</u> (NOP)	Defeated	Eliminated
	<u>McCarthy, Timothy</u> (NOP) *Incumbent	Unopposed	Won
15 / 6	<u>Keyser, Janis Brustares</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
15 / 8	<u>Baker, Jr., Moses</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
15 / 9	<u>Alvarez, Ron</u> (NOP) *Incumbent	Unopposed	Won
	<u>Goodman, Jaimie</u> (NOP)	Defeated	Eliminated
15 / 11	<u>Marx, Joseph</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
15 / 13	<u>French, David E.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
15 / 17	<u>Rapp, Stephen A.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
15 / 18	<u>Blanc, Peter D.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
15 / 19	<u>Kroll, Kathleen J.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
15 / 20	<u>Oftedal, Richard L.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
15 / 25	<u>Brunson, Catherine M.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
15 / 26	<u>Downey, Margherita</u> (NOP)	Defeated	Eliminated
	<u>Mariz, James L.</u> (NOP) *Incumbent	Unopposed	Won

15 / 28	<u>Rosenberg, Robin L.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
16 / 2	<u>Audlin, Jr., David J.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
17 / 1	<u>Phillips, Carol-Lisa</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
17 / 5	<u>Lopane, Nicholas "Nick"</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
17 / 7	<u>Halmes, David A.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
17 / 10	<u>Golden, Melanie</u> (NOP)	Transferred to Local Office	
	<u>Nichols, Robert Gary</u> (NOP)	Transferred to Local Office	
	<u>Porth, Ari Abraham</u> (NOP)	Unopposed	Unopposed Unopposed
17 / 19	<u>Rothschild, Michael Ian</u> (NOP)	Unopposed	Won
	<u>Shapiro-Harris, Julie C.</u> (NOP)	Defeated	Eliminated
17 / 31	<u>Bailey, Tim</u> (NOP)	Unopposed	Unopposed Unopposed
17 / 32	<u>Robinson, Michael A.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
17 / 35	<u>Rocque, Michael "Mickey"</u> (NOP)	Defeated	Eliminated
	<u>Ross, Dale</u> (NOP) *Incumbent	Unopposed	Won
17 / 36	<u>Backman, Paul L.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
17 / 38	<u>Holmes, Iona Maxine</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
17 / 39	<u>Speiser, Mark A.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
17 / 40	<u>Birken, Arthur M.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
17 / 42	<u>Usan, Michael A.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
17 / 43	<u>Cohen, Geoff</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
17 / 45	<u>Gonzalez, Jr., Julio E.</u> (NOP)	Qualified	Runoff
	<u>Parker, Oliver</u> (NOP)	Defeated	Eliminated
	<u>Sokoloff, Rhoda</u> (NOP)	Defeated	Eliminated
	<u>Watson, Laura Marie</u> (NOP)	Qualified	Runoff
17 / 46	<u>Weinstein, Peter M.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
17 / 57	<u>Singer, Michele Towbin</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
17 / 58	<u>Wood, Marina G.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
18 / 7	<u>Davidson, Lisa</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
18 / 8	<u>Mahl, Jeffrey (Jeff)</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed

18 / 10	<u>Nelson, Debra</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
18 / 11	<u>Alva, Marlene</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
18 / 20	<u>Crawford, Charles G.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
18 / 26	<u>Aungst, Matthew "Matt"</u> (NOP)	Defeated	Eliminated
	<u>Earp, Jim</u> (NOP) *Incumbent	Unopposed	Won
19 / 3	<u>Bauer, Jr., Sherwood</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
19 / 5	<u>Kanarek, Paul B.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
19 / 8	<u>Hawley, Robert A.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
19 / 9	<u>Klingensmith, Mark W.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
19 / 12	<u>Belanger, Robert E.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
19 / 19	<u>Pegg, Bob</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
20 / 1	<u>Duryea, John</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
20 / 2	<u>Porter, J Frank</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
20 / 5	<u>Pivacek, Cynthia Atkinson</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
20 / 8	<u>Hardt, Fred</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
20 / 9	<u>Miller, Karen Elizabeth</u> (NOP) <u>Steinbeck, Meg</u> (NOP) *Incumbent	Defeated Unopposed	Eliminated Won
20 / 14	<u>Kyle, Bruce</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
20 / 17	<u>Corbin, R. Thomas</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
20 / 18	<u>Fernandez III, M.C.</u> (NOP) <u>Foster, Joe</u> (NOP)	Defeated Unopposed	Eliminated Won
20 / 26	<u>Porter, Lisa Spader</u> (NOP) <u>Simpson, Joseph A.</u> (NOP) *Incumbent	Unopposed Defeated	Won Eliminated
20 / 27	<u>Fuller, Joseph C.</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
20 / 28	<u>Krier, Elizabeth V</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
20 / 29	<u>McElrath, David</u> (NOP) <u>Richards, George C.</u> (NOP) *Incumbent	Defeated Unopposed	Eliminated Won
20 / 30	<u>Adams, Elisabeth</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed
20 / 31	<u>Kyle, Keith</u> (NOP) *Incumbent	Unopposed	Unopposed Unopposed

