IN THE CIRCUIT COURT OF THE TWELTH JUDICAL CIRCUIT IN AND FOR SARASOTA COUNTY, FLORIDA

Case No. 2016-CA-000205-NC

72 PARTNERS, LLC

Plaintiff,

Vs.

JOSEPH D. GILBERTI, JR.

Defendants,

NOTICE OF FILING:

DOCUMENTS TO THE UNITED STATES SUPREME COURT

CERTIFICATE OF SERVICE

I request that this packet be filed as evidence on behalf of Joseph Gilberti Jr. by Christine Gilberti, spouse.

Christine Gilberti

X _____

Date: 8/21/18

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Case # _____

8/2018

UNITED STATES SUPREME COURT

1 1st street NE

Washington, D.C. 20543

CECIL DAUGHTREY JR. & PATRICIA A. DAUGHTREY,

Petitioner,

VS:

LUIS E. RIVERA, II TRUSTEE,

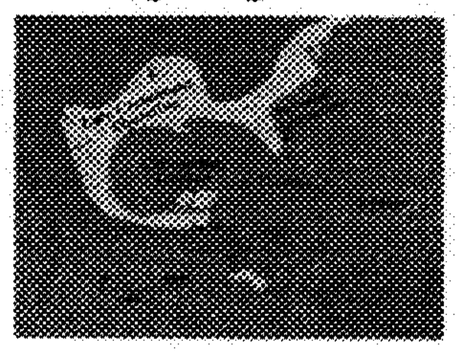
Respondent,

Appeal to decision by 11th district courts Case # **15-14544**

And U.S. Middle District Courts of Florida. Case #**9:13-bk-14831**

Please see appeal documents for a request to convert from Chapter 7 to Chapter 11 pursuit to U.S. bankruptcy code section 706 senate report No. 95-989 subsection (b) on a request of a party in interest to covert the case to chapter 11 at any time.

Gilberti USA Blue Gold –"**The People's Water**"
Yucatan Meteor Gilberti KT Hypothesis
KT Event tilts Florida platforms giving access to oceans beneath the earth.



Aquifer access to Alkaline underground spring water ocean available to millions of taps hidden by Florida leaders, Judges, Trustee, US middle district of Florida, District 12 Sarasota, District 13 Tampa, Media, EPA, SWFMD, hospitals, USF Moffitt, Israel Mosaic Phosphate & bottling corps to create cancer, disease and oppression to kill Americans.

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of this notice of Appeal to the United States Supreme Court has been furnished by US first class mail to respondent:

Respondent:

Luis E. Rivera, II Trustee

Henderson, Franklin, Starnes & Holt. PA

1715 Monroe St. Fort Myers, FL 33901

Petetioners:

Cecil & Patricia Daughtrey

9438 Daughtrey Road

Sidell, FL 34266

863-244-8972, 813-482-7918

Mrs.pattyd@yahoo.com

x Cecil Daughtrey Jr. 8-20-18

Cecil Daughtrey Jr. Date

x Patricia Daughtrey 8-20-18

Patricia Daughtrey Date

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Enclosures

1. Sketches by Engineer in regards to hidden US drinking water supply.
    - Water Readings
    - Picture of Water Flowing
    - Active mining permit sought after by Mosaic
2. Summary of terrorism filed in district 13. (Pattern)
    - Timeline
    - Fake AR15 Case to Subdue Engineer
    - Modified motion to BOE (Board of Engineers)/ attack on engineer's license to hide water source from America.
3. Appeal done by Paul DeCalli at 11th district courts
4. $48 million blanket bond.
    - Assigned Receiver and involvement in prior Rico fraud case
    - Offer to pay back all creditors as of 10/14/2014
5. FDEP permit package and response by Jon Iglehart.
6. Sponsor letter by FDEP
7. 11th district courts of appeal decision with case number. (1st Pg)
8. Wells Fargo Lawsuit involving stolen and counterfeit money by Wells Fargo hidden by Trustee.
9. List of Attorneys throughout foreclosure and bankruptcy cases

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REBUTTAL

1) 85% of Brief Daughtrey Lawyers and Trustee compromise lied to hide a secret underground Alkaline Spring Water, medicine changing river with Governor Scott, Obama, and all Florida leaders to poison tap to millions.

