

DATE FILED

OCT 24 2012

**BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS**

COMMISSION ON ETHICS

In re **DIANE V. BENDEKOVIC,**)
)
 Respondent.)
)
)
)
 _____)

Complaint No. 10-152
DOAH Case No. 11-1238FE
COE Final Order No. 12-187

**ORDER AMENDING FINAL ORDER GRANTING
ATTORNEY'S FEES AND COSTS**

This matter comes before the Commission on the "Order on Modification of Attorney's Fee Award" entered by the Administrative Law Judge (ALJ) from the Division of Administrative Hearings (DOAH) on August 23, 2012 (a copy of which is attached and incorporated herein by reference), in which she modifies the attorney's fees and costs award to \$42,251.55.

During the pendency of the appeal of our Final Order Granting Attorney's Fees and Costs (COE Final Order No. 11-138) to the District Court of Appeal (Case No. 1D11-6335), Respondent confessed error in the calculation of the amount of attorney's fees and costs and filed a motion with the Court requesting that it relinquish jurisdiction to DOAH to modify the award. On June 5, 2012, the Court issued a *per curiam* decision, affirming the Commission's Final Order. By separate order, the Court directed the Administrative Law Judge to modify the amount of attorney's fees and costs and, on August 23, 2012, the Administrative Law Judge entered an order modifying the amount of the award downward from \$51,458.55 to \$42,251.55.

Having considered the Order on Modification of Attorney's Fee Award and being otherwise fully advised, we hereby modify the amount of attorney's fees and costs awarded in

favor of Diane V. Bendekovic against Robert W. Meddoff to \$42,251.55.

DONE and **ORDERED** by the State of Florida Commission on Ethics meeting in public session on Friday, October 19, 2012.

October 24, 2012
Date Rendered


SUSAN HOVOVITZ-MAUCKER
Chair

cc: Mr. Jeremy J. Kroll, Attorney for Diane V. Bendekovic
Mr. Robert W. Meddoff
The Honorable Jessica Varn, Administrative Law Judge
Division of Administrative Hearings
Ms. Diane L. Guillemette, Commission's Advocate