

C A M P A I G N F O R

ACCOUNTABILITY

November 4, 2019

BY FAX: (850) 488-3077

Chris Anderson
Executive Director
Florida Commission on Ethics
P.O. Box 15709
Tallahassee, Florida 32317-5709

RE: Request for Investigation of Rep. David Scott Plakon

Dear Mr. Anderson:

Campaign for Accountability (“CfA”), a nonprofit, non-partisan government watchdog organization, respectfully requests that the Florida Commission on Ethics (“Commission”) investigate whether Rep. David Scott Plakon may have violated the Code of Ethics for Public Officers and Employees, Florida Statute Chapter 112, Part III, by failing to include information about his myriad business interests on his personal financial disclosure forms.

Rep. Plakon’s Business Empire

Rep. Plakon is a member of the Florida House of Representatives. He represented District 37 from 2008 to 2012, and he has represented his current seat, District 29, since 2014.¹ Before entering politics, in 1997 Rep. Plakon founded Claims Pages, an “online reference source for insurance claim professionals and adjusters” that was a significant source of his income.² Rep. Plakon sold the business at the end of 2017.³

Rep. Plakon appears to have run Claims Pages through an entity called Nationwide Publishing Company, Incorporated (“Nationwide, Inc.”), which he established in 1998.⁴ Rep. Plakon’s financial disclosures have never included Claims Pages, but every financial disclosure he has filed since 2014 disclosed his ownership stake in Nationwide, Inc.⁵ The stake increased

¹ <https://scottplakon.com/about-scott/>.

² <https://www.claimspages.com/about-us/>.

³ <https://www.theclm.org/PressDetails?pressID=101>; <https://scottplakon.com/about-scott/>; Press Release, *The Institutes Acquires CLM and Claims Pages to Deliver Enhanced Education to Risk Management and Insurance Professionals*, *The Institutes*, June 1, 2018, available at <https://www.theinstitutes.org/about-us/media-center/articles/institutes-acquires-clm-and-claims-pages-deliver-enhanced-education>.

⁴ <https://www.bbb.org/us/fl/deltona/profile/publishers-directory/nationwide-publishing-company-llc-0733-4002154>; Articles of Incorporation, Nationwide Publishing Company, Incorporated, Florida Secretary of State, filed May 13, 1998, available at <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C1998%5C0514%5CH9008973.TIF&documentNumber=P98000043246>.

⁵ Rep. Scott Plakon, *2018 Full and Public Disclosure of Financial Interests, Form 6*, filed July 1, 2019, available at <http://public.ethics.state.fl.us/Forms/2018/223307-Form6.pdf>; Rep. Scott Plakon, *2017 Full and Public Disclosure of*

from slightly more than 60 percent in 2014 to 100 percent in his most recent disclosure covering the 2018 calendar year. In 2014, Rep. Plakon valued Nationwide, Inc. at \$3.3 million, but he reported a decreased value of \$1.3 million as of December 31, 2018.

In 2016 – nearly 20 years after forming Claim Pages – Rep. Plakon set up a new entity, Claims Pages, LLC, for which he is named as the registered agent and manager on annual forms filed with the Florida Secretary of State.⁶ In 2018, Rep. Plakon appears to have transferred control of the company to someone else, with a new name of Short Ride, LLC.⁷ Rep. Plakon did not list Claim Pages, LLC on his 2016 or 2017 financial disclosure forms.⁸

Aslan Capital, LLC

In addition to Claims Pages, LLC, Rep. Plakon has failed to disclose his relationship with several other entities. Most notably, Rep. Plakon is intricately involved with a company called Aslan Capital, LLC (“Aslan”), a sizable real estate holding company formed in 2005.⁹

In 2006, Rep. Plakon was added as the manager for the company, and its business and mailing address were the same as that of Nationwide, Inc.¹⁰ In 2007, Aslan changed the manager and authorized person from Rep. Plakon to High Country Management Company (“High Country”), another name under which Nationwide, Inc. has done business.¹¹ In 2009, Aslan

Financial Interests, Form 6, filed June 20, 2018, available at <http://public.ethics.state.fl.us/Forms/2017/223307-Form6.pdf>; Rep. Scott Plakon, 2016 Full and Public Disclosure of Financial Interests, Form 6, filed June 30, 2017, available at <http://public.ethics.state.fl.us/Forms/2016/223307-Form6.pdf>; Rep. Scott Plakon, 2015 Full and Public Disclosure of Financial Interests, Form 6, filed June 13, 2016, available at <http://public.ethics.state.fl.us/Forms/2015/223307-Form6.pdf>; Rep. Scott Plakon, 2014 Full and Public Disclosure of Financial Interests, Form 6, filed June 29, 2015, available at <http://public.ethics.state.fl.us/Forms/2014/223307-Form6.pdf>.

⁶ Articles of Organization, Claims Pages, LLC, Florida Secretary of State, filed Aug. 1, 2016, available at <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2016%5C0804%5C70568997.tif&documentNumber=L16000143606>.

⁷ 2018 Annual Report, Claims Pages, LLC, Florida Secretary of State, filed Jan. 4, 2018, available at <http://search.sunbiz.org/Inquiry/CorporationSearch/GetDocument?aggregateId=flal-116000143606-6655250f-b74d-4290-a49f-3ea070fe9e9f&transactionId=116000143606-cb602a7f-2518-4075-ac06-feab5c424334&formatType=PDF>.

⁸ Rep. Scott Plakon, 2016 Full and Public Disclosure of Financial Interests, Form 6, filed June 30, 2017, available at <http://public.ethics.state.fl.us/Forms/2016/223307-Form6.pdf>; Rep. Scott Plakon, 2017 Full and Public Disclosure of Financial Interests, Form 6, filed June 20, 2018, available at <http://public.ethics.state.fl.us/Forms/2017/223307-Form6.pdf>.

