

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CITY OF PALM COAST, FLORIDA
CITY COUNCIL EXECUTIVE SESSION
(ATTORNEY-CLIENT SESSION)

IN RE:

CASE NO.: 2024-CA-000488

ALAN LOWE,
Plaintiff,

vs.

CITY OF PALM COAST, a Florida
Municipal Corporation, and
KAITI LENHART, in her official
Capacity as Supervisor of Elections
of Flagler County,
Defendants.

_____ /

MEETING OF: Palm Coast City Council
DATE: Thursday, October 17, 2024
TIME: 3:00 p.m. - 3:57 p.m.
PLACE: City Hall - Palm Coast
160 Lake Avenue
Palm Coast, Florida 32164

STENOGRAPHICALLY
REPORTED BY: Thomas M. Kirby, Jr.
Court Reporter
Notary Public, State of Florida

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S:
RACHAEL M. CREWS, ESQUIRE
OF: Gray Robinson
PO Box 3068
Orlando, Florida 32802-3068
Office: 407-843-8880
Fax: 407-244-5690
Email: Rachael.crews@gray-robinson.com
APPEARING AS LITIGATION ATTORNEY FOR THE CITY OF
PALM COAST

CITY OF PALM COAST

- DAVID ALFIN, MAYOR
- ED DANKO, VICE MAYOR
- CHARLES GAMBARO, COUNCIL MEMBER
- NICK KLUFAS, COUNCIL MEMBER
- THERESA PONTIERI, COUNCIL MEMBER
- LAUREN JOHNSTON, ACTING CITY MANAGER
- MARCUS DUFFY, CITY ATTORNEY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

MAYOR ALFIN: So with that, I'll announce that it's 3:00.

We're going to convene a meeting today which is an attorney-client session. Today is October the 17th, 2024. It is 3:00 p.m. We're currently located in the conference room on the second floor of the staff side of city hall.

And I guess I'm going to go ahead and perform a roll call so that we're on the record. So if you'll just introduce yourself for the record.

MR. GAMBARO: Charles Gambaro, council member.

VICE MAYOR DANKO: Ed Danko.

MS. CREWS: Rachael Crews, Gray Robinson.

MS. PONTIERI: Theresa Pontieri.

MR. KLUFAS: Nick Klufas, Palm Coast City Council in District 3.

MS. JOHNSTON: Lauren Johnston, acting city manager.

MR. DUFFY: Marcus Duffy, city attorney.

MAYOR ALFIN: And do I need the court reporter on record?

MR. DUFFY: No.

MAYOR ALFIN: Just go ahead and put your name

1 on for us.

2 COURT REPORTER: Thomas Kirby, court reporter
3 with Veritext.

4 MAYOR ALFIN: Thank you, Thomas.

5 And David Alfin, mayor of the city of Palm
6 Coast.

7 Okay. Now that we have identified or opened
8 the public portion of the meeting, I'm now going to
9 announce the commencement of an attorney-client
10 session, again, on Thursday, October the 17, 2024 --
11 it is 3:00 p.m. -- 3:01 -- in accordance with
12 Florida Statutes 286.011(8) regarding the following
13 lawsuit: Alan Lowe vs. City of Palm Coast, a
14 Florida Municipal Corporation, and Kaiti Lenhart in
15 her official capacity as supervisor of elections in
16 Flagler County.

17 The attorney -- okay. So with that, I'm going
18 to close the meeting for public participation. And
19 you're welcome to wait in the room down there.
20 Thank you.

21 So the attorney -- the attorney-client session
22 is attended by Mayor David Alfin, Vice Mayor
23 Ed Danko, Council Member Nick Klufas, Council Member
24 Theresa Pontieri, Council Member Charles A. Gambaro
25 Jr., Acting City Manager Lauren Johnston, Attorney

1 Rachael Crews, and City Attorney Marcus Duffy, and
2 an official court reporter as provided by law.

3 The estimated length of the attorney-client
4 session in the aggregate is estimated to be
5 approximately one hour. We will now move to a
6 closed session.

7 So with that, I have two things I'd like to say
8 in advance of the meeting: One, that obviously we
9 respect decorum. So in order to be succinct and
10 fluent with our time -- we're estimated at an hour,
11 and, you know, hopefully we can, you know, use that
12 time effectively.

13 So I would ask everybody, including myself, to
14 be as succinct as possible. There may be
15 differences of opinion. I absolutely understand
16 that. But making your point, you know, one time and
17 getting on the record hopefully will be sufficient
18 so that we don't, you know, drag this on well past
19 the hour that has been allocated. Everyone in the
20 room, every member of city council will be
21 recognized and have their chance to speak. There'll
22 be no problem with that happening.

23 So with that, Marcus, did you want to do an
24 intro --

25 MR. DUFFY: Yeah.

1 MAYOR ALFIN: -- with regard to attorneys or --

2 MR. DUFFY: So just as a friendly reminder --
3 and, Mr. Gambaro, your first time being in a shade
4 meeting -- so this meeting is being called at the
5 request -- just a friendly reminder, everything
6 that's said in here is confidential. So what we say
7 is confidential. And then, also, today we are
8 looking at giving a direction to myself and
9 Ms. Crews for this litigation. We're not taking a
10 vote or anything like that. It is simply direction
11 so that we can have -- for this litigation matter.

12 And that being said, Ms. Crews, I'll hand it
13 over to you. You know, just introduce yourself,
14 tell your background and your thoughts.

15 MS. CREWS: Sure.

16 Just to be clear, per 286.011(8) of Florida
17 Statutes, Gray Robinson is here because we desire
18 advice from the council regarding settlement
19 negotiations and litigation expenditures for the
20 case referenced by the mayor in Flagler County.
21 Today's discussion has to be limited to those
22 settlement discussions and litigation strategies,
23 and no other matters may be discussed.

24 I am Rachael Crews, shareholder and deputy
25 litigation chair with Gray Robinson law firm. I've

1 handled several ballot challenges, including charter
2 amendment cases. So I'm familiar with the case law
3 and the standards. I'm here today to get direction
4 from you guys. I don't care what it is. I'm happy
5 to do whatever you guys desire, whether it's, you
6 know, fight the litigation, try to keep the
7 ballot -- the charter amendment on the ballot.

8 And specifically, today we are -- we have been
9 presented with a settlement offer from opposing
10 counsel, and we need to decide whether -- basically,
11 there's two directions the council can go in at this
12 point. One is consideration of that settlement
13 proposal, you know, working on that towards a
14 settlement where we voluntarily remove the amendment
15 from the ballot or have it not counted.

16 And the other way is, no, we're not going to
17 pursue settlement, we would rather fight this
18 litigation and try to keep the language on the
19 ballot. That's basically the two forks -- you know,
20 the fork in the road, and we have to decide on one
21 of those two things.

22 A word on timing: I don't know if all of you
23 know this, but our response to the complaint, which
24 is effectively a brief -- it'll take a long time to
25 write -- that is due Monday. Yesterday, the Court

1 set a two-hour hearing on this matter, which will
2 take place on November the 1st. So that's where --
3 if we go forward and we don't voluntarily agree to
4 something, the Court will decide at that
5 November 1st hearing whether or not the ballot
6 should be -- you know, the amendment should be
7 placed on the ballot or counted. So that's sort of
8 the time crunch that we're in. It's a
9 time-sensitive matter.

10 I did speak to City Attorney Duffy earlier. I
11 also spoke to a couple of partners in my law firm,
12 and they assured me that whatever you guys decide
13 can be accomplished, whether that's you guys want to
14 enter into some sort of stipulation of removal that
15 will be blessed by the Court. We would have time,
16 whether it's under special meeting or emergency
17 meeting, to accomplish that. Likewise, if we want
18 to, you know, fight to keep the ballot language
19 there, that could be accomplished.

20 So whatever direction I get today, I feel
21 comfortable that we can accomplish it for you guys
22 within the time frames.

23 MAYOR ALFIN: And just may I ask?

24 MS. CREWS: Sure.

25 MAYOR ALFIN: So when you say you're

1 comfortable, does that roll in all of the City's
2 responsibilities regarding Sunshine and public
3 notice and hearings? Are you including that in your
4 statement?

5 MS. CREWS: Yes, I am.

6 MAYOR ALFIN: Okay.

7 MS. CREWS: You know, it would have to be -- if
8 we wanted to enter into the settlement agreement,
9 certainly we would have to have, you know, a public
10 hearing on that for it to be approved. But we
11 could -- from what I understand, whether it's called
12 special or even emergency, we would be able to do
13 that within the time frames that we have, but it
14 would have to be done in the sunshine.

15 MR. DUFFY: And just one additional thing.

16 As Ms. Crews said, we did discuss this today.
17 I have concerns with going into a settlement. As
18 your city attorney, I have to give you this advice.
19 Like I've told you-all before, this is my advice.
20 You guys make the decision.

21 But my concern is, based on your policy and
22 procedures, your special meetings say a special
23 meeting of the city council may be called by the
24 city manager, the mayor, or by majority of the
25 members of the city council at a city council

1 meeting when the special meeting is called.

2 So I advise that I don't think, in the timing
3 of right now, that that can happen, we can enter
4 into a settlement, based on our next meeting is not
5 scheduled until November 12th, 13th. So in order
6 for us to notice a meeting, we would have to be at a
7 meeting, which is next November 12th. And so I have
8 concerns with that -- doing that.

9 The other options, under your policy and
10 procedures, it does talk about an emergency meeting:
11 An emergency meeting for council city may be called
12 by the city manager or the mayor when it's in their
13 opinion that an emergency exists that requires
14 immediate action.

15 I also don't think this is an emergency action
16 based on the time line. This complaint was filed in
17 September. We did not get service until October.
18 And then we received a settlement on Monday. I feel
19 like the imposing party is forcing this on us and
20 making this an emergency decision, which in my
21 practice and my experience and talking with other
22 attorneys, emergency situations is dealing with some
23 type of natural disaster, some type of hurricane.
24 Those would be the experience that I have when we
25 called emergency meetings.

1 That being said, I'm open for questions,
2 dialogue.

3 VICE MAYOR DANKO: I'm first confused why
4 you're here today. Because aren't you a witness?
5 Isn't that why your law firm withdrew from this?
6 And I just wanted clarification on that.

7 MR. DUFFY: So the clarification is the city
8 attorney, the attorney for your city, is usually the
9 one that calls shade meetings. That's in accordance
10 with Florida statute. So I called that meeting
11 today based on your guys' direction at the last
12 council.

13 VICE MAYOR DANKO: Right.

14 MR. DUFFY: And we -- that's why I'm here
15 hoping to get advice from you guys -- direction. I
16 would not say that I'm a witness in this case. So I
17 would disagree that.

18 VICE MAYOR DANKO: I think we should just get
19 right down to it, where we stand, and save ourselves
20 some time here.

21 MS. PONTIERI: I had questions for the attorney
22 first.

23 VICE MAYOR DANKO: Oh, go right ahead. Please.

24 MAYOR ALFIN: And I want to just -- and again,
25 everybody gets their chance to ask a question. I do

1 need to go around the room.

2 So the question I posed to the attorney about
3 can we meet the various time lines, so based on what
4 you've heard from the attorney, I just need
5 consensus that you-all are willing to move forward
6 with the conversation, understanding that there's a
7 question regarding --

8 VICE MAYOR DANKO: Is there a question?

9 MAYOR ALFIN: -- calling another meeting that
10 would be necessary to fulfill the Sunshine
11 requirements.

12 VICE MAYOR DANKO: But we could agree to have a
13 consensus today to agree to do something and then
14 set another meeting, if we have to.

15 MS. CREWS: Yes. And --

16 MAYOR ALFIN: That's what I'm asking.

17 MS. CREWS: And I --

18 MAYOR ALFIN: I want to make sure everybody in
19 the room is okay with that.

20 MS. CREWS: And I talked to two of our partners
21 that are city attorneys, and they said, you know,
22 without doubt, that -- they didn't have any question
23 that this would qualify as an emergency --

24 MAYOR ALFIN: Okay.

25 MS. CREWS: -- considering the Court deadlines

1 and for us to be able -- for you guys to be able,
2 you know, to set a meeting to take official action.

3 MAYOR ALFIN: Understood.

4 MS. CREWS: Because you can't take official
5 action, obviously, here.

6 MAYOR ALFIN: No, I'm just --

7 MS. CREWS: Yeah.

8 MAYOR ALFIN: So again, to city council
9 members, I just want to make sure that everybody is
10 okay to proceed with that piece of information.

11 Are you willing to step forward from there?

12 MR. KLUFAS: Yeah.

13 MR. GAMBARO: Sure.

14 MS. PONTIERI: Yes.

15 MAYOR ALFIN: Okay. Then what's the best way
16 to proceed? Do you have some more to add?

17 MS. CREWS: Well, I'm here for you guys.

18 MAYOR ALFIN: Okay.

19 MS. CREWS: So I can answer any questions. I
20 can go through what the standards are, what the law
21 is, the pros and cons.

22 MAYOR ALFIN: So let me start, if I may, then
23 with the vice mayor. You want to get started? And
24 we'll circle the room that way.

25 VICE MAYOR DANKO: Yeah. Yeah.

1 Again, after reading their offer here, whatever
2 you want to call it, I think we should take it. I
3 think we should stipulate to the Court. I think we
4 have three council members on record of wanting at
5 one point to remove this language from the ballot,
6 because it's -- I call it deceitful. You call it a
7 misunderstanding, I think was the word that you
8 used.

9 MS. PONTIERI: I said it would be better.

10 VICE MAYOR DANKO: It could be better.

11 But the point is I think we agree that -- at
12 least three of us agree that it could be better. It
13 is confusing. I think you used the word
14 "confusing," actually.

15 MS. PONTIERI: I don't remember.

16 VICE MAYOR DANKO: Yeah.

17 And it is confusing to voters. And showing
18 this to anybody, that language, they're like -- they
19 don't have a clue what it's about. I think that the
20 public reaction has been pretty anti-Amendment 1.

21 And my major concern is that, when you two take
22 over and whatever the new council is and you do --
23 you will need to do bonds, no doubt about it --
24 you're not going to want to be tainted by this thing
25 going down in defeat, because that will taint any

1 future efforts that you have.

2 I think there's precedent for doing this.
3 Obviously, the 2010 case, I think, from the County,
4 you know, has shown that there is a precedent for
5 that, which we were not made aware of during our
6 council meetings. We were kind of given an
7 impression that there was no way to get out of this.
8 But regardless, obviously 2010 shows us this has
9 been done before.

10 The supervisor of elections obviously is fine
11 with proceeding. And this way, we avoid any more
12 legal costs -- because you don't work for free.

13 MS. CREWS: No.

14 VICE MAYOR DANKO: No, you don't. And I don't
15 blame you. Your law firm doesn't work for free.

16 If we go to court, we could lose. We could end
17 up paying your attorney fees. We could, you know --
18 we could end up paying the plaintiff's attorney's
19 fees. I think at this point the wisest decision is
20 to just simply end this thing.

21 MAYOR ALFIN: Okay.

22 VICE MAYOR DANKO: So that's where I stand.

23 MAYOR ALFIN: All right. You made your points.
24 I appreciate that.

25 So there's no particular order.

1 Ms. Pontieri, would you like to ask your
2 question?

3 MS. PONTIERI: I just wanted to -- Rachael, if
4 you could -- may I call you Rachael?

5 MS. CREWS: Of course.

6 MS. PONTIERI: I just called you by your first
7 name. I'm sorry.

8 If you could -- because Vice Mayor said a few
9 things that I want clarification on. One, it's my
10 understanding we will not be on the hook for
11 Plaintiff's attorney's fees because there's no
12 provision for them statutorily.

13 Is that correct?

14 MS. CREWS: That is my understanding, yes.

15 MS. PONTIERI: Okay. So, two, as far as the
16 procedures go, to say that the SOE is, quote, "okay"
17 with this, it's my understanding the SOE said that
18 we have an indispensable party that has not been
19 included in this case.