2) No one is moving this massive underground resource showing health readings of magnesium and calcium that have never been seen before on Earth, tied to oceans. Changes medicine and lowers water/power bills. Highest Calcium (118.20 mg/L) and Magnesium (71.9 mg/L) with a pH of (7.49) ever seen on earth. Water can be verified in one day by lab or university.

3) Attorneys hired in bankruptcy were fired for hiding this critical U.S. resource ready for a 6- county infrastructure system since hurricane Charlie. (See permit plans enclosed.)

4) The full amount to 72 partners, the unsecured creditor, in which the foreclosure case in Sarasota (case # 2011 CA 004209NC) is still pending, shows closed but actually dormant as no Trial Notification was given due to an invalid mortgage; assigned to 72 partners from BSFL Holdings. This case is a TILA (See affirmative responses by Attorney Sandy Sanders and Don Crawford)

5) All money to all creditors including 72 Partners, LandTech Design Group, Joe Gilberti, P.E. are available in full for 4 years but judges and trustees lied to hide the water supply.

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6) The full amount to 72 Partners was provided and Luis Rivera trustee lied in deposition and mediation about this payoff to hide the U.S. resource and steal Daughtrey lands, to sell to Mosaic and hide it from America.

7) All lawyers involved are in bankruptcy fraud as they did not contact the existing blanket bond by Union Bank in the amount of $48 million. At least 2 lawsuits have triggered from the illegal compromise, one of which is by 72 Partners in Sarasota 2016 (2016 CA 000205 NC) More coming too.

8) A barrage of Terrorism Acts by surrounding interest has been timed with dockets and hearings to kidnap our engineer and hide this public record 300 mile pipeline permit since 2012. See case # 112-CM-011299-A in which all counts were Nolle Prossed. Alleged victims never showed for trial David Weinstein of Greenberg Traurig was previous chief counsel for Mosaic.

9) A large $500 million reservoir (RV Griffin) was installed with 50 states of grant money by Peace River Manasota Water Supply to hide the resource and create cancer clusters at the Tap to millions and a potential and above sky terror attack from Pesticide Planes (Stafford Act Gill) that can be converted to an FPL or Duke Power Plant once this unique higher capacity underground river of Alkaline Spring Water is connected.

10) All plans and regional permit petitions have been ready for approval within weeks and can be obtained by FDEP director Jon Iglehart in Fort Myers Florida. Application fees of $10,300 were cleared by FDEP in November 2012 with Brian Dietz P.E.; these permits were transferred to FDEP Fort Myers Florida December 31st, 2012. Resubmitted was done again after hurricane Irma where FPL, Duke, and all Florida

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leaders, SWFWMD, and EPA purposely hid the resource with the trustee and his firms to put Americans at risk.

11) Recent Fabricated AR-15 death threats have been created by District 13 judges, public defenders, and SAO to kidnap our engineer days before the Trump election. To stop permits and resource exposure to Americans.

12) The Supreme Court can order (daily) multiple lab test and verify the resource with our experts, such as Jim Murray in Palm Beach Florida of AMPS Aquifer maintenance who performed a DTH video showing higher benefits as we drill deeper.

13) This resource under our land hidden by the trustee, lawyers and judges shows underground formations and knowledge that millions more exist across the Earth, to help other states and nations.

14) Israel Mosaic Phosphate next to our land Nestle, Coke, Pepsi, Disney and all hospitals hid this U.S. resource to the tap with judges, engineers, EPA for 40 years to sell medicine and kill people with cancer, diseases, and a low level of service (LOS) in drinking rain water resources. The well was dug in 1969.

15) The Blanket Bond can be used to install the 9 mile pipe, as our engineer will match his lien amount to pay for the installations. Damages by the trustee and his E&O policy can help too. See FDEP Revolving fund to Marjory Stoneman Douglas Building 1-28-2018 (Parkland terror attack days later?)

16) A class action and Rico is at hand, water supply and medicine fraud by Florida.

17) President Trump, Congress and Media must take action on these critical issues and this unique resource hidden by EPA and NASA.

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18) The School boards in Florida with Moffit and all colleges purposely hid this resource with Obama and Florida leaders, Pam Bondi, and hospitals for Medicaid fraud and foreclosure mills, with developers, Wall Street and major banks, such as Rothschild IMF Banks, World Bank, and Federal Reserve central banks.

19) Babcock Ranch acquisition shows infrastructure connection to 6 counties by Wilson Miller (STANTEC), call Jon Iglehart. Director of FDEP for study.

