

**STATE OF FLORIDA**  
**FLORIDA ELECTIONS COMMISSION**  
107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-1050  
Telephone Number: (850) 922-4539  
[www.fec.state.fl.us](http://www.fec.state.fl.us)

**CONFIDENTIAL COMPLAINT FORM**

The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom the complaint is brought.

**1. PERSON BRINGING COMPLAINT:**

Name: Kenneth R. Quinnell Work Phone: (850) 766-1661  
Address: 3328 Whirlaway Trail Home Phone: (850) 766-1661  
City: Tallahassee County: Leon State: Florida Zip Code: 32309

**2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:**

A person can be an individual, political committee, committee of continuous existence, political party, electioneering communication organization, club, corporation, partnership, company, association, or any other type of organization. If both an individual and a committee or organization are involved, name both.

Name of individual: Peter Boulware  
Address: 3791 East Millers Bridge Road Phone: (850) 391-9528  
City: Tallahassee County: Leon State: Florida Zip Code: 32312

If individual is a candidate, list the office or position sought: House District 9 Seat

Name of committee or organization: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_  
City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Have you filed this complaint with the State Attorney's Office? (check one)  Yes  No

**3. ALLEGED VIOLATION(S):**

Please list the provisions of The Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigation the following provisions: **Chapter 104, Chapter 106, Section 98.122, and Section 105.071, Florida Statutes.** Also, please include:

- ✓ The facts and actions that you believe support the violations you allege,
- ✓ The names and telephone numbers of persons you believe may be witnesses to the facts,
- ✓ A copy or picture of the political advertisements you mention in your statement,
- ✓ A copy of the documents you mention in your statement, and
- ✓ Other evidence that supports your allegations.

\_\_\_\_\_  
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SEE ATTACHED  
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Additional materials attached (check one)?  Yes  No

**5. OATH**

**STATE OF FLORIDA**  
**COUNTY OF LEON**

I swear or affirm, that the above information is true and correct to the best of my knowledge.

*Will R. Will*

Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 23 day of  
October, 2008

*Christina Boltin*

Signature of Officer Authorized to Administer Oaths or Notary public.



(Print, Type, or Stamp, or Seal, or Signature of Notary Public)

Personally known  Or Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.

## ATTACHMENT TO ELECTION COMPLAINT

Section 106.143(3), Florida Statutes - Boulware has used and continues to utilize signs which improperly contain the registered trademark "Seminole Spear" implying that the Florida State University is endorsing his candidacy. The attached affidavit and the photographs appended to it, disclose that on October 23, 2008, the signs were still in regular use, notwithstanding that on August 28, 2008, Boulware advised the Florida State University that he would discontinue the improper use of the trademark. A copy of Boulware's letter to the Licensing Director of the Florida State University is attached hereto.

Boulware does not have the required written authority to utilize the trademark which represents the support of the Florida State University in violation of Section 106.143(3), Florida Statutes.

Sections 106.011(3)(a), 106.055 and 106.07(4)(a)5, Florida Statutes - The value of an in-kind contribution must be reported at its "fair market value" (Section 106.055, Florida Statutes). Boulware has failed to report the fair market value of the use of the FSU "Seminole Spear" trademark as an in-kind contribution to his campaign. Notwithstanding that his use of the trademark is not authorized, its value has benefitted and continues to benefit, his campaign because it constitutes a "contribution" as defined in Section 106.011(3)(a), Florida Statutes (defining a "contribution" to include "anything of value, including contributions in kind having an attributable monetary value in any form, made for the purpose of influencing the results of an election...").

Section 106.03(1)(b), Florida Statutes - Boulware is a managing member of Bobbin Trace Automotive, L.L.C. (see copy of annual report attached). Bobbin Trace Automotive, L.L.C. does business under the fictitious name "Legacy Toyota of Tallahassee" (see fictitious name registration, attached).

Boulware has directed and utilized the advertising which has been and is being paid by the business in which he has such ownership interest, Legacy Toyota of Tallahassee, to conduct electioneering communications promoting his name and identity in furtherance of his election to office. While in the past, the other managing member of Bobbin Trace Automotive, L.L.C. , Robert "Les" Akers, has been featured in the advertisements, since at or about the time that Boulware announced for office, he has substituted himself in the commercials.

Boulware has not registered Legacy Toyota of Tallahassee or Bobbin Trace Automotive, L.L.C. as an electioneering communications organization as required by Section 106.03(1)(b), Florida Statutes notwithstanding that the advertisements meet the definition of electioneering communications as set forth in Section 106.011(18)(a), Florida Statutes [i.e., the advertisements mention a clearly identified candidate for office by name and picture (Boulware); the advertisements are targeted to the relevant electorate (they are broadcast in the geographic area which Boulware would represent if elected) and are received by more than 1,000 persons; the advertisements are paid expressions in a communications media (television broadcast); the advertisements do not utilize "express advocacy"].