20 Could you explain that a little bit?

21 MS. CREWS: Sure.

22 So the plaintiff failed to name the canvassing
23 board, the Flagler County canvassing board, and the
24 SOE raised that as an issue. We would also -- if we
25 move forward to fight the litigation, we would raise

1 that as an issue, as well. Because the Court -- you
2 know, the plaintiff is asking the Court to order all
3 the parties to do different things, one of which
4 would be the canvassing board, but the canvassing
5 board is not before the Court. And the Court
6 doesn't have jurisdiction over the canvassing board,
7 so it can't order the canvassing board to do
8 anything.

9 Now, whether Plaintiff is going to try to fix
10 that, whether Plaintiff has time to fix that --
11 because again, the suit was filed pretty late, and
12 there's not a lot of time between now and the actual
13 election -- whether they can successfully bring in
14 the canvassing board or, you know, get the
15 canvassing board to enter an appearance and agree
16 with what we do, I don't know. But that is a big
17 problem for the plaintiff, because certainly the
18 Court could order the City to do something or the
19 supervisor to do something, but at this point the
20 canvassing board is not before the Court.

21 MAYOR ALFIN: And may I just ask, with
22 reference to your questions, the canvassing board
23 did meet earlier this week. Would you be aware if
24 this was discussed?

25 MS. CREWS: I do not know.

1 MAYOR ALFIN: Okay. Sorry. Go ahead.

2 MS. PONTIERI: And then, also, would the city
3 canvassing board need to be included in this, as
4 well, or just the county?

5 MS. CREWS: I would think just the county,
6 whoever is charged with certifying the results of
7 the actual November 4th election.

8 MS. PONTIERI: Okay. So I'll give my thoughts
9 very quickly.

10 I agree that the language could have been
11 better than it currently is. However, I think that
12 we as a council voted. We took action in the
13 sunshine to amend language. We thought we made it
14 better. I think we did make it better. And then we
15 moved forward as a board to put it on the ballot.

16 At this point, the election has started. I
17 have a very big problem with usurping an election
18 and taking power away from our electors and, as a
19 legislative body, saying, "Even though we already
20 went through two votes -- two votes -- to put this
21 on the ballot, we are now going to usurp the power
22 of the electors and take away our democratic
23 process." I will never be in favor of that.

24 And my larger fear is not that -- I think this
25 will fail. I do think it will fail. I do not think

1 that it will pass. And what will happen then is
2 that the lawsuit would be rendered moot at that
3 point, if, in fact, it did not -- if something
4 happened to where the hearing on the 1st did not
5 come up with a resolution -- because I do think that
6 the canvassing board needs to be included and that
7 the lawsuit is fatally flawed because of their lack
8 of inclusion. If nothing happened on November 1st,
9 we'd have the election. This would probably fail,
10 and the lawsuit would be rendered moot.

11 I don't think that, because a lawsuit was filed
12 against us, we should be second-guessing our
13 legislative actions, particularly when we made the
14 ballot language better and then we voted on it as a
15 board. So the fact that we would be usurping an
16 election makes me very uncomfortable.

17 Furthermore, if we agree to this settlement
18 rather than allowing this to go forward, I think
19 that we could be on the hook for an election
20 interference claim, which also very much concerns
21 me. We have one person that has filed a lawsuit
22 against us, and I understand a lot of residents have
23 spoken out against it. But you have other people on
24 the other side who have already voted and who are in
25 favor of this referendum. And so if we pull it from

1 the ballot now, we could be sued by several people
2 who bring forward an election interference claim.
3 If the judge, on the other hand, says, "Hey, we're
4 going to pull this from the ballot," that insulates
5 us as a city from further liability.

6 So if the judge says, "I agree with the other
7 case law that's out there, and this language is
8 insufficient," that insulates us from further
9 liability. And I'm definitely more comfortable with
10 that. Because you talk about attorney's fees in
11 this case. There could be a lot more coming down
12 the pipeline if we're sued for election
13 interference.

14 So those are substantively my issues with
15 pulling this from the ballot at this point. I do
16 think that we have a fatally flawed lawsuit and that
17 we should not be bending every time somebody files a
18 lawsuit, particularly in this case when it really
19 should be dismissed without the canvassing board
20 included.

21 MAYOR ALFIN: Okay. Councilman Gambaro or
22 Councilman Klufas, whoever wants to go next.

23 MR. GAMBARO: Go ahead, Nick.

24 MR. KLUFAS: Sure.

25 I would say my position hasn't really ever

1 wavered on whether or not I support this being on
2 the ballot. I think it is a flawed lawsuit, and I
3 think the individual that is bringing it against the
4 City has ulterior motives and all sorts of
5 reasonings.

6 I'm curious whether or not -- I mean, has any
7 of the things that Alan Lowe has done, like the
8 whole sovereign citizen thing, that doesn't bring
9 any issue --

10 VICE MAYOR DANKO: That was 30 years ago, Nick.

11 MR. KLUFAS: Sure, but that doesn't --

12 VICE MAYOR DANKO: And I don't think you should
13 be dragging Alan's reputation through the mud
14 here --

15 MR. KLUFAS: But does that allow him -- that
16 doesn't preclude --

17 VICE MAYOR DANKO: Any citizen --

18 MAYOR ALFIN: Hold on. Hold on.

19 MR. KLUFAS: -- him from filing a lawsuit --

20 MAYOR ALFIN: Hold on. Hold on.

21 VICE MAYOR DANKO: I'm taking a little offense
22 to this.

23 MR. KLUFAS: No. No. But does that --

24 MAYOR ALFIN: Just a minute. So just a point
25 of order. Let's not talk over because we do have a

1 court reporter who has to keep up the typing. So
2 let's just talk one at a time, please.

3 VICE MAYOR DANKO: I just want to ask -- I want
4 to ask the attorney for a minute. You were specific
5 about what we should be talking about or not. I
6 just want to make sure that we stay within those
7 guardrails.

8 MS. CREWS: Right.

9 VICE MAYOR DANKO: So the question or the
10 comment on the table is we're talking about the --
11 what would that be? The claimant?

12 MR. DUFFY: The plaintiff, yeah.

13 VICE MAYOR DANKO: Yeah.

14 Is that fair game to discuss or not?

15 MS. CREWS: Well, as it relates -- I think so,
16 because I think --

17 VICE MAYOR DANKO: Okay.

18 MS. CREWS: -- Councilman Klufas was asking if
19 that affects his ability to litigate the case.

20 MR. KLUFAS: Correct, yeah.

21 VICE MAYOR DANKO: I just want to make sure
22 we're not outside the boundaries. That's all.

23 MS. CREWS: Right.

24 And I don't think it does. I mean, you
25 can't -- that won't be -- it doesn't affect his

1 standing --

2 VICE MAYOR DANKO: Okay.

3 MS. CREWS: -- and it doesn't affect his
4 ability to bring the suit.

5 MR. KLUFAS: Understood. I didn't know if it
6 would or not.

7 MS. CREWS: Right.

8 MR. KLUFAS: I think, also, now, the points
9 that Councilman Pontieri brings up is very good.
10 The level of insulation that we will benefit from
11 from allowing the courts to decide this prevents any
12 type of litigation -- which I'm not going to guess
13 how much that could cost, but when you start talking
14 about election interference, those numbers to me
15 seem like they could be catastrophic. But by doing
16 nothing, we're actually insulating ourselves from
17 making a wrong decision amongst ourselves here, is
18 what it seems like Councilman Pontieri is saying,
19 and I would agree with that.

20 But once again, my position has never wavered
21 that I think this is -- although, I think the
22 language is fine, and I have talked to many people
23 on both sides that can understand it just as much as
24 the other amendments. I support leaving it on
25 there, and then if the courts tell us that, "Hey,

1 this is what it has to be," then at least that
2 precludes us from having to have made that decision
3 potentially improperly.

4 MAYOR ALFIN: Councilman Gambaro.

5 MR. GAMBARO: I have a couple of questions.

6 MAYOR ALFIN: And let me extend the olive --
7 the offer here. Since you are joining this sort of
8 midstream, there's been a lot before you were
9 appointed.

10 Are there questions regarding this lawsuit and
11 this issue that you might need to have answered
12 before you make your comments? It's just an offer
13 here or a question.

14 MR. GAMBARO: No, I think I can go ahead and
15 ask.

16 MAYOR ALFIN: Good.

17 MR. GAMBARO: Yeah, thank you, Mayor --
18 Mr. Mayor.

19 MAYOR ALFIN: Go for it.

20 MR. GAMBARO: So on the litigation that
21 occurred in 2010 or the case from 2010 that was in
22 the letter --

23 MS. CREWS: Oh, yes. Yes.

24 MR. GAMBARO: -- that was handed to us on
25 Monday.

1 MR. DUFFY: Mr. Gambaro, just one -- so I
2 believe in that facts there was no litigation. What
3 happened in that is that it was a similar situation,
4 no litigation pending. It's just they came -- like,
5 a party came, and they said -- council at that time
6 said, "Okay. We want to pull it. We don't want to
7 have it go forward." So just wanted to give you
8 that point of information.

9 MS. CREWS: It was voluntary.

10 MR. DUFFY: Yes, it was voluntary. No
11 litigation at the time.

12 MR. GAMBARO: Okay. But was it before or after
13 it was on the ballot?

14 MS. CREWS: It was after it was on the ballot.

15 MR. GAMBARO: Okay.

16 MS. PONTIERI: Sorry. May I ask just really
17 quickly? Was it before or after the election had
18 started?

19 MS. CREWS: It was before the election,
20 correct, if I'm --

21 MR. GAMBARO: Okay. That's fair.

22 VICE MAYOR DANKO: Before early voting?

23 MS. CREWS: I didn't drill down that far --

24 VICE MAYOR DANKO: Because I think that's the
25 point --

1 MAYOR ALFIN: All right. Let's let
2 Councilman Gambaro finish his --

3 MR. GAMBARO: Okay. Was there any follow-on
4 litigation in this case that was referenced to
5 election interfering --

6 MS. CREWS: Not that I'm aware of.

7 MR. GAMBARO: -- interference in general?

8 MS. CREWS: Not that I'm aware of.

9 MR. GAMBARO: Okay.

10 MS. CREWS: But I have not drilled down into
11 that case.

12 MR. GAMBARO: All right. Are there any other
13 cases that would set precedence here in the state of
14 Florida that would highlight election -- litigation
15 for a similar situation for it to be election
16 interference?

17 MS. CREWS: I have never seen an election
18 interference claim that involved 101.161 before.

19 MR. GAMBARO: Okay.

20 MS. CREWS: That certainly doesn't mean --

21 MR. GAMBARO: It can't.

22 MS. CREWS: -- a litigant can't bring a suit,
23 you know, a developer, somebody who really wants
24 this to pass. You know, there are certainly
25 arguments that can be made that, you know, if

1 there's thoughts of, you know, a council trying to
2 undo legislative -- or this way through ballot
3 removal what they couldn't do legislatively, you
4 know, that could be a concern.

5 There are ways to insulate against that,
6 depending on how we enter the stipulation. So if
7 you guys want to go settlement route, I would advise
8 probably not -- I would change the way it's drafted
9 to help insulate against any type of election
10 interference claim. I would want the Court to make
11 a finding as part of our sort of a consent judgment
12 saying that the Court found it to be confusing.
13 That would insulate -- better insulate the council
14 from potential claims.

15 MR. GAMBARO: Okay. So as far as identifying
16 risks, potential litigation, it hasn't happened
17 before that we know of, but potentially could as far
18 as election interference.

19 What are some of the other pros and cons, you
20 know, other than attorney fees and things of that
21 nature? What are the risks to the City?

22 MS. CREWS: Well, the risk to the City, you
23 know, basically is just losing the case and then
24 fees and costs. And there's really no -- you know,
25 if the judge strikes this down, there's nothing bad

1 against the City, you know, legally as a matter of
2 law. It's just the Court says, "Hey, this is
3 confusing or misleading.

4 Now, I guess, one pro, if you go the voluntary
5 route, you can massage the Court's language. We're
6 going to tell the Court what to sign. So we can say
7 it's confusing, but maybe not go as far as to be
8 misleading. So you don't want -- you have more
9 control of the court order. If the Court -- if we
10 get a hearing --

11 MS. PONTIERI: If the other side agrees to
12 that.

13 MS. CREWS: Yeah, they would obviously have to
14 agree. And so would the Court. The Court would
15 have to sign it.

16 But if we go the other route and the Court
17 drafts its own order or, you know, asks for
18 competing orders from us, the language could be a
19 lot harsher. It could, you know, accuse -- or not
20 accuse -- but say the City was misleading, or it
21 could be worse, you know, fodder for the citizens or
22 whatever if we don't control the drafting of the
23 language and we lose. But that's guesswork at this
24 point, because we don't know.

25 VICE MAYOR DANKO: So the judge could say a lot

1 of harsh things about this, if the judge felt that
2 way.

3 MS. CREWS: He could.

4 VICE MAYOR DANKO: Whereas, if we changed the
5 offer a bit, we control the language.

6 MS. CREWS: We control the narrative. We
7 control the language.

8 VICE MAYOR DANKO: And the narrative.

9 And I guess we -- I don't know about the
10 canvassing board. When's the last time you spoke
11 with Jay Livingston? Or have you --

12 MS. CREWS: I have not spoken to Jay. I didn't
13 want to do anything until I spoke to you guys.

14 VICE MAYOR DANKO: Do we know -- so we don't
15 know for certain if the canvassing board has gotten
16 on board or not?

17 MS. CREWS: Well, I know that they're not part
18 of the lawsuit.

19 VICE MAYOR DANKO: Okay.

20 MS. CREWS: Because that would be part of the
21 court docket.

22 VICE MAYOR DANKO: But do they have to be?

23 MS. CREWS: There's an argument to be made
24 that, if you're going to order these ballots, you
25 know, not counted, that the canvassing board would

1 need to be a party.

2 VICE MAYOR DANKO: Would have to be a party.

3 So is there something in a stipulation that we
4 could include the canvassing board must be on board
5 with this?

6 MS. CREWS: If they voluntarily agree, yes.

7 VICE MAYOR DANKO: If they voluntarily -- and
8 then we can control the language so it's not so
9 harsh coming from the judge, should he decide he
10 doesn't like our language at all on this amendment?

11 MS. CREWS: Right, assuming both parties -- you
12 know, all parties have to agree, and the Court has
13 to agree too.

14 VICE MAYOR DANKO: Right. Maybe that might be
15 the route to go.

16 MR. GAMBARO: And that would insulate us
17 against any further action?

18 MS. CREWS: That would help. Right?

19 So I think that Councilwoman is correct that,
20 you know, if a judge -- you know, if we fight and
21 the judge rules against us, then that really just
22 completely, you know, insulates us from attack for
23 election interference, because we didn't do anything
24 to get it off the ballot or to change anything. So
25 that's the safest route to ward off other lawsuits.

1 But the second-best thing, if you wanted to go
2 the settlement route, would be, you know, for me to
3 help with the language for the judge to put in
4 certain words that make it clear that the judge
5 thought and does think -- and the judge would have
6 to agree that it was confusing. And so that would
7 insulate us, as well.

8 MR. KLUFAS: And that, I think, is a really big
9 "if." Because if we're sitting up there and I'm
10 trying to think for anyone -- I mean, the language
11 isn't intentionally deceptive, if we look at it at
12 the whole.

13 MS. CREWS: Right.

14 MR. KLUFAS: Can you --

15 MS. CREWS: Intent is not an element. Right?

16 MR. KLUFAS: Yeah.

17 MS. CREWS: You didn't have to intend to.

18 MR. KLUFAS: Totally.

19 So if we talk about the things that the City
20 could be called, I don't think, like, the very worst
21 of these terms are applicable in this situation.
22 There wasn't, like, intentional deceit or deception
23 or mischaracterization of anything.

24 What are some of your opinions on what a judge
25 would look at this and have his judgment be?

1 MS. CREWS: Yeah.

2 MR. KLUFAS: You know, and can you give me some
3 of the words that you could potentially see being
4 thrown around in that regard?