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Attorneys throughout Foreclosure case # 9:13-bk-14831
And Bankruptcy case # 15-14544

1) **Greenberg Traurig** (Group of Three Attorneys)

With David Weinstein, Vincent Marchetti and Don Crawford: Mosaic phosphate conflict via Sarasota mining compact settlement Meade VS Army Corps of Engineers which donate Horse Prairie Creek. Two essentials for fertilizer plants are to be in a phosphate district with an active mining permit. See relevance to active mining Permit #(44010761.003) Assigned note to friends (72 Partners) of Notre Dame within 12 days

2) Steve Stanley was hired for a motion only; left do to politics in Tampa via Mosaic mining compacts and hidden water supply involving water wars.

3) Tonya Smith asked for a release. Hired for motion only do to water politics in Sarasota and Peace River Manasota water supply that built a 500 million RV Griffith Reservoir with a 50 US state grant after hurricane Charlie do to politics.

4) Sandy Sanders asked to leave from same politics in Desota County where Peace River water plant pumps to four counties with RV Griffith Reservoir involving Mosaic/ Arcadia Rodeo. Judge Hall and Judge Parker relatives with Lawrence and Spencer Hall whom are members of 72 Partners. Judge Hall called engineer Gilberti the day after the note was taken as engineer Gilberti did the rodeo plans that Mosaic built at The Turner Center.

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10) Gerod Hooper (Attorney on Engineers criminal case #16-CF-010976-A) Fired for not disclosing conflict on relationship with Julianne Holt of the Public Defenders office at District 13 criminal case. Hired to expose Fake e-mail and unwilling to file motion to obtain e-mail account.

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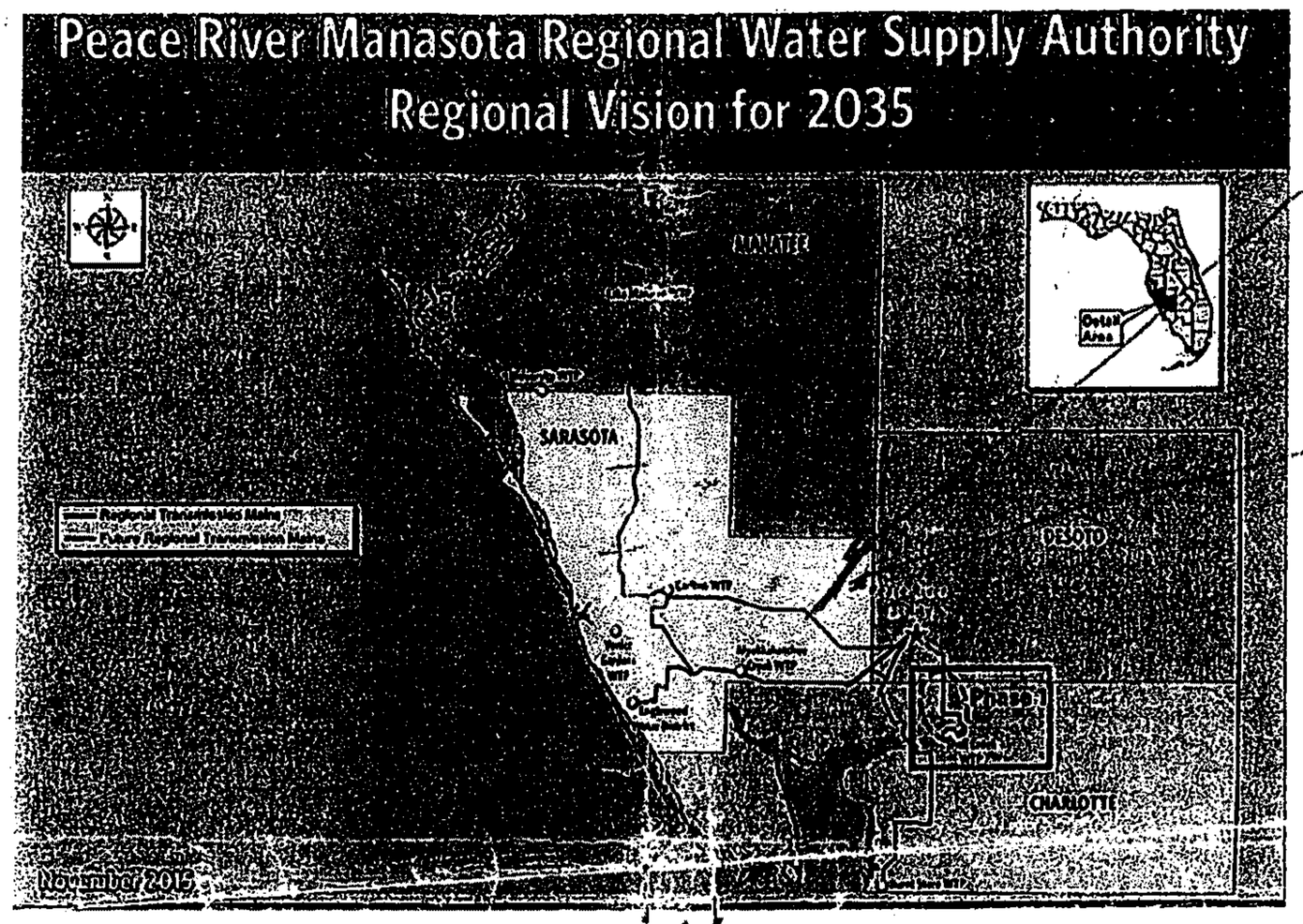
Ch. 11
CONVERSION
COST payoff
IN permit
at FDEP
Funding!