Section 106.19(1)(b), Florida Statutes - A candidate who willfully fails “to report any contribution required to be reported by this chapter [106],” in addition to the administrative penalties which may be assessed “is guilty of a misdemeanor of the first degree...”

**AFFIDAVIT**

STATE OF FLORIDA  
COUNTY OF LEON

Before me, the undersigned authority, did personally appear Kenneth R. Quinnell, who, upon first being duly sworn, did depose and state the following:

1. My name is Kenneth R. Quinnell. I am 36 years old, am working as an adjunct professor at Tallahassee Community College and currently reside at 3328 Whirlaway Trail, Tallahassee, FL 32309.

2. Between the dates of October 7, 2008 and October 23, 2008, I took 16 digital photographs of yard signs in the area between Killlearn and Winthrop Park. All of these signs were for the Peter Boulware for State House, District 9 campaign and they all had the Florida State University 'spear' trademark on them. I live in this neighborhood and noticed that the signs still carried the trademark. I attest that the signs were in place as of October 7, 2008, and that the photographs were in no way digitally altered. To my knowledge the signs were all still present and still carried the trademarked spear as of October 23, 2008.

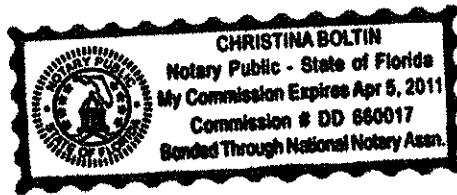
FURTHER YOUR AFFIANT SAYETH NAUGHT.

  
\_\_\_\_\_  
KENNETH R. QUINNELL

**SWORN** to and **SUBSCRIBED** before me on this 23 day of October, 2008, by Kenneth R. Quinnell, who  is personally known to me **OR**  has produced \_\_\_\_\_ as identification.

  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires April 5, 2011



# Peter Boulware

FOR FLORIDA HOUSE

Peter Boulware Campaign  
443 East College Avenue  
Basement Level  
Tallahassee, Florida 32301  
Office: (850) 351-9528  
Fax: (850) 681-3768  
Email: [peter@voteboulware.com](mailto:peter@voteboulware.com)  
[www.voteboulware.com](http://www.voteboulware.com)

August 28, 2008

Ms. Sheri Dye  
Trademark Licensing Director  
Florida State University  
Post Office Box 3061350  
Tallahassee, Florida 32306-1350

Dear Ms. Dye,

Thank you so much for contacting me about my campaign's use of a spear on my campaign literature and advertisements. As we discussed, apparently the spear is a registered trademark of Florida State University (FSU). I certainly do apologize for any inconvenience, and I truly do appreciate the University contacting me directly and affording me the opportunity to correct the oversight.

As you know, FSU has a special place in my heart. FSU gave me a wonderful foundation for my professional life, bringing me to Tallahassee in 1993 on an athletic scholarship, and then instilling in me the values of preparation, hard work, and dedication that have and continue to guide me in my professional ventures. As such, I am ready to serve the University, including through the correction of the oversight.

I am writing simply as a follow-up to let you know how my campaign has addressed our usage of the "spear" symbol on my campaign materials. The campaign has taken several actions:

1. For all signs (large-format and yard signs) in our possession, we have printed over the spear-head.
2. Additionally, we have been and will continue to paint over the spear-head on those large-format signs that were already placed prior to your notice.
3. We corrected the logo on our website - [www.voteboulware.com](http://www.voteboulware.com).
4. We covered the logo on our bumper stickers.
5. We have been and will continue to mark over the spear-head on our materials that were already printed and still in our possession.
6. We discarded the remainder of any campaign apparel (clothing) in our possession.

I am eager to serve Florida State University and therefore hope that I addressed FSU's concerns. Again, I apologize for this oversight. Please let me know if you need anything further from me. I wish nothing but the best for FSU, its students, staff and faculty.

Sincerely,

  
Peter Boulware

Political advertisement paid for and approved by Peter Boulware,  
Republican, for State Representative District 9.

**2008 LIMITED LIABILITY COMPANY ANNUAL REPORT**

**FILED  
Apr 30, 2008  
Secretary of State**

DOCUMENT# L02000021326

Entity Name: BOBBIN TRACE AUTOMOTIVE, L.L.C.

