

Council

Anne Gerwig, Mayor
Michael Drahos, Vice Mayor
John T. McGovern, Councilman
Michael J. Napoleone, Councilman
Tanya Siskind, Councilwoman

Manager

Paul Schofield

Village Attorney

Laurie Cohen

November 13, 2018

David Cominsky
Property & Liability Manager
P.O. Box 538135
Orlando, FL 32853-8135

RE: Request for Reimbursement of Legal Fees – Anne Gerwig

Dear Mr. Cominsky:

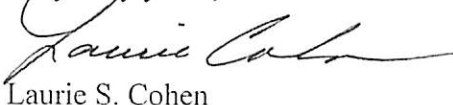
Please allow this correspondence to serve as a claim on behalf of Mayor Anne Gerwig of the Village of Wellington for reimbursement of legal fees incurred by her related to an ethics complaint brought against her.

It is my understanding that the Village of Wellington's insurance policy with the Florida League of Cities may cover these fees. The policy requires that the individual seeking reimbursement be a public official and receive a favorable outcome on the ethics claim. Both of these conditions have been met for the claim being submitted.

I have enclosed copies of the Public Report showing no probable cause and copies of statements for legal services rendered in connection with the Complaint.

Should you require any additional information or documentation, please do not hesitate to contact me.

Very truly yours,



Laurie S. Cohen

LSC:mp
Enclosures

Cc: Mayor Anne Gerwig

DATE FILED

OCT 24 2018

COMMISSION ON ETHICS

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

In re ANNE GERWIG,

Respondent.

Complaint Nos. 16-139 & 16-158
(cons.)

PUBLIC REPORT

Based on the preliminary investigation of these complaints and on the recommendation of the Commission's Advocate, the Commission on Ethics finds that there is no probable cause to believe Respondent, while serving as the Mayor of the Village of Wellington, Florida, violated Section 112.313(3), Florida Statutes, by acting in her official capacity to purchase services from a business that she owns with her husband, Alan Gerwig and Associates, Inc.; finds that there is no probable cause to believe the Respondent violated Section 112.313(6), Florida Statutes, by using her position to obtain additional work for a business entity operated by a business associate of her husband; and finds that there is no probable cause to believe Respondent violated 112.313(7)(a), Florida Statutes, by having a conflicting employment or contractual relationship with an entity doing business with or regulated by the Village of Wellington, as alleged in the complaints. In addition, based on the investigation, the Commission rejects the recommendation of its Advocate and finds that there is no probable cause to believe Respondent violated Section 112.3143(3)(a), Florida Statutes, by voting on matters which would inure to her special private gain or the special private gain of any principal by whom she and her husband's company, Alan Gerwig and Associates, Inc., is retained and/or by failing to file a public record in a memorandum disclosing the nature of her conflict of interest, as alleged in the complaints.

Accordingly, these complaints are dismissed with the issuance of this public report.

ORDERED by the State of Florida Commission on Ethics meeting in executive session on
Friday, October 19, 2018.

October 24, 2018
Date Rendered


Guy W. Norris
Chair, Florida Commission on Ethics

GWN/cmk

cc: Mr. Emmett Mitchell, IV and Mr. Richard E. Coates, Attorneys for Respondent
Mrs. Elizabeth A. Miller, Commission Advocate
Mr. Robert Margolis and Mr. Bart Novack, Complainants

Coates Law Firm, PL

115 East Park Avenue, Suite 1
Tallahassee, Florida 32301

INVOICE

Invoice # 4361
Date: 09/13/2016
Due On: 10/13/2016

Hon. Anne Gerwig
14505 Paddock Drive
Wellington, Florida 33414

00775-Gerwig

General Matters

Type	Attorney	Date	Description	Quantity	Rate	Total
Service	REC	08/23/2016	Review correspondence; conference with Bucky Mitchell.	0.25	\$375.00	\$93.75
Service	REC	08/24/2016	Call from client.	0.25	\$375.00	\$93.75

Time Keeper	Position	Quantity	Rate	Total
Richard Coates	Attorney	0.5	\$375.00	\$187.50

Total \$187.50

Statement of Account

Outstanding Balance	New Charges	Payments Received	Total Amount Outstanding
(\$0.00	+ \$187.50	) - ( \$0.00	) = \$187.50

Please make all amounts payable to: Coates Law Firm, PL

Please pay within 30 days.