• NOTE: See FDEP application to Manatee Stevenson Douglas Bldg, Tallahassee, FL on 1-28-18!

• Surrounded by Fake News Terrorism.



Dougherty UNDERGROUND Secret River SITE

(Cost ~~$~~ 33 million)

— PH 1
9 mile 54" pipe, Charges 6-county Infrastructure w/ Alkaline Mineral water

• Charter II can pay for pipeline IN 3yrs AT $2/1000 gal AT 50-100mgd → Hidden by Trustee & Daughtrey Council

• Blanket Bond AND FDEP funding w/Sponsors like FPL, Duke & US Army Build and pay for PH 1 & 300 mile pipeline.

(See reverse SHEET) (run copy)

To Burn Store Rd, then Cape Coral, Ft Myers, & Naples! All connected Already to southeast Florida from Hurricane Disaster crossconnections!

• Assume $500 million to Griffin Reservoir becomes PRECO Power Plant

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NEW Power & Water (Lower Bills)

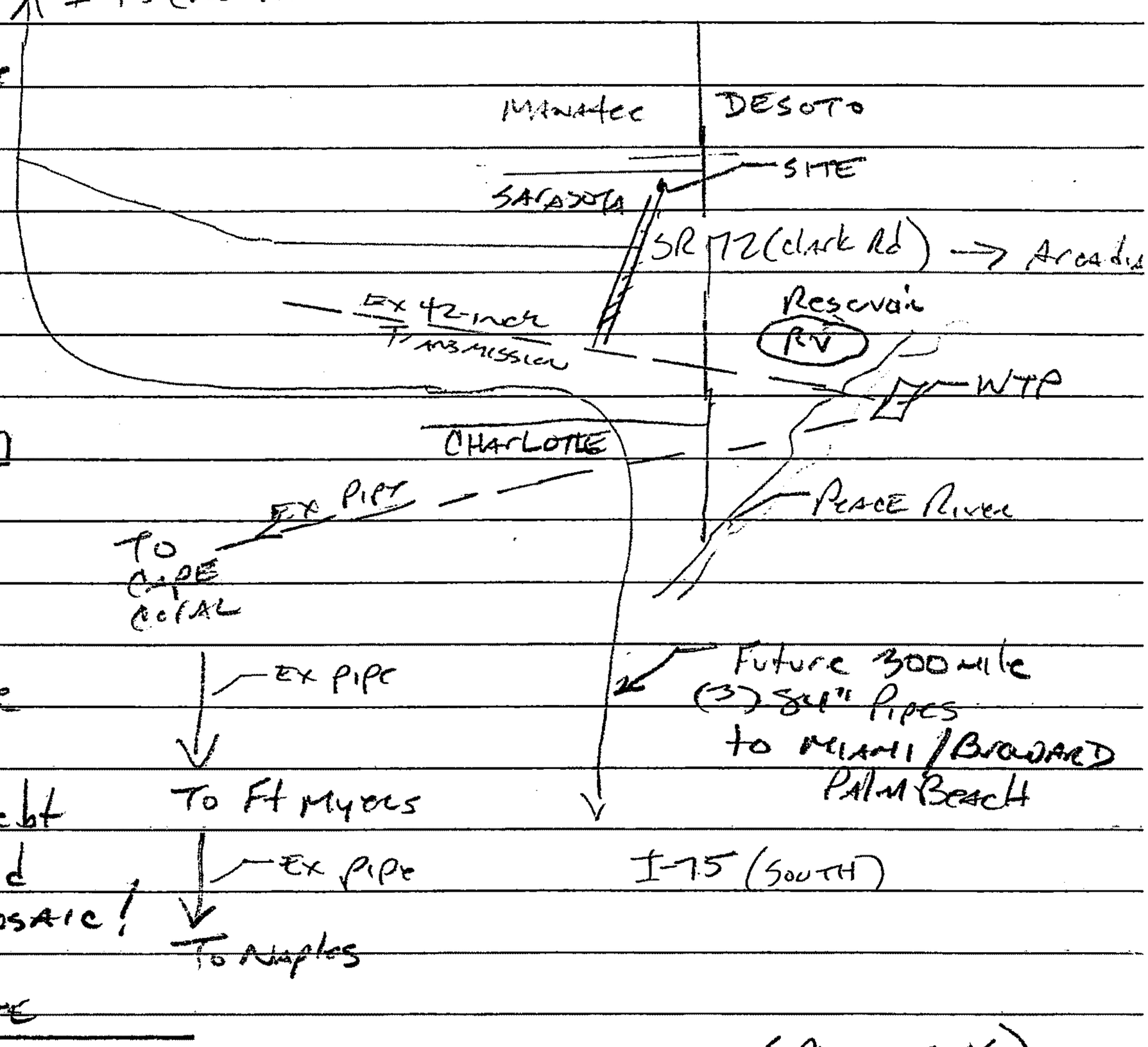
Peace River Manasota Alteration

Schematic (see actual plans)

LANDTECH DESIGN

- National Defense Resource!
- 2-3 Million People benefit
- 3-4 Million Taps ready
- Systems connect already West of I-75 SARASOTA to Naples
- Bottling - Medicine worth Billions

Leverage Fed debt since Rockchild hid it 40yrs w/Mosaic!



Preliminary Cost Estimate

PHI - 9 mile 54-inch = 33 million w/pumps (Plans 80%)

* 10 Mile 3 (84-inch = 150 million w/pumps *

Payoff = 2-5 yrs at $2/1000 gal at 50-100 mgd ($/10 mil/yr)

Future 300 mile (3) 84-inch = $20 Billion

(LANDTECH PLANS 75% complete)

NOTE: $1 500 million RU Griffin Reservoir sold to FPL/DUKE for 3 mega watts/mile to Miami (END Potential Terror Attack)

