

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIVIL ACTION

WILLIAM G. GAY, and  
CATHY P. MOORE,

Plaintiffs,

v.

Case No.: 16-004836-CI

The CITY OF MADEIRA BEACH, a  
Municipal Government of the State of  
Florida, TRAVIS PALLADENO, TERRY  
LISTER, and NANCY HODGES,

Defendants.

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**FINAL JUDGMENT**

THIS CAUSE, having come before the Court on March 3, 2017, for a bench trial on Count II of Plaintiffs' Second Amended Complaint and the Court's Alternative Writ of Mandamus, and the Court, having taken evidence and hearing argument from the parties, finds as follows:

1. The complaints filed with the Florida Commission on Ethics against Frank DeSantis, Cheryl McGrady, Patricia Shontz, and Shane Crawford (collectively the "Ethics Complaints") and received by the City Attorney are public records within the meaning of Florida Statutes § 119.011(12).

2. The City has not established the existence of an applicable exemption to inspection for the Ethics Complaints.

3. The reservation of rights letters pertaining to the Ethics Complaints and other litigation against the City or some of its officials in *Parker v. Palladeno*, Pinellas County Case No. 16-1524; *Parker v. City of Madeira Beach*, Pinellas County Case No. 16-4641; *Gay v. City of Madeira Beach*, Pinellas County Case No. 16-4836; and *Baker v. Palladeno*, Pinellas County Case No. 16-5227 (collectively "Reservation of Rights Letters") are public records within the meaning of Florida Statutes § 119.011(12)

4. The City has not established the existence of an applicable exemption to inspection for the Reservation of Rights Letters.

5. Because the Court finds that the exemptions raised by the City are inapplicable, the Court declines to address the question of whether some or all of them were waived by the City.

ACCORDINGLY, IT IS ADJUDGED that:

A. Plaintiffs are entitled to the relief requested in Counts II and IV of Plaintiffs' Second Amended Complaint for the City's unlawful refusal to produce public records for inspection and copying upon request.

B. The CITY OF MADEIRA BEACH shall permit inspection and copying of the Ethics Complaints and Reservation of Rights Letters by Plaintiffs within 30 days.

C. The Court reserves jurisdiction to award attorney's fees and costs against the CITY OF MADEIRA BEACH.

DONE AND ORDERED in Chambers at St. Petersburg, Pinellas County, Florida this \_\_\_\_ day of May, 2017.

Electronically Conformed 5/26/2017

\_\_\_\_\_  
The Honorable Jack Day  
Circuit Court Judge

cc: Timothy Weber, Esq.  
Andrew Salzman, Esq.  
Kenneth L. Weiss, Esq.



ASHLEY D. BEILAN  
BRIAN J. DURHAM #  
JEFFREY D. JENSEN ^  
LAUREN D. MORELLI##  
ANDREW J. SALZMAN  
T.R. UNICE, JR., B.C.S.\*+

PATRIOT BANK BUILDING, SECOND FLOOR  
1815 LITTLE ROAD  
TRINITY, FLORIDA 34655

Telephone: (727) 723-3772  
Facsimile: (727) 723-1421

WEBSITE: [www.unicesalzman.com](http://www.unicesalzman.com)

\*Board Certified Civil Trial Lawyer  
+American Board of Trial Advocates  
^Certified Circuit Court  
Mediator  
#Also Admitted in New Jersey  
##Also Admitted in Ohio

May 31, 2017

Via PDF email

Ms. Monika Coleman, AIC, ARM, AIS  
Sr. Claim Specialist  
PGCS Claim Services  
P.O. Box 958456  
Lake Mary, FL 32795

**RE: Insured: Madeira Beach**  
**Claimants: William Gay**  
**Claim No.: 305395**

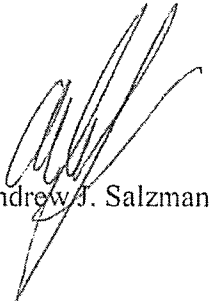
Dear Monika:

Enclosed please find a copy of the Final Judgment that Judge Day entered in this case on May 26, 2017. We are awaiting the Plaintiff's Demand for Attorney Fees and Costs.

Should you have any questions or comments concerning this matter, please do not hesitate to contact me.

Very truly yours,

UNICE SALZMAN JENSEN, P.A.



Andrew J. Salzman

AJS/lgs  
Enclosure