



Florida Department of Agriculture & Consumer Services
CHARLES H. BRONSON, Commissioner
The Capitol • Tallahassee, FL 32399-0800

February 7, 2005

VIA UPS GROUND:

The Terri Schindler Schiavo Foundation, Inc.
Mr. Brant A. Bailey, Registered Agent
695 Central Ave., Ste 201
St. Petersburg, FL 33701-3662

Case No: 0409-23406
Agency Clerk Ref: A35516

SUBJECT: Administrative Complaint

Dear Mr. Bailey:

INVESTIGATIVE RESULTS

An investigation was conducted by the Department of Agriculture and Consumer Services ("Department"). As a result of the investigation, the Department found the following violation:

Section 496.415(1), Florida Statutes, soliciting funds for a charitable purpose without registering with the Department. This organization was contacted by Department representatives a number of times and warned that they were not in compliance but has failed to respond.

SETTLEMENT

At this time the Department is willing to settle this matter as follows:

The Terri Schindler Schiavo Foundation, Inc., shall, within 21 days of receipt of this letter, pay an administrative fine of One Thousand Dollars (\$1,000.00), and shall immediately submit a completed Registration form and appropriate registration fee. Monies should be submitted in the form of certified check or money order made payable to the Department of Agriculture and Consumer Services.

If this settlement is acceptable, please indicate your acceptance by signing the Settlement Agreement and return the signed Settlement Agreement along with your payment and all other documents required for settlement in the enclosed envelope within twenty-one (21) days of receipt of this letter. Acceptance of this settlement and the timely return to the Department of all settlement documents will conclude this matter.

ADMINISTRATIVE HEARING AVAILABLE

If you wish to contest the Department's findings, you have the right to request an administrative hearing to be conducted in accordance with Sections 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoena and subpoena duces tecum issued on your behalf if a hearing is requested. Your request for hearing must contain your name and address for purposes of service, a statement requesting either a hearing involving disputed issues of material fact or a hearing not involving disputed issues of material fact, and a reference to this administrative complaint. If you request a hearing the offer of settlement is withdrawn and you may receive a more severe penalty.

DEADLINE TO REQUEST AN ADMINISTRATIVE HEARING

Your request for a hearing must be received within twenty-one (21) days of receipt of this letter.

FAILURE TO SETTLE OR REQUEST AN ADMINISTRATIVE HEARING

If you fail to settle or fail to request an administrative hearing within the twenty-one (21) day deadline you waive your right to a hearing and the Department may enter a Final Order imposing up to the maximum penalties as authorized by Florida law.

FURTHER INFORMATION

If you wish to discuss this matter, please contact Compliance Officer, **Karen Harrison** at **850-410-3719**.

Sincerely,

CHARLES H. BRONSON
COMMISSIONER OF AGRICULTURE

LuAnn Stiles, Chief
Bureau of Mediation and Enforcement

LS/kh

Enclosures:

_____ Copy of Statutes/Registration Form
_____ Notice of Rights



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SETTLEMENT AGREEMENT

The Terri Schindler Schiavo Foundation, Inc.
Mr. Brant A. Bailey, Registered Agent
695 Central Ave., Ste 201
St. Petersburg, FL 33701-3662

Case No: 0409-23406
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I hereby agree to settle the violations stated in the Administrative Complaint dated February 7, 2005, as follows (check one):

_____ I agree to pay the fine amount of \$1,000.00, complete the Registration Form and pay the appropriate registration fee to the Department pursuant to the Florida Solicitation of Contributions Act within 30 days of executing this agreement, and comply with all laws governing the Florida Solicitation of Contribution Act.

_____ I agree to pay the fine of \$1,000.00 and immediately cease doing business as a Solicitor of Contributions.

I further agree that if I fail to comply with the terms of this settlement the Department will enter a Final Order imposing the maximum penalties authorized by Florida law, and may seek additional remedies in court.

Name (please print)

Legal Name of Business

Signature

Date

Title

Telephone

ATTACH ALL ITEMS REQUIRED FOR SETTLEMENT.

RETURN ADDRESS:

Department of Agriculture & Consumer Services
Post Office Box 6700
Tallahassee, Florida 32399-6700

DACS-01128
(kh)

Solicitation Of Contributions

Org Code: 42100712000-A2
Object Code: 012052 (\$1,000.00)

Org Code: 42100612000-A2
Object Code: 001133