#### LAW OFFICES

## RICHARDSON & TYNAN, P.L.C.

8 | 42 NORTH UNIVERSITY DRIVE TAMARAC, FLORIDA 33321

KEVIN P. TYNAN NOLA M. RICHARDSON

TELEPHONE (954) 721-7300

September 28, 2018

Chair, Grievance Committee c/o George Riley, Executive Director Republican Party of Florida 420 East Jefferson Street Tallahassee, FL 32301

Re: Grievances against Richard DeNapoli, Rupert Tarsey, & Michael Kane

Dear Grievance Committee Chair:

I respectfully file a grievance against three members of the Broward County Republican Committee (BREC) for violations of their Loyalty Oaths and for conduct that is conflict with their roles as a BREC member and/or officer. As I am sure you are aware Mr. DeNapoli is the state committeeman for Broward County and Mr. Tarsey is the BREC secretary. Please note that Mr. Tarsey is still on a one-year probationary period as imposed by your committee and affirmed by the RPOF chair late last year. Mr. Kane has no BREC titles but he and at least one other person, apparently both work with Mr. Denapoli and Mr. Tarsey in earning money selling access to an email data base which was created by taking proprietary information owned by BREC.

On Monday July 23, 2018, BREC held its monthly meeting and at such monthly meeting the officers allowed the numerous Broward County judicial candidates to speak, after adjourning the meeting. No motions were made to endorse any of these candidates. Notwithstanding this fact on Wednesday, July 25, all BREC members received an e-mail stating that BREC had endorsed various judicial candidates, as well as candidates for school board. Both races are nonpartisan in our county. See Exhibit A attached. Surprisingly, of the eight judicial candidates named only three are registered Republicans and one of those endorsed was the key vote on the 2000 canvassing board that started the recount in Broward County that year. Of the five school board candidates endorsed only two are Republican and two of the endorsements went to currently sitting school board members who are not Republican. It is believed that Mr. DeNapoli and Mr. Tarsey were integral participants in making such endorsement without the input of the BREC membership.

Putting aside my anger, as an ex-chair, and two term former BREC vice chair, that BREC would publicly endorse Democrats and Democrat office holders and use BREC resources to support those candidates, and in at least one instance they endorsed a Democrat over a Republican, I did not publicly vent that anger. However, I came into possession of an e-mail that documented even more insidious action by the above referenced individuals and I have finally been authorized to share the e-mail.

I am attaching hereto as Exhibit B, a redacted<sup>1</sup> version of an e-mail that was forwarded to me by a judicial candidate, Mr. Miller (not endorsed by BREC), who related the following fact pattern to me, which fact pattern is confirmed by the e-mails that were forwarded to me:

1. On Friday July 27, 2018 Mr. Miller received an e-mail ostensibly from Mr. Kane, and in that e-mail reads as follows:

Hey, I am close friends with (name redacted) from the republican party, I have a few friends on the Board (sic) republican board. They have an e-mail list of 50K republicans in the county. They run a consulting company, would you be interested in them sending out mass emails on your behalf. **FYI the chairman alone is responsible for the endorsements of the party**.

- 2. Mr. Miller responded that he was interested and asked for a call after work that day.
- 3. Later that day, and after 5PM, Mr. Tarsey called Mr. Miller and solicited his business. Mr. Tarsey confirmed this phone call with an e-mail dated July 27, 2018, where he identified Mr. DeNapoli as assisting in the project, and that Mr. DeNapoli, the state committeeman, had set the price for the email blast. Please note that the address for payment is Mr. Tarsey's home address. See Exhibit C attached. The e-mail makes reference to a "praetorian consulting", however, the Division of Corporations, for a Tampa based entity named Praetorian Consulting Group, does not list any of the four individuals in this grievance as an officer or director. See Exhibit D attached.
- 4. Also, please note the passage in the e-mail where Mr. Tarsey reveals all of the referenced individuals use this particular e-mail account and that he is the author of the July 27, 2018 (11:51 PM) e-mail as it references his phone call with Mr. Miller.
- 5. Ultimately, Mr. Miller chose not to accept the offer made by Mr. Tarsey and Mr. DeNapoli.

