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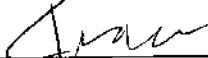
12-012447-CI P P-588 DOC

Reference No.: 12-012447-CI

PLAINTIFF EXHIBIT# 588 ID 2/26/16  
(Date)

PLAINTIFF EXHIBIT# 586 Evidence 3/8/16  
(Date)

**KEN BURKE**, Clerk of the Circuit Court

By:   
Deputy Clerk



# Secret Recording of Mitt Romney Fundraiser May Have Broken Florida Law

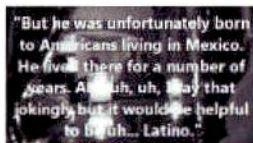


Neetzan Zimmerman

9/18/12 6:00pm · Filed to: MITT ROMNEY

24.8K 169

Controversial footage from a \$50,000-a-plate Mitt Romney fundraiser that took place in May has already been viewed more times than any Romney campaign video currently on YouTube.



**'It Would Be Helpful to Be Latino' and Other Blowhard Things Romney Was Caught Saying on a Hidden Camera**

A cache of hidden-camera videos of Mitt Romney, speaking at an off-the-record fundraiser sometime...

Despite public interest in remarks made by Romney — particular concerning the "47 percent" of Americans who "believe that they are entitled" to healthcare, food, and housing — the tape, which was released in full today by *Mother Jones*, could land the person or persons responsible for its recording in serious legal trouble.

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The advertisement is a blue rectangular box with white text. It features the Amex Everyday Credit Card logo at the top. Below the logo, three key benefits are listed: 'No Annual Fee', 'Get 20% more points', and '0% Intro APR Offer'. A central offer states 'Get 10,000 Membership Rewards® Points'. To the right of this offer is the American Express logo. Below the offer is a small image of the credit card. At the bottom, there is a 'Learn More' button and a link to 'Rates and Fees'. A disclaimer 'Terms and limitations apply.' is located at the bottom right.

The event took place in Florida — a private home in Boca Raton, to be exact — which has a strict wiretapping law that prohibits the "interception" of private "oral communications" without express consent from all parties being recorded where there is a "reasonable expectation of privacy."

It's unclear if the Romney recording violates Section 934.03, "partly because fundraising events are about influencing supporters and spreading word about his candidacy," says Politico.

But, as Think Progress notes, that defense is "fairly weak" given that it's obvious the Romney campaign did not want reporters to attend that particular reception.

The question then turns to whether Romney has a justified expectation of privacy.

Think Progress says modern recording devices make it impossible for Romney to assume no one would be documenting his remarks at all times, and Forbes agrees, saying politicians should just learn "not to make off-the-cuff candid remarks, especially if you are running for president."



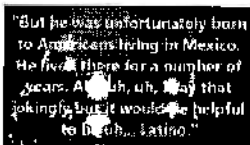
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The First Amendment probably won't shield the person behind the camera, but could definitely protect *Mother Jones* if it finds itself in court.

Should Romney seek to make an example of the anonymous videographer who may have derailed his campaign, that freedom-of-information fighter could spend up to a year in prison if convicted.