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COMMISSION ON ETHICS

OCT 26 2023

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**Florida Commission on Ethics**

P. O. Drawer 15709, Tallahassee, Florida 32317-5709

"A Public Office is a Public Trust"

**COMPLAINT
23-255****1. PERSON BRINGING COMPLAINT:**Name: OIG Special Agent William Cates Telephone Number: 954-357-7818Address: 1 North University Drive, Suite 111City: Plantation County: Broward State: Florida Zip Code: 33324**2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:**

Use a separate complaint form for each person you wish to complain against:

Name: Lynn Stoner Telephone Number: 954-927-4249Address: c/o Larry Davis, Esq - 1926 Harrison StreetCity: Hollywood County: Broward Zip Code: 33020Title of office or position held or sought: Former Mayor - City of Plantation**3. STATEMENT OF FACTS:**

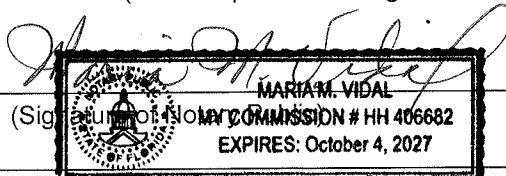
Please provide a full explanation of your complaint, describing the facts and the actions of the person named above and why you believe he or she violated the law. Include relevant dates and the names and addresses of persons whom you believe may be witnesses. Please do not submit more than 15 pages, including this form. Please do not submit video or audio tapes, CDs, DVDs, flash drives or other electronic media; such material will not be considered part of the complaint and will be returned.

4. OATHSTATE OF Florida
COUNTY OF BROWARD

I, the person bringing this complaint, do swear or affirm that the facts set forth in the foregoing complaint and attachments thereto are true and correct to the best of my knowledge and belief.

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 24 day of October, 2023, by William Cates.
(name of person making statement)

William Cates
SIGNATURE OF COMPLAINANT



(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ☒ OR Produced Identification ☐
Type of Identification Produced: _____



BROWARD OFFICE OF THE INSPECTOR GENERAL

FLORIDA COMMISSION ON ETHICS

COMPLAINT NARRATIVE

RE: LYNN STONER

1. Broward County Charter Sec. 10.01.C. provides, "(1) After completing his or her investigation and determining that there is probable cause to believe misconduct has occurred, the Inspector General [for Broward County and its thirty-one municipalities] shall notify the appropriate civil, criminal, or administrative agencies charged with enforcement related to the alleged misconduct. ... (b) The Inspector General shall refer findings of alleged civil offenses involving a violation of Chapter 112, Part III, Florida Statutes, to the Florida Commission on Ethics..."
2. On July 25, 2023, the Inspector General completed her investigation and determined that, former City of Plantation Mayor Lynn Stoner, during her time in office, engaged in official misconduct by falsifying a public record to help a private developer secure at least \$95 million in construction loans for his company's local development project. The Inspector General also determined that Ms. Stoner unlawfully attempted to influence the city's building official to violate his statutory duties under the Florida Building Code in an effort to remove impediments to the private developer's unlawful construction. As Ms. Stoner acted for the purpose of securing benefits for the private developer's principal officer, she misused her public position in violation of section 112.313(6), Florida Statutes.
3. The OIG investigation showed that, on or about April 9, 2020, when Ms. Stoner was mayor, she called the city's then-building official, Dan Ezzeddine and asked him for a "favor." She wanted him to void the violations in the code enforcement case that was the basis of a city property lien on a property owned by Strata Group, LLC, whose (now-deceased) registered agent and managing officer was Christopher Longworth. She also wanted him to write a letter to Mr. Longworth's bank saying that Strata Group had resolved the code violations on the property and that the city had discharged the fines. Ms. Stoner told Mr. Ezzeddine that Mr. Longworth was flying to New York City to close on a construction loan that Saturday but the bank would not close on the loan if the code enforcement case was still pending. She wanted Mr. Ezzeddine to "make it go away" and give her the letter. Mr. Ezzeddine told her he would not waive the violations because the Mr. Longworth had not corrected the violations. He also told her he would not write the letter because it would be illegal. Ms. Stoner replied that she would write the letter and then hung up on him.
4. On, or about, April 9, 2020, Ms. Stoner signed and caused the city's chief administrative officer, Jason Nunemaker, to sign a letter, on city stationery or letterhead, falsely asserting that Strata Group had resolved the code enforcement case and property lien. The letter indicated that it was to serve as a

city record purportedly proving that the city had waived all fines associated with the code enforcement case and had deemed the violations discharged and satisfied. Indeed, the last line of the letter read, "This letter is provided so that all interested parties may rely upon the confirmation of these matters as described herein."