⁹ Articles of Organization, Aslan Capital, LLC, Florida Secretary of State, filed Feb. 28, 2005, available at <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2005%5C0307%5CH0049791.Tif&documentNumber=L05000019994>.

¹⁰ 2006 Annual Report, Aslan Capital, LLC, Florida Secretary of State, filed Feb. 9, 2006, available at <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2006%5C0209%5C20543542.tif&documentNumber=L05000019994>.

¹¹ 2007 Annual Report, Aslan Capital, LLC, Florida Secretary of State, filed May 1, 2007, available at <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2007%5C0504%5C40505384.tif&documentNumber=L05000019994>.

changed the registered agent from Robert J. Hutchins to Shannon White, an employee of Nationwide, Inc.¹²

In 2018, Rep. Plakon was listed as the authorized person and registered agent, and the company's address was changed to Rep. Plakon's home address.¹³ In 2019, Aslan filed an annual report, and updated its address to Rep. Plakon's new home address.¹⁴ On May 15, 2019, Rep. Plakon filed an affidavit with the Seminole County Clerk of the Circuit Court stating that he was the manager of Aslan, with no mention Nationwide, Inc. or High Country.¹⁵

Aslan Capital's Real Estate

Property records from county appraisers and court clerks reveal that Aslan, Nationwide, Inc., and High Country are interconnected. According to an affidavit filed with Volusia County Clerk of Court in 2017, Nationwide, Inc. did business under the name High Country Management Company. High Country/Nationwide, Inc., in turn, was the managing member of Aslan Capital, LLC, and constituted "100% of all members, managers, officers and directors" of Aslan. According to the affidavit:

D. Scott Plakon as President of Nationwide Publishing Company, Incorporated d/b/a High Country Management Company managing member of Aslan Capital, LLC, a Florida Limited Liability Company is authorized by the articles of organization to execute deeds, other documents on behalf of [Aslan Capital, LLC], and all necessary consents have been obtained.¹⁶

Nationwide, Inc., therefore, was the owner and manager of Aslan Capital, LLC as of 2017. The changes to Aslan's filings with the Florida Secretary of State and the 2019 affidavit, however, indicate this relationship may no longer be accurate.

As a real estate company, Aslan has bought and sold many properties. Currently, Aslan owns two properties in Volusia County: commercial buildings at 537 Deltona Blvd and 849

¹² 2009 Annual Report, Aslan Capital, LLC, Florida Secretary of State, filed Apr. 29, 2009, available at <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2009%5C0430%5C53922066.tif&documentNumber=L05000019994>; <https://www.linkedin.com/in/shannon-pomiber-white-3356589b/>.

¹³ 2018 Annual Report, Aslan Capital, LLC, Florida Secretary of State, filed Feb. 17, 2018, available at <http://search.sunbiz.org/Inquiry/CorporationSearch/GetDocument?aggregateId=flal-105000019994-9a421358-2a31-4644-906e-9f9130505d0b&transactionId=105000019994-53678e63-4374-4098-a3e8-5e599440a6e9&formatType=PDF>.

¹⁴ 2019 Annual Report, Aslan Capital, LLC, Florida Secretary of State, filed Apr. 8, 2019, available at <http://search.sunbiz.org/Inquiry/CorporationSearch/GetDocument?aggregateId=flal-105000019994-9a421358-2a31-4644-906e-9f9130505d0b&transactionId=105000019994-abd96df5-8dab-4782-aca6-b4bbaf8bf944&formatType=PDF>.

¹⁵ Affidavit, Scott Plakon, Seminole County Clerk of the Circuit Court & Comptroller, filed May 15, 2019, available at <https://www.documentcloud.org/documents/6497877-Affidavit-Seminole-County-Aslan-Capital-5-15-19.html>.

¹⁶ Company Affidavit, Aslan Capital, LLC, Volusia County Clerk of the Circuit Court, filed May 2, 2017, available at <https://www.documentcloud.org/documents/6506513-Company-Affidavit-Unit-305-Aslan-Capital-2017.html>.

Deltona Blvd.¹⁷ The 537 building served as an office for Nationwide, Inc. while it operated Claims Pages.¹⁸ According to property records, in 2002 Nationwide, Inc. purchased the property directly.¹⁹ In 2005, Nationwide, Inc. signed the deed over to Aslan, which still owns the property.²⁰ In 2018, Aslan installed a new roof on the building.²¹ Currently, the building is available for lease or sale.²² One real estate website indicates it has been on the market for more than 415 days, which appears to line up with the timing of the sale of Claims Pages in 2017.²³ The taxable value of the property is \$349,825.²⁴

The other property, 849 Deltona Blvd, has a taxable value of \$128,617 and appears to have two commercial tenants, one of which is the district office for Florida State Rep. David Santiago.²⁵

Aslan also owns a building in Lake County, Florida. In 1999, Rep. Plakon and his then-wife Suzanne Plakon, purchased a property in Tavares, Florida for \$68,200.²⁶ In 2002, they signed the deed over to Nationwide, Inc., which, in turn, sold the property to Aslan for \$120,000 in 2005.²⁷ This building appears to have operated as an office for Claims Pages. Signs for Claims Pages can be seen on the property in the most up to date version of Google Earth.²⁸ Aslan still owns the property, and the current taxable value is \$179,377.²⁹

While these are the only properties currently owned by Aslan in Volusia or the surrounding counties, the company has previously owned several other properties. In 2006,

¹⁷ Property Records Search, Aslan Capital, Volusia County Property Appraiser, *accessed at* <https://vcpa.vcgov.org/searches.html>.