Also, on Friday July 27, 2018 and Saturday, July 28, 2018, my wife started receiving e-mails from judicial candidates, some of whom have the BREC endorsement, via an e-mail account she used when she was a BREC member. Proof of same is available upon request. After receipt of these e-mails I interviewed a consultant, who is managing several judicial campaigns, who stated it was common knowledge that Mr. Tarsey was making phone calls soliciting payment for access to the e-mail data base used by BREC and that Mr. DeNapoli was assisting in that endeavor.

Respectfully, this is a serious matter that should be investigated by the RPOF grievance committee. Please remember that Mr. Tarsey is currently on RPOF probation for being less than candid about

Mr. Miller asked that I redact one name as that individual is a friend of his and I felt constrained to honor that request. Mr. Miller further asked me not to share his e-mail during the campaign and has only this week allowed me to share this e-mail.

his personal background and for other reasons set forth in the grievances that caused such probationary status. Please let me know if you need anything further from me at this time.

Sincerely,

KEVIN P. TYNAN

KPT/itm

cc:

Rep. Blaise Ingoglia, Chair RPOF

Ben Gibson, RPOF counsel

From: BROWARD GOP <membershipbrowardgop@gmail.com>

To: kdsst <kdsst@aol.com>

Subject: BREC Judicial and School Board Endorsements

Date: Wed, Jul 25, 2018 5:53 pm

View this email in your browser



# Official BREC Judicial Recommendations

## Circuit Court Judicial Candidates-

Group 8: Ernest Kollra

Group 36: Kristin Weisberg Padowitz

Group 38: Stefanie Moon

Group 42: Michael Usan

Group 46: Maria Markhasin-Weekes

# **County Court Judicial Candidates-**

Group 9: Tanner Channing Demmery

Group 17: Michael Davis



7/29/2018

Group 25: Robert Lee

# **Official School Board Recommendations:**

District 1: Ann Murray

District 4: Lori Alhadeff

District 6: Richard Mendelson

District 7: Nora Rupert

District 8: Ryan Petty

\*These races are presented in order of their appearance on the ballot.

\*Important Note: All Judicial Races and School Board races are Non-Partisan, which means Party Affiliation will NOT appear on your ballot.







### Our mailing address is:

\*224 Commercial Blvd. Suite 305. Lauderdale by the Sea, FL 33308\*

Want to change how you receive these emails?
You can <u>update your preferences</u> or <u>unsubscribe from this list</u>.

This email was sent to kdsst@aol.com

why did I get this? unsubscribe from this list update subscription preferences browardgop · 150 S. Andrews Avenue, Suite 370 · Pompano Beach, FL 33069 · USA



### **Kevin Tynan**

From:

Walter "Dale" Miller <dale@millerforjudge.com>

Sent:

Saturday, July 28, 2018 11:02 AM

To: Cc: Kevin Tynan

Subject:

carrera@flalaw.us Fw: Republican lists

Dear Kevin:

On 7/27/18, I received an email from the attached address, and later spoke with Rupert Tarsey, who advised that he could assist with an email blast on behalf of my campaign. I was told that he would be marketing 50,000 emails based on an and Richard DiNapoli's list. This was presented to me as a private concern and not as an official affiliation with the Republican Party.

Upon further research, I discovered the named individuals are all closely associated with the Broward Republican Executive Committee. The Canons of Judicial Ethics preclude my campaign from accepting any sort of assistance or endorsements from political parties. As such, I am uncomfortable going forward with this endeavor. I reached out to you upon advice of a supporter. Is there anything else I should do in order to avoid any appearance of impropriety or conflict?

As an aside, I would be curious to see if my opponent, who I was told would appear on the Republican Palm Card, did avail themselves of Mr. Tarsey's offer and used their services.

Thank you in advance for your assistance.

Kindest regards,

# Walter "Dale" Miller

Candidate for Broward Circuit Judge (Group 46) 954-709-7075

# www.MillerForJudge.com

Facebook: @MillerForJudge2018 Instagram: @MillerForJudge2018 Twitter: @MillerForJudge

Political Advertisement Paid For and Approved by Walter "Dale" Miller, Non Partisan for Broward Circuit Judge, Group 46.