5. The OIG investigation also showed that Mr. Longworth provided Ms. Stoner with the language that appeared on the letter she ultimately signed on, or about April 9, 2020. Specifically, the city's emails records showed that, on April 8, 2020, Mr. Longworth emailed Ms. Stoner a draft version of the letter. The letter Ms. Stoner signed on, or about, April 9, 2020, amounted to the draft letter Mr. Longworth emailed her the day before but on city stationery or letterhead, with a different closing, and the addition of Mr. Nunemaker's signature block.
6. Additionally, the OIG investigation established that Ms. Stoner was aware that the assertions contained within the letter were false at the time she signed the letter. In addition to being told by Mr. Ezzeddine, on or about the same day she signed the letter, that the violations were still outstanding as Strata Group had not corrected the violations, city emails showed that Ms. Stoner sought and received the city's code enforcement records for Strata Group's code enforcement case. Those records reflected that Strata Group had neither resolved the violation nor paid the outstanding fine, which by the date of the letter had accumulated to approximately \$181,500.00. Notwithstanding, Ms. Stoner still provided the letter to Mr. Nunemaker for signature.
7. After also signing it, Mr. Nunemaker emailed Mr. Longworth the fully executed letter on April 9, 2020. Mr. Longworth provided the letter to the lender, Madison Realty Capital, and the title company, FNF, the same day. Both relied on the letter's substance. FNF relied on it to remove the city's property lien from the list of requirements on the title commitment, and Madison Realty Capital relied on it to confirm that the City of Plantation had no encumbrances on the property. The lender closed on Mr. Longworth's construction loan on April 24, 2020.
8. Furthermore, the investigation determined that Ms. Stoner attempted to use her position to have Mr. Ezzeddine disregard his official duties in handling Mr. Longworth's permit issues and code violations. He repeatedly declined to do so. Ms. Stoner ultimately terminated him.
9. The OIG established that Ms. Stoner's efforts to corruptly use her position to benefit Mr. Longworth by attempting to persuade Mr. Ezzeddine to overlook Mr. Longworth's permitting transgressions began as early as August 20, 2019. That was the day that city email records suggested Mr. Longworth became aware of the lien which was the basis of the false letter Ms. Stoner later signed on April 9, 2020. On that night Mr. Longworth called Mr. Ezzeddine and attempted to persuade him to issue a permit on the project that was the basis for the code enforcement case. Mr. Ezzeddine told Mr. Longworth that he could not get a new permit until Mr. Longworth corrected the violation and paid the outstanding fine on the code enforcement case. Mr. Longworth refused to correct the violation and told Mr. Ezzeddine that he would not pay the city "a dime" in fees because Ms. Stoner was going to take care of it. After the August 20, 2019, call with Mr. Longworth ended, Ms. Stoner also called

and asked him why he was giving Mr. Longworth a hard time. Mr. Ezzeddine told her that he was not giving Mr. Longworth a hard time and that Mr. Longworth said she was going to handle the fine. She got angry at Mr. Ezzeddine and denied having said that to Mr. Longworth.

10. Then, as discussed above, on or about April 9, 2020, Ms. Stoner asked Mr. Ezzeddine to void the violations in Strata Group's code enforcement case that was the basis of a lien on the property. She wanted him to write a letter to Mr. Longworth's bank saying that Strata Group had resolved the code violations on the property and that the city had discharged the fines as the bank would not close on Mr. Longworth's pending construction loan if the code enforcement case was still pending. Mr. Ezzeddine told her he would not waive the violations because Mr. Longworth had not corrected the violations.
11. On August 12, 2020, Mr. Ezzeddine became aware that Mr. Longworth was engaging in another building code violation. The city engineer told Mr. Ezzeddine that Mr. Longworth had begun work on his development project called the Pixl Project without a permit and that Mr. Longworth had indicated that Ms. Stoner had authorized him to start. Mr. Ezzeddine confronted Mayor Stoner and told her he was going to shut down the project. She denied having authorized the construction to start and asked Mr. Ezzeddine to call Mr. Longworth's attorney.
12. On August 14, 2020, at Mr. Ezzeddine's direction, a city structural inspector went to the project's job site and issued a stop work order after observing workers working on the site. That evening, Ms. Stoner called Mr. Ezzeddine at home. She told him that she did not know he was going to shut down Mr. Longworth's job site and that Mr. Longworth was going to call him. She asked Mr. Ezzeddine to not "throw me under the bus." Ms. Stoner and Mr. Ezzeddine agreed to meet at the job site that Monday, August 17, 2020. While Mr. Ezzeddine discouraged her from being involved as she was the mayor, she told him she wanted to see the project for herself. Ms. Stoner followed up their phone conversation with a text again instructing him to not "throw me under the bus."
13. When Mr. Ezzeddine and Ms. Stoner arrived at the job site that Monday, August 17, 2020, they observed 25 to 27 workers working on the foundation and columns without authorization and without a permit. Mr. Longworth attempted to convince Mr. Ezzeddine to let him continue working without a permit. Mr. Ezzeddine pointed out that the workers had poured concrete for the foundation, which they would have to remove for inspection. Ms. Stoner responded that "we" were not going to dig out the concrete. Mr. Ezzeddine reminded her that he was the building official and that he gave the orders on construction matters. Mr. Longworth continued to try to convince Mr. Ezzeddine to allow him to proceed, arguing that nobody knew about the unpermitted construction other than the three of them. Mr. Ezzeddine refused.
14. The OIG established that Mr. Longworth's permitting issues led to a September 15, 2020, combined in-person and Zoom video conference meeting between Mr. Longworth, his team, attorneys for both Mr. Longworth and the city, several city department heads involved in Mr. Longworth's permit process, Mr. Nunemaker, and Ms. Stoner. They discussed outstanding issues that Mr. Longworth

