

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Rafael E. Granado, City Clerk

DATE: February 8, 2019

SUBJECT: City Commission – At-Large Nominations for February 13, 2019 – Release # 1

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Below please find the City Commission At-Large Nominations received to date for the February 13, 2019 Commission Meeting.

### BOARD AND COMMITTEES:

#### AFFORDABLE HOUSING ADVISORY COMMITTEE

*Banking or Mortgage Industry  
(One Reappointment Seat Available)*

- **Juan C. Torres**  
Nominated for **appointment** (banking or mortgage industry category) by Vice-Mayor Góngora.  
(Release # 1, Page 5)

#### BOARD OF ADJUSTMENT (5/7 Vote Required)

*Law  
(One Reappointment Seat Available)*

- **Richard I. Segal**  
Nominated for **reappointment** (law category) by Commissioner Malakoff.  
(Release # 1, Page 13)

*At-Large  
(One Reappointment Seat Available)*

- **Richard Baron**  
Nominated for **reappointment** (at-large category) by Vice-Mayor Góngora and Commissioners Malakoff, Samuelian, and Steinberg.  
(Release # 1, Page 25)

## **BUDGET ADVISORY COMMITTEE:**

*Certified Public Accountant (CPA)  
(One Reappointment Seat Available)*

- **Marc Gidney**  
Nominated for **reappointment** (CPA category) by Commissioner Steinberg.  
(Release # 1, Page 35)

## **HUMAN RIGHTS COMMITTEE**

*At-Large  
(One Vacant Seat Available)*

- **Stephen M. Fox, Jr.**  
Nominated for **appointment** (at-large category) by Vice-Mayor Góngora.  
(Release # 1, Page 41)

*Attorney/Chair  
(One Vacant Seat Available)*

- **Heidi H. Tandy**  
Nominated for **appointment** (attorney/chair category) by Vice-Mayor Góngora.  
(Release # 1, Page 47)

## **NEXT GENERAL COUNCIL**

*Business Owner in the City  
(One Vacant Seat Available)*

- **Jessica R. Shraybman**  
Nominated for **appointment** (business owner category) by Commissioner Arriola.  
(Release # 1, Page 61)

## **PERSONNEL BOARD** (5/7 vote required)

*Unique Vocation  
(One Vacant Seat Available)  
(5/7 Vote Required)*

- **Raquel A. Pacheco**  
Nominated for **appointment** (vocation – owner/operator translation firm) by Vice-Mayor Góngora and Commissioner Malakoff.  
(Release # 1, Page 69)

## **PLANNING BOARD**

### *Category 5 – At-Large/General Business (One Reappointment Seat Available)*

- **Andres Asion**  
Nominated for **appointment** (at-large/general business category) by Vice-Mayor Góngora.  
(Release # 1, Page 77)
- **Kareem Brantley**  
Nominated for **reappointment** (at-large/general business category) by Commissioner Alemán.  
(Release # 1, Page 83)

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**Juan C. Torres**

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# MIAMI BEACH

## BOARD AND COMMITTEE APPLICATION FORM

**TORRES** **JUAN** **C**

Last Name First Name Middle Initial

**5600 NE 5 AVE** **Miami** **FL 33137**

Home Address City State Zip Code

**305-206-6369** **305-8945819** **JUAN.TORRES@IBERIABANK.COM**

Home Telephone Work Telephone Cellular Telephone Email address

**IBERIABANK** **BANKER**

Business Name Occupation

**1501 ALTON RD** **MIAMI BEACH FL 33139**

Business Address City State Zip Code

Professional License (describe): **N/A** Expires: \_\_\_\_\_

*Please attach a copy of currently effective professional license.*

**Pursuant to City Code section 2-22(4)a & b:** Members of agencies, boards and committees shall be affiliated with the City. This requirement shall be fulfilled in the following ways: a. An individual shall have been a resident of the City for a minimum of six months; or b. An individual shall demonstrate ownership/interest for a minimum of six months in a business established in the City for a minimum of six months.

- Resident of Miami Beach for a minimum of six (6) months: Yes  or No
- Demonstrates ownership/interest in a business in Miami Beach for a minimum of six months: Yes  or No
- Are you a registered voter in Miami Beach: Yes  or No
- I am now a resident of: North Beach  South Beach  Middle Beach
- I am applying for an appointment because I have special abilities, knowledge and experience. **Please list below:**  
I HAVE BEEN A FULL TIME EMPLOYEE ON MIAMI BEACH FOR 25 YEARS. FIRST WITH SUNTRUST + NOW WITH IBERIABANK
- Are you presently a registered lobbyist with the City of Miami Beach? Yes  or No

Please list your preferences in order of ranking [1] first choice [2] second choice, and [3] third choice. **Please note that only three (3) choices will be observed by the Office of the City Clerk.**

Affordable Housing Advisory Committee /	Health Advisory Committee	Parks and Recreation Facilities Board ∞
Art in Public Places Committee	Health Facilities Authority Board	Personnel Board
Audit Committee	Hispanic Affairs Committee	Planning Board* ☆
Board of Adjustment* ☆	Historic Preservation Board ☆	Police Citizens Relations Committee
Budget Advisory Committee	Housing Authority	Production Industry Council
Committee on the Homeless	Human Rights Committee	Sister Cities Program
Committee for Quality Education in MB	LGBT Advisory Committee	Sustainability Committee
Convention Center Advisory Board	Marine & Waterfront Protection Authority	Transportation, Parking, & Bicycle-Pedestrian Facilities Committee
Cultural Arts Council	Miami Beach Commission for Women	Visitor and Convention Authority
Design Review Board ☆	Normandy Shores Local Government Neighborhood Improvement	Youth Commission
Disability Access Committee	Ad Hoc Anti-Bullying Task Force	

\* Board members are required to file Form 1 - "Statement of Financial Interest" with the State.  
 If you seek appointment to a professional seat (e.g., lawyer, architect, etc.) on the Board of Adjustment, Design Review Board, Historic Preservation Board or Planning Board, attach a copy of your currently-effective license, and furnish the following information:

Type of Professional License \_\_\_\_\_ License \_\_\_\_\_ Number \_\_\_\_\_

License Issuance Date \_\_\_\_\_ License Expiration Date \_\_\_\_\_

∞ **Note:** If applying for the Youth Center positions of the Parks and Recreations Facilities Board, please indicate your affiliation with the Scott Rakow Youth Center and/or the North Shore Parks Youth Center: \_\_\_\_\_

• Please describe your past service with the City's Youth Centers (include dates of service): \_\_\_\_\_

• Present participation in Youth Center activities by your children: Yes  No

If yes, please list below the names of your children, their ages and the programs in which they participate:

Child's name: \_\_\_\_\_ Age: \_\_\_\_\_ Program: \_\_\_\_\_

Child's name: \_\_\_\_\_ Age: \_\_\_\_\_ Program: \_\_\_\_\_

• Have you ever been convicted of a felony? Yes  or No  If yes, please explain in detail: \_\_\_\_\_

• Do you currently have a violation(s) of City of Miami Beach Code? Yes  or No  If yes, please explain in detail: \_\_\_\_\_

• Do you currently owe the City of Miami Beach any money? Yes  or No  If yes, explain in detail: \_\_\_\_\_

• Are you currently serving on any City Board or Committee? Yes  or No  If yes, which board/committee? \_\_\_\_\_

• In what organization(s) in the City of Miami Beach do you currently hold membership?

*NONE*

Name \_\_\_\_\_ Position \_\_\_\_\_

Name \_\_\_\_\_ Position \_\_\_\_\_

• List all properties owned or in which you have an interest within the City of Miami Beach:

*NONE*

• Are you now employed by the City of Miami Beach? Yes  or No

Which department and title? \_\_\_\_\_

• Pursuant to City Code Section 2-25 (b): Do you have a parent , spouse , child , brother  or sister  who is employed by the City of Miami Beach? Yes  or No

If "Yes," identify person(s) and department(s): \_\_\_\_\_

The following information is voluntary and is neither part of your application nor has any bearing on your consideration for appointment. It is being asked to comply with City diversity reporting requirements.

Gender: Male  Female

**Race/Ethnic Categories**

What is your race?

African-American/Black

Caucasian/White

Asian or Pacific Islander

Native-American/American Indian

Other – Print Race: \_\_\_\_\_

Do you consider yourself to be Spanish, Hispanic or Latino/a? Mark the "No" box if not Spanish, Hispanic, Latino/a.

No  
 Yes

Do you consider yourself Physically Disabled?

No  
 Yes

**NOTE: IF APPOINTED, YOU WILL BE REQUIRED TO FOLLOW CERTAIN LAWS THAT APPLY TO CITY BOARD/COMMITTEE MEMBERS. THESE LAWS INCLUDE, BUT ARE NOT LIMITED TO:**

- o Prohibition from directly or indirectly lobbying City personnel (Miami Beach City Code section 2-459).
- o Prohibition from contracting with the City (Miami-Dade County Code section 2-11.1).
- o Prohibition from lobbying before the board/committee you have served on for period of one year after leaving office (Miami Beach City Code section 2-26).
- o Requirement to disclose certain financial interests and gifts (Miami-Dade County Code section 2-11.1).
- o CMB Community Development Advisory Committee: prohibition, during tenure and for one year after leaving office, from having any interest in or receiving any benefit from Community Development Block Grant funds for either yourself, or those with whom you have business or immediate family ties (CFR 570.611).
- o Sunshine Law - Florida's Government-in-the-Sunshine Law was enacted in 1967. Today, the Sunshine Law regarding open government can be found in Chapter 286 of the Florida Statutes. These statutes establish a basic right of access to most meetings of boards, commissions and other governing bodies of state and local governmental agencies or authorities.
- o Voting conflict – Form 8B is for use by any person serving at the county, city or other local level of government on an appointed or elected board, council, commission, authority or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Upon request, copies of these laws may be obtained from the City Clerk.

I HEREBY ATTEST TO THE ACCURACY AND TRUTHFULNESS OF THE APPLICATION; AND I HAVE RECEIVED, READ AND WILL ABIDE BY CHAPTER 2, ARTICLE VII, OF THE MIAMI BEACH CITY CODE, ENTITLED "STANDARDS OF CONDUCT FOR CITY OFFICERS, EMPLOYEES AND AGENCY MEMBERS AND ALL OTHER APPLICABLE COUNTY AND/OR STATE LAWS AND STATUTES ACCORDINGLY."

  
Applicant's Signature

3/19/18  
Date

JUAN C TORRES  
Name of Applicant (PLEASE PRINT)

Received in the Office of the City Clerk by: \_\_\_\_\_  
Name of Deputy Clerk Control No. Date

**ATTACH A CURRENT RESUME, PHOTOGRAPH AND A COPY OF ANY APPLICABLE PROFESSIONAL LICENSE.**

**ATTACH ADDITIONAL SHEETS, IF NECESSARY, TO PROVIDE REQUIRED INFORMATION.**

**Juan C. Torres**

**Torres.juan8@gmail.com**

**305-206-6369**

**Objective**

To pursue a challenging career where my knowledge and experience is an asset to the company in achieving their short and long-term goals.

**Experience**

**IBERIABANK f/k/a Mellon United National Bank-Branch Manager 1998-Present**

**Branch Manager**

**Accomplishments: Selected to open the new Miami Beach Branch, participated in generating growth in deposits and loans; sustained a outstanding customer service rating; maintained an outstanding rating with annual audits. Maintained a high level of Quality Assurance through constant observations of all service staff members by monitoring and going over their daily reporting to ensure proper customer service levels.**

- Supervise a staff of five sales representatives along with a staff of five tellers including one Teller Supervisor.
- Assist Business Developer in generating loans and deposits focusing primarily on professionals and high net worth individuals.
- Service all deposit portfolios in a private banking environment.
- Coordinate follow up calls to existing and potential clients in order to develop the relationship and cross sell additional bank products
- Top producer in residential mortgages
- Maintain entire staff abreast of Bank Secrecy Act.
- Hire, train, develop, coach and counsel team members.
- Core group member and trainer of all new bank related products.
- Conduct yearly performance reviews.
- Review and approve wire transfers generated by the Branch.
- Review consumer loan applications including equity loans and second mortgages.
- Review and approve all general ledger reconcilements for the branch.
- Review all QA standards observed through an outside entity to ensure quality and levels of service required to ensure proper handling of procedures and customer service standards.
- Monitored the appropriate levels of QA standards and met frequently with staff and leaders to meet the requirements as set by the customer base requirements.

- Monitored the annual budget for expenses and revenue.

#### SunTrust Bank

##### **Customer Service Manager 1989 – 1998:**

- Managed a staff of five sales and service representatives.
- Conducted yearly performance reviews to all team members.
- Maintained a high ratio of sales and ensured that all team members were properly trained to meet and exceed all sales and service goals.
- Coach and develop team members that fell below departmental expectations.
- Monitored all in-bound call volumes to ensure that proper service levels were met without exceeding expectation standards.

##### **Branch Operations Manager 1987 – 1989:**

- Responsible for entire operation of branch which included; teller department and overall branch adherence of internal control procedures.
- ATM balancing and maintenance.
- Maintained proper levels of cash to established limits in order to minimize exposure to the bank.

##### **Customer Service Officer 1983 - 1987:**

##### **Customer Service Representative 1980 – 1983:**

#### **Academic, Education and Other Skills:**

- Miami Dade College, Miami FL, Associates in Arts in Business Administration with a minor in Marketing, 1980.
- Fluent in English and Spanish

#### **Professional Education:**

- American Institute of Banking
- Customer Service Certification
- Zinger/Miller Principals of Selling and Management/Supervisory Certification

#### **Organizations:**

- Miami Beach Latin Chamber of Commerce
- CDAC Board member for the City of Miami Beach and Loan Review Committee



**Richard I. Segal**

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NAME: Segal Richard I  
 Last Name First Name Middle Initial

HOME ADDRESS: 1450 Stillwater Dr. Miami Beach FL 33141  
 Apt No. Home No./Street City State Zip Code

PHONE: n/a 305.379.9000 rsegal@kkskl.com  
 Home Work Email Address

Business Name: Kluger Kaplan Position: Partner / Attorney

Address: 201 S. Biscayne Blvd. Flr. 27 Miami FL 33131  
 Street City State Zip Code

**Pursuant to City Code section 2-22(4) a and b:** Members of agencies, boards, and committees shall be affiliated with the city; this requirement shall be fulfilled in the following ways: a) an individual shall have been a resident of the city for a minimum of six months; or b) an individual shall demonstrate ownership/interest for a minimum of six months in a business established in the city.

- Resident of Miami Beach for a minimum of six (6) months **Yes**
- Demonstrate an ownership/interest in a business in Miami Beach for a minimum of six (6) months: **Yes**
- Are you a registered voter in Miami Beach: **Yes**
- (Please circle one): I am now a resident of: **North Beach**
- I am applying for an appointment because I have special abilities, knowledge and experience. Please list below:  
**Partner and practicing attorney at Kluger Kaplan's commercial litigation and family law groups, assisting clients in a range of b**
- Are you presently a registered lobbyist with the City of Miami Beach? **No**

Please list your preferences in order of ranking [1] first choice [2] second choice, and [3] third choice. **Please note that only three (3) choices will be observed by the City Clerk's Office.** (Regular Boards of City)

Choice 1: Board of Adjustment

Choice 2:

Choice 3:

**Note:** If applying for Youth Advisory Board, please indicate your affiliation with the Scott Rakow Youth Center: \_\_\_\_\_

1. Past service on the Youth Center Advisory Board: No Years of Service: \_\_\_\_\_

2. Present participation in Youth Center activities by your children No if yes, please list the names of your children, their ages, and which programs. List below:

- Have you ever been convicted of a felony: **No** If yes, please explain in detail: \_\_\_\_\_
- Do you currently have a violation(s) of City of Miami Beach codes: **No** If yes, please explain in detail: \_\_\_\_\_
- Do you currently owe the City of Miami Beach any money: **No** If yes, please explain in detail: \_\_\_\_\_
- Are you currently serving on any City Boards or Committees: **No** If yes, which board? \_\_\_\_\_

**Executive Board of Governors Miami Beach Chamber of Commerce**

• What organizations in the City of Miami Beach do you currently hold membership in?

Name	Title
Miami Beach Chamber of Commerce	Member
Mount Sinai Foundation	President

- List all properties owned or have an interest in, which are located within the City of Miami Beach:

Property

1450 Stillwater Drive, Maimi Beach, FL 33141

- I am now employed by the city of Miami Beach: **No** Which department?

