

BEFORE THE  
STATE OF FLORIDA  
COMMISSION ON ETHICS

In re DOUGLAS UNDERHILL,	)	Complaint Nos.	20-060, 20-073 & 20-103
	)		(cons.)
	)	DOAH Case Nos.	21-3753EC, 21-374EC & 21-
	)		3755EC
Respondent.	)	Final Order No.	25-015
_____	)		

FINAL ORDER AND PUBLIC REPORT UPON  
MANDATE OF THE DISTRICT COURT OF APPEAL

This matter came before the Commission on Ethics, meeting in public session on April 25, 2025, upon the mandate of the First District Court of Appeal issued in Douglas Underhill v. State of Florida Commission on Ethics, Case No. 1D2022-3429 (February 26, 2025). The court's opinion set aside the initial final order issued by the Commission in this matter and instructed the Commission to adopt *in toto* the proposed Recommended Order submitted by the Administrative Law Judge at the Division of Administrative Hearings.

Pursuant to the mandate of the appellate court, the Commission accepts and incorporates in full the findings of fact and conclusions of law contained in the Recommended Order from the Division of Administrative Hearings.

Accordingly, as set forth in the Recommended Order, the Commission on Ethics finds that the Respondent did not violate Sections 112.313(6) or 112.313(8), Florida Statutes, by releasing shade transcripts, finds that the Respondent did not violate Section 112.3148(3), Florida Statutes, by "soliciting" donations to his legal defense fund, and finds that the Respondent did not violate Section 112.3148(8), Florida Statutes, by failing to disclose reimbursed travel and shipping expenses.

However, as set forth in the Recommended Order, the Commission on Ethics finds that the Respondent did violate Section 112.3148(4), Florida Statutes, by knowingly accepting one or more contributions to his legal defense fund from vendors and/or lobbyists, finds that the Respondent did violate Section 112.3148(8), Florida Statutes, by failing to disclose contributions to his legal defense fund, and finds that the Respondent did violate Section 112.3148(8), Florida Statute, by failing to disclose a gift of legal services.

Regarding the violations of Sections 112.3148(4) and 112.3148(8), Florida Statutes, the Commission adopts the penalty recommendation in the Recommended Order of a public censure and reprimand. Moreover, regarding the particular allegation that the Respondent violated Section 112.3148(8), Florida Statutes, by failing to disclose a gift of legal services, the Commission adopts the additional recommendation in the Recommended Order of a civil penalty of \$5,000.

ORDERED by the State of Florida Commission on Ethics meeting in public session on April 25, 2025.

April 30, 2025  
Date Rendered

  
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Luis M. Fusté  
*Chair, Florida Commission on Ethics*

THIS ORDER CONSTITUTES FINAL AGENCY ACTION. ANY PARTY WHO IS ADVERSELY AFFECTED BY THIS ORDER HAS THE RIGHT TO SEEK JUDICIAL REVIEW UNDER SECTION 120.68 AND SECTION 112.3241, FLORIDA STATUTES, BY FILING A NOTICE OF ADMINISTRATIVE APPEAL PURSUANT TO RULE 9.110, FLORIDA RULES OF APPELLATE PROCEDURE, WITH THE CLERK OF THE COMMISSION ON ETHICS, P.O. DRAWER 15709, TALLAHASSEE, FLORIDA 32317-5709, OR AT THE COMMISSION'S PHYSICAL ADDRESS OF 325 JOHN KNOX ROAD, BUILDING E, SUITE 200, TALLAHASSEE, FLORIDA 32303; AND BY FILING A COPY OF THE NOTICE OF APPEAL ATTACHED TO WHICH IS A CONFORMED COPY OF THE ORDER DESIGNATED IN THE NOTICE OF APPEAL ACCOMPANIED BY THE APPLICABLE FILING FEES WITH THE

APPROPRIATE DISTRICT COURT OF APPEAL. THE NOTICE OF ADMINISTRATIVE APPEAL MUST BE FILED WITHIN 30 DAYS OF THE DATE THIS ORDER IS RENDERED.

cc: Mr. Mark Herron, Attorney for Respondent  
Ms. Melody A. Hadley, Commission Advocate  
Mr. Rick Figlio, Attorney for Complainant (Bear)  
Ms. Alexandra Akre, Attorney for Complainant (Bear)  
Mr. Joe Ward, Complainant  
Mr. John F. Stenicka, Complainant  
The Honorable G.W. Chisenhall, Division of Administrative Hearings