

Stillman, Kerrie

From: Stillman, Kerrie
Sent: Thursday, August 17, 2023 4:50 PM
To: Bill Cervone
Cc: Stillman, Kerrie
Subject: RE: Chair's request for an opinion

Thank you for letting me know, Commissioner.

From: Bill Cervone <billcervone@yahoo.com>
Sent: Thursday, August 17, 2023 3:21 PM
To: Stillman, Kerrie <STILLMAN.KERRIE@leg.state.fl.us>
Subject: Re: Chair's request for an opinion

FYI I got a phone call from a reporter with WESH-TV by the name of Greg Fox a short while ago about this. When he called I hadn't yet read the memo so I told him that I did not know anything about the issue once he told he why he was calling. Other than telling him our next meeting date I suggested that he call either you or Steve. Either he's cold calling all of the Commissioners or, possibly, I've talked to him in the past when I was still State Attorney in Gainesville so he had my contact information. I really don't remember that but I used to get calls from reporters all over the state, especially when I was president of out state association. It would never be my intention to speak on behalf of the Commission.

Sent from my iPad

On Aug 17, 2023, at 10:57 AM, Stillman, Kerrie <STILLMAN.KERRIE@leg.state.fl.us> wrote:

Commissioner,

Attached please find a memorandum responsive to a request from Chair Gilzean.

Kerrie

<Gilzean Legal Opinion.pdf>

Stillman, Kerrie

From: Zuilkowski, Steven
Sent: Thursday, August 17, 2023 4:46 PM
To: Stillman, Kerrie; Gilzean, Glenton
Subject: RE: CFTOD

Mr. Chair:

Thank you for the update. Regarding suggesting modifications to your contract, I do not believe I am permitted to do that. I am the Commission's lawyer, but no individual commissioner is my client. I am not permitted as general counsel for the Commission to assist any individual Commissioner with their personal legal issues, such as amending employment contracts with other entities. I believe other legal advisors outside the Commission staff will be able to assist you in this regard.

Sincerely,

Steven J. Zuilkowski

Deputy Executive Director & General Counsel

Florida Commission on Ethics

P.O. Drawer 15709

Tallahassee, FL 32317-5709

(850) 488-7864

(850) 488-3077 (Fax)

ethics.state.fl.us

Physical address:

325 John Knox Road

Building E, Suite 200

Tallahassee, FL 32303

From: Stillman, Kerrie <STILLMAN.KERRIE@leg.state.fl.us>
Sent: Thursday, August 17, 2023 2:49 PM
To: Gilzean, Glenton <glen@glengilzean.com>; Zuilkowski, Steven <ZUILKOWSKI.STEVEN@leg.state.fl.us>
Cc: Stillman, Kerrie <STILLMAN.KERRIE@leg.state.fl.us>
Subject: RE: CFTOD

Mr. Chair,

The memo was not leaked to the press. We produced it in response to numerous public records requests we had received. As we have discussed the situation this week, and, as I mentioned to you last evening, we did not finalize it and send it yesterday because I was unable to reach you before close of business and I did not want to send it to you and then provide it as a public record without you knowing what was coming. During that conversation, I indicated we would finalize it and provide it to you this morning, then provide it to the Commission, and then to the press and others who requested it. Producing it was my call and mine alone. There was no ill intent and no weaponization of this situation by me or anyone else on staff.

We both recognize the challenges we have faced this week and the respect we have for each other and the work we have done thus far. If the timing of the release of this record has placed an additional burden on you or caused you to question the integrity of me or other members of the Commission staff, I regret that and offer my sincerely apology.

Kerrie

From: Gilzean, Glenton <glen@glengilzean.com>
Sent: Thursday, August 17, 2023 2:10 PM
To: Zuilkowski, Steven <ZUILKOWSKI.STEVEN@leg.state.fl.us>
Cc: Stillman, Kerrie <STILLMAN.KERRIE@leg.state.fl.us>
Subject: Re: CFTOD

Steven,

Thank you for your legal opinion. As you know, I am not a lawyer and believed my status at CFTOD was of no concern. At the very least, I did not appreciate the nuanced factors that distinguish an employee and an independent contractor. Regardless, now that this has come to my attention, please rest assured that I am weighing my options and will take action before the Commission's next meeting.

To that end, would you please review my contract with CFTOD once more and propose specific changes that you believe would bring it into conformity with the relevant rules.

In closing, it is deeply inappropriate that your legal opinion was disseminated to the press at the same time you sent it to me. As far as I'm concerned, someone on your staff knowingly leaked this memo and weaponized it, how did this happen? <https://x.com/jimrosicafl/status/1692216000857452958?s=46>

Glen

From: Zuilkowski, Steven <ZUILKOWSKI.STEVEN@leg.state.fl.us>
Sent: Thursday, August 17, 2023 10:46 AM
To: Gilzean, Glenton <glen@glengilzean.com>
Cc: Stillman, Kerrie <STILLMAN.KERRIE@leg.state.fl.us>
Subject: RE: CFTOD

Dear Chair Gilzean:

Attached please find a memorandum responsive to your recent request. Please let me know if I can be of further assistance.

Sincerely,

Steven J. Zuilkowski

Deputy Executive Director & General Counsel

Florida Commission on Ethics

P.O. Drawer 15709

Tallahassee, FL 32317-5709

(850) 488-7864

(850) 488-3077 (Fax)

ethics.state.fl.us

Physical address:

325 John Knox Road

Building E, Suite 200

Tallahassee, FL 32303

From: Gilzean, Glenton <glen@glengilzean.com>
Sent: Monday, August 14, 2023 3:46 PM
To: Zuilkowski, Steven <ZUILKOWSKI.STEVEN@leg.state.fl.us>

Cc: Stillman, Kerrie <STILLMAN.KERRIE@leg.state.fl.us>

Subject: CFTOD

Importance: High

Good afternoon,

Based on our conversations from a few months ago, I remained on the Commission on Ethics after starting employment with the Central Florida Tourism Oversight District. In an abundance of caution and in light of concerns that were raised today, will you please provide me a written legal opinion by the close of business on Wednesday as to whether I can continue to serve on the Commission. I don't want there to be any appearance of a conflict of interest. To the extent it will impact your analysis, I have attached a copy of my fully executed agreement with CFTOD.

Glen