The following information is voluntary and is neither part of your application nor has any bearing on your consideration for appointment. It is being asked to comply with federal equal opportunity reporting requirements.

Gender: **Male**

Race/Ethnic Categories

What is your race? Mark one or more races to indicate what you consider yourself to be. **White**

Other Description:

Are you Spanish/Hispanic/ Latino? Mark the "No" box if not Spanish / Hispanic / Latino. **No**

Physically Challenged: **No**

**NOTE: If appointed, you will be required to follow certain laws which apply to city board/committee members. These laws include, but are not limited to, the following:**

- o Prohibition from directly or indirectly lobbying city personnel (Miami Beach City Code section 2-459).
- o Prohibition from contracting with the city (Miami-Dade County Code section 2-11.1).
- o Prohibition from lobbying before board/committee you have served on for period of one year after leaving office (Miami Beach Code section 2-26).
- o Requirement to disclose certain financial interests and gifts (Miami-Dade County Code section 2-11.1).  
(re: CMB Community Development Advisory Committee): prohibition, during tenure and for one year after leaving office, from having any interest in or receiving any benefit from Community Development Block Grant funds for either yourself, or those with whom you have business or immediate family ties (CFR 570.611).

Upon request, copies of these laws may be obtained from the City Clerk.

"I hereby attest to the accuracy and truthfulness of the application and have received, read and will abide by Chapter 2, Article VII – of the City Code "Standards of Conduct for City Officers, Employees and Agency Members."

I Richard Segal agreed to the following terms on

Received in the City Clerk's Office by:

*Ramona Quinlan*

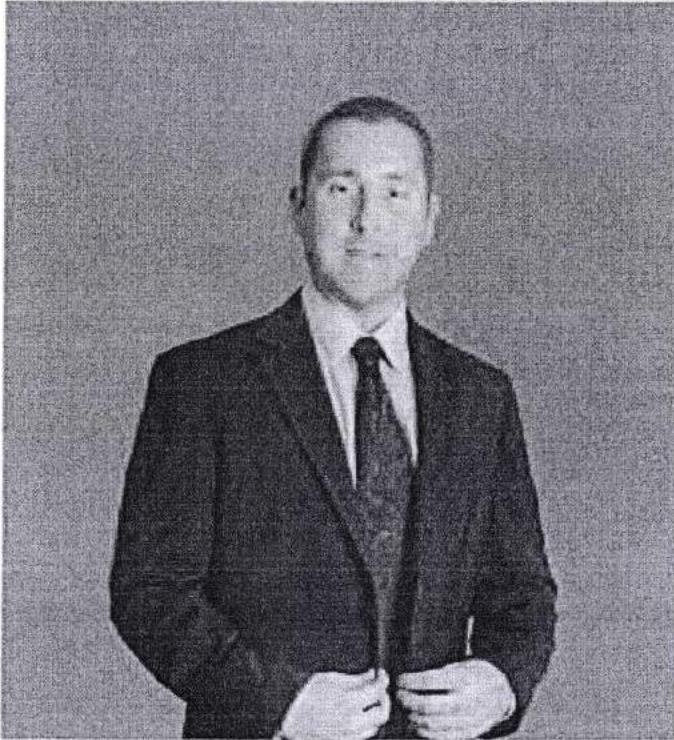
Name of Deputy Clerk

*2/25/16*

Control No.

Date

**Richard Ian Segal** is a partner and practices in Kluger Kaplan's commercial litigation and family law groups, assisting clients in a range of business and corporate litigation matters, and matrimonial disputes. Richard has extensive experience handling disputes with large financial institutions in real estate, wealth advisory, investment management, and trust relationships and transactions. Richard specializes in fiduciary duty disputes and punitive damages claims. Richard's philosophy centers around aggressive tactics and innovative legal theories aimed at reaching a quick, favorable result for his clients at a reasonable cost. Richard prides himself on meeting potential new clients and giving them the individual attention that they deserve and following through by providing devotion and detail to their cases.



As proud University of Michigan alum, Richard is a diehard University of Michigan football fan. As an English major, Richard studied in detail fellow University of Michigan famous alum, the playwright Arthur Miller. "If I see an ending, I can work backward" ~ *Arthur Miller*. Like Miller, Richard always begins by envisioning the ending, the best outcome for his client, and then works backwards to get the most favorable result as quickly as possible. As a third generation Miami Beach native, Richard grew up in a family that is deeply ensconced in the local community.



#### **Education**

- University of Miami School of Law, J.D., cum laude
- University of Michigan, BA

#### **Noteworthy**

- Florida Trend Legal Elite, 2013
- Florida Trend Legal Elite, Up and Comer, 2011-2012
- Florida Super Lawyers Magazine, Rising Star, 2012-2014

#### **Community Activities**

- Board Member of the Executive Board of Governors of the Miami Beach Chamber of Commerce
- Board Member of the Board of Governors of the Miami Beach Chamber of Commerce
- Board Member of the Miami Beach Chamber of Commerce Law Council
- Co-chair of the Emerging Leadership Council of the Miami Beach Chamber of Commerce

- Board Member of Mount Sinai Medical Center Foundation, Young President/Founder
- University of Miami Law School Alumni Group
- Member, Miami Beach Bar Association

**Publications (a sample of which are enclosed herein)**

- *Step Away from the Computer: Divorce, Internet Don't Mix*, Daily Business Review, 3/23/15
- *A Torrent of Partner Additions Thanks to Economy*, Daily Business Review, 3/2/15
- *Same Marital Issues Apply to Same-Sex Marriages*, Daily Business Review, 1/13/15
- *New County Procedure Frees up Bonds for Developers*, Daily Business Review, 4/24/12

# The Florida Bar



Member Since  
**10/01/2008**

**Richard Ian Segal**



**0057187**

# dbbr DAILY BUSINESS REVIEW

SPECIAL REPORT Family Law

## Step Away From the Computer: Divorce, Internet Don't Mix

Commentary by Jason Marks and Richard I. Segal

By now it should come as no surprise that content posted on Facebook, Instagram, Twitter, LinkedIn and other online forums is open for the whole world to read. Nor is it a secret that such public postings are discoverable in court.

Like social media itself, laws concerning the discoverability of social media in family law proceedings is evolving.

In January, the Fourth District Court of Appeal in *Nucci v. Target*, 40 Fla. L. Weekly D166, a personal injury case, compelled discovery of photographs from the social media accounts of the plaintiff, a customer of Target. Target argued that the images are relevant to the plaintiff's claim of injury in that it would allow a comparison of her current physical condition and limitations to her physical condition and quality of life before the date of a slip and fall.

"We agree with those cases concluding that, generally, the photographs posted on a social networking site are neither privileged nor protected by any right of privacy, regardless of any privacy settings that the user may have established," the appeals court said.

The court further said that "by creating a Facebook account, a user acknowledges that her personal information would be shared with others ... indeed, that is the very nature and purpose of these social net-

working sites else they would cease to exist."

In compelling production of the images from the plaintiff's Facebook page, the court specifically found that "the photographs sought were reasonably calculated to lead to the discovery of admissible evidence and [the plaintiff's] privacy interest in them was minimal, if any."

While this case was in the personal injury context, it is fully applicable to family law proceedings.

Most of us know someone with an overwhelming compulsion to publicize every detail of his or her personal life online—including taking jabs at a soon-to-be ex-spouse. When going through a divorce, posting pictures of yourself with the hot blonde you met at a bar or telling the world what a bad parent your spouse is might seem like a good idea, but before you do, think twice and then step away from the computer.

With technology at our fingertips, our only worry is no longer don't pick up the phone angry because you might regret what you say, but has expanded to think before you text, think before you tweet, think before you update your Facebook status or post an Instagram photo.

Just like an employer can check your online identity before making a job offer, you can be sure your embittered spouse, and certainly his or her lawyer, will visit your Facebook and Twitter pages to dig up any incriminating information you



Jason Marks

have decided to share with the world. A variety of things can affect your eventual custody or alimony battle. Nowadays something that you perceive to be an innocent comment "can and will be used against you."

Your husband is incapable of fidelity? Call up a friend and discuss it over coffee. Your wife is an absent parent? Hash it out over happy hour. But definitely think again before bashing your spouse on the Internet. Even private posts that are limited to your friends appear now to be discoverable in litigation. Keep in mind that anything posted online is easily traceable by forensic experts and can never be truly deleted.

It is not just the written word that one might regret. Likewise, be wary of posting pictures of yourself engaging in questionable behavior. In a custody dispute, photos of you drinking, doing drugs and engaging in



Richard I. Segal

sexual contact can all be used against you in court to question your fitness as a parent.

Our policy is simple. Ask yourself: How would I feel if I saw this post or picture permanently plastered on a billboard for the whole world to see? If the thought of this even leaves you mildly embarrassed, don't post it. Because when you think about it, today's social media is as open and public as doing just that. Always err on the side of caution. No one has ever said "I really wish I had put up that picture of myself on Facebook" but plenty of people have lived to regret it.

**Jason Marks**, a founding member at Kluger Kaplan Silverman Katzen & Levine, and **Richard Segal**, a partner at the firm, focus on commercial litigation and family law, assisting clients in a range of business and corporate litigation matters, and matrimonial disputes.

# DAILY BUSINESS REVIEW

## LEGAL PROFESSION

### A TORRENT OF PARTNER ADDITIONS THANKS TO ECONOMY

by Julie Kay with  
research by Chris Futrell

South Florida law firms promoted 139 associates to partner and hired 80 new laterals in 2014. The 219 new partners is a 56 percent increase over 2013.

Meet Josh Rubens and Richard Segal. At 31 and 30, respectively, and just six years out of law school, these lawyers already have made partner at Miami-based Kluger, Kaplan, Silverman, Katzen & Levine—perhaps the youngest partners in South Florida.

Rubens and Segal earned their stripes after filling in at a major trial for an ailing Bruce Katzen and Alan Kluger, who had a conflict in another trial. The judges denied continuances in both cases, and the young lawyers notched wins.

"People say, 'Why did you make them partners so young?' and I say, 'They're front-line lawyers, they can take a case from intake to trial,'" Kluger said. "They deserve it. They're superstars."

Rubens and Segal are part of a wave of new partners sweeping South Florida—either through lateral hiring or promotion—in numbers unseen since the start of the 2008-2009 recession.

Law firms that respond-

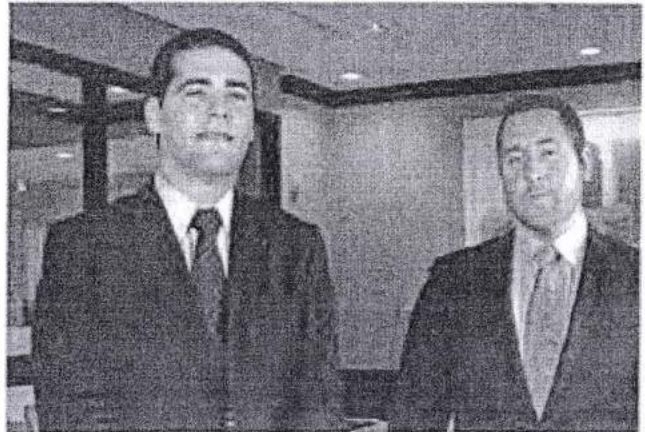
ed to the Daily Business Review's annual survey of new partners in South Florida said they promoted 139 associates to partner in the past year compared with 85 the year before. They also brought on 82 lateral partners in the past year, up from 55 the year before. The 221 new partners represents a 56 percent annual increase.

Experts say the upward swing in partnerships can be attributed to the recovering economy. And top laterals in hot practice areas and geographical regions are being heavily courted by legal recruiters as partnership doors are again opening for deserving associates.

"In response to the global recession, law firms were struggling mightily to maintain their partner profitability ratios from the past," said Bill Brennan, a law firm consultant with Brennan Strategy LLC of West Chester, Pennsylvania. "They were doing that partially by delaying new partners from associate ranks. Now that it's been several years and it appears that law firms are recovering from the tremendous pressure, they've opened up the thicket to promote associates."

#### A SHIFT AT AKERMAN

Akerman is a prime example of the trend. In 2013,



Josh M. Rubens and Richard I. Segal

J. ALBERT DIAZ

the Miami-based law firm promoted just two South Florida lawyers to partner and added seven laterals. Last year, Akerman promoted 15 associates to partner and attracted nine laterals in the region.

The lateral hires in litigation, corporate and real estate law included a four-lawyer group from the defunct Tew Cardenas, the former general counsel of FriendFinders Network Inc. and former lawyers from Gunster and Liebler, Gonzalez & Portuondo.

"I certainly feel the lateral market is increasing," said Andrew Smulian, Akerman's chairman and CEO. "That is a continuing phenomenon. We get terrific resumes in all the markets, so we can be thoughtful and deliberate in

bringing on good people."

Smulian added Akerman appreciates "the unique value diversity brings to the firm and the work we do for clients." The promotions last year included seven women, one Hispanic and one black.

"Building a firm that reflects the makeup of our clients is an essential part of understanding and meeting their needs," he said. "We are focused on maintaining a culture enriched by a diverse mix of backgrounds, talents and ideas."

#### MORE FIRMS JOIN TREND

Other law firms that experienced an increase in lateral hiring and promotions in the past year included Greenberg Traurig, which had 18 new partners—13 laterals and

five promotions—compared with eight the year before; Gunster, with nine new partners, compared with four the year before; and Carlton Fields Jordan Burt, with six new partners, compared with five the year before.

For Greenberg Traurig, the sharp increase in laterals was due to the firm's active recruiting, said Matt Gorson, firm co-chairman who oversees recruitment in the southeastern United States.

Greenberg Traurig picked up 13 laterals in 2014, including a three-member group from Littler Mendelson; Tallahassee rainmaking lobbyist Fred Karlinsky, who joined with Rich Fedei; and Israel Sanchez and Jeff Tenen, who rejoined the firm from Hughes Hubbard & Reed.

"These were opportunistic hires," Gorson said. "They wanted to work with our platform. One person, I was recruiting for a year. Most of the time, they are dissatisfied with their existing firm."

Patrick Martin, who worked at Littler for 11 years as a labor and employment partner and helped open its Florida office, joined Greenberg Traurig last month with two other lawyers from Littler.

"Certainly, the lateral market is hot," Martin said. "I had been pursued, as had my colleagues. I have looked at other firms and this was a good opportunity, an opportunity for Greenberg to expand their labor and employment practice locally and for us to capitalize on Greenberg's brand in the market. Of course, there was a financial incentive as well."

Some law firms brought

on laterals as a direct investment in their next generation of leadership as current leaders look toward retirement. Podhurst Orseck, for example, recently added Roy Altman, who became only the firm's third lateral hire in its 48-year history. Altman, a former federal prosecutor, will assist with complicated class actions, mass torts and aviation matters. The current head of the firm, Aaron Podhurst, is still practicing at 78.

Some law firms absorbed new laterals due to the demise of other firms, including those that picked up lawyers after the breakup of Tew Cardenas. Others picked up laterals through mergers, such as when Carlton Fields acquired Jordan Burt early last year, and when Hamilton, Miller & Birthisel merged with delancyhill.

#### IMPACT OF RECRUITERS

With more firms turning to legal recruiters to locate and lure talent, the recruiting industry has become increasingly crowded and competitive.

Joe Ankus of Ankus Consulting in Weston, a legal recruiter since 1991, said he is amazed at the brazenness of new recruiters trying to capitalize on the burgeoning South Florida market. He said partners he has worked with over the years have been forwarding him emails they have received from out-of-town recruiters.

"Recruiting is an interesting business in that all you need is a phone and operating vocal chords to be in business," he said. "When times are good, recruiters sprout like weeds. And when

the market falls, they are nowhere to be found."

In the past, Ankus said, it would take him hours to "break down" a law firm and find appropriate candidates to approach with job offers. He said he spent years building relationships with these lawyers over countless breakfasts and lunches.

Now, recruiters smelling big bucks from as far away as New York and California troll law firm websites to send mass emails to partners.

"What took me 10 hours to do previously now takes minutes because of the Internet and email," he said. "These new recruiters are under the assumption that it takes five phone calls and you make a placement. It's not like that. They're simply trolling and dredging. It really falls into the category of spam. The lawyers ask me, 'Who is crazy enough to think I would bite from an unsolicited email from no one I know in Van Nuys, California?'"