5 MS. CREWS: Sure.

6 MR. KLUFAS: Nothing too bad; right?

7 MS. CREWS: Yeah.

8 And I don't know how much you guys know about
9 the law, but it's pretty clear -- what the judge is
10 going to determine is whether the language is
11 clearly and conclusively defective. That's a high
12 burden. That's Plaintiff's burden. It's not an
13 easy thing to prove.

14 And intent doesn't matter. It's just looking
15 at the language and deciding whether it's clear and
16 unambiguous and whether it could mislead the public
17 and whether the summary tells the electorate what
18 the chief purpose of the amendment is.

19 And there's lots of cases kind of ferreting out
20 what all this means. But at bottom, it's the judge
21 looking at it and the judge weighing and making that
22 call. And it could be appealed too. This could go
23 up on appeal. But it's -- it's a judgment call. So
24 this is not a slam dunk either way at all.

25 VICE MAYOR DANKO: So we could win, and the

1 plaintiff could appeal --

2 MS. CREWS: Yes.

3 VICE MAYOR DANKO: -- and drag us down a longer
4 legal road?

5 MAYOR ALFIN: Always.

6 VICE MAYOR DANKO: Have you ever practiced in
7 front of Judge France before?

8 MS. CREWS: I have not.

9 VICE MAYOR DANKO: Okay. Well --

10 MS. PONTIERI: I have, a lot.

11 VICE MAYOR DANKO: -- it's a tough -- he's a
12 tough -- you never know what you're going to get. I
13 mean, you know, that's being kind. You just don't
14 know.

15 MS. CREWS: Right.

16 MAYOR ALFIN: So with that in mind --

17 VICE MAYOR DANKO: I mean, it's a very -- it's
18 not predictable.

19 MAYOR ALFIN: With that in mind, based on -- so
20 you're not aware of any case law or whatever with
21 regard to this specific issue. Does that make it
22 more interesting for someone to want to -- and is
23 "landmark" the right description to -- the one thing
24 I certainly wouldn't want to be is the first, to be
25 the test --

1 VICE MAYOR DANKO: Yeah.

2 MAYOR ALFIN: -- to be any of those things.
3 Nobody wants to be that.

4 So my question is more about: Is that a
5 magnet, in your opinion, for someone to step forward
6 and accuse us of interfering with an election? I'm
7 simplifying the question.

8 MS. CREWS: I don't know, and I don't know if
9 you guys have heard any rumblings to that effect, if
10 you think there are people out there that are
11 watching this and would want to step in and make a
12 claim --

13 MAYOR ALFIN: Well, there's some amount of PR
14 and press out there, so it's not unknown. And it's
15 not anonymous, and it's not, you know, hidden in the
16 corner. So it would be out there for those that
17 might be looking for such an opportunity now.
18 Beyond that, I don't know.

19 MS. CREWS: This is tangentially -- it's not
20 directly related, but I think it was in 2020 there
21 was some concern about this from the legislature's
22 perspective -- right? -- not at this level, not at
23 the county level, the city level, the charter level,
24 but when it came to statutes and election law at the
25 state level. And I think some reforms were made.

1 Because you were having administrations changed, and
2 you were having friendly lawsuits where someone
3 would come in and object to an election law and say
4 it's unfair or election interference --

5 MAYOR ALFIN: Right.

6 MS. CREWS: -- and the other side, having
7 changed administrations, would be like, "Yep, we
8 agree."

9 So they have would have a suit filed, and they
10 would go to the court and get sort of a consent
11 judgment entered saying this law is no good. And it
12 was basically sort of doing through the courts what
13 they weren't doing legislatively, and that was
14 curbed by the legislation that said, "No, the
15 legislature has to review what you're doing. A
16 court alone can't bless it. The legislature has to
17 look at it too."

18 So it's the same -- it's not -- it's the same
19 concept and the same concern that you have and what
20 somebody might raise, if they were going to raise
21 something.

22 MAYOR ALFIN: Yeah.

23 MS. CREWS: But, you know, it doesn't apply
24 directly, but that's --

25 VICE MAYOR DANKO: Mr. Mayor --

1 MS. CREWS: That's been argued before in other
2 circumstances.

3 VICE MAYOR DANKO: -- I think your concern -- I
4 understand what you're trying to say. But I think,
5 because we're heading into a presidential election
6 year that could be quite controversial considering
7 the last one, I think most of those cases you're
8 going to see are going to be over that type of
9 situation, higher offices, whether it's senators,
10 governors, or presidents. I don't think it's going
11 to be over something -- of us just simply
12 not keeping something on a ballot.

13 MAYOR ALFIN: I'd like to agree, but we've had
14 folks come to our offices with cameras and --

15 MS. PONTIERI: Yeah.

16 MAYOR ALFIN: -- come through little ole Palm
17 Coast --

18 VICE MAYOR DANKO: Sure. Sure.

19 MAYOR ALFIN: -- just because it's an easy
20 story.

21 VICE MAYOR DANKO: But we may get some
22 attention.

23 MAYOR ALFIN: Yeah.

24 VICE MAYOR DANKO: But I don't think you're
25 going to find anyone out there filing --

1 MAYOR ALFIN: Yeah. Oh, you're going to get
2 some attention in the next room.

3 VICE MAYOR DANKO: Yeah, you're not going to
4 find anyone suing us. I don't see this as being an
5 election interference situation. To me, it's a
6 council decided to simply take this off the ballot.
7 And there's precedent for it. It's been done
8 before.

9 MAYOR ALFIN: So we've made those points. I
10 got that.

11 Councilman Gambaro, did you ask all of your
12 questions? I'm not clear on your thinking here.

13 MR. GAMBARO: So, you know, my perspective
14 being not on the council and then on then council --

15 MAYOR ALFIN: Yeah. Right.

16 MR. GAMBARO: -- right? -- is one where I, you
17 know, saw it from the outside, and I was like,
18 "Wow." You know, and I said it in my very first
19 council meeting. I thought we needed a reset on
20 this thing.

21 I thought it would be helpful, though, if we
22 could get language crafted in a way that it would
23 not insulate us but maybe protect us, if we were to
24 decide to go down the settlement route. And if not,
25 then we let it rip. But, you know, the whole --

1 from an outsider's perspective, you know, this thing
2 really, I think, needs to be reset and recrafted.

3 MAYOR ALFIN: So -- and if it helps -- I've
4 been kind of silent on this. I mean, my issues
5 were, one, precedent in terms of how this thing
6 rolls forward and what effect it might have two
7 years from now or whatever.

8 And, number two, which is the thing we haven't
9 spoken about, is the potential loss of value to the
10 residents of the republic that have elected us to
11 make decisions at this level and of this magnitude.
12 The presentations made before city council represent
13 the potential, if they're realized, for millions of
14 dollars in alternative revenue sources. I need to
15 make sure that that is spoken for the record. Now,
16 is there risk in that? Of course. Is it for sure?
17 No. But that is a part of this entire issue.

18 So with that said, where I'm at right now is --
19 and I agree the safest route for the City and
20 therefore protecting the residents of the city of
21 Palm Coast, I guess, economically is where I would
22 land on this.

23 If you could, again, just describe for me
24 the -- I'm not looking to drag this out, for sure.
25 I mean, the sooner we can get, you know, through

1 this, the better. But describe for me the process
2 by which language -- to answer Councilman Gambaro's
3 thought about safety and the safest way forward in
4 terms of drafting language that would better
5 insulate us. I'm not quite clear on how that
6 happens within the time line that you warned us
7 about at the beginning.

8 MS. CREWS: Sure.

9 So -- and I think Councilman is right. The
10 gold standard would be, you know, fight it and have
11 a court knock it down, you know. Because then we
12 had no choice in it, and, you know, no one could
13 blame us for election interference on that front, if
14 we're worried about that.

15 But if we wanted to -- but if we do believe
16 it's confusing, if we believe the language is
17 confusing and you want to clear it up and do it
18 better and do it next time, then -- you know, a
19 lawsuit has been filed. It is before the Court.
20 Case law is out there about what's misleading,
21 what's confusing. And if you as a council decide
22 that it is better to settle this and remove it
23 voluntarily, then there are protections that we can
24 write into a stipulation of something the Court
25 signs that better protects you guys from collateral

1 attacks. Now, it's not foolproof. You know,
2 someone can always bring a lawsuit.

3 But I would -- you know, the way it's drafted
4 now, the way the stipulation is drafted now, it says
5 no one is admitting fault, no one is saying it's
6 confusing, no is saying it's misleading. We've just
7 sort of agreed to remove this from the ballot, and
8 that's a little dangerous.

9 MAYOR ALFIN: And who all has to agree to the
10 change in language? So you've got a canvassing
11 board, which just has to happen.

12 MS. CREWS: Right.

13 MAYOR ALFIN: Who else has to agree?

14 MS. CREWS: The City --

15 MAYOR ALFIN: Right.

16 MS. CREWS: -- the plaintiff -- -

17 MAYOR ALFIN: Okay.

18 MS. CREWS: -- the Court.

19 MAYOR ALFIN: And the Court.

20 MS. CREWS: And typically, the courts will give
21 great deference to the parties if they've reached a
22 stipulated order or agreement. But if the Court,
23 you know, disagrees with us that the language is not
24 confusing, then, you know, he may not want to sign
25 that order. But typically, what's going to --

1 VICE MAYOR DANKO: That would not be a good
2 thing then, obviously. That would be an
3 indication --

4 MS. CREWS: Right.

5 VICE MAYOR DANKO: -- of this going down in
6 flames.

7 MS. CREWS: Right.

8 VICE MAYOR DANKO: How -- not putting pressure
9 on you, but how quickly could you rewrite that
10 language to add those little extra protections from
11 being smeared by the judge and being, you know,
12 accused of the other things? And including the
13 canvassing board, how quickly could we get that to
14 the plaintiff's attorney?

15 MS. CREWS: A day.

16 VICE MAYOR DANKO: A day?

17 MS. CREWS: Not even.

18 VICE MAYOR DANKO: And then -- so they would
19 then -- the ball would be in their court. And if
20 they didn't accept that language, then we'd end up
21 being in front of a judge?

22 MS. CREWS: Correct.

23 VICE MAYOR DANKO: And --

24 MAYOR ALFIN: Okay. So with that said, just --
25 so you got us to that point. Thank you.

1 VICE MAYOR DANKO: Yeah. Yeah.

2 MAYOR ALFIN: Now, before we take another step
3 forward -- because at the end of this, I'm going to
4 need to have, you know, a full consensus here in
5 terms of direction. So there's three -- you're --

6 VICE MAYOR DANKO: Well, full consensus or just
7 a majority vote?

8 MAYOR ALFIN: My understanding -- well, let me
9 ask -- for direction --

10 MR. DUFFY: It's my understanding that it's
11 usually a full direction. And we are in a unique
12 situation. I will say that. I have not seen it
13 where we've had it like this. My understanding when
14 these happen is 5-0, direction -- full direction
15 behind the decision. And that's what I would advise
16 to go forward with.

17 VICE MAYOR DANKO: We don't need to follow that
18 advice, though.

19 MAYOR ALFIN: No, it's advice.

20 So with regard to the issue of -- let me just
21 call it safety, to make it quick -- are you
22 interested in offering direction along that path?

23 MS. PONTIERI: I'm not interested in entering
24 into any settlement for a lawsuit that is fatally
25 flawed because it doesn't have the right parties and

1 that was filed against a legislative body of
2 electeds who made a decision and then, because of
3 political pressure, decided they were going to cave.

4 MAYOR ALFIN: Clear. Clear.

5 Councilman --

6 MR. KLUFAS: "All fax, no printer." I'm with
7 her.

8 MAYOR ALFIN: Councilman Gambaro?

9 MR. GAMBARO: I'm open to pursuing that
10 language.

11 VICE MAYOR DANKO: Yeah, and I am too.

12 MAYOR ALFIN: Okay. Now, since -- so you're
13 city attorney, and you have been hired for this
14 discussion today.

15 So you've got a split in terms of direction.

16 MS. CREWS: Uh-huh.

17 MAYOR ALFIN: So what can you offer as a way
18 forward with this?

19 VICE MAYOR DANKO: Look, we've not heard where
20 you want to go on this.

21 MAYOR ALFIN: It doesn't make any difference.
22 I don't decide --

23 VICE MAYOR DANKO: Well, you're a vote. I
24 mean, it does make a difference --

25 MAYOR ALFIN: No, it's not a vote. It's a

1 consensus. So it doesn't really make any
2 difference.

3 VICE MAYOR DANKO: I don't believe we need to
4 have a full consensus.

5 MAYOR ALFIN: So let's ask the attorney in
6 terms of direction. What will you accept as
7 direction then? Because --

8 VICE MAYOR DANKO: A majority.

9 MAYOR ALFIN: -- you'll have to be okay with
10 the direction that we offer to move forward.

11 MS. CREWS: Right.

12 I think, if there's a real division, you may
13 have to call a meeting and vote. But again, I'm not
14 the city attorney. You know, I could ask around.

15 But I think, in terms of shade meetings,
16 typically there's a consensus in that the majority
17 directs me to do something, and even if -- the
18 consensus would be, if we have two to three -- if
19 it's three to two, then it's, "Hey, we don't
20 necessarily agree that that's the right choice, but
21 that's the majority. That's the consensus. So you
22 move in that direction." But whatever is decided
23 ultimately has to be voted upon, obviously, in the
24 sunshine.

25 MAYOR ALFIN: Okay.

1 MS. CREWS: So I will -- I mean --

2 VICE MAYOR DANKO: If we had a majority today
3 to give you our direction, we would still have that
4 emergency meeting and have a vote to make it
5 official?

6 MS. CREWS: You could. Right? But whatever is
7 ultimately decided as far as whether you're going to
8 enter a stipulation or not --

9 MR. KLUFAS: If we're not going to enter a
10 stipulation, we wouldn't necessarily --

11 MS. CREWS: That's right.

12 MR. GAMBARO: You wouldn't have a meeting.

13 MS. CREWS: That's right.

14 VICE MAYOR DANKO: So do we need to have a
15 meeting if we enter a stipulation?

16 MS. CREWS: If you're going to consider a
17 stipulation and enter one, that would have to be
18 done in the public.

19 VICE MAYOR DANKO: In the public?

20 MS. CREWS: Uh-huh.

21 MR. DUFFY: Mr. Danko, just wanted to refresh.

22 So, like, today, if it is this council's
23 direction, we would ask her to move forward in
24 settlement negotiations, and then you would make the
25 final decision in the public, like she just said.

1 MS. PONTIERI: Can I just bring up something
2 that I think is very important?

3 MAYOR ALFIN: Sure.

4 MS. PONTIERI: I think the fact that we have a
5 lawsuit that's been filed without all the necessary
6 parties is exactly why we're looking at a settlement
7 situation. Because we have an inherently flawed
8 lawsuit, and they're trying to get us to settle
9 before a court comes in and tells them that their
10 lawsuit is fatally flawed.

11 And I think my issue here, respectfully, to the
12 three members that are no longer going to be with
13 us, is setting a precedent of people filing lawsuits
14 that aren't even legally cognizable and survivable
15 and us caving to them. I have a really big problem
16 with that. Not only are we usurping an election at
17 this point, but now we're saying this lawsuit can't
18 make its way through a court, likely, because all
19 the parties that are necessary aren't included, but
20 because of political pressures, we're going to give
21 in to it. And I say it's giving in to political
22 pressures, because again, all of us aside from
23 Councilman Gambaro voted affirmatively on this
24 language.

25 So I do want to make the other point too that,

1 any time you're looking at ballot language for
2 legislative changes, it always leaves things out.
3 Right? I mean, we're looking at an abortion
4 legislative change --

5 MAYOR ALFIN: Sure.

6 MS. PONTIERI: -- and a change to our
7 legislature regarding marijuana, and there are all
8 kinds of things --

9 MAYOR ALFIN: Every one is being challenged.

10 VICE MAYOR DANKO: Yeah.

11 MS. PONTIERI: -- hidden in that legislation
12 that's not on the ballot. Those are always drafted
13 by special interest groups, lobbyists, things like
14 that.