Boca Grande Fire Control District

Seat	Candidate	Status	Primary	General
3	<u>Burkhart, Sandra K.</u> (NOP) *Incumbent	Unopposed	Unopposed	Unopposed

East County Water Control District

Seat	Candidate	Status	Primary	General
1	<u>Horrom, Neal</u> (NOP)	Qualified		
	<u>Tyler, Dewey A.</u> (NOP)	Qualified		
	<u>Welch, Michael J.</u> (NOP) *Incumbent	Qualified		
3	<u>La Rosa, Frank T.</u> (NOP)	Qualified		
	<u>Thompson, Kenneth K.</u> (NOP)	Qualified		
	<u>Whalen, Joseph L.</u> (NOP)	Qualified		
5	<u>Stout, Nathan</u> (NOP) *Incumbent	Qualified		
	<u>Weiner, Edward "Edd" Terry</u> (NOP)	Qualified		

Englewood Area Fire Control District

Seat	Candidate	Status	Primary	General
4	<u>Bray, Charles H.</u> (NOP) *Incumbent	Qualified		
	<u>Stephens, Herb</u> (NOP)	Qualified		
5	<u>McNamara, Larry</u> (NOP)	Qualified		
	<u>Scionti, Paul G.</u> (NOP)	Qualified		

Englewood Water District

Seat	Candidate	Status	Primary	General
1	<u>Samuels, Steven</u> (NOP) *Incumbent	Unopposed	Unopposed	Unopposed
2	<u>Meals, Taylor</u> (NOP) *Incumbent	Unopposed	Unopposed	Unopposed
3	<u>Crampton, Sydney B.</u> (NOP) *Incumbent	Unopposed	Unopposed	Unopposed
5	<u>Fogo, Eric</u> (NOP)	Unopposed	Unopposed	Unopposed

Gasparilla Island Bridge Authority

Group	Candidate	Status	Primary	General
1	<u>Watkins, Virginia T.</u> (NOP) *Incumbent	Unopposed	Unopposed	Unopposed
3	<u>Baker, George</u> (NOP)	Unopposed	Unopposed	Unopposed
5	<u>Darsie, Gay</u> (NOP)	Unopposed	Unopposed	Unopposed

Loxahatchee River Environmental Control District

Area	Candidate	Status	Primary	General
1	<u>Boggie, Gordon M.</u> (NOP) *Incumbent	Unopposed	Unopposed	Unopposed
5	<u>Rockoff, Steve</u> (NOP) *Incumbent	Unopposed	Unopposed	Unopposed

Port LaBelle Community Development District

Seat	Candidate	Status	Primary	General
2	<u>Perry, Jeff</u> (NOP)	Unopposed	Unopposed	Unopposed
4	<u>Daniels-Derleth, Jennifer</u> (NOP) *Incumbent	Unopposed	Unopposed	Unopposed

Sebastian Inlet Tax District

District	Candidate	Status	Primary	General
1	<u>Lawton Seal, Jenny</u> (NOP) *Incumbent	Unopposed	Unopposed	Unopposed
2	<u>Mitchell, Beth L.</u> (NOP) *Incumbent	Unopposed	Unopposed	Unopposed
3	<u>Rowland, Michael</u> (NOP)	Qualified		
	<u>Westlake, Jeannette</u> (NOP) *Incumbent	Qualified		

Agency:
Kathleen Offerman
125 N Lincoln Ave
Sterling, VA 20164
703-609-3517

Date: 10/17/12

Advertiser: Randall Terry for US House

Traffic Instructions: Week of 10/22/12

Please run 100% as follows:

Daytime: ISCI-RTFC0105
Spot 5: "Roe, 'It Was All A Lie'..." :30 sec.

8 PM and Later: ISCI-RTFC0106
"Abortion Nightmare" :30 sec

FTP Download info:

Host: <ftp://terrycast.com>
Server type: FTP - File Transfer Protocol
User: TV@terrycast.com
Password: @ttero1

If you need any assistance, please call David Lewis our IT tech. [513-307-7881](tel:513-307-7881)

"If you would like us to send you the file a different way, please send instructions to commercials@terrycast.com."

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125 N Lincoln Ave
Sterling, VA 20164
703-609-3517

Buyer: Randall Terry for US House
PO Box 910
Romney, WV 26767-0910

Station: WFLX
1100 Banyan Blvd, West Palm Beach, FL 33401

Order Date: 10/17/12

Ad Run: 10/23/12 Tu 1230-1 AM According to Jim Sec 2 \$50

Gross: \$50
Net: \$42.50