needed to address for his company to obtain a proper permit for his project. This meeting and the events that took place afterwards evidenced Ms. Stoner's attempt to corruptly use her position as mayor to benefit Mr. Longworth.

15. Once the discussion about outstanding issues was over, Mr. Nunemaker asked everyone to leave except for the attorneys and some building department staff, as he wanted to address Mr. Longworth's stop work order issue. Mr. Nunemaker muted Ms. Stoner from the Zoom meeting as he did not want her involved in the discussion for her protection. Ms. Stoner came into the meeting room and argued with Mr. Nunemaker because she was muted from the Zoom meeting. Mr. Ezzeddine began to talk about the permit. Ms. Stoner suggested that the governor's COVID order extending permits meant that no permits were necessary. Mr. Nunemaker shook his head after hearing her suggestion. Ms. Stoner told Mr. Nunemaker if he did not like it, he could leave. Mr. Nunemaker got up and left the meeting.
16. After Mr. Nunemaker left, Ms. Stoner focused on Mr. Ezzeddine. She told him, "[I]t all comes back to you with this" and told him he needed to fix the problem since he had so much "power." She said she had been researching his power since "8:30 last night." Mr. Ezzeddine explained to Ms. Stoner that Mr. Longworth was violating the building code and that he (Mr. Ezzeddine) would be violating the code by allowing him to continue to work despite the violations. Ms. Stoner told Mr. Ezzeddine that he could allow it. She then leaned into him and whispered something to the effect of "put the ego out, and let him do the work, because the bank is coming on Wednesday." Mr. Ezzeddine explained to the OIG that she wanted him to let Mr. Longworth continue to work on the foundation so that the bank could see people working on the site. Mr. Ezzeddine responded, "I am not going to jeopardize my license, I am not going to be investigated by anybody." His administrative assistant, Melissa Hurt, was sitting next to him at the time.
17. On September 22, 2020, city staff advised Mr. Ezzeddine that there were workers working at Mr. Longworth's project site even though the stop work order was still in effect. Mr. Ezzeddine called the city structural inspector and again directed her to report to the site. Once she did, she advised him that she could not access the site because the gate was locked. Furthermore, the stop work order sign that was previously posted on the gate had been removed, which amounted to another violation of the building code. Mr. Ezzeddine ordered a new stop work order.
18. Mr. Ezzeddine called Mr. Nunemaker and advised him that Mr. Longworth was again working at the project site. Shortly thereafter, Mr. Nunemaker and Mayor Stoner called Mr. Ezzeddine. Mayor Stoner cursed at Mr. Ezzeddine during the call. She later called him again, yelling and asking him why he would send inspectors and why he could not have waited until the next day to send inspectors after the bank had approved the payment application.
19. Mr. Nunemaker recalled being involved in a conversation with Ms. Stoner and Mr. Ezzeddine regarding re-inspecting Mr. Longworth's project site. There was an issue with workers being on site. Ms. Stoner asked Mr. Ezzeddine to not have inspectors go out during a specific time frame because bank

representatives were going to be there doing inspections. Mr. Nunemaker explained that banks have representatives check a project's progress to ensure the project was meeting milestones. After that meeting, Mr. Nunemaker cautioned Ms. Stoner that instructing Mr. Ezzeddine to not have inspectors go to the site because bank representatives were going there was putting her at risk of supporting financial fraud if Mr. Longworth engaged in any kind of financial wrongdoing.