15 So I think that we did make the language
16 better, Councilman Danko. I think that the previous
17 language did leave things out and was a lot more
18 wanting. I think this language survives scrutiny.

19 VICE MAYOR DANKO: We did in a sense that we
20 took the emergency thing and pushed it way down, and
21 I'm not even sure emergency should have been a part
22 of it.

23 But my problem with this is we say things like,
24 you know, in order to enter joint public-private
25 partnerships, which we could do already. We're not

1 adding anything. When we say things -- that future
2 residents will pay for this --

3 MAYOR ALFIN: Contribute.

4 VICE MAYOR DANKO: -- we're leaving out the
5 fact --

6 MAYOR ALFIN: Wait. Wait, guys. Let's --

7 VICE MAYOR DANKO: We're leaving out the fact,
8 though --

9 MAYOR ALFIN: All right. If --

10 MR. DUFFY: Remember not to talk over each
11 other.

12 MAYOR ALFIN: I know. I know. But just --

13 VICE MAYOR DANKO: It's important that we're
14 leaving out that fact that present residents could
15 end up paying for this too.

16 MAYOR ALFIN: Okay.

17 VICE MAYOR DANKO: And the biggest thing to me,
18 looking back at this language -- and I know we were
19 focused on the emergency thing, and I blame myself
20 for not even realizing it. But we're also in a
21 sense taking away the rights of the public to vote
22 on certain bonds, and I have a big concern with that
23 too.

24 MAYOR ALFIN: Okay.

25 VICE MAYOR DANKO: And so, again, I think that,

1 to end this thing now and to give your next council
2 the opportunity to do it better without it being
3 tainted --

4 MS. PONTIERI: I'm going to do that anyways.

5 VICE MAYOR DANKO: Yeah, but you don't know
6 who's going to get elected. You don't know what
7 you're going to run into.

8 MAYOR ALFIN: Okay.

9 VICE MAYOR DANKO: The first week might be a
10 honeymoon. All right? The first couple of
11 meetings --

12 MS. PONTIERI: We'll do it the first week now.

13 VICE MAYOR DANKO: But to give the council a
14 better opportunity to do this correctly without
15 being a stain on it -- because once you get that
16 political stain on it, it's not going to go away.

17 MS. PONTIERI: Vice Mayor, that stain is there.

18 VICE MAYOR DANKO: No, but that stain, you
19 can --

20 MAYOR ALFIN: All right. So let's --

21 VICE MAYOR DANKO: You can get out some of the
22 Spray 'n Wash now --

23 MAYOR ALFIN: Okay. Okay.

24 VICE MAYOR DANKO: -- and get part of that
25 stain out.

1 MAYOR ALFIN: Okay. And I appreciate your
2 comments. You've made your points a couple times.
3 I got them. And I'm not going to go through each
4 one of them.

5 VICE MAYOR DANKO: Yeah.

6 MAYOR ALFIN: But I think you're putting your
7 finger on the scale when you talk about future
8 residents, because the language is contribute -- not
9 pay for, but contribute, which in my definition of
10 the word means they contribute along with everyone
11 else.

12 Anyway, language is not perfect. Words are not
13 perfect. Nobody is ever going to agree on a
14 definition of a word at the same time with the same
15 meaning at the same magnitude. It's just not going
16 to happen. The judge at some point is going to be
17 thinking, "Okay. The public has an inherent
18 responsibility to do their homework, read the stuff,
19 and vote."

20 And quite frankly, I'm thinking -- I don't know
21 Judge France -- well, I do know Judge France, but I
22 have no idea how he would think -- is not going to
23 want to tamper with an election much either, because
24 that's a little bit precedential for him. That's
25 not for me to say. That's a forecast.

1 However, I will share that I will fall --
2 because I think it's my responsibility -- on the
3 side of absolute security and safety first for the
4 residents of the city of Palm Coast. I think the
5 flaw in the lawsuit is the problem of whoever
6 brought it. And the time line is also organized,
7 engineered, or whatever to put us into the situation
8 we are today. I'm not willing to bend over and fall
9 victim to that.

10 I'm unhappy that we are not probably getting to
11 a conclusion that we can be 5-0 on today. That's
12 where I really would like to get. So right now,
13 unless somebody disagrees with my calculation, we're
14 really at a 3-2 in terms of direction.

15 MS. CREWS: So are you saying --

16 MAYOR ALFIN: But I'm going to give everybody a
17 chance to weigh in again.

18 VICE MAYOR DANKO: So where's your direction?

19 MS. CREWS: Yeah, I was a little --

20 VICE MAYOR DANKO: I'm still a little confused
21 on it, because --

22 MAYOR ALFIN: We're 3-2 in the majority of
23 running -- following Councilman Pontieri's
24 direction.

25 VICE MAYOR DANKO: But you're concerned also

1 about this proceeding on and losing in court?

2 MAYOR ALFIN: Yes.

3 VICE MAYOR DANKO: You're concerned about an
4 appeal --

5 MAYOR ALFIN: Yep.

6 VICE MAYOR DANKO: -- and the expense?

7 And the one thing --

8 MAYOR ALFIN: That's what I'm concerned more
9 about.

10 VICE MAYOR DANKO: What I'm really concerned
11 about --

12 MAYOR ALFIN: Yeah.

13 VICE MAYOR DANKO: -- yes, the expense --

14 MAYOR ALFIN: Yeah.

15 VICE MAYOR DANKO: -- tremendously --

16 MAYOR ALFIN: Sure.

17 VICE MAYOR DANKO: -- especially -- we know how
18 inflamed the public is over the cost of raising
19 utility bills, water treatment plants, all of this
20 stuff. To be able to say that we're continuing to
21 spend money on this when we could literally write
22 the language we need to write --

23 MAYOR ALFIN: Which will also cost -- all of
24 that is going to be --

25 VICE MAYOR DANKO: But it's not going to cost

1 the amount it might cost going --

2 MAYOR ALFIN: I don't know that.

3 VICE MAYOR DANKO: -- forward or going beyond
4 that.

5 MAYOR ALFIN: It may just disappear.

6 VICE MAYOR DANKO: How would it disappear?

7 MS. PONTIERI: I'm going to say too, again, I
8 don't think -- this charter amendment is damaged
9 goods. I think that it is not going to pass, which
10 will render the lawsuit moot. So even if Judge
11 France on November 1st says, "No, I don't find this
12 language to be confusing," if on November 5th it
13 gets voted down, there's no appeal to be had. It's
14 a moot lawsuit at that point.

15 MAYOR ALFIN: Yeah.

16 MR. KLUFAS: I'd see value in you guys knowing
17 how to -- I'd see value in the future council
18 knowing --

19 MS. PONTIERI: There is.

20 MR. KLUFAS: -- what the public opinion really
21 is. If we do this right now, all we have is
22 Councilman Danko saying it's tainted and then me
23 saying, "Hey, people will have a preference, if they
24 can understand it." But when you get the numbers,
25 use that for what it's worth.

1 MS. PONTIERI: I've been told that a lot of
2 people don't have an issue with the language, as
3 well.

4 I must say I think that -- the consensus that I
5 keep hearing from most people is that they've heard
6 more -- they're more fearful of the ballot language
7 because of us continuing to talk about it in the way
8 we're talking about it, not that they had any issue
9 understanding it to begin with.

10 MAYOR ALFIN: And I'm not sure that any of us
11 can really evaluate -- and nor should we --

12 MS. PONTIERI: It's anecdotal. Right?

13 MAYOR ALFIN: -- what the residents -- they're
14 going to read this and interpret it the way they
15 interpret it. Whether we like it or not, whether it
16 goes forward or not, it's on the ballot. It's there
17 for them to read. And they're going to make their
18 own interpretation of it.

19 MS. PONTIERI: And I think we need to give them
20 that opportunity.

21 MAYOR ALFIN: So I'm sad to say that we are
22 split on --

23 VICE MAYOR DANKO: But one more thing, though.

24 MAYOR ALFIN: Go ahead, please. Yeah.

25 VICE MAYOR DANKO: Giving them the opportunity

1 is one way to look it, but now giving them reasons
2 not to trust your future council is another way to
3 look at this too.

4 MS. PONTIERI: I understand that, Councilman.

5 VICE MAYOR DANKO: You know what I mean? And I
6 mean that sincerely --

7 MS. PONTIERI: I get what you're saying, but
8 here's my issue --

9 VICE MAYOR DANKO: And for yourself -- for
10 yourself, also, you were opposed to taking it off of
11 the ballot, and a week later, you were in favor of
12 removing it. So that's kind of a situation too.
13 You voted --

14 MS. PONTIERI: Before it was on the ballot and
15 before an election had started. We're in a
16 completely different position at this point.

17 VICE MAYOR DANKO: Well, but if you look -- if
18 you look at what happened in 2010, though, we really
19 aren't --

20 MS. PONTIERI: And by the way --

21 VICE MAYOR DANKO: -- because they did the same
22 thing -- and I think that case was October --
23 what? -- 5th or something, which meant absentee
24 ballots would have been sent out, would have been
25 mailed out overseas.

1 MS. PONTIERI: Respectfully, Vice Mayor, I
2 don't care what the County did in 2010.

3 VICE MAYOR DANKO: No, I'm just saying -- I'm
4 just saying there's a precedent for this.

5 MAYOR ALFIN: Okay. Okay.

6 VICE MAYOR DANKO: Because you were concerned
7 about -- you were concerned about taking away voter
8 rights, and I just want to say they already had
9 absentee ballots going out. It was already on a
10 ballot. I want to make sure we're clear on that.

11 MS. PONTIERI: Yeah.

12 I just -- to the credibility -- and I say this
13 for the benefit of everybody in this room, but
14 particularly Councilman Gambaro -- to the
15 credibility of council now and in the future, I
16 think it sets a more dangerous precedent to be able
17 to vote legislatively and then come back later and
18 take something off of a ballot as council. Once the
19 legislative action is done and we put it in the
20 hands of the electors, which we have done, I think
21 it's incumbent upon that same legislative body to
22 say, "We've done what we said we were going to do.
23 We've made our vote. We've handed it now to the
24 electors," and to not take takesies-backsies with
25 them. That's my concern for the future --

1 MAYOR ALFIN: So it's a lesser of evils --

2 MS. PONTIERI: It is.

3 MAYOR ALFIN: -- in short summary.

4 So I'm going to go around the table now. We're
5 at 3:50 now, and I'm not -- you know, not that I
6 have to stick to a time line. I'm going to ask each
7 of the members in the room if they are interested in
8 asking the attorney another question or -- and we
9 don't need to -- everybody in the room is clear on
10 everybody's issues and points right now. We've got
11 them. It's like reinforcing them. I don't think
12 it's necessary at this point in time.

13 We're clearly at a three versus two on the side
14 of trying to go through the process of rewriting
15 language so that it makes us less -- insulates us
16 better from potential liability versus those that
17 feel that, a step before that, that it's just plain
18 bad and flawed and we should not yield at this point
19 in time.

20 So the question then becomes: Is there
21 anything new or different to add that could change
22 the way the scale --

23 VICE MAYOR DANKO: Well, I did have a question
24 for our attorney.

25 Judge France could award the plaintiff attorney

1 fees? That's a discretion of the judge; correct?

2 MS. CREWS: I don't know under what statute he
3 could --

4 VICE MAYOR DANKO: Under the judge just wants
5 to do it, and I've seen Judge France do what
6 Judge France wants to do --

7 MS. PONTIERI: That's not legally cognizable
8 for him to do.

9 MS. CREWS: Right.

10 Typically, you'd have to have a statute or a
11 contract in order to get fees --

12 VICE MAYOR DANKO: Okay. So if we continue
13 this and this goes into court, the media cycle
14 continues on this as opposed to --

15 MAYOR ALFIN: Both ways. The media continues
16 no matter what.

17 VICE MAYOR DANKO: Yeah, but it will continue
18 through the court, and it will continue through the
19 failure at the ballot box.

20 MAYOR ALFIN: And ultimately, it probably gets
21 involved with discovery.

22 VICE MAYOR DANKO: You know, it ultimately
23 could.

24 MAYOR ALFIN: Is that correct? No?

25 MS. CREWS: No. I wouldn't -- this is not an

1 evidentiary hearing.

2 MAYOR ALFIN: Oh, okay.

3 MS. CREWS: This is as a matter of law.

4 And as I've expressed to City Attorney Duffy,
5 the comments that have been made in the public and
6 by other council members, the judge is human, and he
7 may hear those from opposing counsel. But they're
8 not legally -- they shouldn't be considered as a
9 matter of law.

10 MAYOR ALFIN: They shouldn't be -- okay.

11 MS. CREWS: Right? But the judge is human, and
12 he's --

13 VICE MAYOR DANKO: He's human.

14 MS. CREWS: Yeah.

15 MAYOR ALFIN: But that cuts out the media
16 piece, as far as we can tell.

17 MS. CREWS: Right.

18 MAYOR ALFIN: Okay.

19 VICE MAYOR DANKO: Well, I'm just saying there
20 will be more media stories --

21 MAYOR ALFIN: Okay.

22 VICE MAYOR DANKO: -- that will go on all
23 through the election right to when this fails. And
24 again, my concern is you're going to taint your
25 future council's --

1 MAYOR ALFIN: And as you said before, it gets
2 swallowed in up the grander scale of national
3 politics and becomes a --

4 VICE MAYOR DANKO: As far as the voter
5 interference aspect.

6 But as far as next year when the new council --
7 when you folks try to put out a new way of doing
8 bonds, increasing the amount from our 15 million to
9 30 or 60 or whatever you do -- all right? -- the
10 public is going to be tainted.

11 MAYOR ALFIN: You may have a great platform
12 from which to bounce from, because they will be able
13 to substantiate it with the value of the investment
14 to be made. Another side --

15 VICE MAYOR DANKO: Another side, but --

16 MAYOR ALFIN: So there's going to be an
17 argument on the other side in every one. Okay?

18 So with that, we don't have a clear direction
19 for you as of this meeting today.

20 What could be our next step or steps, if any?

21 MS. CREWS: Well, Monday is the deadline for
22 our response.

23 MAYOR ALFIN: Okay.

24 MS. CREWS: So I would say that I would just
25 need to do that, if you guys don't -- if the

1 direction is not to settle this and to voluntarily
2 remove it, then I think we just need to move forward
3 with, you know, the defense of the lawsuit.

4 And I haven't heard anyone ask me about the
5 merits of the case, but it sounds to me that you
6 guys want a judge to make the call.

7 VICE MAYOR DANKO: Well, what do you think?

8 MS. CREWS: I think it could go either way.
9 This is not a slam dunk on either side. And I could
10 walk you all the way through all the pros and cons,
11 but ultimately that's going to be up to the judge as
12 to that.

13 VICE MAYOR DANKO: My experience -- I don't
14 know about the rest of you --

15 MS. PONTIERI: We also don't have the burden.
16 We're the defendant.

17 VICE MAYOR DANKO: I understand.

18 MS. PONTIERI: So the burden to prove is on the
19 plaintiff.

20 VICE MAYOR DANKO: But my experience, having
21 been involved in several lawsuits in my life, legal
22 matters, is my attorneys always telling me, "We're
23 going to be fine here. We're going to win," you
24 know, feeling confident, whether they're blowing
25 smoke or not. Fortunately, in each case, they were

1 confident, and they prevailed.

2 But I'm now concerned that you don't feel that
3 confident about this, that it could go either way.
4 You're --

5 MAYOR ALFIN: Which we've discussed the
6 magnitude of the loss. I mean, if it goes against
7 us -- okay -- then it's over.