Coates Law Firm, PL

115 East Park Avenue, Suite 1
Tallahassee, Florida 32301

INVOICE

Invoice # 4449
Date: 10/07/2016
Due On: 11/06/2016

Hon. Anne Gerwig
14505 Paddock Drive
Wellington, Florida 33414

00775-Gerwig

General Matters

Type	Attorney	Date	Description	Quantity	Rate	Total
Service	EMIV	09/20/2016	Call to ethics investigator; email to client.	0.50	\$325.00	\$162.50

Time Keeper	Position	Quantity	Rate	Total
Bucky Mitchell	Attorney	0.5	\$325.00	\$162.50

Total \$162.50

Statement of Account

Outstanding Balance	New Charges	Payments Received	Total Amount Outstanding
(\$0.00	+ \$162.50	) - ( \$0.00	) = \$162.50

Please make all amounts payable to: Coates Law Firm, PL

Please pay within 30 days.

Coates Law Firm, PL

115 East Park Avenue, Suite 1
Tallahassee, Florida 32301

INVOICE

Invoice # 4602
Date: 01/17/2017
Due On: 02/16/2017

Hon. Anne Gerwig
14505 Paddock Drive
Wellington, Florida 33414

00775-Gerwig

General Matters

Type	Attorney	Date	Description	Quantity	Rate	Total
Service	EMIV	12/06/2016	Prepare second notice of appearance and file with Ethics Commission; call to Ethics Clerk to consolidate two cases.	0.50	\$325.00	\$162.50

Time Keeper	Position	Quantity	Rate	Total
Bucky Mitchell	Attorney	0.5	\$325.00	\$162.50
			Total	\$162.50

Statement of Account

Outstanding Balance	New Charges	Payments Received	Total Amount Outstanding
(\$0.00	+ \$162.50	) - ( \$0.00	) = \$162.50

Please make all amounts payable to: Coates Law Firm, PL

Please pay within 30 days.

Coates Law Firm, PL

115 East Park Avenue, Suite 1
Tallahassee, Florida 32301

INVOICE

Invoice # 4722
Date: 04/11/2017
Due On: 05/11/2017

Hon. Anne Gerwig
14505 Paddock Drive
Wellington, Florida 33414

00775-Gerwig

General Matters

Type	Attorney	Date	Description	Quantity	Rate	Total
Service	EMIV	03/22/2017	Review complaints and response; prepare for client interview; client interview with Ethics investigator.	1.50	\$325.00	\$487.50
Service	EMIV	03/23/2017	Review notes from client interview; email Ethics investigator.	0.25	\$325.00	\$81.25
Service	EMIV	03/24/2017	Prepare response to Ethics investigator; review 2014 contributions of client.	0.50	\$325.00	\$162.50

Time Keeper	Position	Quantity	Rate	Total
Bucky Mitchell	Attorney	2.25	\$325.00	\$731.25
			Total	\$731.25

Statement of Account

Outstanding Balance	New Charges	Payments Received	Total Amount Outstanding
(\$0.00	+ \$731.25	) - ( \$0.00	) = \$731.25

Please make all amounts payable to: Coates Law Firm, PL

Please pay within 30 days.

Coates Law Firm, PL

115 East Park Avenue, Suite 1
Tallahassee, Florida 32301

INVOICE

Invoice # 4769
Date: 05/11/2017
Due On: 06/10/2017

Hon. Anne Gerwig
14505 Paddock Drive
Wellington, Florida 33414

00775-Gerwig

General Matters

Type	Date	Description	Rate	Total
Service	04/06/2017	Call with client.	\$325.00	\$81.25
			Total	\$81.25

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
4769	06/10/2017	\$81.25	\$0.00	\$81.25
Outstanding Balance				\$81.25
Total Amount Outstanding				\$81.25

Please make all amounts payable to: Coates Law Firm, PL

Please pay within 30 days.