¹⁸ <https://www.bbb.org/us/fl/deltona/profile/publishers-directory/nationwide-publishing-company-llc-0733-4002154>.

¹⁹ Deed, 537 Deltona Blvd, Nationwide Publishing Company, Inc., Volusia County Clerk of the Circuit Court, filed Oct. 4, 2002, *available at* <https://www.documentcloud.org/documents/6498185-Nationwide-Inc-537-Deltona-Blvd-Deed-Sept-30-2002.html>.

²⁰ Deed, 537 Deltona Blvd, Aslan Capital, LLC, Volusia County Clerk of the Circuit Court, filed March 5, 2005, *available at* <https://www.documentcloud.org/documents/6498198-Aslan-Capital-Deed-537-Deltona-Blvd-2005.html>.

²¹ Notice of Commencement, 537 Deltona Blvd, Aslan Capital, LLC, Volusia County Clerk of the Circuit Court, filed Oct. 15, 2018, *available at* <https://www.documentcloud.org/documents/6498205-Notice-of-Commecement-537-Deltona-Blvd-Aslan.html>.

²² <https://www.xome.com/commercial-for-sale/537-Deltona-Boulevard-Deltona-FL-32725-291750412>;
<https://www.officespace.com/fl/deltona/2028922-537-deltona-blvd>.

²³ <http://www.remaxcommercial.com/?p=findahome.asp&listing=true&mlsid=958&mlsnumber=506677388>.

²⁴ Final Tax Roll Values, 537 Deltona Blvd, Aslan Capital, LLC, Volusia County Property Appraiser, *accessed at* <https://vcpa.vcgov.org/searches.html>.

²⁵ <https://public.lobbytools.com/legislators/550>; Final Tax Roll Values, 849 Deltona Blvd, Aslan Capital, LLC, Volusia County Property Appraiser, *accessed at* <https://vcpa.vcgov.org/searches.html>.

²⁶ Property Record Card, 228 Main Street, Aslan Capital, LLC, Lake County Property Appraiser, *accessed at* <https://www.lakecopropappr.com/property-details.aspx?AltKey=3784680>.

²⁷ *Id.*

²⁸ <https://goo.gl/maps/L68yzWKGk8eUPafSA>.

²⁹ Property Record Card, 228 Main Street, Aslan Capital, LLC, Lake County Property Appraiser, *accessed at* <https://www.lakecopropappr.com/property-details.aspx?AltKey=3784680>.

Aslan bought a single-family home in Sanford, Florida for \$205,100.³⁰ Aslan sold the house in 2019 for \$195,000, and Rep. Plakon signed the paperwork on behalf of Aslan.³¹

In addition, Aslan has owned several beachfront condominiums including some apparently in partnership with Rep. Plakon's family members. In August 2004, Nationwide, Inc. purchased unit 806 in an oceanfront condominium building in Daytona Beach Shores, Florida.³² Rep. Plakon's apparent father or uncle, Ronald Plakon,³³ and his wife, Camille Plakon, had purchased a different unit in the same building one month earlier.³⁴ Nationwide sold unit 806 less than a year later to Aslan for \$505,000.³⁵ Aslan held the property until 2017, selling it at a loss, for \$415,000.³⁶ Rep. Plakon signed the paperwork for the sale on behalf of Aslan.³⁷

In 2008, Aslan, along with Ronald Plakon and Robert Plakon, purchased unit 305 in the same building for \$350,200.³⁸ In 2012, Robert Plakon deeded the property over to Ronald Plakon and Aslan.³⁹ In 2017, Aslan and Ronald Plakon sold the property for \$409,000.⁴⁰ Rep. Plakon signed the paperwork on behalf of Aslan.⁴¹ Rep. Plakon disclosed a liability to Ronald Plakon of \$270,000 in 2017 and \$116,550 in 2018, but it is unclear if the liability was related to these real estate deals.⁴²

³⁰ Parcel Information, 409 W Crystal Dr, Shane Ritenour, Seminole County Property Appraiser, *available at* <https://parceldetails.scpafll.org/ParcelDetailInfo.aspx?PID=04203050602000010>.

³¹ Indenture, 409 W Crystal Dr, Aslan Capital, LLC, Seminole County Clerk of the Circuit Court, filed May 15, 2019, *available at* <https://recording.seminoleclerk.org/DuProcessWebInquiry/?book=9355&page=233>.

³² Deed, Unit 806, 2055 S Atlantic Ave, Nationwide Publishing Company, Inc., Volusia County Clerk of the Circuit Court, filed Aug. 6, 2004, *available at* <https://www.documentcloud.org/documents/6498425-Deed-Unit-806-Nationwide-2004.html>.

³³ <https://voterrecords.com/voter/19401990/ronald-plakon>.

³⁴ Deed, Unit 205, 2055 S Atlantic Ave, Ronald Plakon and Camille Plakon, Volusia County Clerk of the Circuit Court, filed July 1, 2004, *available at* <https://www.documentcloud.org/documents/6506137-Deed-Unit-205-Ronald-Plakon-2004.html>.

³⁵ Indenture, Unit 806, 2055 S Atlantic Ave, Aslan Capital, LLC, Volusia County Clerk of the Circuit Court, filed March 5, 2005, *available at* <https://www.documentcloud.org/documents/6506143-Indenture-Deed-Unit-806-Aslan-2005.html>.

³⁶ Deed, Unit 806, 2055 S Atlantic Ave, Liliana Otero Arce and Richard Arce, Volusia County Clerk of the Circuit Court, filed Dec. 28, 2017, *available at* <https://www.documentcloud.org/documents/6506440-Deed-Unit-806-Aslan-Sale-2017.html>.