Barbara Alonso of Squire Patton Boggs in Miami, who specializes in corporate finance and Latin America deals, is one of the partners being wooed. She said she has been getting email blasts from a Los Angeles recruiter twice a week since December.

"The legal market is really hot," Alonso said. "This is the hottest I've seen the market since the recession. But I'm happy where I'm at."

Ankus said the current need is for real estate and corporate transactional partners.

"We are getting a lot more demand for lateral partners in all transactional areas," he

said. "What that tells me is the economy is improving."

Abbe Bunt of Bunt Legal Search puts her mission from law firms another way: "You heard the old adage location, location, location? Well when it comes to law firm laterals, it's real estate, real estate, real estate. That's what they want. There's not enough of those lawyers to keep up with demand in South Florida."

#### 'FEVERED PITCH'

For the highest performing lawyers in top markets like Houston, New York and Miami, competition is "at a fevered pitch," said Kent Zimmerman, a law firm consultant with the Zeughauser Group of Miami.

For example, The American Lawyer, an ALM affiliate of the Daily Business Review, reported in April that Kirkland & Ellis guaranteed a 35-year-old lateral partner who specializes in energy about \$5 million in annual compensation to entice him to leave the Houston office of Simpson Thacher & Bartlett.

And while "stratospheric" salaries like these are not yet commanded in Miami, the market is getting increasingly more competitive in the areas of real estate and Latin America deals, Zimmerman said.

"For firms in Miami—the small ones as well as the Akermans—they are facing fiercer competition for their top people," he said. "Miami has gotten to be a hotter market as the economy recovers."

Julie Kay can be reached at 305-347-6685.

**PRACTICEFOCUS / FAMILY LAW**

## Same Marital Issues Apply to Same-Sex Marriages

Commentary by Richard Segal



Segal

As a lifelong Florida resident, it is a proud moment to see Florida recognize same-sex marriage and further equality for all. This was a long time coming and is a day to celebrate.

However, the celebration and joy for many same-sex couples of finally being able to get married should not overshadow the fact that marriage still has very real legal ramifications for all newlyweds.

For those same-sex couples who have been together for a very long time and marriage now is simply a legal recognition for their already long-established loving relationship, many of these legal family law principles such as equitable distribution and alimony might be novel concepts to consider and should spark new and open conversations with a spouse before deciding to run to the altar.

Many same-sex couples are well-established in their careers and are walking into the marriage with love and joy—but also with a lot of assets.

As a family law practitioner and partner at Kluger, Kaplan, Silverman, Katzen & Levine, I would advise any potential couples, young or old, gay or straight, that a prenuptial agreement is a wonderful tool to lay out from the outset before getting married to decide what each spouse would receive if the marriage unfortunately came to an end.

As I explain to potential clients, my firm would never advise potential business partners to go into a lifelong deal, invest all of their assets, but not document the deal and enter into a clear partnership agreement.

Thinking from a practical standpoint, and unfortunately recognizing the divorce rate in the U.S., it is not a faux pas to consider entering into a prenuptial agreement. If the marriage is strong and forever lasting, which we all go into marriage firmly believing, then a prenuptial agreement will always remain simply a document stashed away in a vanilla folder and never have an impact on the relationship. I fully envision seeing an uptick in business and am happy to now be able to protect all couples' assets before marriage.

### EQUITABLE DISTRIBUTION

It is anticipated, and I see no reason for the courts to deviate, that prior case law in Florida regarding family law issues in heterosexual marriages will equally apply to same-sex marriages.

Two important concepts to consider when entering into a marriage are equitable distribution and alimony. In Florida, under the equitable distribution statute, Fla. Stat. §61.075, marital assets and liabilities include:

- Assets acquired and liabilities incurred during the marriage, individually by either spouse or jointly by them.
- The enhancement in value and appreciation of nonmarital assets resulting either from the efforts of either party during the marriage or from the contribution to or expenditure thereon of marital funds or other forms of marital assets, or both.
- Interspousal gifts during the marriage.
- All vested and nonvested benefits, rights and funds accrued during the marriage in retirement, pension, profit-sharing, annuity, deferred compensation and insurance plans and programs.

Something to consider for couples thinking about marriage, as a practice tip, is that even nonmarital funds can be transmuted and characterized by the court as marital assets subject to equitable distribution if the nonmarital funds were commingled with marital funds during the marriage.

In *Pfrenkle v. Pfrenkle*, 976 So. 2d 1134 (Fla. 2d DCA 2008), the court held that nonmarital funds lost their character once commingled in the husband's personal account with marital funds.

"Even if an account is titled in one spouse's name alone, it may become marital if both marital and nonmarital funds are commingled in that account," the court said.

### ALIMONY

Another concept to consider is alimony.

"In a proceeding for dissolution of marriage, the court may grant alimony to either party, which alimony may be bridge-the-gap, rehabilitative, durational or permanent in nature or any combination of these forms of alimony. In any award of alimony, the court may order periodic payments or payments in lump sum or both." See Fla. Stat. §61.08.

"In determining whether to award alimony or maintenance, the court shall first make a specific factual determination as to whether either party has an actual need for alimony or maintenance and whether either party has the ability to pay alimony or maintenance." See also *Searcey v. Searcey*, 923 So. 2d 528, 529 (Fla. 2d DCA 2006).

Therefore for same-sex marriages there should be a moment taken that while their right to marry is now recognized in Florida, so too will their rights and obligations to each other be enforced once married, for example, through equitable distribution and alimony.

While some of these concepts seem daunting or something that any couple would prefer not to consider before reciting their vows of marriage, our firm always cautions clients, and no differently will continue to for same-sex couples, to consider entering into prenuptial agreements or at the bare minimum to have an open and frank discussion with your lover. The key to any marriage is open and honest communication.

Richard Segal is a partner at Kluger, Kaplan, Silverman, Katzen & Levine. He focuses his practice on commercial litigation and family law, assisting clients in a range of business and corporate litigation matters, and matrimonial disputes.

**DAILY BUSINESS REVIEW**

**River Landing Project Hoping To Score Millions From County**

**Jade Signature's Underground Garage Deepest in South Fla.**

**Retired Judge Dresnick Joins Kluger Kaplan**

## New county procedure frees up bonds for developers

Commentary by Alan Kluger and Richard Segal

**W**hen seeking a plat to build on a piece of land, a developer must put up a bond that is held as security in exchange for the developer's agreement to pay for certain improvements to the public realm, such as sidewalks, street pavers and crosswalks.



Kluger

vacate a plat, since even if the initial developer decided not to pursue the project and build



Segal

Under normal circumstances, the developer who decided not to pursue the project would sell the land along with the

### BOARD OF CONTRIBUTORS

plat as an additional incentive to the buyer. But during the downturn, many developers made the economic decision to hold the land rather than develop on it until the market recovered. With no immediate intention to build on the land — and very little opportunity to sell the vacant land along with the plat — developers were left searching for a timely solution to release the bond and obtain the needed cash flow. Yet for developers in Miami-Dade County, no such procedure existed. Until now.

Working closely with Public Works and Waste Management Department of Miami-Dade County, we were able to create a procedure that would allow developers to vacate the plat already recorded in the public record and recover the corresponding bond held in escrow. According to public works officials at the county, there are a number of bonds currently in place whereby the developer has not gone forward with their project and is unlikely to do so for many years to come.

Among other things, rescinding a plat requires drafting of a resolution to rescind that

needs to be approved by the Miami-Dade Board of County Commissioners. While not terribly time consuming, it can be complex and requires careful attention to detail, an understanding of the law, and an ability to navigate the various agencies at the county level.

This new procedure provides a perfect synergy for both the county and the developer, along with his attorney, to work together to return the bond and reapply for a plat when ready to build.

With the procedure and initial precedent complete, this process of vacating a plat for the purposes of recovering a bond will likely be a tool that developers will always consider. Miami's real estate market is cyclical and the recent recession only made developers more cautious about launching new projects. But with this procedure, a developer can always recover a bond if they change their mind on a project or foresee a downturn in the market, and then prepare to build again once the market recovers.

Alan Kluger is a founding partner of Miami-based litigation firm Kluger, Kaplan, Silverman, Katzen & Levine. Richard Segal is an associate at the firm.

**Richard Baron**

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NAME: Baron Richard  
Last Name First Name Middle Initial

HOME ADDRESS: 2526 Lake Ave. Miami Beach Florida 33140  
Apt No. Home No./Street City State Zip Code

PHONE: (305) 528-2688 (305) 577-4626 rb@richardbaronlaw.com  
Home Work Email Address

Business Name: Baron Breslin & Sarmiento Position: Managing Partner

Address: 501 NE 1st Ave. Miami Florida 33132-  
Street City State Zip Code

**Pursuant to City Code section 2-22(4) a and b:** Members of agencies, boards, and committees shall be affiliated with the city; this requirement shall be fulfilled in the following ways: a) an individual shall have been a resident of the city for a minimum of six months; or b) an individual shall demonstrate ownership/interest for a minimum of six months in a business established in the city.

- Resident of Miami Beach for a minimum of six (6) months **Yes**
- Demonstrate an ownership/interest in a business in Miami Beach for a minimum of six (6) months: **No**
- Are you a registered voter in Miami Beach: **Yes**
- (Please circle one): I am now a resident of: **Middle Beach**
- I am applying for an appointment because I have special abilities, knowledge and experience. Please list below:  
**I am seeking reappointment to the Board of Adjustment. My term expired on December 31, 2018. I am an attorney.**
- Are you presently a registered lobbyist with the City of Miami Beach? **No**

Please list your preferences in order of ranking [1] first choice [2] second choice, and [3] third choice. **Please note that only three (3) choices will be observed by the City Clerk's Office.** (Regular Boards of City)

- Choice 1:** Board of Adjustment
- Choice 2:** Planning Board
- Choice 3:** Design Review Board

\* Board members are required to file Form 1 – "Statement of Financial Interest" with the State.

If you seek appointment to a professional seat (e.g., lawyer, architect, etc.) on the Board of Adjustment, Design Review Board, Historic Preservation Board or Planning Board, attach a copy of your currently-effectively license, and furnish the following information:

Type of Professional License \_\_\_\_\_ License Number \_\_\_\_\_

License Issuance Date \_\_\_\_\_ License Expiration Date \_\_\_\_\_

**Note:** If applying for Youth Advisory Board, please indicate your affiliation with the Scott Rakow Youth Center: \_\_\_\_\_

1. Past service on the Youth Center Advisory Board: **No** Years of Service: \_\_\_\_\_
2. Present participation in Youth Center activities by your children **No** if yes, please list the names of your children, their ages, and which programs. List below:

Child Name	Age	Program

• Have you ever been convicted of a felony: **No** If yes, please explain in detail:

• Do you currently have a violation(s) of City of Miami Beach codes: **No** If yes, please explain in detail:

• Do you currently owe the City of Miami Beach any money: **No** If yes, please explain in detail:

• Are you currently serving on any City Boards or Committees: **No** If yes, which board?

• What organizations in the City of Miami Beach do you currently hold membership in?

• I am now employed by the city of Miami Beach: **No** Which department?

• List all properties owned or have an interest in, which are located within the City of Miami Beach:

Property
2526 Lake Avenue

**Gender: Male**

The following information is voluntary and is neither part of your application nor has any bearing on your consideration for appointment. It is being asked to comply with federal equal opportunity reporting requirements.

Race/Ethnic Categories

**What is your race?** Mark one or more races to indicate what you consider yourself to be. **White**

Other Description:

Are you Spanish/Hispanic/ Latino? Mark the "No" box if not Spanish / Hispanic / Latino. **No**

Physically Challenged: **No**

**NOTE: If appointed, you will be required to follow certain laws which apply to city board/committee members. These laws include, but are not limited to, the following:**

- o Prohibition from directly or indirectly lobbying city personnel (Miami Beach City Code section 2-459).
- o Prohibition from contracting with the city (Miami-Dade County Code section 2-11.1).
- o Prohibition from lobbying before board/committee you have served on for period of one year after leaving office (Miami Beach Code section 2-26).
- o Requirement to disclose certain financial interests and gifts (Miami-Dade County Code section 2-11.1).  
(re: CMB Community Development Advisory Committee): prohibition, during tenure and for one year after leaving office, from having any interest in or receiving any benefit from Community Development Block Grant funds for either yourself, or those with whom you have business or immediate family ties (CFR 570.611).

**Upon request, copies of these laws may be obtained from the City Clerk.**

**"I hereby attest to the accuracy and truthfulness of the application and have received, read and will abide by Chapter 2, Article VII – of the City Code "Standards of Conduct for City Officers, Employees and Agency Members."**

**I Richard Baron agreed to the following terms on 1/4/2019 10:54:05 AM**

Received in the City Clerk's Office by:

\_\_\_\_\_

Name of Deputy Clerk

Control No.

Date

## RESUME OF RICHARD BARON

Since 1980 Richard Baron has been the managing principal of the Law Firm of Richard Baron & Associates and more recently, Baron, Breslin & Sarmiento. He specializes in Family Law, representing lawyers before the Florida Bar and Applicants applying to the Florida Board of Bar Examiners.

Richard was born on October 27, 1945 in New York, NY. He is married to Nikki Samuels Baron and has three children; Nicole Goldner, Katherine Nullman and Stephen Baron and 6 grandchildren.

Mr. Baron graduated in 1967 from the American University with a B.A. in Government and Public Administration and attained his Juris Doctor degree from the University of New York at Buffalo, School of Law, in 1970. He was admitted New York Bar in 1970 and Florida Bar 1974. His employment history includes being a Trial Attorney with the Department of the Treasury 1970-1974 and the Tax Litigator at Greenberg Traurig 1974-1979. He has had his own law practice since 1979 and currently practices under the name of Baron Breslin & Sarmiento.

Mr. Baron is Active in philanthropy; He has served as a Trustee of Temple Beth Torah 1980-1985; Temple Beth Shalom 2001-2003 and Vice President, and Member of the Board of the Genetic Disease Foundation 1980-1984. He is also a Member of the Board of Our Children Our Future a 501(c)(3) charitable organization which assists inner city youth with psychological issues. He is the founder and president of the Drug Court Angels, Inc., a 501 (c ) (3) organization which raises and disburses funds to families in need while in the Juvenile Justice System. Since 2014, Richard is a member of the Board of Directors of the South Florida Behavioral Health Network, a nonprofit, managing entity that provides comprehensive planning, fiscal management of \$85,000,000 to expand behavioral health prevention and treatment services throughout the communities of South Florida. He is also a member of the Dade County Addiction Services Board.

Richard is the recipient of the Dade County Pro Bono Award, The Dade County Bar Association's Sookie Williams Award for Community Service and numerous other awards. He is active in Green Peace and in 1981-1983 was the Commissioner from Antigua and Barbuda, (then, a newly independent nation in the Caribbean) to the International Whaling Commission and cast the deciding vote that approved the ban on Commercial Whaling. The Ban is still in effect.

Richard understands addiction as he is a recovering addict and alcoholic since he joined Alcoholics Anonymous on October 10, 1985. As part of his commitment to recovery, he co-founded and has been president since 2003 of The Friends of the Drug Court, Inc., a 501(c)(3) charitable organization that raises and contributes in excess of a Hundred Thousand Dollars annually to the support of the Miami-Dade County, Florida Drug Court as well as to education and housing grants to the participants of the Drug Court. As an experienced trial lawyer, Richard represented hundreds of clients with drug and alcohol problems on a *pro bono* basis. He has been appointed numerous times as a Guardian Ad Litem to assist Family Court Judges in difficult cases with alcohol and drug issues, always without compensation.

Richard is a Charter member of Florida Lawyer's Assistant Program and monitor to dozens of lawyers with substance abuse issues in Miami-Dade County, Florida. He is the Facilitator of the Caduceus Group of Recovering Professionals under the auspices of Florida Lawyers Assistant Program and has been so since 1995.

He lives on Miami Beach since 1995 with his wife of almost 40 years.