Coates Law Firm, PL

115 East Park Avenue, Suite 1
Tallahassee, Florida 32301

INVOICE

Invoice # 4820
Date: 06/15/2017
Due On: 07/15/2017

Hon. Anne Gerwig
14505 Paddock Drive
Wellington, Florida 33414

00775-Gerwig

General Matters

Type	Date	Description	Rate	Total
Service	05/22/2017	Review amended ethics complaint and forward to client	\$325.00	\$162.50
Service	05/25/2017	Review amended complaint and prepare for call with client; call with client.	\$325.00	\$162.50
Service	05/26/2017	Prepare draft response to amended complaint.	\$325.00	\$487.50
Service	05/31/2017	Revise response to amended complaint; send to client for review.	\$325.00	\$81.25
Total				\$893.75

Detailed Statement of Account

Other Invoices

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
4769	06/10/2017	\$81.25	\$0.00	\$81.25

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
4820	07/15/2017	\$893.75	\$0.00	\$893.75

Outstanding Balance \$975.00

Total Amount Outstanding \$975.00

Coates Law Firm, PL

115 East Park Avenue, Suite 1
Tallahassee, Florida 32301

INVOICE

Invoice # 4881
Date: 07/10/2017
Due On: 08/09/2017

Hon. Anne Gerwig
14505 Paddock Drive
Wellington, Florida 33414

00775-Gerwig

General Matters

Type	Attorney	Date	Description	Quantity	Rate	Total
Service	EMIV	06/01/2017	Final revisions to amendment response; file with Commission.	0.50	\$325.00	\$162.50

Time Keeper	Position	Quantity	Rate	Total
Bucky Mitchell	Attorney	0.5	\$325.00	\$162.50
Total				\$162.50

Statement of Account

Outstanding Balance	New Charges	Payments Received	Total Amount Outstanding
(\$0.00	+ \$162.50	) - ( \$0.00	) = \$162.50

Please make all amounts payable to: Coates Law Firm, PL

Please pay within 30 days.

Coates Law Firm, PL

115 East Park Avenue, Suite 1
Tallahassee, Florida 32301

INVOICE

Invoice # 5194
Date: 12/04/2017
Due On: 01/03/2018

Hon. Anne Gerwig
14505 Paddock Drive
Wellington, Florida 33414

00775-Gerwig

General Matters

Type	Attorney	Date	Description	Quantity	Rate	Total
Service	EMIV	11/07/2017	Review case file prior to call with client spouse.	0.25	\$325.00	\$81.25
Service	EMIV	11/08/2017	Attend client spouse's interview with ethics investigator (via telephone).	0.75	\$325.00	\$243.75
Service	EMIV	11/30/2017	Email from client; call ethics investigator on status of interviews and investigation.	0.25	\$325.00	\$81.25

Time Keeper	Position	Quantity	Rate	Total
Bucky Mitchell	Attorney	1.25	\$325.00	\$406.25
			Total	\$406.25

Statement of Account

Outstanding Balance	New Charges	Payments Received	Total Amount Outstanding
(\$0.00	+ \$406.25	) - ( \$0.00	) = \$406.25

Please make all amounts payable to: Coates Law Firm, PL

Please pay within 30 days.

Coates Law Firm, PL

115 East Park Avenue, Suite 1
Tallahassee, Florida 32301

INVOICE

Invoice # 5483
Date: 06/12/2018
Due On: 07/12/2018

Hon. Anne Gerwig
14505 Paddock Drive
Wellington, Florida 33414

00775-Gerwig

General Matters

Type	Attorney	Date	Description	Quantity	Rate	Total
Service	EMIV	05/10/2018	Call with Alan Gerwig on investigation request	0.50	\$325.00	\$162.50
Service	EMIV	05/23/2018	Email to Alan Gerwig; prepare email to Ethics investigator	0.50	\$325.00	\$162.50
Service	EMIV	05/29/2018	Prepare email and attachments; contracts for Tom Reaves	0.50	\$325.00	\$162.50

Time Keeper	Position	Quantity	Rate	Total
Bucky Mitchell	Attorney	1.5	\$325.00	\$487.50
			Total	\$487.50

Statement of Account

Outstanding Balance	New Charges	Payments Received	Total Amount Outstanding
(\$0.00	+ \$487.50	) - ( \$0.00	) = \$487.50

Please make all amounts payable to: Coates Law Firm, PL

Please pay within 30 days.