³⁷ *Id.*

³⁸ Certificate of Title, Unit 305, 2055 S Atlantic Ave, Aslan Capital, LLC and Ronald Plakon and Robert Plakon, Volusia County Clerk of the Circuit Court, filed July 10, 2008, *available at* <https://www.documentcloud.org/documents/6506441-Certificate-of-Title-Unit-305-Aslan-Plakons-2008.html>.

³⁹ Quit Claim Deed, Unit 305, 2055 S Atlantic Ave, Aslan Capital, LLC and Ronald Plakon, Volusia County Clerk of the Circuit Court, filed May 25, 2012, *available at* <https://www.documentcloud.org/documents/6506444-Quit-Claim-Deed-Unit-305-Aslan-Plakon-2012.html>.

⁴⁰ General Warranty Deed, Unit 305, 2055 S Atlantic Ave, Karen M. D'Anniballe, Volusia County Clerk of the Circuit Court, filed May 2, 2017, *available at* <https://www.documentcloud.org/documents/6506445-General-Warranty-Deed-Unit-305-Aslan-2017.html>.

⁴¹ *Id.*

⁴² Rep. Scott Plakon, 2018 Full and Public Disclosure of Financial Interests, Form 6, filed July 1, 2019, *available at* <http://public.ethics.state.fl.us/Forms/2018/223307-Form6.pdf>; Rep. Scott Plakon, 2017 Full and Public Disclosure of Financial Interests, Form 6, filed June 20, 2018, *available at* <http://public.ethics.state.fl.us/Forms/2017/223307-Form6.pdf>.

Lake Helen Holdings, LLC

In 2009, Aslan set up another apparent real estate holding company, Lake Helen Holdings, LLC, which shared the same business address as Nationwide Inc., 537 Deltona Blvd.⁴³ That same year, Lake Helen Holdings purchased a property at 186 Industrial Center Drive in Lake Helen, Florida for \$441,000, and it still owns the property.⁴⁴

In 2013, Rep. Plakon filed an affidavit with the Volusia County, Clerk of Court stating:

[H]e is the President of Nationwide Publishing Company, Incorporated, a Florida corporation, d/b/a High Country Management Company, the sole Manager of Asian Capital, LLC, a Florida limited liability company, the Managing Member of Lake Helen Holdings, LLC, a Florida limited liability company....The Managing Member of the Company acting alone has the authority to execute all conveyances, notes, mortgages, encumbrances and any other instrument of or affecting the Company property and to otherwise bind the Company.⁴⁵

In April 2017, Aslan appears to have sold or transferred Lake Helen Holdings to Vincent Wolle as the company filed an annual report listing Mr. Wolle as the registered agent and authorized person.⁴⁶ By then, 186 Industrial Center Drive was valued at \$934,700.⁴⁷ In 2013, Lake Helen Holdings took out a \$405,610.58 mortgage from Aslan Capital.⁴⁸ In 2017, after Mr. Wolle took over, Lake Helen Holdings transferred the mortgage to a bank.⁴⁹ At no time has Rep. Plakon ever listed Lake Helen Holdings or 186 Industrial Center Drive on his financial disclosure forms.

Trilemma-3 Holdings, LLC

Trilemma-3 Holdings, LLC appears to be another entity connected to Nationwide, Inc. and Aslan. The company, formed in 2006, initially shared the 537 Deltona Blvd. address and

⁴³ Articles of Organization, Lake Helen Holdings, LLC, Florida Secretary of State, filed June 22, 2009, *available at* <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2009%5C0626%5C7529171.Tif&documentNumber=L09000060505>.

⁴⁴ Property Information, 186 Industrial Center Dr., Volusia County Property Appraiser, *accessed at* <http://vcpa.vcgov.org/searches.html>.

⁴⁵ Affidavit, D. Scott Plakon, Volusia County Clerk of the Circuit Court, filed Nov. 26, 2013, *available at* <https://www.documentcloud.org/documents/6506478-Affidavit-Lake-Helen-Holdings-186-Industrial.html>.

⁴⁶ 2017 Annual Report, Lake Helen Holdings, LLC, Florida Secretary of State, filed Apr. 25, 2017, *available at* <http://search.sunbiz.org/Inquiry/CorporationSearch/GetDocument?aggregateId=flal-109000060505-3b6601dd-03c4-421c-8804-831033d5da89&transactionId=109000060505-68007e71-fc6d-4d19-985c-48128100ff60&formatType=PDF>.

⁴⁷ Property Information, 186 Industrial Center Dr., Volusia County Property Appraiser, *accessed at* <http://vcpa.vcgov.org/searches.html>.

⁴⁸ Mortgage, 186 Industrial Center Dr., Lake Helen Holdings, LLC, Volusia County Clerk of the Circuit Court, filed Nov. 26, 2013, *available at* <https://www.documentcloud.org/documents/6506479-Mortgage-Aslan-Lake-Helen-Holdings-186-Industrial.html>.

⁴⁹ Mortgage, 186 Industrial Center Dr., Lake Helen Holdings, LLC, Volusia County Clerk of the Circuit Court, filed May 22, 2017, *available at* <https://www.documentcloud.org/documents/6506480-Mortgage-186-Industrial-Drive-Lake-Helen-New.html>.

was managed by High Country Management Company and Ms. White.⁵⁰ According to its annual form filed with the Florida Secretary of State, in 2011 its address briefly switched to the 186 Industrial Drive, the address of Lake Helen Holdings, but it reverted to 537 Deltona Blvd in 2014.⁵¹ Both its 2018 and 2019 annual reports, however, list Rep. Plakon as the controlling party, and list his home address as the entity's address.⁵²

Nationwide Publishing Company, LLC

In 2006 Rep. Plakon set up another LLC, Nationwide Publishing Company, LLC (“Nationwide, LLC”), the name of which mirrored the name of his main source of income: Nationwide Publishing Company, Incorporated.⁵³ Nationwide, LLC was also managed by High Country Management Company and Ms. White out of the 537 Deltona Blvd address.⁵⁴ Rep. Plakon failed to file the 2019 annual report for Nationwide, LLC with the Florida Department of State, and it has been administratively dissolved.⁵⁵

ShredPro Secure Florida LLC

Beyond these interconnected entities, Rep. Plakon appears to have started other unrelated businesses that he has not disclosed on his personal financial disclosures. For instance, Rep. Plakon filed Articles of Organization for ShredPro Secure Florida, LLC (“ShredPro”) on

⁵⁰ Articles of Organization, Trilemma-3 Holdings, LLC, Florida Secretary of State, filed Dec. 20, 2006, available at <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2006%5C1226%5CH0298871.Tif&documentNumber=L06000121112>.