The Florida Bar

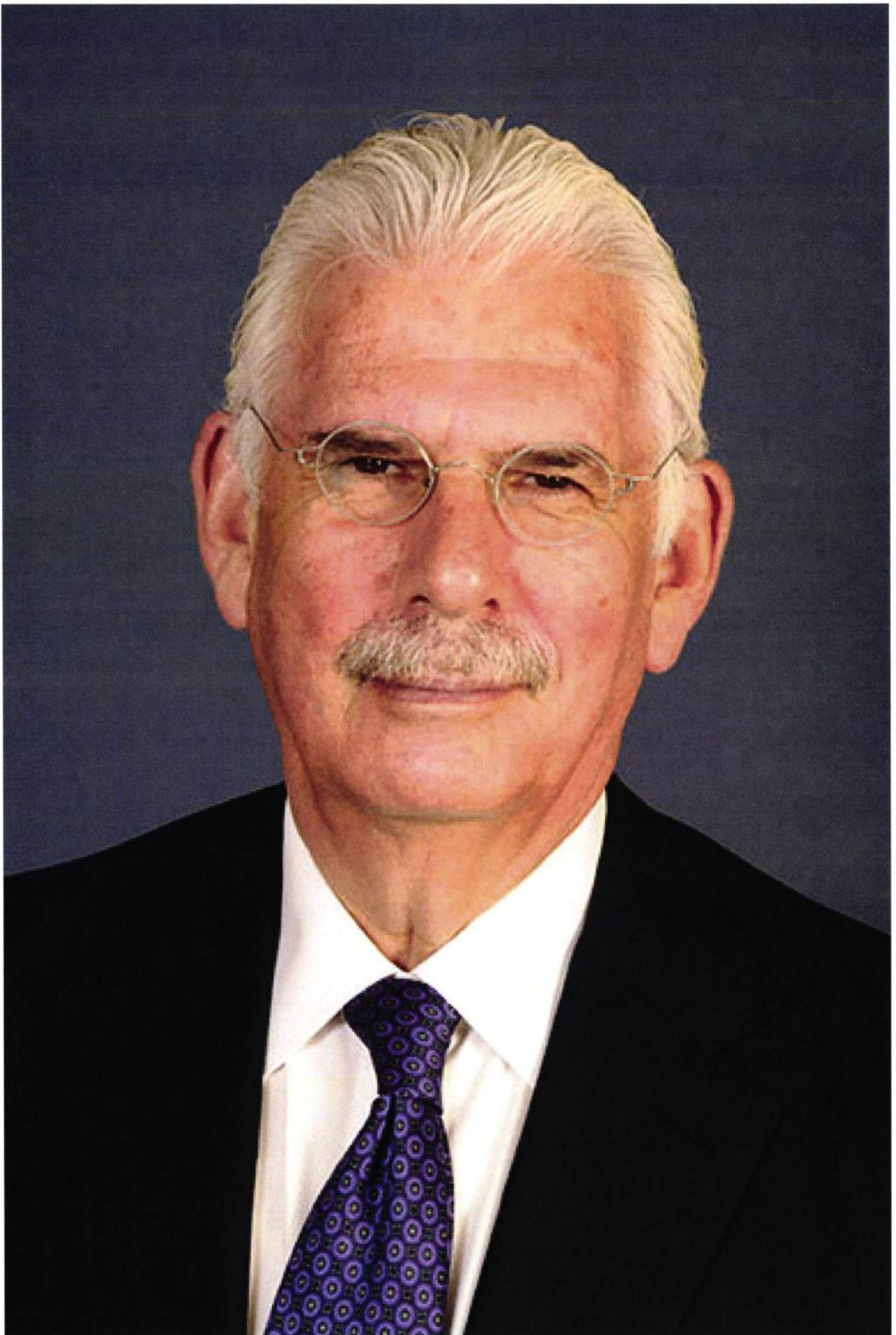


Member Since  
10 2 19 8

Richard Baron



0178675



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**Marc Gidney**

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**NAME:** Gidney Marc  
 Last Name First Name Middle Initial

**HOME ADDRESS:** 300 71st St Ste 600 Miami Beach United States 33141  
 Apt No. Home No./Street City State Zip Code

**PHONE:** 3057888327 3058666266 Gidney98@yahoo.com  
 Home Work Email Address

Business Name: \_\_\_\_\_ Position: \_\_\_\_\_

**Address:** 300 71st St Ste 600 Miami Beach FL 33141  
 Street City State Zip Code

**Pursuant to City Code section 2-22(4) a and b:** Members of agencies, boards, and committees shall be affiliated with the city; this requirement shall be fulfilled in the following ways: a) an individual shall have been a resident of the city for a minimum of six months; or b) an individual shall demonstrate ownership/interest for a minimum of six months in a business established in the city.

- Resident of Miami Beach for a minimum of six (6) months **No**
- Demonstrate an ownership/interest in a business in Miami Beach for a minimum of six (6) months: **Yes**
- Are you a registered voter in Miami Beach: **No**
- (Please circle one): I am now a resident of:
- I am applying for an appointment because I have special abilities, knowledge and experience. Please list below:
- CPA and Born on Miami Beach and returned here to work. My heart is here.**
- Are you presently a registered lobbyist with the City of Miami Beach? **No**

Please list your preferences in order of ranking [1] first choice [2] second choice, and [3] third choice. **Please note that only three (3) choices will be observed by the City Clerk's Office.** (Regular Boards of City)

**Choice 1:** Budget Advisory Committee

**Choice 2:**

**Choice 3:**

\* Board members are required to file Form 1 – "Statement of Financial Interest" with the State.

If you seek appointment to a professional seat (e.g., lawyer, architect, etc.) on the Board of Adjustment, Design Review Board, Historic Preservation Board or Planning Board, attach a copy of your currently-effectively license, and furnish the following information:

Type of Professional License \_\_\_\_\_ License Number \_\_\_\_\_

License Issuance Date \_\_\_\_\_ License Expiration Date \_\_\_\_\_

**Note:** If applying for Youth Advisory Board, please indicate your affiliation with the Scott Rakow Youth Center: \_\_\_\_\_

1. Past service on the Youth Center Advisory Board: **No** Years of Service: \_\_\_\_\_
2. Present participation in Youth Center activities by your children **No** if yes, please list the names of your children, their ages, and which programs. List below:



# MARC A. GIDNEY, C.P.A

## Professional History, Industry Experience and Professional Activities

**Higher Education –** University of Miami - Master's degree in Accounting and Florida Certified Public Accountant.

**Years of Experience:** More than 40 years in practice as a CPA and owner of my own CPA firm over 30 years. I have owned and managed commercial real estate for years.

### **Industry Experience:**

- Manufacturing and Retail
- Government and Nonprofits
- Real Estate
- Entertainment
- Professionals including Doctors, Consultants, and Attorneys

### **Professional Activities:**

- Member and Passed Chair of City of Miami Beach – Budget Advisory Committee and Audit Committee.
- Member - Florida Institute of Certified Public Accountants
- Immediate Past president, Florida Institute of CPA's Gold Coast Chapter
- Member of the Florida Bar Grievance Committee 11C (as a lay member)
- Trustee/Director of many Nonprofit Organizations
- Member of the Board of is Douglas Garden Community Mental Health Center.

### Summary

Owning an accounting business on Miami Beach for more than 30 years I have been practicing in the areas of Nonprofit, Taxation, Audit, Government, Business Management, and consultations to name a few. My belief is to be involved and assist in the welfare of my community. It has been my pleasure to serve on the Boards of City of Miami Beach and hope to continue to do so in the future.



**Stephen M. Fox, Jr.**

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NAME: Fox, Jr. Stephen M  
 Last Name First Name Middle Initial

HOME ADDRESS: 1350 Pennsylvania Ave; Apt 102 Miami Beach Florida 33139  
 Apt No. Home No./Street City State Zip Code

PHONE: (786) 361-2467 stephenmfoxjr@gmail.com  
 Home Work Email Address

Business Name: Anidjar & Levine, P.A. Position: Attorney

Address: 300 SE 17th St Fort Lauderdale Florida 33316  
 Street City State Zip Code

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- Demonstrate an ownership/interest in a business in Miami Beach for a minimum of six (6) months: **No**
- Are you a registered voter in Miami Beach: **Yes**
- (Please circle one): I am now a resident of: **South Beach**
- I am applying for an appointment because I have special abilities, knowledge and experience. Please list below:  
**Ten year resident, homeowner, Navy veteran, associate attorney, member of MBLAAA.**
- Are you presently a registered lobbyist with the City of Miami Beach? **No**

Please list your preferences in order of ranking [1] first choice [2] second choice, and [3] third choice. **Please note that only three (3) choices will be observed by the City Clerk's Office.** (Regular Boards of City)

- Choice 1:** LGBTQ Advisory Committee
- Choice 2:** Police/Citizens Relations Committee
- Choice 3:** Cultural Arts Council

\* Board members are required to file Form 1 – "Statement of Financial Interest" with the State.  
 If you seek appointment to a professional seat (e.g., lawyer, architect, etc.) on the Board of Adjustment, Design Review Board, Historic Preservation Board or Planning Board, attach a copy of your currently-effectively license, and furnish the following information:

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License Issuance Date \_\_\_\_\_ License Expiration Date \_\_\_\_\_

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2. Present participation in Youth Center activities by your children No if yes, please list the names of your children, their ages, and which programs. List below:

Child Name	Age	Program

• Have you ever been convicted of a felony: **No** If yes, please explain in detail:

• Do you currently have a violation(s) of City of Miami Beach codes: **No** If yes, please explain in detail:

• Do you currently owe the City of Miami Beach any money: **No** If yes, please explain in detail:

• Are you currently serving on any City Boards or Committees: **Yes** If yes, which board?

**LGBT Advisory**

• What organizations in the City of Miami Beach do you currently hold membership in?

• I am now employed by the city of Miami Beach: **No** Which department?

• List all properties owned or have an interest in, which are located within the City of Miami Beach:

**Gender: Male**

The following information is voluntary and is neither part of your application nor has any bearing on your consideration for appointment. It is being asked to comply with federal equal opportunity reporting requirements.

Race/Ethnic Categories

What is your race? Mark one or more races to indicate what you consider yourself to be. **White**

Other Description:

Are you Spanish/Hispanic/ Latino? Mark the "No" box if not Spanish / Hispanic / Latino. **No**

Physically Challenged: **No**

**NOTE: If appointed, you will be required to follow certain laws which apply to city board/committee members. These laws include, but are not limited to, the following:**

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- o Prohibition from contracting with the city (Miami-Dade County Code section 2-11.1).
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(re: CMB Community Development Advisory Committee): prohibition, during tenure and for one year after leaving office, from having any interest in or receiving any benefit from Community Development Block Grant funds for either yourself, or those with whom you have business or immediate family ties (CFR 570.611).

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"I hereby attest to the accuracy and truthfulness of the application and have received, read and will abide by Chapter 2, Article VII – of the City Code "Standards of Conduct for City Officers, Employees and Agency Members."

I Stephen Fox, Jr. agreed to the following terms on 1/19/2018 10:49:42 AM

Received in the City Clerk's Office by:

\_\_\_\_\_  
Name of Deputy Clerk Control No. Date

# STEPHEN M FOX JR

1350 Pennsylvania Ave, Apt 102 • Miami Beach, FL 33139  
PHONE (786) 361-2467 • E-MAIL [stephenmfoxjr@gmail.com](mailto:stephenmfoxjr@gmail.com)

## WORK EXPERIENCE

- Windhaven Insurance Company / Staff Attorney / PIP Defense Doral, FL Nov 2016 – Present
- Manage case load of 350+ cases
  - Take and defend depositions
  - Respond to complaints, discovery, and file various motions as need to litigate cases
  - Argue various motions in Court and sat second chair at MSJ hearing involving defense of material misrepresentation
  - Correspond with opposing counsels to discuss cases, negotiate settlements, and dismissals at all stages of litigation
- J.H. Zidell, P.A. / Associate Attorney / Wage and hour employment claims Miami Beach, FL Nov 2015 – Nov 2016
- Experience with Federal and State Court practices
  - Knowledge and familiarity with the FLSA and relevant employment State law
  - Practice in all phases of civil litigation from case intake to second chair at two jury trials
  - Respond to and propound requests for discovery
  - Draft pleadings and various motions including complaints, summary judgment and responses, motions to compel, motions for sanctions
  - Conduct settlement negotiations during settlement conferences, private mediations, and informal opposing counsel communications
- LaVan & Neidenberg, P.A. / Associate Attorney / Disability compensation Plantation, FL Nov 2014 – Nov 2015
- Handled compensation claims filed with the U.S. Department of Veterans Affairs
  - Managed a case load of over 250 clients throughout the various levels of the initial claim to appellate process
  - Engaged in evidence reviews of voluminous medical records, service records, and personnel records
  - Assessed legal strategy and provide individualized legal counseling on most beneficial course of action per claim
  - Conducted legal research, analysis, and legal writing using Federal statutory regulations and relevant controlling case law
  - Prepared for and attended appeals hearings conducted within the VA's nationwide Regional Offices
- 11<sup>th</sup> Judicial Circuit of Florida / Assistant to the CIO Miami, FL Oct 2013 – Oct 2014
- Compiled information from the IT budget as requested, conducted research, prepared statistical reports, handled information requests, and fielded questions for the CIO
  - Performed clerical functions; e.g. scheduled CIO's appointments, maintained the personnel calendars, scheduled and made arrangements for IT staff meetings, prepared correspondence, received visitors, arranged conference calls, and took meeting minutes
- Synergy Legal Staffing / Document Reviewer Fort Lauderdale, FL Nov 2010 – Oct 2013
- Assessed relevance and responsiveness of documents based on established coding criteria, privileged coding, and redaction criteria
  - Areas of practice: Contract, Environmental, Pharmaceutical, Information Technology, Patent, Workers Compensation, Employment Discrimination, Wrongful Termination, Tort, Civil Liability, Anti-Trust
  - Experienced in use with Relativity and Simplicity software
- St. Thomas University / Immigration Clinic Miami Gardens, FL Aug 2009 – Jan 2010
- Conducted client intake interviews, conducted legal research of statutory and case law, developed case plan, filed evidence, prepared and filed motions & pleadings
  - Maintained multiple cases, maintained calendar of hearings, prepared for trial practice
- United States Navy / Fire Controlman Norfolk, VA Sep 1998 – Aug 2004
- Stationed aboard USS Nassau LHA 4 & USS Enterprise CVN 65
  - Participated in Mediterranean Deployment 2000, Operations Iraqi Freedom 2002, & Enduring Freedom 2002
  - Maintained equipment readiness for MK 21 CIWS defense weapon system
  - Provided security of ship's equipment and personnel
  - Maintained personal physical readiness

## PROFESSIONAL LICENSES

- Florida Notary Public Exp. July 2018
- DC Bar October 2017
- Department of Veterans Affairs attorney accreditation January 2015
- United States District Court, Southern District of Florida August 2014
- Florida State Bar May 2014

## EDUCATION

- St. Thomas University School of Law Miami Gardens, FL May 2010
- Juris Doctor
- George Mason University Fairfax, VA May 2007
- B.A., Major in History

## ASSOCIATED QUALIFICATIONS

- Confident in presentations to superiors and peers
- Civil, professional, personable, organized, driven, receptive and goal focused

## INTERESTS & ACTIVITIES

- City of Miami Beach Commissioner appointed member of Citizen's Advisory Committee Feb 2016 - Present
- City of Miami Beach Leadership Academy – Board of Directors - Treasurer Apr 2014 – Apr 2015
- Volunteer - 2008 Presidential Election Campaign Aug – Nov 2008



**Heidi H. Tandy**

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**NAME:** Tandy Heidi H  
 Last Name First Name Middle Initial

**HOME ADDRESS:** 4825 Lakeview Drive Miami Beach Florida 33140  
 Apt No. Home No./Street City State Zip Code

**PHONE:** 3059262227 3055386361 heidi8@gmail.com  
 Home Work Email Address

Business Name: Heidi Tandy, Attorney At Law Position: Attorney

Address: 1691 Michigan Ave. Miami Beach Florida 33139  
 Street City State Zip Code

**Pursuant to City Code section 2-22(4) a and b:** Members of agencies, boards, and committees shall be affiliated with the city; this requirement shall be fulfilled in the following ways: a) an individual shall have been a resident of the city for a minimum of six months; or b) an individual shall demonstrate ownership/interest for a minimum of six months in a business established in the city.

- Resident of Miami Beach for a minimum of six (6) months **Yes**
- Demonstrate an ownership/interest in a business in Miami Beach for a minimum of six (6) months: **Yes**
- Are you a registered voter in Miami Beach: **Yes**
- (Please circle one): I am now a resident of: **Middle Beach**
- I am applying for an appointment because I have special abilities, knowledge and experience. Please list below:  
**I am an attorney with familiarity in real estate, particularly residential and small commercial real estate on Miami Beach. I have b**
- Are you presently a registered lobbyist with the City of Miami Beach? **No**

Please list your preferences in order of ranking [1] first choice [2] second choice, and [3] third choice. **Please note that only three (3) choices will be observed by the City Clerk's Office.** (Regular Boards of City)

**Choice 1:** Board of Adjustment

**Choice 2:**

**Choice 3:**

\* Board members are required to file Form 1 – "Statement of Financial Interest" with the State.