Coates Law Firm, PL

115 East Park Avenue, Suite 1
Tallahassee, Florida 32301

INVOICE

Invoice # 5609
Date: 08/06/2018
Due On: 08/31/2018

Hon. Anne Gerwig
14505 Paddock Drive
Wellington, Florida 33414

00775-Gerwig

General Matters

Type	Attorney	Date	Description	Quantity	Rate	Total
Service	EMIV	07/13/2018	Email to Commission investigator on status of investigation; email client.	0.25	\$325.00	\$81.25

Time Keeper	Position	Quantity	Rate	Total
Bucky Mitchell	Attorney	0.25	\$325.00	\$81.25
			Total	\$81.25

Statement of Account

Outstanding Balance	New Charges	Payments Received	Total Amount Outstanding
(\$0.00	+ \$81.25	) - ( \$0.00	) = \$81.25

Please make all amounts payable to: Coates Law Firm, PL

Please pay within 25 days.

Coates Law Firm, PL

115 East Park Avenue, Suite 1
Tallahassee, Florida 32301

INVOICE

Invoice # 5691
Date: 09/04/2018
Due On: 10/04/2018

Hon. Anne Gerwig
14505 Paddock Drive
Wellington, Florida 33414

00775-Gerwig

General Matters

Type	Attorney	Date	Description	Quantity	Rate	Total
Service	EMIV	08/06/2018	Call from Tom Reaves; email to client.	0.50	\$325.00	\$162.50
Service	EMIV	08/07/2018	Respond to Tom Reaves' request for additional information.	0.50	\$325.00	\$162.50
Service	EMIV	08/23/2018	Review report of investigation; scan and email to client.	0.75	\$325.00	\$243.75

Time Keeper	Position	Quantity	Rate	Total
Bucky Mitchell	Attorney	1.75	\$325.00	\$568.75
			Total	\$568.75

Statement of Account

Outstanding Balance	New Charges	Payments Received	Total Amount Outstanding
(\$0.00	+ \$568.75	) - ( \$0.00	) = \$568.75

Please make all amounts payable to: Coates Law Firm, PL

Please pay within 30 days.

Coates Law Firm, PL

115 East Park Avenue, Suite 1
Tallahassee, Florida 32301

INVOICE

Invoice # 5758
Date: 10/08/2018
Due On: 11/08/2018

Hon. Anne Gerwig
14505 Paddock Drive
Wellington, Florida 33414

00775-Gerwig

General Matters

Type	Attorney	Date	Description	Quantity	Rate	Total
Service	EMIV	09/03/2018	Call with client on report of investigation; scan and email additional exhibits to client.	1.75	\$325.00	\$568.75
Service	EMIV	09/05/2018	Draft response to ROI; send to client for review; file at Commission.	1.75	\$325.00	\$568.75
Service	EMIV	09/20/2018	Review Advocate's Recommendation; email to client.	0.75	\$325.00	\$243.75
Service	EMIV	09/21/2018	Prepare response to Advocate's Recommendation.	0.50	\$325.00	\$162.50
Service	EMIV	09/27/2018	Complete draft response to Advocate's Recommendation and email to client for review.	1.25	\$325.00	\$406.25

Time Keeper	Position	Quantity	Rate	Total
Bucky Mitchell	Attorney	6.0	\$325.00	\$1,950.00
			Total	\$1,950.00

Statement of Account

Outstanding Balance New Charges Payments Received Total Amount Outstanding
(\$0.00 + \$1,950.00) - (\$0.00) = **\$1,950.00**

Please make all amounts payable to: Coates Law Firm, PL

Please pay within 31 days.

Coates Law Firm, PL

115 East Park Avenue, Suite 1
Tallahassee, Florida 32301

INVOICE

Invoice # 5817
Date: 11/06/2018
Due On: 12/06/2018

Hon. Anne Gerwig
14505 Paddock Drive
Wellington, Florida 33414

00775-Gerwig

General Matters

Type	Attorney	Date	Description	Quantity	Rate	Total
Service	EMIV	10/18/2018	Review complaint(s) file and responses; prepare for probable cause hearing; call to client	1.25	\$350.00	\$437.50
Service	EMIV	10/19/2018	Attend probable cause hearing with client.	1.25	\$350.00	\$437.50

Time Keeper	Position	Quantity	Rate	Total
Bucky Mitchell	Attorney	2.5	\$350.00	\$875.00
			Total	\$875.00

Statement of Account

Outstanding Balance	New Charges	Payments Received	Total Amount Outstanding
(\$0.00	+ \$875.00	) - ( \$0.00	) = \$875.00

Please make all amounts payable to: Coates Law Firm, PL

Please pay within 30 days.