From: Mike Kane <michaelkanefl@gmail.com>

Sent: Friday, July 27, 2018 11:51 PM

**To:** Walter "Dale" Miller **Cc:** Richard DeNapoli

Subject: Re: Republican lists



We can correspond on this email address, it's a shared address. First of all, noticed you are in kofc assembly 157. Didn't realize that when we chatted, we are in the same council and I was the gk of my regular council.

Spoke with Richard, the state committeeman who has the big list, he said 500 is good. Write up what you want us to send out and we will send it out to our 50 k list multiple times. I'm sure you have already crafted a standard promo email, that would work. It's a mostly republican list but not exclusively. I don't think you can anyways but I wouldn't put anything partisan. Also, we will probably make an email address for you to send it out on. Something like votemiller4judge@gmail. Or something like that.

Check payable to "praetorian consulting". Address to be mailed to - 6725 NW 122nd Ave parkland FL 33076.

Send me what to send out, confirm check has been mailed and we are good!

Separately, if you win, please give us future business!

Also if you know of another candidate in another race interested, let me know.

Any questions let me know!

On Friday, July 27, 2018, Mike Kane < <a href="michaelkanefl@gmail.com">michaelkanefl@gmail.com</a> wrote:

Great. Expect a call around 6ish

On Friday, July 27, 2018, Walter "Dale" Miller < <a href="mailto:dale@millerforjudge.com">dale@millerforjudge.com</a>> wrote: Absolutely. Please have them call me after work today.

Thanks.

# Walter "Dale" Miller

Candidate for Broward Circuit Judge (Group 46) 954-709-7075

# www.MillerForJudge.com

Facebook: @MillerForJudge2018 Instagram: @MillerForJudge2018 Twitter: @MillerForJudge

Political Advertisement Paid For and Approved by Walter "Dale" Miller, Non Partisan for Broward Circuit Judge, Group 46.

From: Mike Kane <michaelkanefl@gmail.com>

Sent: Friday, July 27, 2018 11:26:23 AM

**To:** Walter "Dale" Miller **Subject:** Republican lists

Hey, I am close friends with from the republican party, I have a few friends on the Board republican board. They have an email list of 50 k republicans in the county. They run a consulting company, would you be interested in them sending out mass emails on your behalf? FYI the chairman alone is responsible for endorsements of the party.

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Has Voted AB	Returned	AB Provided						

Extra Info

### **DOE Contributions From These Addresses**

Amount \$100

Date 01/31/2017 Name

TARSEY, RUPERT

Occupation

Recipient

Heather D. Fitzenhagen, REP for STR 78



Florida Department of State

**DIVISION OF CORPORATIONS** 



Department of State / Division of Corporations / Search Records / Detail By Document Number /

### **Detail by Entity Name**

Florida Limited Liability Company PRAETORIAN CONSULTING GROUP

#### Filing Information

**Document Number** 

L16000171190

FEI/EIN Number

81-3831479

**Date Filed** 

09/13/2016

**Effective Date** 

09/13/2016

State

FL

Status

**ACTIVE** 

**Last Event** 

LC AMENDMENT 09/19/2016

**Event Date Filed Event Effective Date** 

NONE

Principal Address

13807 KHILANI CT

**TAMPA, FL 33624** 

Changed: 01/13/2017

#### Mailing Address

12651 N. DALE MABRY HWY

BOX 272259

**TAMPA, FL 33618** 

Changed: 09/19/2016

### Registered Agent Name & Address

RAMOS, BRUCE S

13807 KHILANI CT

TAMPA, FL 33624

#### Authorized Person(s) Detail

Name & Address

Title ED

RAMOS, BRUCE S

13807 KHILANI CT

**TAMPA, FL 33624** 

**Annual Reports** 



2017 0	Filed Dat 01/13/201 04/01/201	17
Document Images		
04/01/2018 ANNUAL RE	PORT	View image in PDF format
01/13/2017 ANNUAL RE	PORT	View image in PDF format
09/19/2016 LC Amendme	ent [	View image in PDF formal
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Florida Department of State, Division of Corporations