If you seek appointment to a professional seat (e.g., lawyer, architect, etc.) on the Board of Adjustment, Design Review Board, Historic Preservation Board or Planning Board, attach a copy of your currently-effectively license, and furnish the following information:

Type of Professional License \_\_\_\_\_ License Number \_\_\_\_\_

License Issuance Date \_\_\_\_\_ License Expiration Date \_\_\_\_\_

**Note:** If applying for Youth Advisory Board, please indicate your affiliation with the Scott Rakow Youth Center: \_\_\_\_\_

1. Past service on the Youth Center Advisory Board: No Years of Service: \_\_\_\_\_
2. Present participation in Youth Center activities by your children No if yes, please list the names of your children, their ages, and which programs. List below:

• Have you ever been convicted of a felony: **No** If yes, please explain in detail:

• Do you currently have a violation(s) of City of Miami Beach codes: **No** If yes, please explain in detail:

• Do you currently owe the City of Miami Beach any money: **No** If yes, please explain in detail:

• Are you currently serving on any City Boards or Committees: **Yes** If yes, which board?

**Board of Adjustment**

• What organizations in the City of Miami Beach do you currently hold membership in?

Name	Title

• I am now employed by the city of Miami Beach: **No** Which department?

• List all properties owned or have an interest in, which are located within the City of Miami Beach:

Property
4825 Lakeview Drive, Miami Beach, FL 33140

**Gender: Female**

The following information is voluntary and is neither part of your application nor has any bearing on your consideration for appointment. It is being asked to comply with federal equal opportunity reporting requirements.

Race/Ethnic Categories  
**What is your race?** Mark one or more races to indicate what you consider yourself to be. **White**

Other Description:

Are you Spanish/Hispanic/ Latino? Mark the "No" box if not Spanish / Hispanic / Latino. **No**

Physically Challenged: **No**

**NOTE: If appointed, you will be required to follow certain laws which apply to city board/committee members. These laws include, but are not limited to, the following:**

- o Prohibition from directly or indirectly lobbying city personnel (Miami Beach City Code section 2-459).
- o Prohibition from contracting with the city (Miami-Dade County Code section 2-11.1).
- o Prohibition from lobbying before board/committee you have served on for period of one year after leaving office (Miami Beach Code section 2-26).
- o Requirement to disclose certain financial interests and gifts (Miami-Dade County Code section 2-11.1).  
(re: CMB Community Development Advisory Committee): prohibition, during tenure and for one year after leaving office, from having any interest in or receiving any benefit from Community Development Block Grant funds for either yourself, or those with whom you have business or immediate family ties (CFR 570.611).

**Upon request, copies of these laws may be obtained from the City Clerk.**

**"I hereby attest to the accuracy and truthfulness of the application and have received, read and will abide by Chapter 2, Article VII – of the City Code "Standards of Conduct for City Officers, Employees and Agency Members."**

**I Heidi Tandy agreed to the following terms on 12/1/2017 5:53:55 PM**

Received in the City Clerk's Office by:

\_\_\_\_\_

Name of Deputy Clerk	Control No.	Date
----------------------	-------------	------

## Heidi Howard Tandy, Esq.

1691 Michigan Ave., Suite 360  
Miami Beach, FL 33139  
(305) 926 2227 [heidi@heidi8.com](mailto:heidi@heidi8.com)

### Attorney

Private Practice on Miami Beach; also *Of Counsel* at Price Benowitz (Washington, D.C.)

*Prior firm experience includes Ziglaw; Gunster; Carlton Fields; Ruden McClosky; Stroock & Stroock & Lavan*

Lead attorney on proceedings at US Trademark Office's Trademark Trial and Appeal Board, and at WIPO

Lead IP attorney in trademark and copyright infringement proceedings in Federal and State Courts

Lead IP attorney in settlement negotiations for plaintiffs and for defendants

Manage intellectual property portfolios for a range of entertainment and technology clients with focus on trademarks, copyright/takedown issues, licenses regarding user submissions and brand management, social media and FTC compliance policies

Draft and negotiate contracts, including license agreements, assignments, terminations and settlements

Create best practices, handbooks and policies including Privacy, Terms of Use, employee agreements, sweepstakes, and marketing policies; hosted seminars and clinics for clients and their staffs regarding same

Develop and write position papers, internal memos, blog posts and documentation concerning business and legal issues

Train clients' staffs and contractors in ethics and legal issues concerning Terms of Use, FTC, DMCA, Fair Use and content creation

### Pro Bono Projects

*Organization for Transformative Works*, 2007-present

Founding member of Legal Committee; manage DMCA, domain name and trademark issues; draft filings with Congress, Copyright Office and as *amicus* in Federal Court proceedings.

*FictionAlley.org*, 2001 - present (nonprofit)

Managed volunteer staff of 100+, supervised development of content management system, forum and content policies and best practices, marketing and advertising program, podcasts and live events; developed sponsorship, mentoring and scholarship programs. Created groundbreaking podcasts, content, and partnerships.

*HP Education Fanon, Inc.*, 2002 - present (nonprofit)

Served on Legal Committee and developed, managed and served on senior staff for annual events; each hosted over 200 hours of educational and entertainment programming at events for 600-1900 attendees.

### EDUCATION

#### University of Pennsylvania

B.A. awarded in 1992

#### Washington College of Law at American University

J.D. awarded in 1995

### Recent Writings

FIC: Why Fanfiction Is Taking Over the World (chapter author) (2013)

FYeahCopyright.tumblr.com (2013-present)

### Presentations and CLE Lecturing

ABA Social Media Law Basics (2017)

INTA Professors' Luncheon Feat. Speaker (2016)

Vidcon (2016)

South By Southwest (2012, 2014, 2016)

San Diego Comic Con (2008, 2009, 2011, 2013-2017)

University of Pennsylvania Intellectual Property Law Group CLE (2013)

Princeton University, Fans, Fanfiction and the Media, Publishing and Entertainment Industries (2015)

Women of Tomorrow, Miami (2013-2017)

Webgrrls/Cybergrrls (1997, 1998)

### A Selection of Quotations

*The Wall Street Journal*, Vampire Writer L.J. Smith Bites Back (April 17, 2014)

*The New York Times*, Please Don't Call It a G-Rated Dispute (April 14, 2005)

*USA Today* (July, 2003)

*New Statesman*, Is This the Year of the Fan? (July 31, 2014)

*MuggleNet Academia*, Rights, Copyrights, and Playwrights - The Legal Side of Rowling's Magic (August 24, 2016)

Outline of Syllabus for **SOCIAL MEDIA/TRANSMEDIA LAW** Class

Summer, 2016

Heidi Howard Tandy, Esq.

heidi8@gmail.com

Primary Course Texts will be selections from *Advertising and Marketing Law Casebook* by Rebecca Tushnet and Eric Goldman (DRM-free PDF download) and Sarah Jeong's *The Internet of Garbage*. Course text components will come from law journal articles including Mark Lemley's [IP In a World Without Scarcity](#), Annamarie Birdy's *Copyright's Digital Deputies: DMCA-Plus Enforcement by Internet Intermediaries*, current news and cases, and recent caselaw. Skype presentations by practitioners who work in corporations and NGOs will provide a variety of perspectives on developing issues.

**Class 1: IP and Internet Overview/Basics**

**May 16**

This session will include an overview of all the subject we'll be covering with a focus on ascertaining students' knowledge of employment, trademark, copyright, social media and contract law in general, as well as privacy laws, fair use concepts, defamation, rights of publicity and employment law issues.

**Due:** One recent case or article on online/social media content creation

**Readings:**

**Class 2: Intermediary Law**

**May 18**

We will look at business-related issues, from Terms of Use, privacy, COPPA and DMCA issues in connection with social media in walled sites like Facebook, mobile sites like Twitter and Instagram, and live video-streaming platforms, as well as more traditional websites. Students will look into questions involving how these contracts and their multi-purpose protective measures satisfy investors, users (and their parents), the media and the misinformation-filled hysteria of social media and blogging sites like tumblr. We'll also look at best practices for onboarding users, employees/contractors and content creators/managers, and how licenses like Creative Commons, as well as the laws of the Public Domain and Fair Use allow the re-use and re-purposing of content into follow-on works. This class will also cover crisis management from a trademark and copyright law perspective.

**Readings:**

<https://www.privateinternetaccess.com/blog/2016/04/supreme-court-wikipedia-violates-copyright-posting-photos-public-art/>

<https://web.archive.org/web/19990117030150/http://www.nytimes.com/info/help/agree.html#sect2>

<https://web.archive.org/web/20001216234100/http://www.nytimes.com/info/help/linking.html>

<https://www.ftc.gov/tips-advice/business-center/guidance/ftcs-endorsement-guides-what-people-are-asking>

**Memorial Day Lull - Readings**

<http://www.thefader.com/2015/12/03/on-fleek-peaches-monroe-meechie-viral-vines>

<https://www.techdirt.com/articles/20151205/18290332998/shittiness-ip-law-has-taught-public-that-everything-is-stealing-everyone-is-owed-something.shtml>

Mark Lemley's [IP In a World Without Scarcity](#) at

[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2413974](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2413974)

Copyright and Consent by Rebecca Tushnet at

[http://cdn.harvardlawreview.org/wp-content/uploads/2015/03/vol128\\_Tushnet.pdf](http://cdn.harvardlawreview.org/wp-content/uploads/2015/03/vol128_Tushnet.pdf)

Tushnet Book P.1, 6-10, 34-53, 62-64

Google Books ruling:

[http://www.ca2.uscourts.gov/decisions/isysquery/b3f81bc4-3798-476e-81c0-23db25f3b301/1/doc/13-4829\\_opn.pdf](http://www.ca2.uscourts.gov/decisions/isysquery/b3f81bc4-3798-476e-81c0-23db25f3b301/1/doc/13-4829_opn.pdf)

Sgouros v. TransUnion Corp., No. 15-1371 (7th Cir. March 25, 2016)

YouTube's Four Factors at

<https://www.youtube.com/yt/copyright/fair-use.html#yt-copyright-four-factors>

OPTIONAL: [http://ncjolt.org/wp-content/uploads/2013/06/Hostetler-Okada\\_Final.pdf](http://ncjolt.org/wp-content/uploads/2013/06/Hostetler-Okada_Final.pdf)

### Class 3/4: **Impacts of Globalization**

#### **June 6/8**

We'll look to possible changes to the law, and the governance challenges related to those changes, including a review of proposals currently and/or recently before Congress (including treaties like the Trans Pacific Partnership), the Copyright Office and the US Patent and Trademark Office, as well as multinational organizations like WIPO.

**Due June 6:** Draft of proposed thesis, or outline of one of the student's two proposed policies

**Due June 8:** A how-to (narrative or flow chart) on either DMCA takedowns, the counternoticing process or responding (with at least 4 footnote citations to different cases and/or law journal/review articles).

#### **Readings:**

<https://www.oculus.com/en-us/legal/terms-of-service/>

<http://www.franken.senate.gov/files/letter/160407OculusLetter.pdf>

<https://www.congress.gov/bill/114th-congress/house-bill/4057/text>

<https://www.documentcloud.org/documents/2782119-PLAW-113publ4.html#document/p83/a286>  
864 ONLY page 83

<https://www.congress.gov/bill/114th-congress/house-bill/4740/text>

+Three of the following:

- <http://tushnet.com/comments-cta-co-1201-3-3-16/>
- <https://tushnet.files.wordpress.com/2016/04/512otw-submission.pdf>
- <http://tushnet.com/public-knowledge-section-1201-comments/>
- <http://tushnet.com/jointlibertarian1201comments/>
- Annemarie Birdy's U.S. Copyright Office Section 512 Study: Comments in Response to Notice of Inquiry. Available at SSRN:  
<http://ssrn.com/abstract=2757197>

### Class 5/6: **Social Media**

#### **June 13/15**

Twitter, tumblr, Facebook, Snapchat, YouTube, Google+, and more: How do IP laws apply to users, to the businesses, and to corporations, charities and schools that use these platforms to communicate with their audiences? How can sites - and schools - draft viable policies and how can policies shape the way a site, app or tool is used, and the audience that develops for it? We'll open a look into Best Practices regarding community management and agreements with volunteers, consultants and paid staff.

**Due on June 15:** Students must read at least one Terms of Use policy for a US site/company and mark up archaic legacy issues, internal contradictions and other issues; students will draw site names out of a hat to determine who reads which policy.

#### **Readings:**

The Internet of Garbage Sections 1-3

<https://support.wattpad.com/hc/en-us/articles/200773104-Copyrights>

<http://dearauthor.com/features/essays/qa-with-professor-rebecca-tushnet/>

SHOULD PROSECUTORS BLOG, POST, OR TWEET?: THE NEED FOR NEW RESTRAINTS IN LIGHT OF SOCIAL MEDIA . Emily Vance:

[http://fordhamlawreview.org/wp-content/uploads/assets/pdfs/Vol\\_84/No\\_1/Vance\\_October.pdf](http://fordhamlawreview.org/wp-content/uploads/assets/pdfs/Vol_84/No_1/Vance_October.pdf)

Social Autopsy:

<http://nymag.com/following/2016/04/how-social-autopsy-fell-for-gamergate-trutherism.html>

<https://pbs.twimg.com/media/Cf3TGA-UEAAq5ur.jpg>

<https://www.scribd.com/doc/306121568/BWP-Media-v-T-S-Software-no-vicarious-liability-pdf>

[https://www.lib.purdue.edu/uco/CopyrightBasics/fair\\_use.html#analysis](https://www.lib.purdue.edu/uco/CopyrightBasics/fair_use.html#analysis)

<http://www.yalelawjournal.org/terms-of-use>

**Just added:** <http://boingboing.net/2016/04/17/sanders-campaign-accused-of.html>

## Class 7: **Harassment and Safety**

*June 20*

Submission policies, nonexclusive licenses, and what happens when a site, app, project or resource starts up, what happen

### **Readings:**

The Internet of Garbage, Sec. 4 through Conclusion (inclusive)

THE LAW OF REPUTATION AND THE INTEREST OF THE AUDIENC:

[https://www.bc.edu/content/dam/files/schools/law/bclawreview/pdf/52\\_4/04\\_heyman.pdf](https://www.bc.edu/content/dam/files/schools/law/bclawreview/pdf/52_4/04_heyman.pdf)

Unfriending Censorship - an EFF Report:

[https://s3-us-west-1.amazonaws.com/onlinecensorship/posts/pdfs/000/000/044/original/Onlinecensorship.org\\_Report\\_-\\_31\\_March\\_2016.pdf?1459436925](https://s3-us-west-1.amazonaws.com/onlinecensorship/posts/pdfs/000/000/044/original/Onlinecensorship.org_Report_-_31_March_2016.pdf?1459436925)

A History of Online Moderation:

<http://www.theverge.com/2016/4/13/11387934/internet-moderator-history-youtube-facebook-reddit-censorship-free-speech>

Trolls and Online Moderation:

<http://www.theguardian.com/commentisfree/2016/apr/13/trolls-trampling-political-discourse-abuse>

<https://www.youtube.com/watch?v=qfVV9mRMmTg> from Uplift, filmed at VidCon 2015

## Class 8: **User Ownership and Control**

*June 22*

Submission policies, nonexclusive licenses, and what happens when a site, app, project or resource starts up, what happens if it closes down, as well as user use of IP created by other people or businesses. Is there any privacy when everyone has a video camera in their pocket, on their dashboard, or in their eyeglasses? If there's no privacy, how can IP laws and rights of publicity assess and manage third party usage of someone's content? How can individuals, and sites/social media created by businesses, nonprofits, schools and government entities avoid liability for violations, and avoid violations in the first place?