20. On September 24, 2020, Ms. Stoner terminated Mr. Ezzeddine citing complaints about the building department.
21. While she could not remember the exact day, the HR Director told us she thought that Ms. Stoner approached her about terminating Mr. Ezzeddine no more than a week before September 24, 2020. Although Ms. Stoner had not spoken about terminating him before then, Ms. Stoner had complained about Mr. Ezzeddine not doing things she wanted him to do. The day Ms. Stoner approached the HR Director about terminating Mr. Ezzeddine, she instructed the HR Director to write a termination letter based on complaints. The HR department had not received any complaints about Mr. Ezzeddine prior to his termination. Ms. Stoner's assistant brought the HR Director a folder of purported complaints about Mr. Ezzeddine after his September 24, 2020, termination date.
22. The above facts illustrate that Ms. Stoner executed a false letter and attempted to persuade Mr. Ezzeddine to violate the Florida Building Code by overlooking Mr. Longworth's permits and code violations. They also illustrate that she engaged in this behavior to provide a benefit to Mr. Longworth. Ms. Stoner's conduct amounted to several instances of misuse of position in violation of section 112.313(6), Florida Statutes.
23. The names and last known addresses and telephone numbers of persons who may be witnesses to the above facts are:
 - A. OIG Special Agent William Cates
Broward Office of Inspector General
1 N. University Drive, Suite 111
Plantation, Florida 33324
954-357-7873
 - B. Lynn Stoner
c/o Larry Davis, Esq
1926 Harrison Street
Hollywood, FL 33020
larry@larrysdavislaw.com
 - C. Dan Ezzeddine
407-624-9863
Ad13sa@aol.com

D. Jason Nunemaker, Chief Administrative Officer
City of Plantation
400 NW 73rd Avenue
Plantation, FL 33317
JNunemaker@plantation.org

E. Denese Edsall, Human Resources Director
City of Plantation
400 NW 73rd Avenue
Plantation, FL 33317
Dedsall@plantation.org

F. Mark Gormley
Madison Realty Capital
c/o Jerold Feuerstein, Esq
Kriss & Feuerstein LLP
360 Lexington Avenue, Suite 1200
New York, NY 10017
jfeuerstein@kandflp.com

G. Kristy Tomasello
Fidelity National Finance
c/o Jeffrey Golant, Esq
Fidelity National Law Group
100 West Cypress Creek Road, Suite 889
Fort Lauderdale, FL 33309
jeffrey.golant@fnf.com

H. Melissa Hurt, Administrative Assistant
City of Plantation
400 NW 73rd Avenue
Plantation, FL 33317
Mthurt@plantation.org

- 24.** Records in the OIG file, including Memoranda of Interviews, audio recordings of interviews, Investigative Memoranda, the matter Report and exhibits (also available online at <https://www.broward.org/InspectorGeneral/Publications/20230725OIG20011MFINALREPORT.pdf> or www.browardIG.org), and all other records are available from the Complainant upon request, to include:

- A. OIG Final Report Re: Former Mayor of Plantation Executed a False Letter on City Stationery or Letterhead to Help a Private Developer Secure At Least \$95 Million in Loans, Ref. OIG 20-011-M.
- B. April 8, 2020, email from Mr. Longworth to Lynn Stoner's city email address with draft letter as attachments.
- C. April 9, 2020, email from Lynn Stoner to the city clerk forwarding Mr. Longworth's April 8, 2020, email and requesting code enforcement records for the case referenced therein.
- D. April 9, 2020, email from the city clerk to Lynn Stoner attaching the code enforcement records Ms. Stoner requested.
- E. April 9, 2020, email from Mr. Nunemaker to Mr. Longworth attaching letter executed by Ms. Stoner and Mr. Nunemaker.
- F. April 9, 2020, email from Mr. Longworth to several parties, including Madison Realty Capital representatives, forwarding Mr. Nunemaker's April 9, 2020, email with letter executed by Ms. Stoner and Mr. Nunemaker.
- G. April 16, 2020, email thread between Kristy Tomasello and Mr. Longworth's attorney's office requesting to see the city email forwarding April 9, 2020, email to confirm that it originated from the city, the attorney's office response providing an attachment, and Ms. Tomasello's acceptance of the attachment to remove the lien from the title commitment.
- H. Recordings of Dan Ezzedine interviews dated January 24, 2023, and September 30, 2020.
- I. Memorandums of recorded interviews of Dan Ezzedine dated January 24, 2023, and September 30, 2020.
- J. Memorandum of Dan Ezzedine conversation dated February 16, 2023.
- K. Recording of Jason Nunemaker interview dated January 13, 2023.
- L. Memorandum of recorded interview of Jason Nunemaker dated January 13, 2023
- M. Recording of Denese Edsall interview dated January 25, 2023.
- N. Memorandum of recorded interview of Denese Edsall dated January 25, 2023.
- O. Recording of Mark Gormley interview dated October 6, 2022.

- P. Memorandum of recorded interview of Mark Gormley dated October 6, 2022.
- Q. Recording of Melissa Hurt interview dated August 16, 2022.
- R. Memorandum of recorded interview of Melissa Hurt dated August 16, 2022.
- S. Recording of Kristy Tomasello interview dated September 2, 2022.
- T. Memorandum of recorded interview of Kristy Tomasello dated September 2, 2022.