8 MS. PONTIERI: Then it's over. Then it's off
9 the ballot, and that's it.

10 MAYOR ALFIN: And I know you -- tainting and
11 marketing and all of that.

12 VICE MAYOR DANKO: Yes --

13 MAYOR ALFIN: Yeah, I know.

14 VICE MAYOR DANKO: Yeah, absolutely.

15 MAYOR ALFIN: But the lesser of two evils,
16 again, you know, which one hurts more, and which one
17 hurts less?

18 VICE MAYOR DANKO: Well, that, on top of us
19 spending money to go further with this at this time
20 and place is not a good optic.

21 MAYOR ALFIN: Okay. Okay.

22 VICE MAYOR DANKO: And I would advise against
23 it. But --

24 MAYOR ALFIN: Okay. Next steps would be to --
25 you'd bring something to whom and when?

1 MS. CREWS: I don't know. And again, I'm not a
2 city attorney. But I don't know that I need
3 anything at this point, because I think the only
4 thing we would need approved is if we were going to
5 approve a settlement agreement.

6 MAYOR ALFIN: Right.

7 MS. CREWS: Otherwise, it's just litigation,
8 and the Court decides. There's nothing really for
9 you guys to decide other than --

10 VICE MAYOR DANKO: So when we would be in
11 court?

12 MS. CREWS: November the 1st.

13 VICE MAYOR DANKO: November the 1st.

14 MS. CREWS: The day after Halloween. So it
15 ruins my Halloween.

16 MR. DUFFY: Because our response is due
17 October 21st.

18 MS. CREWS: On Monday.

19 MR. DUFFY: Yes.

20 VICE MAYOR DANKO: On Monday?

21 MS. CREWS: Correct.

22 VICE MAYOR DANKO: So November the 1st.

23 What's election day? The 5th?

24 MS. CREWS: 4th.

25 VICE MAYOR DANKO: The 4th.

1 So three days before, this could be yanked as a
2 counting ballot anyway --

3 MS. CREWS: By the judge.

4 VICE MAYOR DANKO: -- if the judge decides.

5 MAYOR ALFIN: Correct.

6 MS. CREWS: Yeah, if the judge decides, then I
7 think they post like a notice --

8 MR. GAMBARO: It's on the 5th.

9 MR. DUFFY: It's on the 5th.

10 MAYOR ALFIN: I'm sorry. It's the 5th?

11 MS. CREWS: Oh, voting day is --

12 VICE MAYOR DANKO: It's on the 5th.

13 MS. CREWS: Okay. They post a notice on the
14 booth saying, you know, "Don't bother voting for
15 this. It's not going to count."

16 VICE MAYOR DANKO: Right.

17 MS. CREWS: They give sort of notice to folks
18 to the extent that they can.

19 And then the machine doesn't count it, or if it
20 does, it won't be counted.

21 VICE MAYOR DANKO: And if the judge agrees with
22 my --

23 MAYOR ALFIN: You're all done.

24 VICE MAYOR DANKO: -- understanding of this
25 language, a judge could also --

1 MAYOR ALFIN: Yep.

2 VICE MAYOR DANKO: -- levy some words on us.

3 MS. CREWS: Well, it will be the judge's order.

4 VICE MAYOR DANKO: Yeah.

5 MS. CREWS: So we won't have any control

6 over --

7 VICE MAYOR DANKO: Right.

8 MS. CREWS: -- what language the judge uses in

9 terms of whether it's --

10 MR. DUFFY: I've practiced in front of
11 Judge France before. I don't see that happening.

12 MS. PONTIERI: I have too. He's not a
13 sensationalist type of judge.

14 MAYOR ALFIN: Well, so none of us know. I
15 mean, that's --

16 MS. PONTIERI: But we don't know.

17 MR. DUFFY: We don't know.

18 VICE MAYOR DANKO: We don't know.

19 MAYOR ALFIN: We don't know. So it is what it
20 is.

21 So with that, I'm going to go ahead and
22 announce the termination of the attorney-client
23 session, and I will reopen the public session.

24 Could you just check and see? I don't think I
25 have to read in the --

1 VICE MAYOR DANKO: At what point -- before you
2 do that --

3 MAYOR ALFIN: Hold on a second.

4 VICE MAYOR DANKO: At what point does the
5 transcript became available to the public?

6 MR. DUFFY: Once the litigation is over.

7 MAYOR ALFIN: At the end.

8 MS. CREWS: Right.

9 VICE MAYOR DANKO: At the end?

10 MAYOR ALFIN: Way at the end.

11 MS. CREWS: So this is confidential until --

12 MR. DUFFY: So litigation is concluded -- even
13 if we get a decision from the judge and it's in our
14 favor or it's the other party's favor and someone
15 appeals, it's still confidential until the appellate
16 procedure has completed.

17 MS. CREWS: Correct.

18 MAYOR ALFIN: Okay. So let me just finish.

19 So I'll reopen the public meeting so we go by
20 the book here. It is October the 17th. It is
21 3:57 p.m. We are in the conference room in city
22 hall on the staff side.

23 MS. JOHNSTON: No members.

24 MAYOR ALFIN: So therefore, the public meeting
25 is open. There are no members of the public.

1 So at this point, I would ask for a motion to
2 adjourn the public meeting.

3 MR. GAMBARO: So moved.

4 MAYOR ALFIN: I have a motion to adjourn.

5 MR. KLUFAS: Second.

6 MAYOR ALFIN: Second from Councilman Klufas.

7 All in favor -- requesting a vote -- say "aye."

8 (Chorus of "ayes.")

9 MAYOR ALFIN: Any opposed?

10 Okay. And we have the count. Thank you.

11 (This meeting was concluded at 3:57 p.m.)

12 -----

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER

STATE OF FLORIDA:
COUNTY OF VOLUSIA:

I, THOMAS M. KIRBY, JR., certify that I was authorized to and did stenographically report the executive session of the CITY COUNCIL OF PALM COAST and that the foregoing transcript, pages 3 through 67, is a true and accurate record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED this 1st day of November, 2024.



Thomas M. Kirby, Jr.
Court Reporter

0	3:01 4:11	accept 41:20	advise 10:2 27:7
000488 1:4	3:50 57:5	44:6	42:15 62:22
1	3:57 1:15 66:21	accomplish 8:17	affect 22:25
1 14:20	67:11	8:21	23:3
101.161 26:18	4	accomplished	affects 22:19
12th 10:5,7	407-244-5690	8:13,19	affirmatively
13th 10:5	2:4	accordance 4:11	46:23
15 60:8	407-843-8880	11:9	aggregate 5:4
160 1:16	2:4	accurate 68:10	ago 21:10
17 1:14 4:10	4th 18:7 63:24	accuse 28:19,20	agree 8:3 12:12
17th 3:7 66:20	63:25	34:6	12:13 14:11,12
1st 8:2,5 19:4,8	5	accused 41:12	17:15 18:10
53:11 63:12,13	5-0 42:14 51:11	acting 2:13 3:19	19:17 20:6
63:22 68:16	5th 53:12 55:23	4:25	23:19 28:14
2	63:23 64:8,9,10	action 10:14,15	30:6,12,13 31:6
2010 15:3,8	64:12	13:2,5 18:12	35:8 36:13
24:21,21 55:18	6	30:17 56:19	38:19 40:9,13
56:2	60 60:9	68:14,15	44:20 50:13
2020 34:20	67 68:9	actions 19:13	agreed 40:7
2024 1:4,14 3:7	8	actual 17:12	agreement 9:8
4:10 68:16	8	18:7	40:22 63:5
21st 63:17	8 4:12 6:16	actually 14:14	agrees 28:11
22742 68:20	a	23:16	64:21
286.011 4:12	ability 22:19	add 13:16 41:10	ahead 3:10,25
6:16	23:4	57:21	11:23 18:1
3	able 9:12 13:1,1	adding 48:1	20:23 24:14
3 3:18 68:9	52:20 56:16	additional 9:15	54:24 65:21
3-2 51:14,22	60:12	adjourn 67:2,4	alan 1:5 4:13
30 21:10 60:9	abortion 47:3	administrations	21:7
3068 2:3	absentee 55:23	35:1,7	alan's 21:13
32164 1:17	56:9	admitting 40:5	alfin 2:8 3:3,22
32802-3068 2:3	absolute 51:3	advance 5:8	3:25 4:4,5,22
3:00 1:15 3:4,7	absolutely 5:15	advice 6:18 9:18	6:1 8:23,25 9:6
4:11	62:14	9:19 11:15	11:24 12:9,16
		42:18,19	12:18,24 13:3,6

<p>13:8,15,18,22 15:21,23 17:21 18:1 20:21 21:18,20,24 24:4,6,16,19 26:1 33:5,16,19 34:2,13 35:5,22 36:13,16,19,23 37:1,9,15 38:3 40:9,13,15,17 40:19 41:24 42:2,8,19 43:4,8 43:12,17,21,25 44:5,9,25 46:3 47:5,9 48:3,6,9 48:12,16,24 49:8,20,23 50:1 50:6 51:16,22 52:2,5,8,12,14 52:16,23 53:2,5 53:15 54:10,13 54:21,24 56:5 57:1,3 58:15,20 58:24 59:2,10 59:15,18,21 60:1,11,16,23 62:5,10,13,15 62:21,24 63:6 64:5,10,23 65:1 65:14,19 66:3,7 66:10,18,24 67:4,6,9 allocated 5:19 allow 21:15</p>	<p>allowing 19:18 23:11 alternative 38:14 amend 18:13 amendment 7:2 7:7,14 8:6 14:20 30:10 32:18 53:8 amendments 23:24 amount 34:13 53:1 60:8 anecdotal 54:12 announce 3:3 4:9 65:22 anonymous 34:15 answer 13:19 39:2 answered 24:11 anti 14:20 anybody 14:18 anyway 50:12 64:2 anyways 49:4 appeal 32:23 33:1 52:4 53:13 appealed 32:22 appeals 66:15 appearance 17:15 appearing 2:5 appellate 66:15</p>	<p>applicable 31:21 apply 35:23 appointed 24:9 appreciate 15:24 50:1 approve 63:5 approved 9:10 63:4 approximately 5:5 argued 36:1 argument 29:23 60:17 arguments 26:25 aside 46:22 asking 12:16 17:2 22:18 57:8 asks 28:17 aspect 60:5 assuming 30:11 assured 8:12 attack 30:22 attacks 40:1 attended 4:22 attention 36:22 37:2 attorney 1:2 2:5 2:14 3:6,21 4:9 4:17,21,21,25 5:1,3 8:10 9:18 11:8,8,21 12:2,4 15:17 22:4 27:20 41:14</p>	<p>43:13 44:5,14 57:8,24,25 59:4 63:2 65:22 68:12 attorney's 15:18 16:11 20:10 attorneys 6:1 10:22 12:21 61:22 68:14 authorized 68:7 available 66:5 avenue 1:16 avoid 15:11 award 57:25 aware 15:5 17:23 26:6,8 33:20 aye 67:7 ayes 67:8</p> <hr/> <p style="text-align: center;">b</p> <hr/> <p>back 48:18 56:17 background 6:14 backsies 56:24 bad 27:25 32:6 57:18 ball 41:19 ballot 7:1,7,7,15 7:19 8:5,7,18 14:5 18:15,21 19:14 20:1,4,15 21:2 25:13,14 27:2 30:24 36:12 37:6 40:7</p>
---	--	--	--

<p>47:1,12 54:6,16 55:11,14 56:10 56:18 58:19 62:9 64:2 ballots 29:24 55:24 56:9 based 9:21 10:4 10:16 11:11 12:3 33:19 basically 7:10 7:19 27:23 35:12 beginning 39:7 believe 25:2 39:15,16 44:3 bend 51:8 bending 20:17 benefit 23:10 56:13 best 13:15 31:1 better 14:9,10 14:12 18:11,14 18:14 19:14 27:13 39:1,4,18 39:22,25 47:16 49:2,14 57:16 beyond 34:18 53:3 big 17:16 18:17 31:8 46:15 48:22 biggest 48:17 bills 52:19 bit 16:20 29:5 50:24</p>	<p>blame 15:15 39:13 48:19 bless 35:16 blessed 8:15 blowing 61:24 board 16:23,23 17:4,5,6,7,14,15 17:20,22 18:3 18:15 19:6,15 20:19 29:10,15 29:16,25 30:4,4 40:11 41:13 body 18:19 43:1 56:21 bonds 14:23 48:22 60:8 book 66:20 booth 64:14 bother 64:14 bottom 32:20 bounce 60:12 boundaries 22:22 box 2:3 58:19 brief 7:24 bring 17:13 20:2 21:8 23:4 26:22 40:2 46:1 62:25 bringing 21:3 brings 23:9 brought 51:6 burden 32:12 32:12 61:15,18</p>	<p style="text-align: center;">c</p> <p>c 2:1 3:1 ca 1:4 calculation 51:13 call 3:11 14:2,6 14:6 16:4 32:22 32:23 42:21 44:13 61:6 called 6:4 9:11 9:23 10:1,11,25 11:10 16:6 31:20 calling 12:9 calls 11:9 cameras 36:14 canvassing 16:22,23 17:4,4 17:6,7,14,15,20 17:22 18:3 19:6 20:19 29:10,15 29:25 30:4 40:10 41:13 capacity 1:9 4:15 care 7:4 56:2 case 1:4 6:20 7:2 11:16 15:3 16:19 20:7,11 20:18 22:19 24:21 26:4,11 27:23 33:20 39:20 55:22 61:5,25</p>	<p>cases 7:2 26:13 32:19 36:7 catastrophic 23:15 cave 43:3 caving 46:15 certain 29:15 31:4 48:22 certainly 9:9 17:17 26:20,24 33:24 certificate 68:1 certify 68:6,11 certifying 18:6 chair 6:25 challenged 47:9 challenges 7:1 chance 5:21 11:25 51:17 change 27:8 30:24 40:10 47:4,6 57:21 changed 29:4 35:1,7 changes 47:2 charged 18:6 charles 2:10 3:13 4:24 charter 7:1,7 34:23 53:8 check 65:24 chief 32:18 choice 39:12 44:20</p>
---	---	--	--

chorus 67:8 circle 13:24 circumstances 36:2 citizen 21:8,17 citizens 28:21 city 1:1,1,8,13 1:16 2:5,7,13,14 3:9,17,19,21 4:5 4:13,25 5:1,20 8:10 9:18,23,24 9:25,25 10:11 10:12 11:7,8 12:21 13:8 17:18 18:2 20:5 21:4 27:21,22 28:1,20 31:19 34:23 38:12,19 38:20 40:14 43:13 44:14 51:4 59:4 63:2 66:21 68:8 city's 9:1 claim 19:20 20:2 26:18 27:10 34:12 claimant 22:11 claims 27:14 clarification 11:6,7 16:9 clear 6:16 31:4 32:9,15 37:12 39:5,17 43:4,4 56:10 57:9 60:18	clearly 32:11 57:13 client 1:2 3:6 4:9,21 5:3 65:22 close 4:18 closed 5:6 clue 14:19 coast 1:1,8,13 1:16,17 2:6,7 3:17 4:6,13 36:17 38:21 51:4 68:8 cognizable 46:14 58:7 collateral 39:25 come 19:5 35:3 36:14,16 56:17 comes 46:9 comfortable 8:21 9:1 20:9 coming 20:11 30:9 commencement 4:9 comment 22:10 comments 24:12 50:2 59:5 competing 28:18 complaint 7:23 10:16 completed 66:16 completely 30:22 55:16	concept 35:19 concern 9:21 14:21 27:4 34:21 35:19 36:3 48:22 56:25 59:24 concerned 51:25 52:3,8,10 56:6,7 62:2 concerns 9:17 10:8 19:20 concluded 66:12 67:11 conclusion 51:11 conclusively 32:11 conference 3:8 66:21 confident 61:24 62:1,3 confidential 6:6 6:7 66:11,15 confused 11:3 51:20 confusing 14:13 14:14,17 27:12 28:3,7 31:6 39:16,17,21 40:6,24 53:12 connected 68:14 cons 13:21 27:19 61:10 consensus 12:5 12:13 42:4,6	44:1,4,16,18,21 54:4 consent 27:11 35:10 consider 45:16 consideration 7:12 considered 59:8 considering 12:25 36:6 continue 58:12 58:17,18 continues 58:14 58:15 continuing 52:20 54:7 contract 58:11 contribute 48:3 50:8,9,10 control 28:9,22 29:5,6,7 30:8 65:5 controversial 36:6 convene 3:5 conversation 12:6 corner 34:16 corporation 1:8 4:14 correct 16:13 22:20 25:20 30:19 41:22 58:1,24 63:21 64:5 66:17
--	--	--	--