⁵¹ 2011 Annual Report, Trilemma-3 Holdings, LLC, Florida Secretary of State, filed Apr. 29, 2011, available at <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2011%5C0430%5C05942239.tif&documentNumber=L06000121112>; 2014 Annual Report, Trilemma-3 Holdings, LLC, Florida Secretary of State, filed Apr. 28, 2014, available at <http://search.sunbiz.org/Inquiry/CorporationSearch/GetDocument?aggregateId=flal-106000121112-6056b9a4-2020-4860-80c8-58e94e5a7edc&transactionId=106000121112-d90ee497-2db1-4280-845e-c36de5db264f&formatType=PDF>.

⁵² 2018 Annual Report, Trilemma-3 Holdings, LLC, Florida Secretary of State, filed Feb. 17, 2018, available at <http://search.sunbiz.org/Inquiry/CorporationSearch/GetDocument?aggregateId=flal-106000121112-6056b9a4-2020-4860-80c8-58e94e5a7edc&transactionId=106000121112-f0f08f43-d969-47bd-80c5-14c279f9c771&formatType=PDF>; 2019 Annual Report, Trilemma-3 Holdings, LLC, Florida Secretary of State, filed Apr. 27, 2019, available at <http://search.sunbiz.org/Inquiry/CorporationSearch/GetDocument?aggregateId=flal-106000121112-6056b9a4-2020-4860-80c8-58e94e5a7edc&transactionId=106000121112-100ffdfc-5b0d-433a-92f6-312aa168333d&formatType=PDF>.

⁵³ Articles of Organization, Nationwide Publishing Company, LLC, Florida Secretary of State, filed Dec. 18, 2006, available at <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2006%5C1221%5CH0296741.Tif&documentNumber=L06000119933>.

⁵⁴ *Id.*

⁵⁵ Entity Information, Nationwide Publishing Company, LLC, Florida Secretary of State, available at <http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=NATIONWIDEPUBLISHING%20L060001199330&aggregateId=flal-106000119933-9c5a4e80-ed0b-4f42-b737-a36c9f7128b4&searchTerm=nationwide%20publishing&listNameOrder=NATIONWIDEPUBLISHING%20K786250>.

November 27, 2017.⁵⁶ He is listed as the authorized person and registered agent for the company, and initially listed a business address of 537 Deltona Blvd.⁵⁷ In 2018, Rep. Plakon filed an updated Articles of Organization and switched the address for the company to his home address.⁵⁸ In 2019, he filed an annual report that updated the address to his new home address.⁵⁹

After selling Claims Pages in 2017, Rep. Plakon appears to view ShredPro as his principal occupation outside of politics. In July 2018, Gov. Rick Scott appointed Rep. Plakon to serve on the Florida Alzheimer's Disease Advisory Committee.⁶⁰ A press release announcing the appointment noted that Rep. Plakon was the CEO of ShredPro.⁶¹ A few months later, in October 2018, the *Orlando Sentinel* published an article about Rep. Plakon's reelection campaign, referring to him as the "chief executive officer of Shred Pro Secure LLC [*sic*], based in Sanford."⁶²

According a press release, in April 2018, ShredPro signed a lease for 2,000 square feet of industrial space in Sandford, Florida.⁶³ Rep. Plakon's now-wife, Rachel Saunders, represented ShredPro in the transaction.⁶⁴

Plakon Investments, LLC

More recently, on April 25, 2019, Rep. Plakon filed Articles of Organization for another company called Plakon Investments, LLC for which he is the authorized person and registered

⁵⁶ Articles of Organization, ShredPro Secure Florida, LLC, Florida Secretary of State, filed Nov. 27, 2017, *available at* <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2017%5C1127%5C30040913.tif&documentNumber=L17000242182>.

⁵⁷ *Id.*

⁵⁸ Articles of Amendment to Articles of Organization, ShredPro Secure Florida, LLC, Florida Secretary of State, filed Feb. 17, 2018, *available at* <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2018%5C0220%5C0055401.Tif&documentNumber=L17000242182>.

⁵⁹ 2019 Annual Report, ShredPro Secure Florida, LLC, Florida Secretary of State, filed Apr. 27, 2019, *available at* <http://search.sunbiz.org/Inquiry/CorporationSearch/GetDocument?aggregateId=flal-117000242182-8fd987d4-4080-4501-8c0d-dacf72f7c012&transactionId=117000242182-901c8485-f2a2-44d4-bde0-7fb99978e713&formatType=PDF>.

⁶⁰ Jacob Ogles, Governor Taps Scott Plakon for Alzheimer's Disease Advisory Committee, *Florida Politics*, July 29, 2018, *available at* <https://floridapolitics.com/archives/270129-rick-scott-names-scott-plakon-to-alzheimers-disease-advisory-committee>.

⁶¹ *Id.*; Press Release, Gov. Scott Appoints State Rep. Plakon to Alzheimer's Disease Advisory Committee, *Governor of Florida*, July 28, 2018 (Nexis).

