

EXECUTIVE DIRECTOR'S REPORT

TO: Members, Commission on Ethics

FROM: Kerrie Stillman 
Executive Director

DATE: August 24, 2022

ADVISORY OPINIONS

The Commission on Ethics did not issue any opinions at its July meeting. It has rendered 2,692 opinions since its inception in 1974.

LITIGATION

Case Number 1D21-3115, Patrick Loebig v. Florida Commission on Ethics - This is an appeal of CEO 21-9 regarding the Taxpayers' Rights Advocate. We filed an answer brief on March 15, 2022. The Appellant filed his Reply Brief on April 14, 2022, and requested oral argument in his appeal, which was granted by the First District Court of Appeals. Oral argument occurred on July 12, 2022. Gray Schafer argued on behalf of the Commission. We now await the Court's ruling.

Case Number 5D22-322, Bill Spaude v. Florida Commission on Ethics. This is an appeal of Complaint No. 19-174. The Appellant filed his Initial Brief on June 3, 2022. The Commission filed its Answer Brief on August 17, 2022. The Appellant's Reply Brief is due September 1, 2022. Melody Hadley and Steven Zuilkowski are handling this appeal.

Case Number 1D22-924, Daphne Campbell v. Florida Commission on Ethics. This is an appeal of Complaint No. 18-090. The Appellant's Initial Brief is due on July 7, 2022. The Court has ordered that Appellant supply the Commission with a transcript of the Commission's final hearing by September 12, 2022. The Commission must then supplement the record with the transcript. The Court has ordered that once the Commission supplements the record, the Appellant's Initial Brief is due 30 days later. Steven Zuilkowski is handling the appeal.

Case Number 2D22-2191, R.C. "Rick" Lussy v. Florida Commission on Ethics. This is an appeal of Complaint No. 20-186. The Appellant's Initial Brief is due September 20, 2022. Steven Zuilkowski is handling the appeal.

Case Number SC22-960, James Ballard v. Florida Commission on Ethics. Petitioner is an inmate of the Alachua County Jail. In this matter, originally filed in the Supreme Court of Florida, the Petitioner requests a Writ of Mandamus to order the Commission to accept his ethics complaints against various individuals. The Commission rejected those complaints for failure to comply with Rule 34-5.001, F.A.C. The Supreme Court of Florida transferred the matter to the Circuit Court of the Second Judicial Circuit, in and for Leon County. The Court is evaluating the Petitioner's request for legal sufficiency. The Commission is not required to respond unless and until the Court determines the request is legally sufficient and issues the Commission an Order to Show Cause. Steven Zuilkowski is handling the matter.

Case Number 2D22-2702, Carlos Beruff v. Florida Commission on Ethics. This is an appeal of Complaint No. 17-082. The Commission must transmit the Index by October 7, 2022,

and the Record by October 17, 2022. The Appellant's Initial Brief is due October 27, 2022. Steven Zuilkowski is handling the appeal.

FINANCES

As of July 31, we've spent \$285,234.98 (11.22%) of our appropriation, with 8.33% of FY gone. We are running slightly ahead of our budget while we await administered funds to account for the across-the-board raises.

STAFF

Our Fall Legal Intern Alexa Ravencroft joined the Commission staff on August 22. She is a current second-year law student at Florida State University. Alexa will be mentored by our legal team and assist them with research and writing. We look forward to her contributions to our agency.

PUBLIC SPEAKING ENGAGEMENTS / PUBLICATIONS / HONORS

Gray participated in a panel discussion on financial disclosure for the Conference of Court Judges of Florida in Bonita Springs on July 14. Steve provided a one-hour ethics training on financial disclosure and nepotism by video conference for the senior staff of Escambia County on August 22. Steve also provided a one-hour general ethics update and overview for the Florida School Board Attorneys Association on August 26.