**Current Principal Place of Business:**

3705 W. TENNESSEE STREET  
TALLAHASSEE, FL 32304

**New Principal Place of Business:**

3800 W. TENNESSEE STREET  
TALLAHASSEE, FL 32304

**Current Mailing Address:**

3705 W. TENNESSEE STREET  
TALLAHASSEE, FL 32304

**New Mailing Address:**

3800 W. TENNESSEE STREET  
TALLAHASSEE, FL 32304

FEI Number: 59-3763551

FEI Number Applied For ( )

FEI Number Not Applicable ( )

Certificate of Status Desired (X)

**Name and Address of Current Registered Agent:**

MYERS & FULLER, P.A.  
2822 REMINGTON GREEN CIRCLE  
TALLAHASSEE, FL 32308 US

**Name and Address of New Registered Agent:**

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: \_\_\_\_\_

Electronic Signature of Registered Agent

\_\_\_\_\_ Date

**MANAGING MEMBERS/MANAGERS:**

Title: MGRM ( ) Delete  
Name: AKERS, ROBERT L  
Address: 3705 W. TENNESSEE STREET  
City-St-Zip: TALLAHASSEE, FL 32304

Title: ( ) Delete  
Name:  
Address:  
City-St-Zip:

**ADDITIONS/CHANGES:**

Title: MGRM (X) Change ( ) Addition  
Name: AKERS, ROBERT L  
Address: 3800 W. TENNESSEE STREET  
City-St-Zip: TALLAHASSEE, FL 32304

Title: MGRM ( ) Change (X) Addition  
Name: BOULWARE, PETER N  
Address: 3800 W TENNESSEE STREET  
City-St-Zip: TALLAHASSEE, FL 32304

I hereby certify that the information supplied with this filing does not qualify for the exemption stated in Chapter 119, Florida Statutes. I further certify that the information indicated on this report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.

SIGNATURE: CHARLES V. BAISDEN, CONTROLLER

MGR


04/30/2008

Electronic Signature of Signing Managing Member, Manager, or Authorized Representative / Date

**FILE TO RENEW NOW:  
FICTITIOUS NAME WILL EXPIRE ON 12/31/08**

**FILED  
Aug 19, 2008 8:00 am  
Secretary of State**

08-19-2008 90051 013 \*\*\*\*50.00  
G08999061061

SECRETARY OF STATE		FLORIDA DEPARTMENT OF STATE DIVISION OF CORPORATIONS
<b>APPLICATION FOR RENEWAL OF FICTITIOUS NAME</b>		
REGISTRATION # <b>G03051900001</b>		
1. Name and Mailing Address		
0110962 SL	T	0606 32304
LEGACY TOYOTA OF TALLAHASSEE <del>3705 W. TENNESSEE STREET</del> TALLAHASSEE FL 32304		
If above mailing address is incorrect in any way, line through incorrect information and enter correction in Block 2.		



90018105

**G03051900001**

CHECK HERE IF MAKING CHANGES  
CR4E003 (1/08)

2. Mailing Address change if applicable:		
Suite, Apt. #, etc. <b>3800 W. TENNESSEE ST</b>		
City	State	Zip Code

3. County of Principal Place of Business <b>LEON</b>	4. Date Registered <b>02/20/2003</b>
5. Certificate of Status Desired <input type="checkbox"/> \$10 Additional Fee Required	

**AN OWNER THAT IS A CORPORATION, LIMITED PARTNERSHIP OR OTHER BUSINESS ENTITY  
MUST BE REGISTERED AND ACTIVE WITH THIS OFFICE.**

6. CURRENT OWNER (S)		7. ADDITIONS / CHANGES TO OWNERS	
DOCUMENT # FEI # NAME STREET ADDRESS CITY - ST - ZIP	L02000021326 59-3763551 BOBBIN TRACE AUTOMOTIVE LLC <del>402 OFFICE PLAZA DRIVE</del> <del>TALLAHASSEE FL 32301</del>	DOCUMENT # FEI # NAME STREET ADDRESS CITY - ST - ZIP	<input checked="" type="checkbox"/> Change <input type="checkbox"/> Addition  <b>3800 W TENNESSEE ST TALLAHASSEE, FL, 32304</b>
DOCUMENT # FEI # NAME STREET ADDRESS CITY - ST - ZIP	<input type="checkbox"/> DELETE	DOCUMENT # FEI # NAME STREET ADDRESS CITY - ST - ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Addition
DOCUMENT # FEI # NAME STREET ADDRESS CITY - ST - ZIP	<input type="checkbox"/> DELETE	DOCUMENT # FEI # NAME STREET ADDRESS CITY - ST - ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Addition
DOCUMENT # FEI # NAME STREET ADDRESS CITY - ST - ZIP	<input type="checkbox"/> DELETE	DOCUMENT # FEI # NAME STREET ADDRESS CITY - ST - ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Addition

8. I (we) the undersigned, being the sole (all the) party(ies) owning interest in the above fictitious name, certify that the information indicated on this form is true and accurate. I (we) understand that the signature(s) below shall have the same legal effect as if made under oath. I further certify that the names of individuals listed on this form do not qualify for an exemption contained in section 119, Florida Statutes. (At least one signature required)

  
Signature of Owner

**7/21/08**  
Date

Signature of Owner

Date