<p>correctly 49:14</p> <p>cost 23:13 52:18 52:23,25 53:1</p> <p>costs 15:12 27:24</p> <p>council 1:1,13 2:10,11,12 3:13 3:18 4:23,23,24 5:20 6:18 7:11 9:23,25,25 10:11 11:12 13:8 14:4,22 15:6 18:12 25:5 27:1,13 37:6,14 37:14,19 38:12 39:21 49:1,13 53:17 55:2 56:15,18 59:6 60:6 68:8</p> <p>council's 45:22 59:25</p> <p>councilman 20:21,22 22:18 23:9,18 24:4 26:2 37:11 39:2 39:9 43:5,8 46:23 47:16 51:23 53:22 55:4 56:14 67:6</p> <p>councilwoman 30:19</p> <p>counsel 7:10 59:7 68:12,14</p> <p>count 64:15,19 67:10</p>	<p>counted 7:15 8:7 29:25 64:20</p> <p>counting 64:2</p> <p>county 1:10 4:16 6:20 15:3 16:23 18:4,5 34:23 56:2 68:4</p> <p>couple 8:11 24:5 49:10 50:2</p> <p>course 16:5 38:16</p> <p>court 1:19 3:22 4:2,2 5:2 7:25 8:4,15 12:25 14:3 15:16 17:1 17:2,5,5,18,20 22:1 27:10,12 28:2,6,9,9,14,14 28:16 29:21 30:12 35:10,16 39:11,19,24 40:18,19,22 41:19 46:9,18 52:1 58:13,18 63:8,11 68:21</p> <p>court's 28:5</p> <p>courts 23:11,25 35:12 40:20</p> <p>crafted 37:22</p> <p>credibility 56:12,15</p> <p>crews 2:2 3:15 3:15 5:1 6:9,12 6:15,24 8:24 9:5 9:7,16 12:15,17</p>	<p>12:20,25 13:4,7 13:17,19 15:13 16:5,14,21 17:25 18:5 22:8 22:15,18,23 23:3,7 24:23 25:9,14,19,23 26:6,8,10,17,20 26:22 27:22 28:13 29:3,6,12 29:17,20,23 30:6,11,18 31:13,15,17 32:1,5,7 33:2,8 33:15 34:8,19 35:6,23 36:1 39:8 40:12,14 40:16,18,20 41:4,7,15,17,22 43:16 44:11 45:1,6,11,13,16 45:20 51:15,19 58:2,9,25 59:3 59:11,14,17 60:21,24 61:8 63:1,7,12,14,18 63:21,24 64:3,6 64:11,13,17 65:3,5,8 66:8,11 66:17</p> <p>crunch 8:8</p> <p>curbed 35:14</p> <p>curious 21:6</p> <p>currently 3:7 18:11</p>	<p>cuts 59:15</p> <p>cycle 58:13</p> <hr/> <p style="text-align: center;">d</p> <hr/> <p>d 3:1</p> <p>damaged 53:8</p> <p>dangerous 40:8 56:16</p> <p>danko 2:9 3:14 3:14 4:23 11:3 11:13,18,23 12:8,12 13:25 14:10,16 15:14 15:22 21:10,12 21:17,21 22:3,9 22:13,17,21 23:2 25:22,24 28:25 29:4,8,14 29:19,22 30:2,7 30:14 32:25 33:3,6,9,11,17 34:1 35:25 36:3 36:18,21,24 37:3 41:1,5,8,16 41:18,23 42:1,6 42:17 43:11,19 43:23 44:3,8 45:2,14,19,21 47:10,16,19 48:4,7,13,17,25 49:5,9,13,18,21 49:24 50:5 51:18,20,25 52:3,6,10,13,15 52:17,25 53:3,6 53:22 54:23,25</p>
--	---	---	--

<p>55:5,9,17,21 56:3,6 57:23 58:4,12,17,22 59:13,19,22 60:4,15 61:7,13 61:17,20 62:12 62:14,18,22 63:10,13,20,22 63:25 64:4,12 64:16,21,24 65:2,4,7,18 66:1 66:4,9</p> <p>date 1:14 dated 68:16 david 2:8 4:5,22 day 41:15,16 63:14,23 64:11 68:16</p> <p>days 64:1 deadline 60:21 deadlines 12:25 dealing 10:22 deceit 31:22 deceitful 14:6 deception 31:22 deceptive 31:11 decide 7:10,20 8:4,12 23:11 30:9 37:24 39:21 43:22 63:9 decided 37:6 43:3 44:22 45:7 decides 63:8 64:4,6</p>	<p>deciding 32:15 decision 9:20 10:20 15:19 23:17 24:2 42:15 43:2 45:25 66:13</p> <p>decisions 38:11 decorum 5:9 defeat 14:25 defective 32:11 defendant 61:16 defendants 1:11 defense 61:3 deference 40:21 definitely 20:9 definition 50:9 50:14</p> <p>democratic 18:22 depending 27:6 deputy 6:24 describe 38:23 39:1 description 33:23 desire 6:17 7:5 determine 32:10 developer 26:23 dialogue 11:2 difference 43:21 43:24 44:2 differences 5:15 different 17:3 55:16 57:21</p>	<p>direction 6:8,10 7:3 8:20 11:11 11:15 42:5,9,11 42:14,14,22 43:15 44:6,7,10 44:22 45:3,23 51:14,18,24 60:18 61:1</p> <p>directions 7:11 directly 34:20 35:24 directs 44:17 disagree 11:17 disagrees 40:23 51:13 disappear 53:5 53:6 disaster 10:23 discovery 58:21 discretion 58:1 discuss 9:16 22:14 discussed 6:23 17:24 62:5 discussion 6:21 43:14 discussions 6:22 dismissed 20:19 district 3:18 division 44:12 docket 29:21 doing 10:8 15:2 23:15 35:12,13 35:15 60:7</p>	<p>dollars 38:14 doubt 12:22 14:23 drafted 27:8 40:3,4 47:12 drafting 28:22 39:4 drafts 28:17 drag 5:18 33:3 38:24 dragging 21:13 drill 25:23 drilled 26:10 due 7:25 63:16 duffy 2:14 3:21 3:21,24 5:1,25 6:2 8:10 9:15 11:7,14 22:12 25:1,10 42:10 45:21 48:10 59:4 63:16,19 64:9 65:10,17 66:6,12 dunk 32:24 61:9</p> <p>e</p> <p>e 2:1,1 3:1,1 earlier 8:10 17:23 early 25:22 easy 32:13 36:19 economically 38:21 ed 2:9 3:14 4:23</p>
--	---	--	--

<p>effect 34:9 38:6</p> <p>effectively 5:12 7:24</p> <p>efforts 15:1</p> <p>either 32:24 50:23 61:8,9 62:3</p> <p>elected 38:10 49:6</p> <p>electeds 43:2</p> <p>election 17:13 18:7,16,17 19:9 19:16,19 20:2 20:12 23:14 25:17,19 26:5 26:14,15,17 27:9,18 30:23 34:6,24 35:3,4 36:5 37:5 39:13 46:16 50:23 55:15 59:23 63:23</p> <p>elections 1:9 4:15 15:10</p> <p>electorate 32:17</p> <p>electors 18:18 18:22 56:20,24</p> <p>element 31:15</p> <p>email 2:5</p> <p>emergency 8:16 9:12 10:10,11 10:13,15,20,22 10:25 12:23 45:4 47:20,21 48:19</p>	<p>employee 68:12 68:13</p> <p>engineered 51:7</p> <p>enter 8:14 9:8 10:3 17:15 27:6 45:8,9,15,17 47:24</p> <p>entered 35:11</p> <p>entering 42:23</p> <p>entire 38:17</p> <p>especially 52:17</p> <p>esquire 2:2</p> <p>estimated 5:3,4 5:10</p> <p>evaluate 54:11</p> <p>everybody 5:13 11:25 12:18 13:9 51:16 56:13 57:9</p> <p>everybody's 57:10</p> <p>evidentiary 59:1</p> <p>evils 57:1 62:15</p> <p>exactly 46:6</p> <p>executive 1:1 68:8</p> <p>exists 10:13</p> <p>expenditures 6:19</p> <p>expense 52:6,13</p> <p>experience 10:21,24 61:13 61:20</p>	<p>explain 16:20</p> <p>expressed 59:4</p> <p>extend 24:6</p> <p>extent 64:18</p> <p>extra 41:10</p> <hr/> <p style="text-align: center;">f</p> <hr/> <p>fact 19:3,15 46:4 48:5,7,14</p> <p>facts 25:2</p> <p>fail 18:25,25 19:9</p> <p>failed 16:22</p> <p>fails 59:23</p> <p>failure 58:19</p> <p>fair 22:14 25:21</p> <p>fall 51:1,8</p> <p>familiar 7:2</p> <p>far 16:15 25:23 27:15,17 28:7 45:7 59:16 60:4 60:6</p> <p>fatally 19:7 20:16 42:24 46:10</p> <p>fault 40:5</p> <p>favor 18:23 19:25 55:11 66:14,14 67:7</p> <p>fax 2:4 43:6</p> <p>fear 18:24</p> <p>fearful 54:6</p> <p>feel 8:20 10:18 57:17 62:2</p> <p>feeling 61:24</p>	<p>fees 15:17,19 16:11 20:10 27:20,24 58:1 58:11</p> <p>felt 29:1</p> <p>ferreting 32:19</p> <p>fight 7:6,17 8:18 16:25 30:20 39:10</p> <p>filed 10:16 17:11 19:11,21 35:9 39:19 43:1 46:5</p> <p>files 20:17</p> <p>filing 21:19 36:25 46:13</p> <p>final 45:25</p> <p>financially 68:15</p> <p>find 36:25 37:4 53:11</p> <p>finding 27:11</p> <p>fine 15:10 23:22 61:23</p> <p>finger 50:7</p> <p>finish 26:2 66:18</p> <p>firm 6:25 8:11 11:5 15:15</p> <p>first 6:3 11:3,22 16:6 33:24 37:18 49:9,10 49:12 51:3</p> <p>fix 17:9,10</p>
---	---	---	---

<p>flagler 1:10 4:16 6:20 16:23 flames 41:6 flaw 51:5 flawed 19:7 20:16 21:2 42:25 46:7,10 57:18 floor 3:8 florida 1:1,8,17 1:19 2:3 4:12,14 6:16 11:10 26:14 68:3 fluent 5:10 focused 48:19 fodder 28:21 folks 36:14 60:7 64:17 follow 26:3 42:17 following 4:12 51:23 foolproof 40:1 forcing 10:19 forecast 50:25 foregoing 68:9 fork 7:20 forks 7:19 fortunately 61:25 forward 8:3 12:5 13:11 16:25 18:15 19:18 20:2 25:7 34:5 38:6 39:3</p>	<p>42:3,16 43:18 44:10 45:23 53:3 54:16 61:2 found 27:12 frames 8:22 9:13 france 33:7 50:21,21 53:11 57:25 58:5,6 65:11 frankly 50:20 free 15:12,15 friendly 6:2,5 35:2 front 33:7 39:13 41:21 65:10 fulfill 12:10 full 42:4,6,11,14 44:4 further 20:5,8 30:17 62:19 68:11 furthermore 19:17 future 15:1 48:1 50:7 53:17 55:2 56:15,25 59:25</p>	<p>26:7,9,12,19,21 27:15 30:16 37:11,13,16 43:8,9 45:12 46:23 56:14 64:8 67:3 gambaro's 39:2 game 22:14 general 26:7 getting 5:17 51:10 give 9:18 18:8 25:7 32:2 40:20 45:3 46:20 49:1 49:13 51:16 54:19 64:17 given 15:6 giving 6:8 46:21 54:25 55:1 go 3:10,25 7:11 8:3 11:23 12:1 13:20 15:16 16:16 18:1 19:18 20:22,23 24:14,19 25:7 27:7 28:4,7,16 30:15 31:1 32:22 35:10 37:24 42:16 43:20 49:16 50:3 54:24 57:4 57:14 59:22 61:8 62:3,19 65:21 66:19</p>	<p>goes 54:16 58:13 62:6 going 3:5,10 4:8 4:17 7:16 9:17 14:24,25 17:9 18:21 20:4 23:12 28:6 29:24 32:10 33:12 35:20 36:8,8,10,25 37:1,3 40:25 41:5 42:3 43:3 45:7,9,16 46:12 46:20 49:4,6,7 49:16 50:3,13 50:15,16,22 51:16 52:24,25 53:1,3,7,9 54:14 54:17 56:9,22 57:4,6 59:24 60:10,16 61:11 61:23,23 63:4 64:15 65:21 gold 39:10 good 23:9 24:16 35:11 41:1 62:20 goods 53:9 gotten 29:15 governors 36:10 grander 60:2 gray 2:2,5 3:15 6:17,25 great 40:21 60:11</p>
	g		
	<p>g 3:1 gambaro 2:10 3:13,13 4:24 6:3 13:13 20:21,23 24:4,5,14,17,20 24:24 25:1,12 25:15,21 26:2,3</p>		

groups 47:13 guardrails 22:7 guess 3:10 23:12 28:4 29:9 38:21 guessing 19:12 guesswork 28:23 guys 7:4,5 8:12 8:13,21 9:20 11:11,15 13:1 13:17 27:7 29:13 32:8 34:9 39:25 48:6 53:16 60:25 61:6 63:9	happy 7:4 harsh 29:1 30:9 harsher 28:19 heading 36:5 hear 59:7 heard 12:4 34:9 43:19 54:5 61:4 hearing 8:1,5 9:10 19:4 28:10 54:5 59:1 hearings 9:3 help 27:9 30:18 31:3 helpful 37:21 helps 38:3 hey 20:3 23:25 28:2 44:19 53:23 hidden 34:15 47:11 high 32:11 higher 36:9 highlight 26:14 hired 43:13 hold 21:18,18 21:20,20 66:3 homework 50:18 honeymoon 49:10 hook 16:10 19:19 hopefully 5:11 5:17	hoping 11:15 hour 5:5,10,19 8:1 huh 43:16 45:20 human 59:6,11 59:13 hurricane 10:23 hurts 62:16,17	inflamed 52:18 information 13:10 25:8 inherent 50:17 inherently 46:7 insufficient 20:8 insulate 27:5,9 27:13,13 30:16 31:7 37:23 39:5 insulates 20:4,8 30:22 57:15 insulating 23:16 insulation 23:10 intend 31:17 intent 31:15 32:14 intentional 31:22 intentionally 31:11 interest 47:13 interested 42:22 42:23 57:7 68:15 interesting 33:22 interference 19:20 20:2,13 23:14 26:7,16 26:18 27:10,18 30:23 35:4 37:5 39:13 60:5 interfering 26:5 34:6
h		i	
hall 1:16 3:9 66:22 halloween 63:14 63:15 hand 6:12 20:3 handed 24:24 56:23 handled 7:1 hands 56:20 happen 10:3 19:1 40:11 42:14 50:16 happened 19:4 19:8 25:3 27:16 55:18 happening 5:22 65:11 happens 39:6		idea 50:22 identified 4:7 identifying 27:15 immediate 10:14 important 46:2 48:13 imposing 10:19 impression 15:7 improperly 24:3 include 30:4 included 16:19 18:3 19:6 20:20 46:19 including 5:13 7:1 9:3 41:12 inclusion 19:8 increasing 60:8 incumbent 56:21 indication 41:3 indispensable 16:18 individual 21:3	

