

# EXECUTIVE DIRECTOR'S REPORT

**TO:** Members, Commission on Ethics

**FROM:** Kerrie Stillman  
Executive Director

**DATE:** May 24, 2023

---

## ADVISORY OPINIONS

The Commission on Ethics issued two advisory opinions at its April meeting. It has rendered 2,698 opinions since its inception in 1974.

## LITIGATION

Case Number 1D22-924, Daphne Campbell v. Florida Commission on Ethics. This is an appeal of Complaint No. 18-090. Appellant filed her Reply Brief on December 22, 2022. On January 3, 2023, the Commission filed a Motion to Strike the Reply Brief on the basis that it raised entirely new arguments not addressed in the Initial Brief. In the alternative, the Commission asked that it be given leave to file a limited response to the arguments raised in the Reply Brief. On January 20, 2023, the Court issued an order deferring a ruling on the motion to the panel of judges considering the merits of the appeal. Neither party requested oral argument, so we await the Court's ruling on the merits. Gray Schafer, Melody Hadley, and Steven Zuilkowski are handling the appeal.

Case Number 2D22-2702, Carlos Beruff v. Florida Commission on Ethics. This is an appeal of Complaint No. 17-082. The Appellant filed the Initial Brief. All briefs are filed and the Commission has requested oral argument. Joe Burns, Melody Hadley, and Steven Zuilkowski are handling the appeal.

Case Number 1D22-3429, Douglas Underhill v. State of Florida, Commission on Ethics. This is an appeal of Complaint Nos. 20-060, 20-073, and 20-103 (cons.). The Appellant's Initial Brief was filed on March 10, 2023. The Commission's Answer Brief is due on June 9, 2023. Elizabeth Miller, Gray Schafer, and Steven Zuilkowski are handling the appeal.

Case 1:22-cv-24156, Garcia et al. v. Stillman et al. (United States District Court Southern District of Florida). Plaintiffs are local public officers. They are challenging the validity of the prohibitions of Article II, Section 8(f)(1)-(3), Florida Constitution. Judge Bloom has granted substantial portions of the Defendants' motion to dismiss. Most significantly, the judge found that none of the Plaintiffs have standing to challenge the six-year lobbying ban, leaving only the in-office lobbying ban as the subject of the lawsuit. Depositions have been completed. Regarding the appeal of the injunction, the 11th Circuit dismissed the Defendants' appeal without prejudice to allow the District Court judge (Judge Bloom) to rule on a motion to limit the injunction. The District Court then denied the motion and we promptly refiled the appeal with the 11th Circuit.

## FINANCES

As of April 30, we've spent \$2,762,425.00 (71.99%) of our appropriation, with 83.33% of the FY gone.

## STAFF UPDATES

Investigator Ana Sanchez resigned her position, effective May 31, to accept a job with the Department of Corrections.

## PUBLIC SPEAKING ENGAGEMENTS

Gray will be providing an hour-long lecture, in Lake Butler, on June 2<sup>nd</sup>, to Assistant State Attorneys of the 8<sup>th</sup> Judicial Circuit. Commissioner Cervone will be introducing him.

## 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. 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)
- 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)
- Complaint No. 20-120, In re Randall Merritt (Final 9/9/2022)
- Complaint No. 20-165, 20-184 (cons), In re Omari Hardy (Final Order 9/9/2022)
- Complaint No. 22-006, In re MaryBeth Henderson (Final Order 9/9/2022)
- Complaint No. 22-009, In re Celso Alfonso (Final Order 9/9/2022)
- Complaint No. 20-060,  
20-073, 20-103(Cons.), In re Douglas Underhill (Final Order 10/26/2022) \*on appeal
- Complaint No. 20-116, In re Chandler Williamson (Final Order 10/26/2022)

Complaint No. 21-204, In re Rodney J. Braden (Final Order 10/26/2022)  
Complaint No. 21-236, In re Richard Nelson (Final Order 10/26/2022)  
Complaint No. 22-060, In re Robin Hatcher (Final Order 10/26/2022)  
Complaint No. 21-052, 21-057, 21-060, & 21-064 (Cons), In re Vanessa Baugh (2/1/2023)  
Complaint No. 17-065, 17-069, 19-087(cons.), In re Keith Doherty (Final Order 03-15-23)

#### HOUSE

Complaint No. 18-026, In re Kim Daniels (Final Order 1/30/2019)  
Complaint No. 20-206, In re Jackie Toledo (Final Order 10/27/2021)  
Complaint No. 20-211, In re Tracie Davis (Final Order 10/27/2021)  
Complaint No. 21-159, In re Tracie Davis (Final Order 6/8/2022)  
Complaint No. 22-146, In re Jennie Blackburn (Final Order 4/26/23)

#### 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, In re CJT Strategies, LLC (Probable Cause 12/3/21)  
Complaint No. 22-074, In re Capitol Strategy Group (12/2/22)  
Complaint No. 22-075, In re Buchanan, Ingersoll, and Rooney (12/2/22)