⁶² Martin E. Comas, Florida House District 29: Where Scott Plakon and Tracey Kagan Stand on the Issues, *Orlando Sentinel*, Oct. 3, 2018, *available at* <https://www.orlandosentinel.com/news/seminole-county/os-ne-general-election-house-district-29-story.html>.

⁶³ Press Release, NAI Realvest Closes Eight Industrial Leases in 60 Days at Sanford's Monroe Commerce Center South, *NAI Realvest*, Apr. 25, 2018, *available at* <https://www.thenewsfunnel.com/press-release/nai-realvest-closes-eight-industrial-leases-60-days-sanfords-monroe-commerce-center>.

⁶⁴ *Id.*

agent and which uses his home address.⁶⁵ On June 17, 2019, Plakon Investments purchased a house in Orange City, Florida for \$74,700.⁶⁶ Two months later, Rep. Plakon personally filed a notice of commencement regarding a roof replacement for the property.⁶⁷

Campaign Payments to Businesses

Since 2014, Rep. Plakon's campaign committee has paid his businesses and employees of his businesses more than \$35,000.⁶⁸ The campaign committee paid Aslan Capital \$10,275, including a 2018 payment of \$4,000 to lease space at 631 Progress Way, the location of Rep. Plakon's other business, ShredPro Secure Florida, LLC.⁶⁹

In 2014, Rep. Plakon's campaign committee paid Nationwide, Inc. \$1,302.84 for "campaign services." Additionally, between 2014 and 2017, Rep. Plakon's campaign committee paid his similarly named Nationwide, LLC. \$18,680.74 for "campaign services," printing equipment, truck rental, and reimbursements. More recently, on January 4, 2017, the campaign paid \$1,200 to Lake Helen Holdings for storage. Finally, in 2017, the campaign paid Shannon White, the registered agent for many of Rep. Plakon's businesses and an employee of Nationwide, Inc., \$3,750 for accounting services.⁷⁰

Rep. Plakon's campaign paid Nationwide, Inc., Nationwide, LLC, Lake Helen Holdings, and Aslan more than \$1,000 in revenue while Rep. Plakon was in the State Legislature. Further, these payments suggest Rep. Plakon intermingles his business and campaign accounts.

Requirements for Financial Disclosures

As a member of the Florida State Legislature, Rep. Plakon is required to file a Form 6, Full and Public Disclosure of Financial Interests.⁷¹ The form requires legislators to disclose all assets and liabilities in excess of \$1,000 and "[i]dentify each separate source and amount of

⁶⁵ Articles of Organization, Plakon Investments, LLC, Florida Secretary of State, filed Apr. 25, 2019, *available at* <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2019%5C0501%5C0125591.Tif&documentNumber=L19000108395>.

⁶⁶ Property Information, 227 E Fern Drive, Plakon Investments, LLC, Volusia County Property Appraiser, *accessed at* <http://vcpa.vcgov.org/searches.html>.

⁶⁷ Notice of Commencement, 227 E Fern Drive, Plakon Investments, LLC, Volusia County Clerk of the Circuit Court, filed Aug. 26, 2019, *available at* <https://www.documentcloud.org/documents/6506489-Notice-of-Commencement-227-E-Fern-Drive-Plakon.html>.

⁶⁸ Between 2007 and 2013, in support of his previous legislative stint, Rep. Plakon's campaign account paid his businesses and employees of his businesses nearly \$50,000. *See* Expenditure Records, Scott Plakon, Florida Secretary of State, Division of Elections, *accessed at* <https://dos.elections.myflorida.com/campaign-finance/expenditures/>.

⁶⁹ *Id.*; Press Release, NAI Realvest Closes Eight Industrial Leases in 60 Days at Sanford's Monroe Commerce Center South, *NAI Realvest*, Apr. 25, 2018, *available at* <https://www.thenewsfunnel.com/press-release/nai-realvest-closes-eight-industrial-leases-60-days-sanfords-monroe-commerce-center>.

⁷⁰ Expenditure Records, Scott Plakon, Florida Secretary of State, Division of Elections, *accessed at* <https://dos.elections.myflorida.com/campaign-finance/expenditures/>; <https://www.linkedin.com/in/shannon-pomiber-white-3356589b/>.

⁷¹ Art. II § 8(a), Fla. Const; Full and Public Disclosure of Financial Interests, Form 6, *available at* http://www.ethics.state.fl.us/Documents/Forms/Form%206_2018i.pdf?cp=2019107.

income which exceeded \$1,000 during the year, including secondary sources of income.”⁷² Members of the State Legislature can opt to file their annual federal tax returns in lieu of completing the income section of the form.

The instructions for Form 6 detail the many assets, liabilities, and income members must disclose. Generally, the form instructs a member to disclose any asset or liability of more than \$1,000. The asset section states that:

Assets include, but are not limited to, things like interests in real property; cash; stocks; bonds; certificates of deposit; interests in businesses; beneficial interests in trusts; money owed you; bank accounts; Deferred Retirement Option Program (DROP) accounts; and the Florida Prepaid College Plan. Assets also include investment products held in IRAs, brokerage accounts, and the Florida College Investment Plan.⁷³

The income section states:

Examples of income include: compensation for services, gross income from business, gains from property dealings, interest, rents, dividends, pensions, IRA distributions, distributive share of partnership gross income, and alimony, but not child support. Where income is derived from a business activity you should report the income to you, as calculated for income tax purposes, rather than the income to the business.⁷⁴

In addition, Article II, Section 8 of the Florida Constitution and Florida Statute 112.3144 both require public officials, including state legislators, to “file full and public disclosure of their financial interests,” but the law does not define “financial interests”.