<p>interpret 54:14 54:15 interpretation 54:18 intro 5:24 introduce 3:12 6:13 investment 60:13 involved 26:18 58:21 61:21 issue 16:24 17:1 21:9 24:11 33:21 38:17 42:20 46:11 54:2,8 55:8 issues 20:14 38:4 57:10 it'll 7:24</p>	<p>57:25 58:1,4,5,6 59:6,11 61:6,11 64:3,4,6,21,25 65:8,11,13 66:13 judge's 65:3 judgment 27:11 31:25 32:23 35:11 jurisdiction 17:6</p>	<p>12:21 13:2 15:4 15:17 17:2,14 17:16,25 23:5 26:23,24,25 27:1,4,17,20,23 27:24 28:1,17 28:19,21,24 29:9,14,15,17 29:25 30:12,20 30:20,22 31:2 32:2,8,8 33:12 33:13,14 34:8,8 34:15,18 35:23 37:13,17,18,25 38:1,25 39:10 39:11,12,18 40:1,3,23,24 41:11 42:4 44:14 47:24 48:12,12,18 49:5,6 50:20,21 52:17 53:2 55:5 57:5 58:2,22 61:3,14,24 62:10,13,16 63:1,2 64:14 65:14,16,17,18 65:19 knowing 53:16 53:18</p>	<p>landmark 33:23 language 7:18 8:18 14:5,18 18:10,13 19:14 20:7 23:22 28:5 28:18,23 29:5,7 30:8,10 31:3,10 32:10,15 37:22 39:2,4,16 40:10 40:23 41:10,20 43:10 46:24 47:1,15,17,18 48:18 50:8,12 52:22 53:12 54:2,6 57:15 64:25 65:8 larger 18:24 late 17:11 lauren 2:13 3:19 4:25 law 5:2 6:25 7:2 8:11 11:5 13:20 15:15 20:7 28:2 32:9 33:20 34:24 35:3,11 39:20 59:3,9 lawsuit 4:13 19:2,7,10,11,21 20:16,18 21:2 21:19 24:10 29:18 39:19 40:2 42:24 46:5 46:8,10,17 51:5 53:10,14 61:3</p>
<p>j</p>	<p>k</p> <p>kaiti 1:9 4:14 keep 7:6,18 8:18 22:1 54:5 keeping 36:12 kind 15:6 32:19 33:13 38:4 55:12 kinds 47:8 kirby 1:18 4:2 68:6,20 klufas 2:11 3:17 3:17 4:23 13:12 20:22,24 21:11 21:15,19,23 22:18,20 23:5,8 31:8,14,16,18 32:2,6 43:6 45:9 53:16,20 67:5,6 knock 39:11 know 5:11,11 5:16,18 6:13 7:6 7:13,19,22,23 8:6,18 9:7,9</p>	<p>l</p> <p>lack 19:7 lake 1:16 land 38:22</p>	

<p>lawsuits 30:25 35:2 46:13 61:21 leave 47:17 leaves 47:2 leaving 23:24 48:4,7,14 legal 15:12 33:4 61:21 legally 28:1 46:14 58:7 59:8 legislation 35:14 47:11 legislative 18:19 19:13 27:2 43:1 47:2,4 56:19,21 legislatively 27:3 35:13 56:17 legislature 35:15,16 47:7 legislature's 34:21 length 5:3 lenhart 1:9 4:14 lesser 57:1 62:15 letter 24:22 level 23:10 34:22,23,23,23 34:25 38:11 levy 65:2 liability 20:5,9 57:16</p>	<p>life 61:21 likely 46:18 likewise 8:17 limited 6:21 line 10:16 39:6 51:6 57:6 lines 12:3 literally 52:21 litigant 26:22 litigate 22:19 litigation 2:5 6:9,11,19,22,25 7:6,18 16:25 23:12 24:20 25:2,4,11 26:4 26:14 27:16 63:7 66:6,12 little 16:20 21:21 36:16 40:8 41:10 50:24 51:19,20 livingston 29:11 lobbyists 47:13 located 3:8 long 7:24 longer 33:3 46:12 look 31:11,25 35:17 43:19 55:1,3,17,18 looking 6:8 32:14,21 34:17 38:24 46:6 47:1 47:3 48:18</p>	<p>lose 15:16 28:23 losing 27:23 52:1 loss 38:9 62:6 lot 17:12 19:22 20:11 24:8 28:19,25 33:10 47:17 54:1 lots 32:19 lowe 1:5 4:13 21:7</p> <hr/> <p style="text-align: center;">m</p> <hr/> <p>m 1:18 2:2 68:6 68:20 machine 64:19 made 15:5,23 18:13 19:13 24:2 26:25 29:23 34:25 37:9 38:12 43:2 50:2 56:23 59:5 60:14 magnet 34:5 magnitude 38:11 50:15 62:6 mailed 55:25 major 14:21 majority 9:24 42:7 44:8,16,21 45:2 51:22 make 9:20 12:18 13:9 18:14 22:6,21 24:12 27:10</p>	<p>31:4 33:21 34:11 38:11,15 42:21 43:21,24 44:1 45:4,24 46:18,25 47:15 54:17 56:10 61:6 makes 19:16 57:15 making 5:16 10:20 23:17 32:21 manager 2:13 3:20 4:25 9:24 10:12 marcus 2:14 3:21 5:1,23 marijuana 47:7 marketing 62:11 massage 28:5 matter 6:11 8:1 8:9 28:1 32:14 58:16 59:3,9 matters 6:23 61:22 mayor 2:8,9 3:3 3:14,22,25 4:4,5 4:22,22 6:1,20 8:23,25 9:6,24 10:12 11:3,13 11:18,23,24 12:8,9,12,16,18 12:24 13:3,6,8 13:15,18,22,23</p>
--	---	---	--

<p>13:25 14:10,16 15:14,21,22,23 16:8 17:21 18:1 20:21 21:10,12 21:17,18,20,21 21:24 22:3,9,13 22:17,21 23:2 24:4,6,16,17,18 24:19 25:22,24 26:1 28:25 29:4 29:8,14,19,22 30:2,7,14 32:25 33:3,5,6,9,11,16 33:17,19 34:1,2 34:13 35:5,22 35:25,25 36:3 36:13,16,18,19 36:21,23,24 37:1,3,9,15 38:3 40:9,13,15,17 40:19 41:1,5,8 41:16,18,23,24 42:1,2,6,8,17,19 43:4,8,11,12,17 43:19,21,23,25 44:3,5,8,9,25 45:2,14,19 46:3 47:5,9,10,19 48:3,4,6,7,9,12 48:13,16,17,24 48:25 49:5,8,9 49:13,17,18,20 49:21,23,24 50:1,5,6 51:16 51:18,20,22,25</p>	<p>52:2,3,5,6,8,10 52:12,13,14,15 52:16,17,23,25 53:2,3,5,6,15 54:10,13,21,23 54:24,25 55:5,9 55:17,21 56:1,3 56:5,6 57:1,3,23 58:4,12,15,17 58:20,22,24 59:2,10,13,15 59:18,19,21,22 60:1,4,11,15,16 60:23 61:7,13 61:17,20 62:5 62:10,12,13,14 62:15,18,21,22 62:24 63:6,10 63:13,20,22,25 64:4,5,10,12,16 64:21,23,24 65:1,2,4,7,14,18 65:19 66:1,3,4,7 66:9,10,18,24 67:4,6,9</p> <p>mean 21:6 22:24 26:20 31:10 33:13,17 38:4,25 43:24 45:1 47:3 55:5,6 62:6 65:15</p> <p>meaning 50:15</p> <p>means 32:20 50:10</p>	<p>meant 55:23</p> <p>media 58:13,15 59:15,20</p> <p>meet 12:3 17:23</p> <p>meeting 1:13 3:5 4:8,18 5:8 6:4,4 8:16,17 9:23 10:1,1,4,6 10:7,10,11 11:10 12:9,14 13:2 37:19 44:13 45:4,12 45:15 60:19 66:19,24 67:2 67:11</p> <p>meetings 9:22 10:25 11:9 15:6 44:15 49:11</p> <p>member 2:10,11 2:12 3:13 4:23 4:23,24 5:20</p> <p>members 9:25 13:9 14:4 46:12 57:7 59:6 66:23 66:25</p> <p>merits 61:5</p> <p>midstream 24:8</p> <p>million 60:8</p> <p>millions 38:13</p> <p>mind 33:16,19</p> <p>minute 21:24 22:4</p> <p>mischaracteri... 31:23</p>	<p>mislead 32:16</p> <p>misleading 28:3 28:8,20 39:20 40:6</p> <p>misunderstan... 14:7</p> <p>monday 7:25 10:18 24:25 60:21 63:18,20</p> <p>money 52:21 62:19</p> <p>moot 19:2,10 53:10,14</p> <p>motion 67:1,4</p> <p>motives 21:4</p> <p>move 5:5 12:5 16:25 44:10,22 45:23 61:2</p> <p>moved 18:15 67:3</p> <p>mud 21:13</p> <p>municipal 1:8 4:14</p>
			n
			<p>n 2:1 3:1 49:22</p> <p>name 3:25 16:7 16:22</p> <p>narrative 29:6,8</p> <p>national 60:2</p> <p>natural 10:23</p> <p>nature 27:21</p> <p>necessarily 44:20 45:10</p> <p>necessary 12:10 46:5,19 57:12</p>

<p>need 3:22 7:10 12:1,4 14:23 18:3 24:11 30:1 38:14 42:4,17 44:3 45:14 52:22 54:19 57:9 60:25 61:2 63:2,4 needed 37:19 needs 19:6 38:2 negotiations 6:19 45:24 never 18:23 23:20 26:17 33:12 new 14:22 57:21 60:6,7 nick 2:11 3:17 4:23 20:23 21:10 notary 1:19 notes 68:10 notice 9:3 10:6 64:7,13,17 november 8:2,5 10:5,7 18:7 19:8 53:11,12 63:12 63:13,22 68:16 number 38:8 numbers 23:14 53:24</p>	<p>obviously 5:8 13:5 15:3,8,10 28:13 41:2 44:23 occurred 24:21 october 1:14 3:6 4:10 10:17 55:22 63:17 66:20 offense 21:21 offer 7:9 14:1 24:7,12 29:5 43:17 44:10 offering 42:22 office 2:4 offices 36:9,14 official 1:9 4:15 5:2 13:2,4 45:5 oh 11:23 24:23 37:1 59:2 64:11 okay 4:7,17 9:6 12:19,24 13:10 13:15,18 15:21 16:15,16 18:1,8 20:21 22:17 23:2 25:6,12,15 25:21 26:3,9,19 27:15 29:19 33:9 40:17 41:24 43:12 44:9,25 48:16 48:24 49:8,23 49:23 50:1,17 56:5,5 58:12 59:2,10,18,21</p>	<p>60:17,23 62:7 62:21,21,24 64:13 66:18 67:10 ole 36:16 olive 24:6 once 23:20 49:15 56:18 66:6 open 11:1 43:9 66:25 opened 4:7 opinion 5:15 10:13 34:5 53:20 opinions 31:24 opportunity 34:17 49:2,14 54:20,25 opposed 55:10 58:14 67:9 opposing 7:9 59:7 optic 62:20 options 10:9 order 5:9 10:5 15:25 17:2,7,18 21:25 28:9,17 29:24 40:22,25 47:24 58:11 65:3 orders 28:18 organized 51:6 orlando 2:3</p>	<p>outside 22:22 37:17 outsider's 38:1 overseas 55:25 own 28:17 54:18</p>
<p>o</p>			<p>p</p>
<p>o 3:1 object 35:3</p>			<p>p 2:1,1 3:1 p.m. 1:15,15 3:7 4:11 66:21 67:11 pages 68:9 palm 1:1,8,13 1:16,17 2:6,7 3:17 4:5,13 36:16 38:21 51:4 68:8 part 27:11 29:17,20 38:17 47:21 49:24 participation 4:18 particular 15:25 particularly 19:13 20:18 56:14 parties 17:3 30:11,12 40:21 42:25 46:6,19 68:12,13 partners 8:11 12:20 partnerships 47:25</p>

<p>party 10:19 16:18 25:5 30:1 30:2</p> <p>party's 66:14</p> <p>pass 19:1 26:24 53:9</p> <p>past 5:18</p> <p>path 42:22</p> <p>pay 48:2 50:9</p> <p>paying 15:17,18 48:15</p> <p>pending 25:4</p> <p>people 19:23 20:1 23:22 34:10 46:13 53:23 54:2,5</p> <p>perfect 50:12,13</p> <p>perform 3:10</p> <p>person 19:21</p> <p>perspective 34:22 37:13 38:1</p> <p>piece 13:10 59:16</p> <p>pipeline 20:12</p> <p>place 1:16 8:2 62:20</p> <p>placed 8:7</p> <p>plain 57:17</p> <p>plaintiff 1:6 16:22 17:2,9,10 17:17 22:12 33:1 40:16 57:25 61:19</p>	<p>plaintiff's 15:18 16:11 32:12 41:14</p> <p>plants 52:19</p> <p>platform 60:11</p> <p>please 11:23 22:2 54:24</p> <p>po 2:3</p> <p>point 5:16 7:12 14:5,11 15:19 17:19 18:16 19:3 20:15 21:24 25:8,25 28:24 41:25 46:17,25 50:16 53:14 55:16 57:12,18 63:3 66:1,4 67:1</p> <p>points 15:23 23:8 37:9 50:2 57:10</p> <p>policy 9:21 10:9</p> <p>political 43:3 46:20,21 49:16</p> <p>politics 60:3</p> <p>pontieri 2:12 3:16,16 4:24 11:21 13:14 14:9,15 16:1,3,6 16:15 18:2,8 23:9,18 25:16 28:11 33:10 36:15 42:23 46:1,4 47:6,11 49:4,12,17 53:7</p>	<p>53:19 54:1,12 54:19 55:4,7,14 55:20 56:1,11 57:2 58:7 61:15 61:18 62:8 65:12,16</p> <p>pontieri's 51:23</p> <p>portion 4:8</p> <p>posed 12:2</p> <p>position 20:25 23:20 55:16</p> <p>possible 5:14</p> <p>post 64:7,13</p> <p>potential 27:14 27:16 38:9,13 57:16</p> <p>potentially 24:3 27:17 32:3</p> <p>power 18:18,21</p> <p>pr 34:13</p> <p>practice 10:21</p> <p>practiced 33:6 65:10</p> <p>precedence 26:13</p> <p>precedent 15:2 15:4 37:7 38:5 46:13 56:4,16</p> <p>precedential 50:24</p> <p>preclude 21:16</p> <p>precludes 24:2</p> <p>predictable 33:18</p>	<p>preference 53:23</p> <p>present 48:14</p> <p>presentations 38:12</p> <p>presented 7:9</p> <p>presidential 36:5</p> <p>presidents 36:10</p> <p>press 34:14</p> <p>pressure 41:8 43:3</p> <p>pressures 46:20 46:22</p> <p>pretty 14:20 17:11 32:9</p> <p>prevailed 62:1</p> <p>prevents 23:11</p> <p>previous 47:16</p> <p>printer 43:6</p> <p>private 47:24</p> <p>pro 28:4</p> <p>probably 19:9 27:8 51:10 58:20</p> <p>problem 5:22 17:17 18:17 46:15 47:23 51:5</p> <p>procedure 66:16</p> <p>procedures 9:22 10:10 16:16</p>
--	---	--	--