PENDING ORDERS IMPOSING PENALTIES

GOVERNOR

- Complaint No. 15-178, In re Michael S. Murphy (Final Order 08/03/16)
- Complaint No. 17-108, In re Joel Davis (Final Order 06/13/18)
- Complaint No. 17-088, In re Cheryl Thomas-Hughes (Final Order 12/12/18)
- Complaint No. 16-062, In re Dennis McDonald (Final Order 10/30/19)
- Complaint No. 18-211, In re Thomas L. Clyce (Final Order 02/10/21)
- Complaint No. 19-154, In re Doug Belden (Final Order 03/10/21)
- Complaint No. 18-168, In re Dustin Daniels (Final Order 04/21/21)
- Complaint No. 18-047, In re Brian Burkeen (Final Order 04/21/21)
- Complaint No. 19-158, In re Thomas R. Hardee [Referral] (Final Order 04/21/21)
- Complaint No. 20-124, In re Francis David Bourrie (Final Order 06/09/21)
- Complaint No. 19-192, In re Marilyn D. Sconions (07/28/21)
- Complaint No. 20-054, In re Milissa Holland (Final Order 09/15/21)
- Complaint No. 16-130, In re Frantz Pierre (Final Order 09/15/21)
- Complaint No. 20-125, In re Muhammad Amin (Final Order 10-27-21)
- Complaint No. 20-225, In re Alexis P. Rodriguez (Final Order 10-27-21)
- Complaint No. 21-077, In re Reginald Sessions (Final Order 10-27-21)
- Complaint No. 20-170, In re Betsy Vanderley (Final Order 12-8-21)
- Complaint No. 19-174, In re William "Bil" Spaude (Final Order 1-26-22) *on appeal
- Complaint No. 18-141, In re Andreana Jackson (Final Order 1-26-22)
- Complaint No. 18-020, In re Joseph Kilsheimer (Final Order 1-26-22)

Complaint No. 20-144, In re Gabriel Garcia (Final Order 3-9-22)
Complaint No. 21-093, In re Dale V.C. Holness (3-9-22)
Complaint No. 21-162, In re Cynthia Stuart (3-9-22)
Complaint No. 21-113, In re Dennis Ward (4-27-22)
Complaint No. 20-186, In re R.C. "Rick" Lussy (Final Order 6/8/2022) *on appeal
Complaint No. 17-082, In re Carlos Beruff (Final Order 7/27/2022) *on appeal
Complaint No. 18-044, In re Dorothy Miles (Final Order 7/27/2022)
Complaint No. 20-100, In re David N. Tolces (Final Order 7/27/2022)

HOUSE

Complaint No. 18-026, In re Kim Daniels (Final Order 01/30/19)
Complaint No. 20-206, In re Jackie Toledo (Final Order 10-27-21)
Complaint No. 20-211, In re Tracie Davis (Final Order 10-27-21)
Complaint No. 21-159, In re Tracie Davis (Final Order 6/8/2022)

SENATE

Complaint No. 18-090, In re Daphne Campbell (Final Order 3/9/2022) *on appeal

PENDING ACTION ON STATUTORILY-GENERATED LOBBYING FIRM AUDIT MATTERS (GOVERNOR AND CABINET)

Complaint No. 16-017, In re Dean Mead (Probable Cause 01/27/17)
Complaint No. 16-018, In re Buigas and Associates (Probable Cause 01/27/17)
Complaint No. 16-019, In re DDarling Consulting (Probable Cause 01/27/17).
Complaint No. 16-174, In re Kathy Till and Associates, Inc., (Probable Cause 08/02/17)
Complaint No. 16-170, In re Capitol Group, Inc., (Probable Cause 10/25/17)
Complaint No. 16-173, In re Johnson Strategies, LLC (Probable Cause 12/13/17)
Complaint No. 16-175, In re Sayfie Law Firm (Probable Cause 10/25/17)
Complaint No. 17-132, In re Andrew J. Liles (Probable Cause 08/01/18)
Complaint No. 17-134, In re Lester Abberger (Probable Cause 08/01/18)
Complaint No. 17-135, In re Pruitt and Associates (Probable Cause 08/01/18)
Complaint No. 17-136, In re Wilson and Associates, LLC (Probable Cause 08/01/18)
Complaint No. 17-137, In re TC Wolfe (Probable Cause 08/01/18)
Complaint No. 19-031, In re Impact GR (Probable Cause 09/18/19)
Complaint No. 20-055, In re All Florida Solutions, Inc. (Probable Cause 03/10/21)
Complaint No. 20-056, In re Carr Allison (Probable Cause 03/10/21)
Complaint No. 20-058, In re Pyle and Associates (Probable Cause 03/10/21)
Complaint No. 21-127, In re Diana Hadi Padgett (Probable Cause 12/3/21)
Complaint No. 21-128, CJT Strategies, LLC (Probable Cause 12/3/21)