Additionally, the Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees (“Guide”) instructs public officials to disclose their financial positions:

Conflicts of interest may occur when public officials are in a position to make decisions that affect their personal financial interests. This is why public officers and employees, as well as candidates who run for public office, are required to publicly disclose their financial interests. The disclosure process serves to remind officials of their obligation to put the public interest above personal considerations. It also helps citizens to monitor the considerations of those who spend their tax dollars and participate in public policy decisions or administration.⁷⁵

⁷² *Id.*

⁷³ *Id.*

⁷⁴ *Id.*

⁷⁵ Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees, Florida Commission on Ethics, 2019, available at <http://www.ethics.state.fl.us/Documents/Publications/GuideBookletInternet.pdf>.

Commission Rule 34-8.005 states:

- (1) The form for disclosure of income sources shall provide for the disclosure of the name and address of each source of income which exceeds \$1,000 received by the officer or candidate or by any person for the officer's or candidate's benefit and use during the previous tax year. The form also shall provide for disclosure of the amount of income received from each source and shall provide for the officer's or candidate's oath verifying the information contained in the completed form.
- (2) A "secondary source of income" shall mean any one customer, client or other source of income which provides in excess of 10% of the total income of a business entity, as shown on that business entity's most recently filed income tax return, during the previous tax year in which a person subject to full and public disclosure of financial interests own in excess of five percent (5%) of the business entity's total assets or capital stock and from which such person derived in excess of \$1,000 income during the previous tax year.

Advisory opinions released by the Commission affirm this rule by instructing Form 6 filers to disclose as much about their financial interest as possible.⁷⁶ For instance, Opinion CEO 85-70 states:

Under Commission on Ethics Rule 34-8.05, F.A.C., if you own more than five percent of a business entity's total assets or capital stock and derived more than \$1,000 of income from that business entity during the disclosure period, you are required to disclose all customers, clients, or other sources of income to that business entity which provided more than ten percent of the total income of the business. Therefore, assuming that you own more than five percent of your companies and receive more than \$1,000 of income per year from them, you will be required to disclose the name of each association and employer which provides more than ten percent of the total income of each company.⁷⁷

Rep. Plakon's Financial Disclosures

Rather than submitting his income tax returns, Rep. Plakon has filed an annual financial disclosure Form 6 covering every calendar year from 2014 to 2018.⁷⁸ He has never filled out

⁷⁶ <http://www.ethics.state.fl.us/Documents/Ethics/Form%206%20Financial%20Disclosure%20Opinions.html>.

⁷⁷ CEO 85-70, Florida Commission on Ethics, Oct. 3, 1985, available at <http://www.ethics.state.fl.us/Documents/Opinions/85/CEO%2085-070.htm>.

⁷⁸ Rep. Scott Plakon, 2018 Full and Public Disclosure of Financial Interests, Form 6, filed July 1, 2019, available at <http://public.ethics.state.fl.us/Forms/2018/223307-Form6.pdf>; Rep. Scott Plakon, 2017 Full and Public Disclosure of Financial Interests, Form 6, filed June 20, 2018, available at <http://public.ethics.state.fl.us/Forms/2017/223307-Form6.pdf>; Rep. Scott Plakon, 2016 Full and Public Disclosure of Financial Interests, Form 6, filed June 30, 2017, available at <http://public.ethics.state.fl.us/Forms/2016/223307-Form6.pdf>; Rep. Scott Plakon, 2015 Full and Public Disclosure of Financial Interests, Form 6, filed June 13, 2016, available at

each section of the financial disclosure form, instead submitting an attachment to each year's form that lists his assets and liabilities. The only sources of income Rep. Plakon has reported are from Nationwide, Inc. and the Florida House of Representatives.

By failing to report income from all of his various entities, Rep. Plakon appears to have violated Florida law. As the Commission's Opinion 85-70 makes clear, if a business's subsidiaries constitute a certain threshold of the primary business's income, then they must be disclosed. As a result, even if Rep. Plakon views Aslan and Lake Helen Holdings as subsidiaries of Nationwide, Inc., the amount of property they have owned suggests their assets should have been disclosed, constituting a high percentage of Nationwide, Inc.'s revenue.

Additionally, Rep. Plakon's 2018 financial disclosure doesn't list any income from Nationwide, Inc. indicating he may no longer be using it to control the other entities giving him no excuse for failing to disclose income from those entities. Further, Rep. Plakon should have disclosed his financial interests in ShredPro Secure Florida, LLC, which appears to be unrelated to Nationwide, Inc.

2018 Financial Disclosure

In 2018, Rep. Plakon may have inaccurately omitted Aslan Capital, LLC, ShredPro Secure Florida, LLC, and Trilemma-3 Holdings, LLC from his financial disclosure.⁷⁹ At the end of 2018, Aslan owned three properties that today are worth a combined taxable value of \$657,819. Additionally, Aslan owned a single-family house throughout 2018, which it sold for \$195,000 in 2019. Also, in 2018, Aslan received a \$4,000 payment from Rep. Plakon's campaign committee. These records indicate Aslan had more than \$1,000 worth of economic activity in 2018 and seemingly should have been disclosed on Rep. Plakon's financial disclosure.

Two of Rep. Plakon's other businesses also appear to have generated more than \$1,000 in financial activity in 2018. ShredPro signed a lease in 2018 for 2,000 square feet of commercial space. Presumably, the company has a liability for the lease, and it had enough money in its bank account to pay for the lease, indicating it should either be counted as an asset or a liability. While no information is available about Trilemma-3 Holdings, LLC, it may also have been active and, if so, should have appeared on Rep. Plakon's financial disclosures.