**Due:** Draft Outline of paper, or of both policies

### **Readings:**

Tushnet, Ch. 13, P. 300-305, 329-338, 342-346

<https://www.privateinternetaccess.com/blog/2016/04/supreme-court-wikipedia-violates-copyright-posting-photos-public-art/>

Additions:

1. [https://www.buzzfeed.com/leticiamiranda/this-artist-said-snapchat-never-asked-to-use-this-his-art-fo?utm\\_content=bufferc21f0&utm\\_medium=social&utm\\_source=twitter.com&utm\\_campaign=buffer&utm\\_term=.jtIQLAMAgZ#.odOZMogoBj](https://www.buzzfeed.com/leticiamiranda/this-artist-said-snapchat-never-asked-to-use-this-his-art-fo?utm_content=bufferc21f0&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer&utm_term=.jtIQLAMAgZ#.odOZMogoBj)
2. <http://www.isfanficlegal.com/post/92481884824/hey-teen-wolf-fandom-mtv-has-somethin-g-for-you>

In-Class Viewing: YouTube Copyright School videos - the archaic (<https://www.youtube.com/watch?v=InzDjH1-9Ns>) (and fair-use inclusive follow-on work (<https://www.youtube.com/watch?v=sdVWW8qMwfU>)) and relatively recent (<https://youtu.be/OQVHWsTHcoc>)

**Note: VidCon is June 22-26**

#### Class 9: **Brand Protection and Usage**

**June 27**

Counterfeiting and Watching Services, DMCA takedowns and counter-notices, and how they can be used to protect and control user-created and corporate-created content; we will also look to how US Customs, Google and non-US laws can each help in various different ways when trademarks or content is being infringed - or is noninfringing because of Fair Use.

**Readings:** Tushnet Book, Chapter 11, INTA Powerpoint

**Guest:** Josh Wattles, GC of DeviantArt

#### Class 10: Startup, Development and (Bi-)Annual Review Steps

**June 29**

We will create checklists of what needs to be done for a startup, a developing company, and any business with any employees or an online presence on a biannual, annual - and even quarterly - basis. Also, we will look at Federal and state regulation of advertising, including the FTC's Children's Online Privacy and Protection Act, as well as criminal laws concerning piracy, predatory behaviours and implications of anonymous users on defamation. Gamergate, doxxing and harassment issues will be discussed.

**Readings:**

Money - <http://www.theatlantic.com/technology/archive/2016/04/cashless-society/477411/>

Data Collection -

<http://www.theatlantic.com/technology/archive/2016/04/how-big-data-harms-poor-communities/477423/>

Celebrity Harassment -

[http://motherboard.vice.com/read/the-mysterious-instagram-spat-between-demi-lovato-and-stalker-sarah?utm\\_source=mbtwitter](http://motherboard.vice.com/read/the-mysterious-instagram-spat-between-demi-lovato-and-stalker-sarah?utm_source=mbtwitter)

Stolen/Famous - <http://www.gadgette.com/2016/02/18/stolen-resurrected-as-famous/>

#### Class 11: TBD based on developing topics + peer review of class papers

**July 7**

**Due:** Final paper or policies; they can be turned in up to 15 days after class ends

Class Review Deck: <https://haikudeck.com/p/c45ec9973b>

Students will be graded on (1) class participation, (2) the assignments due in Weeks 3 and 4, and (3) either (a) a research paper on an approved, class-related topic (must be approved by June 22) or (b) two policies - one concerning user content/behaviour and one concerning employee/contractor content/behaviour - for a corporation, government agency, NGO or school.

Extra Credit:

1. Standard licenses contained within ToUs
2. Best Practices for social media policies at companies with both employees and contractors/freelancers
3. Letter to Congress on how social media-related IP issues should be included in a new Copyright Act, Lanham Act or

updates computer security law

## MEMBER PROFILE

# Heidi Howard Tandy

Member in Good Standing

Eligible to Practice Law in Florida



---

**Bar Number:**

163864

---

**Mail Address:**

Price Benowitz  
Heidi Howard Tandy  
1691 Michigan Ave Ste 360  
Miami Beach, FL 33139-2572  
United States

Office: 305-926-2227

Cell: 305-926-2227

Fax: 305-532-1531

---

**Email:**

heidi8@gmail.com

---

**Personal Bar URL:**

<https://www.floridabar.org/mybarprofile/HeidiTandy>

---

**vCard:**



**County:**

Miami-Dade

**Circuit:**

11

**Admitted:**

04/14/1999

**10-Year Discipline History:**

None

**Law School:**

American University, Washington College of Law, 1995

**Sections:**

Entertainment, Arts, &amp; Sports

Solo &amp; Small Firm

**Firm:**

Price Benowitz

**Firm Size:**

11 to 20

**Firm Position:**

Of Counsel

**Firm Website:**

pricebenowitz.com

The Find a Lawyer directory is provided as a public service. The Florida Bar maintains limited basic information about lawyers licensed to practice in the state (e.g., name, address, year of birth, gender, law schools attended, admission year). However, The Florida Bar allows individual attorneys the opportunity to add personal and professional information to the directory. The lawyer is solely responsible for reviewing and updating any additional information in the directory. The lawyer's added information is not reviewed by The Bar for accuracy and The Bar makes no warranty of any kind, express or implied. The Florida Bar, its Board of Governors, employees, and agents are not responsible for the accuracy of that additional information. Publication of lawyers' contact information in this listing does not mean the lawyers have agreed to receive unsolicited communications in any form. Unauthorized use of this data may result in civil or criminal penalties. The Find a Lawyer directory is not a lawyer referral service.

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**Jessica R. Shraybman**

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NAME: Shraybman Jessica R  
Last Name First Name Middle Initial

HOME ADDRESS: 9 Island Ave., apt. 2311 Miami Beach FL 33139  
Apt No. Home No./Street City State Zip Code

PHONE: 3059843957 3052041835 jessica@shraybmanlaw.com  
Home Work Email Address

Business Name: Shraybman Law, PLLC Position: Attorney

Address: \_\_\_\_\_  
Street City State Zip Code

**Pursuant to City Code section 2-22(4) a and b:** Members of agencies, boards, and committees shall be affiliated with the city; this requirement shall be fulfilled in the following ways: a) an individual shall have been a resident of the city for a minimum of six months; or b) an individual shall demonstrate ownership/interest for a minimum of six months in a business established in the city.

- Resident of Miami Beach for a minimum of six (6) months **Yes**
- Demonstrate an ownership/interest in a business in Miami Beach for a minimum of six (6) months: **Yes**
- Are you a registered voter in Miami Beach: **Yes**
- (Please circle one): I am now a resident of: **South Beach**
- I am applying for an appointment because I have special abilities, knowledge and experience. Please list below:  
**As the owner of a solo law firm focussed on Business + Intellectual Property, I am both a small business owner myself, and an**
- Are you presently a registered lobbyist with the City of Miami Beach? **No**

Please list your preferences in order of ranking [1] first choice [2] second choice, and [3] third choice. **Please note that only three (3) choices will be observed by the City Clerk's Office.** (Regular Boards of City)

Choice 1: Next Generation Council

Choice 2: Cultural Arts Council

Choice 3: Sister Cities Program

\* Board members are required to file Form 1 – "Statement of Financial Interest" with the State.  
If you seek appointment to a professional seat (e.g., lawyer, architect, etc.) on the Board of Adjustment, Design Review Board, Historic Preservation Board or Planning Board, attach a copy of your currently-effectively license, and furnish the following information:

Type of Professional License \_\_\_\_\_ License Number \_\_\_\_\_

License Issuance Date \_\_\_\_\_ License Expiration Date \_\_\_\_\_

**Note:** If applying for Youth Advisory Board, please indicate your affiliation with the Scott Rakow Youth Center: \_\_\_\_\_

1. Past service on the Youth Center Advisory Board: **No** Years of Service: \_\_\_\_\_

2. Present participation in Youth Center activities by your children **No** if yes, please list the names of your children, their ages, and which programs. List below:

• Have you ever been convicted of a felony: **No** If yes, please explain in detail:

• Do you currently have a violation(s) of City of Miami Beach codes: **No** If yes, please explain in detail:

• Do you currently owe the City of Miami Beach any money: **No** If yes, please explain in detail:

• Are you currently serving on any City Boards or Committees: **No** If yes, which board?

• What organizations in the City of Miami Beach do you currently hold membership in?

- I am now employed by the city of Miami Beach: **No** Which department?
- List all properties owned or have an interest in, which are located within the City of Miami Beach:

**Gender: Female**

The following information is voluntary and is neither part of your application nor has any bearing on your consideration for appointment. It is being asked to comply with federal equal opportunity reporting requirements.

Race/Ethnic Categories

**What is your race?** Mark one or more races to indicate what you consider yourself to be. **none**

Other Description:

Are you Spanish/Hispanic/ Latino? Mark the "No" box if not Spanish / Hispanic / Latino. **No**

Physically Challenged: **No**

**NOTE: If appointed, you will be required to follow certain laws which apply to city board/committee members. These laws include, but are not limited to, the following:**

- o Prohibition from directly or indirectly lobbying city personnel (Miami Beach City Code section 2-459).
- o Prohibition from contracting with the city (Miami-Dade County Code section 2-11.1).
- o Prohibition from lobbying before board/committee you have served on for period of one year after leaving office (Miami Beach Code section 2-26).
- o Requirement to disclose certain financial interests and gifts (Miami-Dade County Code section 2-11.1).  
(re: CMB Community Development Advisory Committee): prohibition, during tenure and for one year after leaving office, from having any interest in or receiving any benefit from Community Development Block Grant funds for either yourself, or those with whom you have business or immediate family ties (CFR 570.611).

**Upon request, copies of these laws may be obtained from the City Clerk.**

**"I hereby attest to the accuracy and truthfulness of the application and have received, read and will abide by Chapter 2, Article VII – of the City Code "Standards of Conduct for City Officers, Employees and Agency Members."**

**I Jessica Shraybman agreed to the following terms on 2/6/2019 8:17:11 AM**

Received in the City Clerk's Office by:

\_\_\_\_\_  
Name of Deputy Clerk

\_\_\_\_\_  
Control No.

\_\_\_\_\_  
Date

# Jessica Shraybman, Esq.

9 Island Ave., apt. 2311 • Miami Beach, FL 33139 • jessica@shraybmanlaw.com • (305) 984-3957

## EDUCATION

- Harvard Extension School**, Graduate Certificate, Nonprofit Management Dec. 2020
- Florida International University College of Law**, J.D. May 2014  
*Dean's Scholar* Class Rank: Top 30% (29/103)
- University of Miami**, B.A., Philosophy and Political Science Dec. 2007  
*Dean's List and President's Honor Roll*

## RELEVANT EXPERIENCE

- SHRAYBMAN LAW, PLLC**, Miami Beach, FL Nov. 2017 – Present  
*Founder and Managing Partner*
- General counsel focused on Business + Intellectual Property
  - Clients include technology startup companies, small businesses and national enterprises, nonprofits, and creatives throughout Miami Beach and Greater Miami
- SALMON LEGAL GROUP, PL**, Miami, FL June 2015 – Nov. 2017  
*Associate*
- Represented clients with respect to mergers, acquisitions and dispositions; equity offerings and debt securities; joint ventures and private equity investments
  - Conducted corporate, intellectual property, and real estate due diligence
  - Managed clients' intellectual property portfolios
  - Negotiated and drafted commercial transactions, including Purchase and Sale Agreements, Subscription Agreements and Convertible Notes, Shareholder and Joint Venture Agreements
  - Prepared securities filings as necessary
- JAYCON SYSTEMS, LLC**, Melbourne/Miami Beach, FL Feb. – Sept. 2015  
*Outside General Counsel*
- General counsel to early stage technology company valued at \$7M+
  - Advised owners, investors, and C-Suite on all aspects of business, including developing strategy, assessing risks, overseeing execution, and evaluating growth and change
  - Independently analyzed and managed reclassification of work force
  - Negotiated and drafted all corporate contracts
- REPPAS & BRANNELLY, PLLC**, Plantation, FL Dec. 2014 – May 2015  
*Attorney*
- Drafted commercial transactions and corporate contracts
  - Worked on complex commercial litigation involving dispute over \$10M in company assets; drafted Complaint, discovery, and other pleadings and pre-trial motions
- FIU COLLEGE OF LAW SMALL BUSINESS CLINIC**, Miami, FL Aug. – Dec. 2013  
*Legal Intern*
- Drafted initial corporate documents for not-for-profit and for-profit corporations
  - Advised clients on intellectual property matters

## COMMUNITY INVOLVEMENT

The Fairchild Palms, Board Member (2018 – Present); Sidebar Legal, Advisor (2018 – Present); Business Law Section of the Florida Bar, Member (2016 – Present); The Launch Pad at University of Miami, Venture Coach (2016 – Present); Venture Law Project, Board Member (2017 – 2018); Business + Intellectual Property for Entrepreneurs and Creatives at The Wolfsonian, Speaker (2017, 2018); Volunteer Lawyers for the Arts, Consulting Attorney (2015 – 2018); Ask a Start Up Lawyer, Program Coordinator (2015 – 2017); Patently Impossible Project to benefit Dade Legal Aid, Participant (2015 – 2017); Guitars Over Guns, Academic Tutor (2016); Non-Profit Seminar with Center for Social Change, Presenter (2016); Arts and Business with Girls' Club, Co-Presenter (2015)

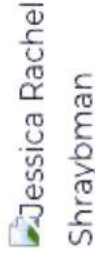
## LANGUAGES

- Russian, native speaker

# Jessica Rachel Shraybman

Member in Good Standing

Eligible to Practice Law in Florida



**Bar Number:** 116926

**Mail Address:**  
Shraybman Law, PLLC  
9 Island Ave Apt 2311  
Miami Beach, FL 33139-1362  
United States

**Office:** 305-984-3957

**Email:** [jessica@shraybmanlaw.com](mailto:jessica@shraybmanlaw.com) 

**Personal Bar URL:** <https://www.floridabar.org/mybarprofile/116926>

**vCard:** 

**County:** Miami-Dade

**Circuit:** 11

**Admitted:** 06/30/2015

**10-Year Discipline History:** None

**Law School:** Florida International University, College of Law

**Sections:**  
Business Law  
Young Lawyers

**Firm:** Shraybman Law, PLLC

**Firm Website:** <http://www.shraybmanlaw.com> 



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**Raquel A. Pacheco**

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**NAME:** Pacheco Raquel A  
 Last Name First Name Middle Initial

**HOME ADDRESS:** 732 Lenox Avenue, Apt. B1 Miami Beach Florida 33139  
 Apt No. Home No./Street City State Zip Code

**PHONE:** 3054505357 8778605368 raquelowen74@gmail.com  
 Home Work Email Address

Business Name: RDP Agency LLC Position: Business Owner

**Address:** PO Box 398332 Miami Beach Florida 33239  
 Street City State Zip Code

**Pursuant to City Code section 2-22(4) a and b:** Members of agencies, boards, and committees shall be affiliated with the city; this requirement shall be fulfilled in the following ways: a) an individual shall have been a resident of the city for a minimum of six months; or b) an individual shall demonstrate ownership/interest for a minimum of six months in a business established in the city.

- Resident of Miami Beach for a minimum of six (6) months **Yes**
- Demonstrate an ownership/interest in a business in Miami Beach for a minimum of six (6) months: **Yes**
- Are you a registered voter in Miami Beach: **Yes**
- (Please circle one): I am now a resident of: **South Beach**
- I am applying for an appointment because I have special abilities, knowledge and experience. Please list below:  
**Business owner for 22 years. Conflict resolution/mediation and communication skills. Fluent in Portuguese.**
- Are you presently a registered lobbyist with the City of Miami Beach? **No**

Please list your preferences in order of ranking [1] first choice [2] second choice, and [3] third choice. **Please note that only three (3) choices will be observed by the City Clerk's Office.** (Regular Boards of City)

- Choice 1:** Personnel Board
- Choice 2:** Disability Access Committee
- Choice 3:** Animal Welfare Committee

\* Board members are required to file Form 1 – "Statement of Financial Interest" with the State.

If you seek appointment to a professional seat (e.g., lawyer, architect, etc.) on the Board of Adjustment, Design Review Board, Historic Preservation Board or Planning Board, attach a copy of your currently-effectively license, and furnish the following information:

Type of Professional License \_\_\_\_\_ License Number \_\_\_\_\_

License Issuance Date \_\_\_\_\_ License Expiration Date \_\_\_\_\_

**Note:** If applying for Youth Advisory Board, please indicate your affiliation with the Scott Rakow Youth Center: \_\_\_\_\_

1. Past service on the Youth Center Advisory Board: **No** \_\_\_\_\_ Years of Service: \_\_\_\_\_
2. Present participation in Youth Center activities by your children **No** \_\_\_\_\_ if yes, please list the names of your children, their ages, and which programs. List below:

• Have you ever been convicted of a felony: **No** If yes, please explain in detail:

• Do you currently have a violation(s) of City of Miami Beach codes: **No** If yes, please explain in detail:

• Do you currently owe the City of Miami Beach any money: **No** If yes, please explain in detail:

• Are you currently serving on any City Boards or Committees: **No** If yes, which board?