<p>proceed 13:10 13:16</p> <p>proceeding 15:11 52:1</p> <p>process 18:23 39:1 57:14</p> <p>proposal 7:13</p> <p>pros 13:21 27:19 61:10</p> <p>protect 37:23</p> <p>protecting 38:20</p> <p>protections 39:23 41:10</p> <p>protects 39:25</p> <p>prove 32:13 61:18</p> <p>provided 5:2</p> <p>provision 16:12</p> <p>public 1:19 4:8 4:18 9:2,9 14:20 32:16 45:18,19 45:25 47:24 48:21 50:17 52:18 53:20 59:5 60:10 65:23 66:5,19 66:24,25 67:2</p> <p>pull 19:25 20:4 25:6</p> <p>pulling 20:15</p> <p>purpose 32:18</p> <p>pursue 7:17</p> <p>pursuing 43:9</p>	<p>pushed 47:20</p> <p>put 3:25 18:15 18:20 31:3 51:7 56:19 60:7</p> <p>putting 41:8 50:6</p> <p style="text-align: center;">q</p> <p>qualify 12:23</p> <p>question 11:25 12:2,7,8,22 16:2 22:9 24:13 34:4 34:7 57:8,20,23</p> <p>questions 11:1 11:21 13:19 17:22 24:5,10 37:12</p> <p>quick 42:21</p> <p>quickly 18:9 25:17 41:9,13</p> <p>quite 36:6 39:5 50:20</p> <p>quote 16:16</p> <p style="text-align: center;">r</p> <p>r 2:1 3:1</p> <p>rachael 2:2 3:15 5:1 6:24 16:3,4</p> <p>rachael.crews 2:5</p> <p>raise 16:25 35:20,20</p> <p>raised 16:24</p> <p>raising 52:18</p> <p>rather 7:17 19:18</p>	<p>reached 40:21</p> <p>reaction 14:20</p> <p>read 50:18 54:14,17 65:25</p> <p>reading 14:1</p> <p>real 44:12</p> <p>realized 38:13</p> <p>realizing 48:20</p> <p>really 20:18,25 25:16 26:23 27:24 30:21 31:8 38:2 44:1 46:15 51:12,14 52:10 53:20 54:11 55:18 63:8</p> <p>reasonings 21:5</p> <p>reasons 55:1</p> <p>received 10:18</p> <p>recognized 5:21</p> <p>record 3:11,12 3:23 5:17 14:4 38:15 68:10</p> <p>recrafted 38:2</p> <p>reference 17:22</p> <p>referenced 6:20 26:4</p> <p>referendum 19:25</p> <p>reforms 34:25</p> <p>refresh 45:21</p> <p>regard 6:1 32:4 33:21 42:20</p> <p>regarding 4:12 6:18 9:2 12:7</p>	<p>24:10 47:7</p> <p>regardless 15:8</p> <p>reinforcing 57:11</p> <p>related 34:20</p> <p>relates 22:15</p> <p>relative 68:11 68:13</p> <p>remember 14:15 48:10</p> <p>reminder 6:2,5</p> <p>removal 8:14 27:3</p> <p>remove 7:14 14:5 39:22 40:7 61:2</p> <p>removing 55:12</p> <p>render 53:10</p> <p>rendered 19:2 19:10</p> <p>reopen 65:23 66:19</p> <p>report 68:7</p> <p>reported 1:18</p> <p>reporter 1:19 3:22 4:2,2 5:2 22:1 68:1,21</p> <p>represent 38:12</p> <p>republic 38:10</p> <p>reputation 21:13</p> <p>request 6:5</p> <p>requesting 67:7</p> <p>requirements 12:11</p>
--	---	--	---

requires 10:13 reset 37:19 38:2 residents 19:22 38:10,20 48:2 48:14 50:8 51:4 54:13 resolution 19:5 respect 5:9 respectfully 46:11 56:1 response 7:23 60:22 63:16 responsibilities 9:2 responsibility 50:18 51:2 rest 61:14 results 18:6 revenue 38:14 review 35:15 rewrite 41:9 rewriting 57:14 right 10:3 11:13 11:19,23 15:23 22:8,23 23:7 26:1,12 30:11 30:14,18 31:13 31:15 32:6 33:15,23 34:22 35:5 37:15,16 38:18 39:9 40:12,15 41:4,7 42:25 44:11,20 45:6,11,13 47:3 48:9 49:10,20	51:12 53:21 54:12 57:10 58:9 59:11,17 59:23 60:9 63:6 64:16 65:7 66:8 rights 48:21 56:8 rip 37:25 risk 27:22 38:16 risks 27:16,21 road 7:20 33:4 robinson 2:2 3:15 6:17,25 robinson.com 2:5 roll 3:11 9:1 rolls 38:6 room 3:8 4:19 5:20 12:1,19 13:24 37:2 56:13 57:7,9 66:21 route 27:7 28:5 28:16 30:15,25 31:2 37:24 38:19 ruins 63:15 rules 30:21 rumbings 34:9 run 49:7 running 51:23	safest 30:25 38:19 39:3 safety 39:3 42:21 51:3 save 11:19 saw 37:17 saying 18:19 23:18 27:12 35:11 40:5,6 46:17 51:15 53:22,23 55:7 56:3,4 59:19 64:14 says 20:3,6 28:2 40:4 53:11 scale 50:7 57:22 60:2 scheduled 10:5 scrutiny 47:18 second 3:8 19:12 31:1 66:3 67:5,6 security 51:3 see 32:3 36:8 37:4 53:16,17 65:11,24 seem 23:15 seems 23:18 seen 26:17 42:12 58:5 senators 36:9 sensationalist 65:13 sense 47:19 48:21	sensitive 8:9 sent 55:24 september 10:17 service 10:17 session 1:1,2 3:6 4:10,21 5:4,6 65:23,23 68:8 set 8:1 12:14 13:2 26:13 sets 56:16 setting 46:13 settle 39:22 46:8 61:1 settlement 6:18 6:22 7:9,12,14 7:17 9:8,17 10:4 10:18 19:17 27:7 31:2 37:24 42:24 45:24 46:6 63:5 several 7:1 20:1 61:21 shade 6:3 11:9 44:15 share 51:1 shareholder 6:24 short 57:3 showing 14:17 shown 15:4 shows 15:8 side 3:9 19:24 28:11 35:6 51:3 57:13 60:14,15
	s		
	s 2:1 3:1 sad 54:21		

<p>60:17 61:9 66:22 sides 23:23 sign 28:6,15 40:24 signature 68:20 signs 39:25 silent 38:4 similar 25:3 26:15 simplifying 34:7 simply 6:10 15:20 36:11 37:6 sincerely 55:6 sitting 31:9 situation 25:3 26:15 31:21 36:9 37:5 42:12 46:7 51:7 55:12 situations 10:22 slam 32:24 61:9 smear 41:11 smoke 61:25 soe 16:16,17,24 somebody 20:17 26:23 35:20 51:13 sooner 38:25 sorry 16:7 18:1 25:16 64:10 sort 8:7,14 24:7 27:11 35:10,12 40:7 64:17</p>	<p>sorts 21:4 sounds 61:5 sources 38:14 sovereign 21:8 speak 5:21 8:10 special 8:16 9:12,22,22 10:1 47:13 specific 22:4 33:21 specifically 7:8 spend 52:21 spending 62:19 split 43:15 54:22 spoke 8:11 29:10,13 spoken 19:23 29:12 38:9,15 spray 49:22 staff 3:9 66:22 stain 49:15,16 49:17,18,25 stand 11:19 15:22 standard 39:10 standards 7:3 13:20 standing 23:1 start 13:22 23:13 started 13:23 18:16 25:18 55:15</p>	<p>state 1:19 26:13 34:25 68:3 statement 9:4 statute 11:10 58:2,10 statutes 4:12 6:17 34:24 statutorily 16:12 stay 22:6 stenographic 68:10 stenographica... 1:18 68:7 step 13:11 34:5 34:11 42:2 57:17 60:20 steps 60:20 62:24 stick 57:6 stipulate 14:3 stipulated 40:22 stipulation 8:14 27:6 30:3 39:24 40:4 45:8,10,15 45:17 stories 59:20 story 36:20 strategies 6:22 strikes 27:25 stuff 50:18 52:20 substantiate 60:13</p>	<p>substantively 20:14 successfully 17:13 succinct 5:9,14 sued 20:1,12 sufficient 5:17 suing 37:4 suit 17:11 23:4 26:22 35:9 summary 32:17 57:3 sunshine 9:2,14 12:10 18:13 44:24 supervisor 1:9 4:15 15:10 17:19 support 21:1 23:24 sure 6:15 8:24 12:18 13:9,13 16:21 20:24 21:11 22:6,21 32:5 36:18,18 38:15,16,24 39:8 46:3 47:5 47:21 52:16 54:10 56:10 survivable 46:14 survives 47:18 swallowed 60:2</p>
--	--	---	--

t	test 33:25 thank 4:4,20 24:17 41:25 67:10 theresa 2:12 3:16 4:24 thing 9:15 14:24 15:20 21:8 31:1 32:13 33:23 37:20 38:1,5,8 41:2 47:20 48:17,19 49:1 52:7 54:23 55:22 63:4 things 5:7 7:21 16:9 17:3 21:7 27:20 29:1 31:19 34:2 41:12 47:2,8,13 47:17,23 48:1 think 10:2,15 11:18 14:2,3,3,7 14:11,13,19 15:2,3,19 18:5 18:11,14,24,25 18:25 19:5,11 19:18 20:16 21:2,3,12 22:15 22:16,24 23:8 23:21,21 24:14 25:24 30:19 31:5,8,10,20 34:10,20,25 36:3,4,7,10,24 38:2 39:9 44:12	44:15 46:2,4,11 47:15,16,18 48:25 50:6,22 51:2,4 53:8,9 54:4,19 55:22 56:16,20 57:11 61:2,7,8 63:3 64:7 65:24 thinking 37:12 50:17,20 thomas 1:18 4:2 4:4 68:6,20 thought 18:13 31:5 37:19,21 39:3 thoughts 6:14 18:8 27:1 three 14:4,12 42:5 44:18,19 46:12 57:13 64:1 thrown 32:4 thursday 1:14 4:10 time 1:15 5:10 5:12,16 6:3 7:24 8:8,9,15,22 9:13 10:16 11:20 12:3 17:10,12 20:17 22:2 25:5 25:11 29:10 39:6,18 47:1 50:14 51:6 57:6 57:12,19 62:19	times 50:2 timing 7:22 10:2 today 3:5,6 6:7 7:3,8 8:20 9:16 11:4,11 12:13 43:14 45:2,22 51:8,11 60:19 today's 6:21 told 9:19 54:1 took 18:12 47:20 top 62:18 totally 31:18 tough 33:11,12 towards 7:13 transcript 66:5 68:9 treatment 52:19 tremendously 52:15 true 68:10 trust 55:2 try 7:6,18 17:9 60:7 trying 27:1 31:10 36:4 46:8 57:14 two 5:7 7:11,19 7:21 8:1 12:20 14:21 16:15 18:20,20 38:6,8 44:18,19 57:13 62:15 type 10:23,23 23:12 27:9 36:8
----------	--	--	--

65:13 typically 40:20 40:25 44:16 58:10 typing 22:1	use 5:11 53:25 used 14:8,13 uses 65:8 usually 11:8 42:11 usurp 18:21 usurping 18:17 19:15 46:16 utility 52:19	47:10,19 48:4,7 48:13,17,25 49:5,9,13,17,18 49:21,24 50:5 51:18,20,25 52:3,6,10,13,15 52:17,25 53:3,6 54:23,25 55:5,9 55:17,21 56:1,3 56:6 57:23 58:4 58:12,17,22 59:13,19,22 60:4,15 61:7,13 61:17,20 62:12 62:14,18,22 63:10,13,20,22 63:25 64:4,12 64:16,21,24 65:2,4,7,18 66:1 66:4,9 victim 51:9 voluntarily 7:14 8:3 30:6,7 39:23 61:1 voluntary 25:9 25:10 28:4 volusia 68:4 vote 6:10 42:7 43:23,25 44:13 45:4 48:21 50:19 56:17,23 67:7 voted 18:12 19:14,24 44:23 46:23 53:13	55:13 voter 56:7 60:4 voters 14:17 votes 18:20,20 voting 25:22 64:11,14 vs 1:7 4:13
u	v		w
uh 43:16 45:20 ulterior 21:4 ultimately 44:23 45:7 58:20,22 61:11 unambiguous 32:16 uncomfortable 19:16 under 8:16 10:9 58:2,4 understand 5:15 9:11 19:22 23:23 36:4 53:24 55:4 61:17 understanding 12:6 16:10,14 16:17 42:8,10 42:13 54:9 64:24 understood 13:3 23:5 undo 27:2 unfair 35:4 unhappy 51:10 unique 42:11 unknown 34:14	value 38:9 53:16 53:17 60:13 various 12:3 veritext 4:3 versus 57:13,16 vice 2:9 3:14 4:22 11:3,13,18 11:23 12:8,12 13:23,25 14:10 14:16 15:14,22 16:8 21:10,12 21:17,21 22:3,9 22:13,17,21 23:2 25:22,24 28:25 29:4,8,14 29:19,22 30:2,7 30:14 32:25 33:3,6,9,11,17 34:1 35:25 36:3 36:18,21,24 37:3 41:1,5,8,16 41:18,23 42:1,6 42:17 43:11,19 43:23 44:3,8 45:2,14,19		wait 4:19 48:6,6 walk 61:10 want 5:23 8:13 8:17 11:24 12:18 13:9,23 14:2,24 16:9 22:3,3,6,21 25:6 25:6 27:7,10 28:8 29:13 33:22,24 34:11 39:17 40:24 43:20 46:25 50:23 56:8,10 61:6 wanted 9:8 11:6 16:3 25:7 31:1 39:15 45:21 wanting 14:4 47:18 wants 20:22 26:23 34:3 58:4 58:6 ward 30:25 warned 39:6 wash 49:22 watching 34:11

<p>water 52:19 wavered 21:1 23:20 way 7:16 13:15 13:24 15:7,11 27:2,8 29:2 32:24 37:22 39:3 40:3,4 43:17 46:18 47:20 54:7,14 55:1,2,20 57:22 60:7 61:8,10 62:3 66:10</p>	<p>words 31:4 32:3 50:12 65:2 work 15:12,15 working 7:13 worried 39:14 worse 28:21 worst 31:20 worth 53:25 wow 37:18 write 7:25 39:24 52:21,22 wrong 23:17</p>	<p>yield 57:18</p>
	<p>y</p>	
<p>ways 27:5 58:15 we've 36:13 37:9 40:6 42:13 43:19 56:22,23 56:23 57:10 62:5 week 17:23 49:9 49:12 55:11 weigh 51:17 weighing 32:21 welcome 4:19 went 18:20 when's 29:10 willing 12:5 13:11 51:8 win 32:25 61:23 wisest 15:19 withdrew 11:5 witness 11:4,16 word 7:22 14:7 14:13 50:10,14</p>	<p>yanked 64:1 yeah 5:25 13:7 13:12,25,25 14:16 22:12,13 22:20 24:17 28:13 31:16 32:1,7 34:1 35:22 36:15,23 37:1,3,15 42:1,1 43:11 47:10 49:5 50:5 51:19 52:12,14 53:15 54:24 56:11 58:17 59:14 62:13,14 64:6 65:4 year 36:6 60:6 years 21:10 38:7 yep 35:7 52:5 65:1 yesterday 7:25</p>	

FLORIDA RULES OF CIVIL PROCEDURE

Rule 1.310

(e) Witness Review. If the testimony is transcribed, the transcript shall be furnished to the witness for examination and shall be read to or by the witness unless the examination and reading are waived by the witness and by the parties. Any changes in form or substance that the witness wants to make shall be listed in writing by the officer with a statement of the reasons given by the witness for making the changes. The changes shall be attached to the transcript. It shall then be signed by the witness unless the parties waived the signing or the witness is ill, cannot be found, or refuses to sign. If the transcript is not signed by the witness within a reasonable time after it is furnished to the witness, the officer shall sign the transcript and state on the transcript the waiver, illness, absence of the witness, or refusal to sign with any reasons given therefor. The deposition may then be used as fully as though signed unless the court holds that the reasons given for the refusal to sign require rejection of

the deposition wholly or partly, on motion under
rule 1.330(d)(4).

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES
ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
THE ABOVE RULES ARE CURRENT AS OF APRIL 1,
2019. PLEASE REFER TO THE APPLICABLE STATE RULES
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted

fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.