2017 Financial Disclosure

In 2017, Rep. Plakon may have inaccurately omitted Aslan Capital, LLC, Lake Helen Holdings, LLC, Claims Pages, LLC, Nationwide, LLC, and Trilemma-3 Holdings, LLC from his financial disclosure.⁸⁰ As in 2018, Aslan owned the four properties mentioned above throughout

<http://public.ethics.state.fl.us/Forms/2015/223307-Form6.pdf>; Rep. Scott Plakon, 2014 Full and Public Disclosure of Financial Interests, Form 6, filed June 29, 2015, available at <http://public.ethics.state.fl.us/Forms/2014/223307-Form6.pdf>.

⁷⁹ Rep. Scott Plakon, 2018 Full and Public Disclosure of Financial Interests, Form 6, filed July 1, 2019, available at <http://public.ethics.state.fl.us/Forms/2018/223307-Form6.pdf>.

⁸⁰ Rep. Scott Plakon, 2017 Full and Public Disclosure of Financial Interests, Form 6, filed June 20, 2018, available at <http://public.ethics.state.fl.us/Forms/2017/223307-Form6.pdf>.

2017. Aslan also sold two condominiums in 2017 for a combined value of \$824,000, which presumably should have been disclosed as income.

Lake Helen Holdings, LLC appears to have been sold at some point in 2017, which presumably would have resulted in income for Rep. Plakon. During the year the apparent sale took place, the company owned a property that was worth approximately \$934,700. Additionally, on January 4, 2017, Rep. Plakon's campaign committee paid \$1,200 to Lake Helen Holdings for storage.

Rep. Plakon controlled Claims Pages, LLC throughout 2017, but it was not disclosed on his financial disclosure. Additionally, Rep. Plakon controlled Nationwide, LLC throughout 2017, and Rep. Plakon's campaign committee paid \$500 to Nationwide, LLC on January 4, 2017. Finally, while no information is available about Trilemma-3 Holdings, LLC, it may also have been active and, if so, should have appeared on Rep. Plakon's financial disclosure.

2016 Financial Disclosure

In 2016, Rep. Plakon may have inaccurately omitted Aslan Capital, LLC, Lake Helen Holdings, LLC, Claims Pages, LLC, Nationwide, LLC and Trilemma-3 Holdings, LLC from his financial disclosure.⁸¹ In 2016, Aslan owned the four properties and two condominiums detailed above. In 2016, Lake Helen Holdings was controlled by Rep. Plakon, and it owned the property detailed above.

Rep. Plakon controlled Claims Pages, LLC and Nationwide, LLC throughout 2016, but they were not disclosed on his financial disclosure. While no information is available about Trilemma-3 Holdings, LLC, it may also have been active and, if so, should have appeared on Rep. Plakon's financial disclosures.

2015 Financial Disclosure

In 2015, Rep. Plakon may have inaccurately omitted Aslan Capital, LLC, Lake Helen Holdings, LLC, Nationwide, LLC and Trilemma-3 Holdings, LLC from his financial disclosure.⁸² In 2015, Aslan owned the four properties and two condominiums detailed above. Additionally, Rep. Plakon's campaign committee paid \$3,350 to Aslan in 2015.

In 2015, Lake Helen Holdings was controlled by Rep. Plakon and owned the property detailed above. In 2015, Rep. Plakon controlled Nationwide, LLC, and Rep. Plakon's campaign committee paid Nationwide, LLC \$1,875 on January 30, 2015. While no information is available about Trilemma-3 Holdings, LLC, it may also have been active and, if so, should have appeared on Rep. Plakon's financial disclosures.

⁸¹ Rep. Scott Plakon, 2016 Full and Public Disclosure of Financial Interests, Form 6, filed June 30, 2017, available at <http://public.ethics.state.fl.us/Forms/2016/223307-Form6.pdf>.

⁸² Rep. Scott Plakon, 2015 Full and Public Disclosure of Financial Interests, Form 6, filed June 13, 2016, available at <http://public.ethics.state.fl.us/Forms/2015/223307-Form6.pdf>.

2014 Financial Disclosure

In 2014, Rep. Plakon may have inaccurately omitted Aslan Capital, LLC, Lake Helen Holdings, LLC, Nationwide, LLC and Trilemma-3 Holdings, LLC from his financial disclosure.⁸³ In 2014, Aslan owned the four properties and two condominiums detailed above. Additionally, Rep. Plakon's campaign committee paid \$2,925 to Aslan in 2014. In 2014, Lake Helen Holdings was controlled by Rep. Plakon and owned the property detailed above.

In 2014, Rep. Plakon controlled Nationwide, LLC, and Rep. Plakon's campaign committee paid Nationwide, LLC \$17,608.58 throughout the year. While no information is available about Trilemma-3 Holdings, LLC, it may also have been active and, if so, should have appeared on Rep. Plakon's financial disclosures.

Penalties

Florida law provides steep penalties for anyone who is found to have violated the Code of Ethics including impeachment, removal or suspension from office, public censure or reprimand, forfeiture of salary, fines of up to \$10,000, and restitution of any pecuniary benefit.⁸⁴

Conclusion

Financial disclosures exist to inform the public about a government official's financial situation so that voters and the public can judge for themselves whether a member is acting in the interest of the public. Rep. Plakon's failure to disclose details about his extensive business empire deprives the public of that knowledge.

The Commission should immediately open an investigation into these matters to determine whether Rep. Plakon violated the law.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan E Stevens", with a long horizontal flourish extending to the right.

Daniel E. Stevens
Executive Director

⁸³ Rep. Scott Plakon, 2014 Full and Public Disclosure of Financial Interests, Form 6, filed June 29, 2015, available at <http://public.ethics.state.fl.us/Forms/2014/223307-Form6.pdf>.

⁸⁴ Fla. Stat. 112.317(1).