• What organizations in the City of Miami Beach do you currently hold membership in?

• I am now employed by the city of Miami Beach: **No** Which department?

• List all properties owned or have an interest in, which are located within the City of Miami Beach:

**Gender: none**

The following information is voluntary and is neither part of your application nor has any bearing on your consideration for appointment. It is being asked to comply with federal equal opportunity reporting requirements.

Race/Ethnic Categories

What is your race? Mark one or more races to indicate what you consider yourself to be. **none**

Other Description:

Are you Spanish/Hispanic/ Latino? Mark the "No" box if not Spanish / Hispanic / Latino. **No**

Physically Challenged: **No**

**NOTE: If appointed, you will be required to follow certain laws which apply to city board/committee members. These laws include, but are not limited to, the following:**

- o Prohibition from directly or indirectly lobbying city personnel (Miami Beach City Code section 2-459).
- o Prohibition from contracting with the city (Miami-Dade County Code section 2-11.1).
- o Prohibition from lobbying before board/committee you have served on for period of one year after leaving office (Miami Beach Code section 2-26).
- o Requirement to disclose certain financial interests and gifts (Miami-Dade County Code section 2-11.1).  
(re: CMB Community Development Advisory Committee): prohibition, during tenure and for one year after leaving office, from having any interest in or receiving any benefit from Community Development Block Grant funds for either yourself, or those with whom you have business or immediate family ties (CFR 570.611).

**Upon request, copies of these laws may be obtained from the City Clerk.**

"I hereby attest to the accuracy and truthfulness of the application and have received, read and will abide by Chapter 2, Article VII – of the City Code "Standards of Conduct for City Officers, Employees and Agency Members."

**I Raquel Pacheco agreed to the following terms on 2/7/2019 2:34:44 PM**

Received in the City Clerk's Office by: \_\_\_\_\_  
Name of Deputy Clerk Control No. Date

# RAQUEL A. PACHECO

732 Lenox Avenue, Apt. B1, Miami Beach, FL 33139 |  
[Raquelowen74@gmail.com](mailto:Raquelowen74@gmail.com) | 305-450-5357

**OBJECTIVE** | To combine my excellent leadership, organizational, and interpersonal skills and my diverse professional experience to enhance your organization's productivity. And to work with a team of enthusiastic professionals ready to implement effective methods to maximize results.

**EXPERIENCE** | **OWNER- RDP AGENCY LLC**  
1997-PRESENT

Owner and operator of full service language translation firm providing services in over 100 languages and dialects with revenues exceeding \$600,00/year.

Responsible for contract negotiations, creating and managing operating budgets, and developing and implementing marketing strategies.

Extensive experience in working with individuals and communities of diverse cultural backgrounds and ethnicities.

Direct customer service, recruitment and training of language specialists, coordinating schedules, direct project management, and development and implementation of quality control practices.

**PUBLIC RELATIONS MANAGER- DAVISCOMMUNICATIONS LLC**  
2000-2004

Responsible for large-scale event planning including events at the White House and political fundraisers.

Prepared and disseminated press releases and worked directly with media outlets to maximize coverage of local and national events.

Coordinated State-wide media campaigns to promote Child Passenger Safety.

Served as an assistant teacher of Communication courses at U.S. embassies in Austria, Poland, and Germany to US Service Nationals.

Responsible for proofreading and editing course materials, event programs, brochures, and all relevant print media.

Drafted speaking points and speeches for State representatives and other key personalities.

Worked directly with high level politicians and various celebrities.

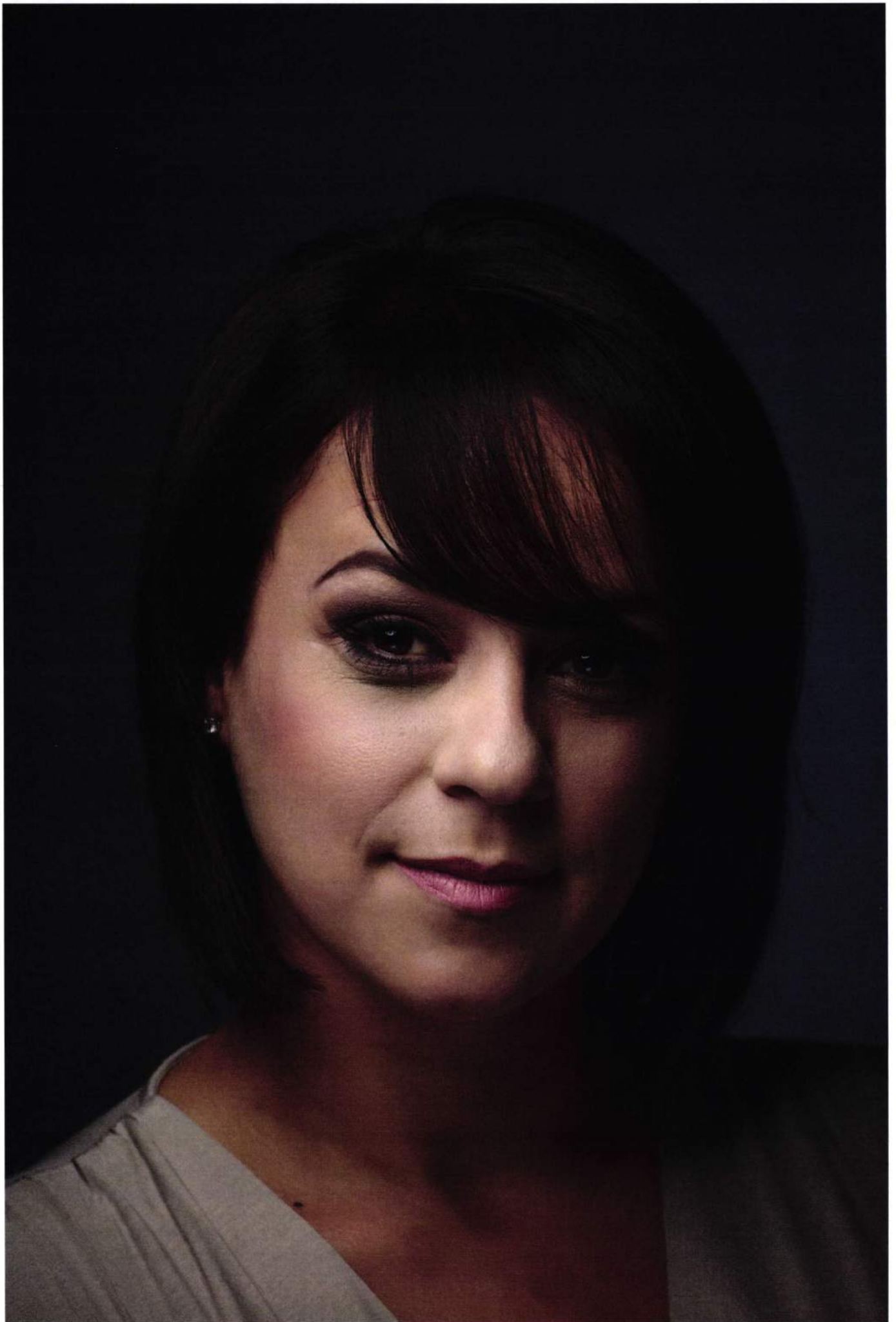
**EDUCATION** | **UNIVERSITY OF CONNECTICUT, STORRS, CT**  
B.A. URBAN STUDIES- 1999  
**CONARD HIGH SCHOOL, WEST HARTFORD, CT**  
HIGH SCHOOL DIPLOMA- 1992

**MILITARY SERVICE** | **CT ARMY NATIONAL GUARD- 1993-1999**  
**SOLDIER OF THE YEAR 1995** (1<sup>st</sup> woman to hold this title in the State of CT)

**RECOGNITIONS, AWARDS, VOLUNTEERISM & MEMBERSHIPS** | Forbes Magazine (CT and NY subscriber issues)-“Connecticut Women in Business” article featured on RDP Agency LLC- 2011  
DIVERSITYBUSINESS.COM- Top 2011 Business (RDP AGENCY LLC)  
President- Harmony Villa Condominium Association- 2009-April 2017  
Member of the Commonwealth Institute- 2013-2015

**SKILLS & ABILITIES** | Fluent in **Portuguese, Spanish and English.**  
Advanced written and oral communication skills.

**REFERENCES** | Available upon request.



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**Andres Asion**

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**NAME:** Asion Andres  
 Last Name First Name Middle Initial

**HOME ADDRESS:** 1000 S Pointe Dr Apt 2204 Miami Beach FL 33139  
 Apt No. Home No./Street City State Zip Code

**PHONE:** 305-351-1000 AAasion@FortuneIntlGroup.com  
 Home Work Email Address

Business Name: Fortune Development Sales Position: Vice President of Sales

Address: 1300 Brickell Avenue Miami FL 33131  
 Street City State Zip Code

**Pursuant to City Code section 2-22(4) a and b:** Members of agencies, boards, and committees shall be affiliated with the city; this requirement shall be fulfilled in the following ways: a) an individual shall have been a resident of the city for a minimum of six months; or b) an individual shall demonstrate ownership/interest for a minimum of six months in a business established in the city.

- Resident of Miami Beach for a minimum of six (6) months **Yes**
- Demonstrate an ownership/interest in a business in Miami Beach for a minimum of six (6) months: **No**
- Are you a registered voter in Miami Beach: **Yes**
- (Please circle one): I am now a resident of:
- I am applying for an appointment because I have special abilities, knowledge and experience. Please list below:  
**18 years of Real Estate experience, lifelong beach resident, understands concerns of residents and property owners.**
- Are you presently a registered lobbyist with the City of Miami Beach? **No**

Please list your preferences in order of ranking [1] first choice [2] second choice, and [3] third choice. **Please note that only three (3) choices will be observed by the City Clerk's Office.** (Regular Boards of City)

- Choice 1:** Planning Board
- Choice 2:** Design Review Board
- Choice 3:** Convention Center Advisory Board

**Note:** If applying for Youth Advisory Board, please indicate your affiliation with the Scott Rakow Youth Center: \_\_\_\_\_

1. Past service on the Youth Center Advisory Board: No Years of Service: \_\_\_\_\_

2. Present participation in Youth Center activities by your children No if yes, please list the names of your children, their ages, and which programs. List below:

- Have you ever been convicted of a felony: **No** If yes, please explain in detail: \_\_\_\_\_
- Do you currently have a violation(s) of City of Miami Beach codes: **No** If yes, please explain in detail: \_\_\_\_\_
- Do you currently owe the City of Miami Beach any money: **No** If yes, please explain in detail: \_\_\_\_\_
- Are you currently serving on any City Boards or Committees: **Yes** If yes, which board? \_\_\_\_\_

**Community Relations**

• What organizations in the City of Miami Beach do you currently hold membership in?

Name	Title
Chamber of Commerce	Member

• List all properties owned or have an interest in, which are located within the City of Miami Beach:



Andres Asion is a born and raised resident of the City of Miami Beach who has always lived in Miami Beach to date. Currently sits on the Community Relations Board and looking to add his expertise in Real Estate to the City of Miami Beach Planning Board or Design Review Board.

Started in the Real Estate business in 1996 and currently is Vice President of Sales for Fortune International. At Fortune, Asion oversees all development sales averaging \$1 billion in sales annually for the last 4 years.

Active projects include:

1 Hotel and Homes (formally The Perry/Gansevoort), Brickell Heights, Paraiso Bay, NINE at Mary Brickell Village, SLS Brickell, Baltus House, Jade Signature, Marea, Midtown: 4 Midtown and Midblock, Opera Tower and the Blue Hyatt Residences.

Recently sold out:

Beachwalk, One Ocean, Icon Bay, Paramount Bay, Axis, Millecento, 2 Midtown, Trump Hollywood, Artech, Icon Brickell, Jade Ocean, Jade Beach and Wind.

Sample of other past projects Andres has sold include: Yacht Club at Portofino, Murano at Portofino, Murano Grande, Waverly South Beach, 900 Biscayne Bay, Vue at Brickell, The Reserves at Doral, Brickell on the River, Havana Lofts.

Asion also founded the Andres Asion Foundation geared towards helping needy children (Zero Admin Cost, 100% of donations go to the cause). In addition, Asion is also actively involved with Amigos for Kids, St. Jude, Miami Children's Hospital, and Past President of Miami-Granada Rotary Club.

Contact info:

Andres Asion, PA

Vice President of Sales / Broker Associate

Fortune International

305-613-3669 Cellular

305-351-1000 (Fortune International)

AAsion@Fortune-Network.com

[www.AndresAsion.com](http://www.AndresAsion.com)



2:25:19 PM 1/7/2019

**Licensee Details**

**Licensee Information**

Name: **ASION, ANDRES (Primary Name)**  
 Main Address: **41 SE 5TH STREET #5 SUITE CU 1  
 MIAMI Florida 33131**  
 County: **DADE**

License Mailing:

LicenseLocation:

**License Information**

License Type: **Real Estate Broker or Sales**  
 Rank: **Broker**  
 License Number: **BK632335**  
 Status: **Current,Active**  
 Licensure Date: **11/20/1995**  
 Expires: **03/31/2020**

<b>Special Qualifications</b>	<b>Qualification Effective</b>
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**Alternate Names**

**[View Related License Information](#)**

**[View License Complaint](#)**

**2601 Blair Stone Road, Tallahassee FL 32399** :: Email: **Customer Contact Center** :: Customer Contact Center: 850.487.1395

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Under Florida law, email addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact the office by phone or by traditional mail. If you have any questions, please contact 850.487.1395. \*Pursuant to Section 455.275(1), Florida Statutes, effective October 1, 2012, licensees licensed under Chapter 455, F.S. must provide the Department with an email address if they have one. The emails provided may be used for official communication with the licensee. However email addresses are public record. If you do not wish to supply a personal address, please provide the Department with an email address which can be made available to the public.

# Kareem Brantley

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NAME: Brantley Kareem T  
Last Name First Name Middle Initial

HOME ADDRESS: 11 Island Avenue #1008 Miami Beach FL 33139  
Apt No. Home No./Street City State Zip Code

PHONE: 305-206-7018 954-347-4675 kareem@bravisgroup.com  
Home Work Email Address

Business Name: Bravis Group Position: Real Estate Development

Address: 6007 NW 7th Avenue Miami FL 33127  
Street City State Zip Code

**Pursuant to City Code section 2-22(4) a and b:** Members of agencies, boards, and committees shall be affiliated with the city; this requirement shall be fulfilled in the following ways: a) an individual shall have been a resident of the city for a minimum of six months; or b) an individual shall demonstrate ownership/interest for a minimum of six months in a business established in the city.