* included in later phase cost to South Fla

1-28-16

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Google Confidential & Proprietary

gilberti.water.company.fla

User Profile

Photo



• Yucatan Meteor impact (KT event) gives ACCESS to Oceans Beneath! (IN SARASOTA)
• SEE Mosaic Phosphate Report Aug 2012!

Name Joe Gilberti Water - USA Blue Gold

Tagline 813-470-6000usImpact to Blue Gold @FlaBlueGold

Occupation Entrepreneur, Land Developer & Owner of Land Deeds with Secret Underground Antioxidant River hidden by ESA , NASA & US Leaders! Civil and Mechanical Engineer, owner of Gilberti Water Company & LandTech Design Group. Taking on US Terrorism by US Media since 2012 on this US Endless Clean Water Resource that has Water Reading with Endless Capacity, tailored for Mammals DNA, changes medicine & PROVES OCEANS BENEATH THE EARTH! Next to a 4-County Polluted Water Plant in Sarasota at Peace River!

Employment Gilberti Water Company
Owner/President, 2012 - present

Dames & Moore/URS Corporation
Project Manager South Eastern USA & Carribean Islands, UNKNOWN - present

JD Gilberti & Associates
Owner/President, 2001 - 2005

LandTech Design Group, Inc.
Owner/President, 2005 - present

Education University of Florida
Mechanical Engineering, 1990 - 1993

Professional Engineer Licensed in State of Florida
PE No 56079, UNKNOWN - present

Places lived

- Fort Myers Beach, Florida (current)
- Davie, Florida: [26.062666 , -80.233104]
- Miami, Florida: [25.788969 , -80.226439]
- Tampa, Florida
- Gainesville, Florida
- Miami, Florida