- Resident of Miami Beach for a minimum of six (6) months **Yes**
- Demonstrate an ownership/interest in a business in Miami Beach for a minimum of six (6) months: **Yes**
- Are you a registered voter in Miami Beach: **Yes**
- (Please circle one): I am now a resident of: **South Beach**
- I am applying for an appointment because I have special abilities, knowledge and experience. Please list below:  
**I have experience as an electrical engineer performing residential and commercial electric distribution vault design for Next Era**
- Are you presently a registered lobbyist with the City of Miami Beach? **No**

Please list your preferences in order of ranking [1] first choice [2] second choice, and [3] third choice. **Please note that only three (3) choices will be observed by the City Clerk's Office.** (Regular Boards of City)

Choice 1: Planning Board

Choice 2:

Choice 3:

\* Board members are required to file Form 1 – "Statement of Financial Interest" with the State.  
If you seek appointment to a professional seat (e.g., lawyer, architect, etc.) on the Board of Adjustment, Design Review Board, Historic Preservation Board or Planning Board, attach a copy of your currently-effectively license, and furnish the following information:

Type of Professional License \_\_\_\_\_ License Number \_\_\_\_\_

License Issuance Date \_\_\_\_\_ License Expiration Date \_\_\_\_\_

**Note:** If applying for Youth Advisory Board, please indicate your affiliation with the Scott Rakow Youth Center: \_\_\_\_\_

1. Past service on the Youth Center Advisory Board: No Years of Service: \_\_\_\_\_

2. Present participation in Youth Center activities by your children No if yes, please list the names of your children, their ages, and which programs. List below:



KAREEM T. BRANTLEY, CFA  
11 Island Avenue #1008, Miami Beach, FL 33139  
(954) 347-4675  
kareemb@bellsouth.net

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Finance and business strategy leader with experience in operations and strategic capital allocation for small to medium sized businesses. Highly motivated with strong fundamental and quantitative skill to generate results/solutions. CFA charterholder. Completed MSF in addition to BSEE. Expertise includes:

Cross Functional Team Leadership	Project Implementation Ability	Forecasting & Modeling
Profitability & Segment Analysis	Organizational Change Agent	Financial Reporting
Strategy Creation & Design	Technical Comprehension	Effective Negotiator

## PROFESSIONAL EXPERIENCE

### **Liberty Square Redevelopment, Miami, FL (Current Development)**

#### Partner/Project Manager

- Manage all aspects of development for Liberty City Rising, a \$400MM public private partnership revitalization initiative to develop new public housing, affordable housing and workforce housing consisting of over 1,455 new apartment units and 60 homeownership units.
- Supervise subcontractors during demolition and development.
- Created contractual reporting to the Miami-Dade Board of County Commissioners.
- Lead coordination of all members of design team, including civil, MEP, Structural and architecture.
- Work with underwriters and finance sources for project funding.
- Proof legal documents from legal team.
- Lead pre-development activity with AHJ such as DERM, WASD, PHCD, City of Miami Building Department and BCC.
- Obtain affordable housing impact fee deferral.
- Propose disposition plan and secure property disposition from HUD.
- Manage budgets, job cost reporting and project scheduling.
- Work through all phases of zoning and entitlement.

### **Bravis Investment Group, LLC, Miami, FL**

#### Managing Member 2005-present

- Developer of low rise residential multifamily apartment projects in Miami Dade County using public private partnership opportunities provided by local and State governmental entities; Establishment and implementation of mandatory developer requirements such as Section 3 requirements, Davis Bacon performance bonding.
- Negotiated with stakeholders, City/County officials and community activist to support development of wholly owned and JV community partners to align all interests in favor of project creation.
- Created and developed RFP response to affordable housing requests from local governmental entities resulting in project award and ensuing development.
- Created and developed a PPM for raise of \$3MM in private capital for acquisition and development of multifamily housing projects.
- Developer of spec single family residential homes in Miami Dade County using CTP financing.
- Collaborated with bank lenders and private alternative financing sources to obtain project financing, including project narrative, source and use, waterfall projections and credit enhancement strategies.
- Management of field construction budgets and subcontractor line items to reduce project cost variability/overages, including change orders and scope of work changes.
- Supervised real estate development projects, with heavy emphasis on distressed property prospects offering high yield and increased market value post redevelopment.
- Reviewed, evaluated and modified plans and prospective design work to achieve desired improvements.
- Conducted stress test analysis for valuation changes due to variability in income assumptions or significant change in assumed asset valuation; resulted in increased defensive preparation for various changes in assumptions.
- Created cash flow analysis models using excel to extract reasonable acquisition price relative to expected disposition price. These models were further used to create scenario analysis that considered operational profit versus projected investor return in consideration of capital costs and construction speed.
- Advised clients on impact of costs of capital, due diligence, investment strategy per property and disposition; experienced in complete asset cycle turnover.
- Own and manage several multifamily units within South Florida.

### **Miami Wheelz, Inc, Dania Beach, FL**

#### (Consultant) 2006-present

- Successfully oversaw the start-up and development of this retail/wholesale company from \$0 to \$1.5M.
- Free cash flow increased significantly per quarter, while maintaining no debt.
- Developed on-going future business plans and obtained credit lines for inventory financing.
- Changed operations model to just in time order flow to avoid inventory build, heavy cash usage and improve on hand cash metrics for external credit enhancement.

#### **FINRA Expert Witness**

Consultant 2013-present

- Advised and elaborated on FINRA rules and regulations in customer claims against brokerages; specializing in industry practices, compliance and typical supervisory policies and procedures. Assisted in valuation of award claim for claimant based on statement of claim.

#### **Money Concepts Capital Corp & Bravis Advisors, LLC, Hollywood, FL**

Equity Analyst/IAR, 2004-2009

Broker Dealer/Investment Advisor

- Created research and fundamental analysis decision process of companies, sectors and countries, including bottom up (micro) and top down analysis (macro) of specific companies and countries to discover investment opportunities.
- Analyzed individual company reported data to derive metrics such as standard deviation, Sharpe, BV, cash flow cycles to determine interest coverage ratios to determine appropriate candidates for equity and credit investment.
- Built internal relative valuation methods using dividend discount models and free cash flow models to identify intrinsic values for comparison to pricing of individual equity securities and fixed income securities to be included in client portfolios.
- Utilize and evaluate economic and statistical data as part of the investment decision-making process involving equity securities, credit securities, private investments and other investment products to create short-term tactical asset allocations.
- Independently worked with client assets as team leader and had full discretion of client assets for investment and allocation decisions.
- Provide structured financial plans and policy statements for both individuals and businesses based on stated goals, objectives and current financial status.
- Performed and created financial planning seminars for corporate, state and county government employees, focusing on 457 plans, Florida Retirement System, 403(b) and 401k plan type transfers to increase AUM.

#### **RS Davis Financial Group, Pembroke Pines, FL**

Director of Mortgage Operations, 2004-2006

Licensed Mortgage Correspondent Lender

- Focus on large to medium residential mortgage transactions, utilizing both standard and non-traditional tools to underwrite mortgage loans.
- Developed mortgage loan commitment process to analyze borrower credibility before underwriting, incorporating DTI, FICO and employment measures for lending lines of credit. The process allowed for increased loan conversion from start of underwriting and increased AAA-borrower volume.
- Developed projection models to forecast interest income to monitor cash flow assumptions to real time results. Models allowed for quick identification of variability in pre-transaction assumptions.
- Developed full strategic plan for asset management of post loan commitments for owner and non-owner occupied single family and multifamily residences in South Florida.
- Created private lending scenario analysis models based on appraisal data to stress test portfolio valuation changes against changes in cost of capital, acquisition time and future business growth.
- Negotiated both debt settlements and property surrender agreements alongside attorney; resulted in fewer BATNA scenario outcomes, curtailing large losses, and best outcomes for company/investors.

#### **NextEra Energy, formerly known as FPL Group, Miami, FL**

Customer Project Manager, 2000-2004

- Focus on external customer project coordination, internal project management and continuous customer external and internal stakeholder synchronization for seamless time driven project completion.
- Supervise and managed union construction resources to provide construction of all aerial and underground distribution facility installations to provide electric service to new and existing customer projects.
- Design overhead and underground distribution networks using power distribution standards using AutoCAD. Process included plan reading, kWd load demand calculation, voltage interpretation and sequential installation planning; installations on 23kV, 13kV and 4kV networks.
- Responsible for design and oversight of key distribution installations including large vault configurations, duct bank and manhole systems, throw over feeder design and overhead distribution systems; projects range from multi-unit residential condominiums to large commercial developments.

**Miami Dade College, Miami, FL**

Adjunct Faculty Instructor, 2006-Present

Teach and instruct physical courses in Personal Finance, Institutional Finance and Financial Institutions within School of Business.

Constructed supplementary excel spreadsheets based on Simon Benninga financial modeling as supplement to college required text books to enhance student retention and understanding.

**EDUCATION**

- **Florida International University, Miami, FL**  
MSF, Finance
  
- **University of Florida, Gainesville, FL**  
BS, Electrical Engineering

**PROFESSIONAL LICENSES, CIVIC & OTHER**

Licensed Realtor (Sales Associate), Florida Life, Health & Variable Annuity Broker, NASD Series 7 (Stock Broker), Series 66 (IAR), CFA Institute Miami Chapter (formerly known as Association for Investment Management and Research), Adjunct Faculty Member to Miami Dade College.

**COMMUNITY CONTRIBUTIONS**

Florida Blue Key; Historic Overtown Public Health Initiative (Florida Department of Agriculture); Chair, Kappa Leadership Institute (Kappa Alpha Psi Fraternity); Miami Foundation Fellow (Class VIII); Board, World Literacy Crusade of Florida, Inc; Named to The Miami Herald and Legacy Magazine's "Top 40 Under 40 Black Business Leaders of 2015".

KAREEM T. BRANTLEY, CFA  
11 Island Avenue #1008, Miami Beach, FL 33139  
(954) 347-4675  
kareemb@bellsouth.net

---

Kareem T. Brantley is a 4th generation Floridian, born and raised in Miami Dade County. After graduating with an electrical engineering degree from the University of Florida in 1999, Mr. Brantley relocated to Miami after a brief stint as a software programmer. After working at FPL as a power distribution utility vault designer for developments such as 1800 N Bayshore Dr (1800 Club) and 350 Ocean Dr, Key Biscayne (Sonesta Beach Resort). In 2002 Mr. Brantley began to transition into real estate development and money management. Subsequently, Mr. Brantley began working for a regional broker dealer and a local real estate brokerage firm.

In 2002, Mr. Brantley graduated from FIU with a graduate degree in finance. In 2004 Mr. Brantley completely transitioned out of core engineering into finance and real estate development. Kareem obtained a CFA Charter from the Chartered Financial Analysts Institute in 2011 (formerly the Association of Investment Management and Research).

In 2004, Mr. Brantley began building single family homes throughout South Florida, using buyer financing or construction to permanent loan financing through SunTrust Bank, in developed neighborhoods, also known as infill, such as 13105 NW 22 Avenue and 10831 NW 21 CT. Subsequently he added redevelopment of multifamily properties in the City of Miami and greater Miami Dade County such as 1202 NW 61 ST or 1910 NW 72 ST; and managing property for others. Through development he forged relationships with local and out of state vendors and contractors to scale development and reduce per unit material costs, while managing labor rates.

In 2009, Mr. Brantley began to form a group to acquire, renovate and operate smaller multi-family properties in Miami Dade County and manage buildings for others. Mr. Brantley focused on distressed and under-performing properties in need of better management that could be acquired quickly for cash. These early experiences helped him build competencies that have added to a skill set of project implementation, financial forecasting and modeling, site plan layout and design, and negotiation. As Mr. Brantley's reputation grew, owners of under-performing properties began to solicit his services. The portfolio of multifamily properties grew to 59 units over multiple sites in Miami Dade County. The portfolio was stabilized in 2011 and later placed for strategic cash flow with cheap debt financing.

In 2015, Mr. Brantley unwound his direct investment in his smaller multi-family portfolio to pursue mixed use commercial development and deal driven real estate acquisition. In December of 2015 he purchased over an acre of land in the City of Miami to develop 65 units of apartment rentals enveloped by both retail and commercial office space.

In 2015, Mr. Brantley was approached by a principal at Related Urban Development Group's (RUDG), a division of Related Group, to co-develop Liberty Square, an existing 753-unit Miami-Dade public housing apartment complex in the Liberty City neighborhood of Miami, Florida, into a new 818-unit complex called Unity Village. Mr. Brantley's past experience was sought to contribute to the development of the multifamily and single family aspects of the project. The project includes a museum operated by HistoryMiami, a renovated community center and a community health center operated by the Jessie Trice Community Health Foundation. Academica, the nation's largest for-profit charter school company, would run a K-2 charter school and a K-8 charter school on site. The project will begin in late 2016 once awarded by Miami Dade County. RUDG is one of two finalist for the project to be awarded in 2016.

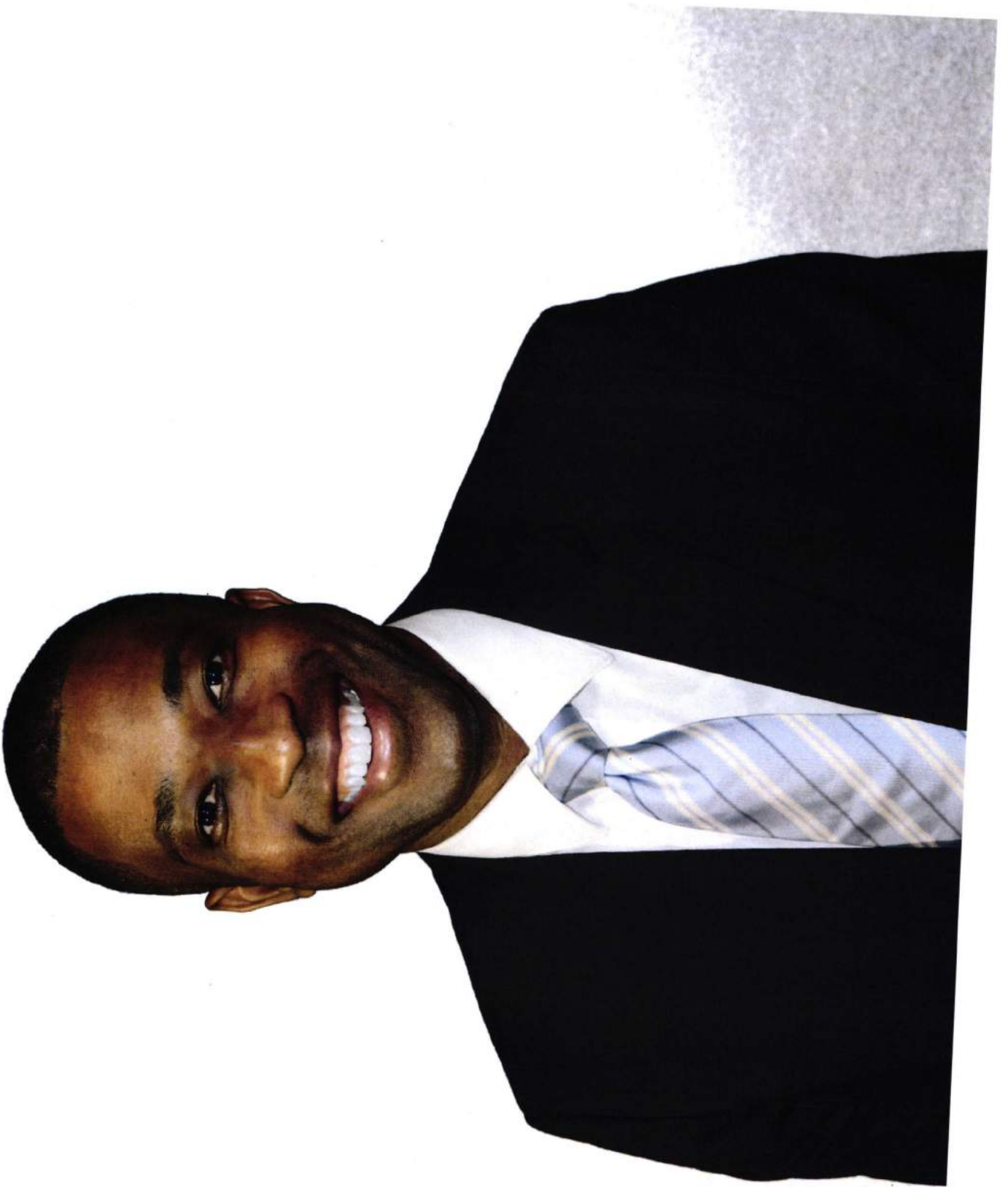
In addition to his business interests, Kareem has served on the boards of local community based organizations and volunteered time to assist applicants for county and city based contracts. As he continues to develop both his professional and personal relationships in South Florida, he aims for opportunities that allow him to serve his community where he can contribute to strategies or actions that promote desired outcomes.

#### PROFESSIONAL LICENSES, CIVIC & OTHER

Licensed Realtor (Sales Associate), Florida Life, Health & Variable Annuity Broker, NASD Series 7 (Stock Broker), Series 66 (IAR), CFA Institute Miami Chapter (formerly known as Association for Investment Management and Research), Adjunct Faculty Member to Miami Dade College.

#### COMMUNITY CONTRIBUTIONS

Florida Blue Key; Historic Overtown Public Health Initiative (Florida Department of Agriculture); Chair, Kappa Leadership Institute (Kappa Alpha Psi Fraternity); Miami Foundation Fellow (Class VIII); Board, World Literacy Crusade of Florida, Inc.; Citizens' Advisory Committee for the Jackson Miracle-Building Bond Program; Named to The Miami Herald and Legacy Magazine's "Top 40 Under 40 Black Business Leaders of 2015".



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