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State Attorney's Office Tr... | VIEW - Involved Party - C... | Downloads | DAVID | Driver and Vehi... | The Tampa BIG FAKE AR... | Hillsborough ex-Public D... | Hillsborough ex-Public D...

https://plus.google.com/106989527872468772094/posts/DAZSJGJuV2j

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Discover

Join Google+

Report an issue

Help

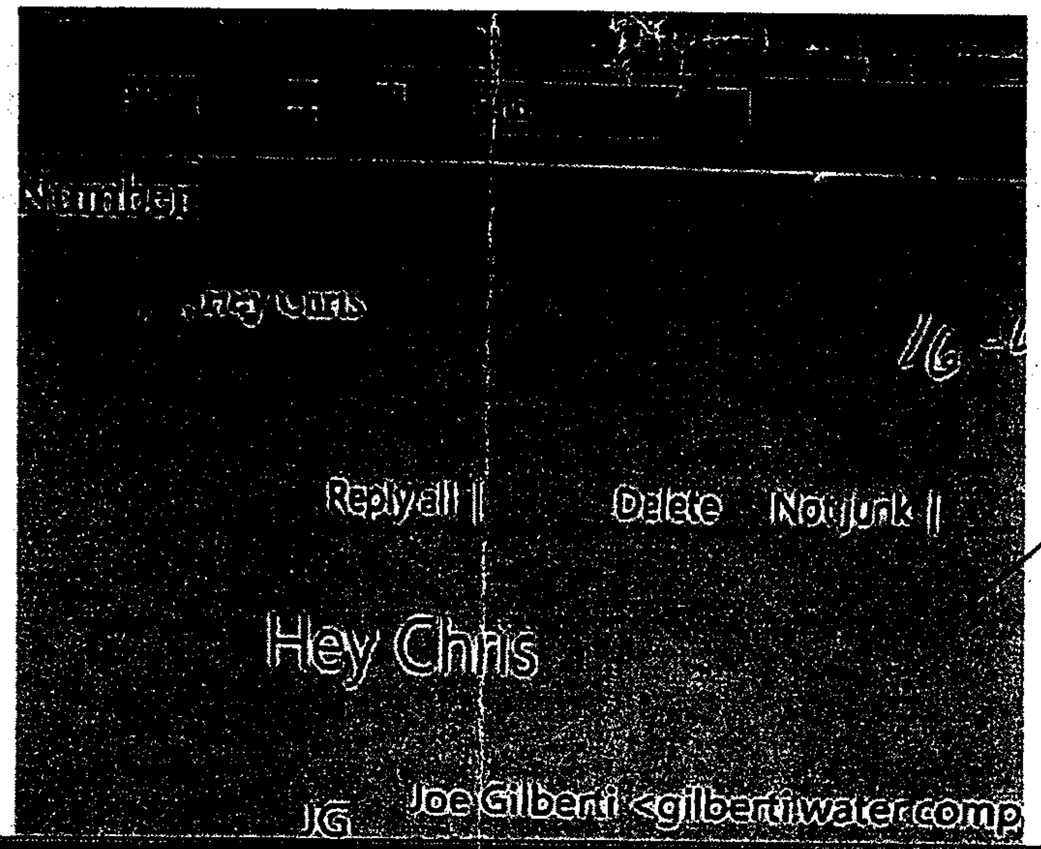
Joe Gilberti Water - USA Blue Gold - Public Apr 3, 2018

Originally shared by Joe Gilberti Water - USA Blue Gold

The Tampa BIG FAKE AR-15 email fabricated by ex-Public Defender Christopher Shaw who disappeared 2days before the Greenberg-Isreal Mosaic Boston bomb case in Tampa using Cybershit with Pam Bondi, Obama, Gov Scott, now Trump and all Florida Leaders to STOP THIS CRITICAL WORLD Drinking Water Resource, Global Knowledge to find the rest in Days, and fill cancer centers across Florida and USA!

Also stopping MAJOR new Science, Medicine, and billions of REAL Jobs across Earth and ending the death of 20,000kids/day in Blue Gold Water Wars created by JEWS, the POPE, Gay People, Military Complex, Big Pharma Complex and Rothschild Federal Reserve IMF Bank!

Hillsborough ex-Public Defender Chris Shaw FAKE AR-15 email during Trump Election and Pulse Bar shooting.mp4



Delegation Request Presented 300 mile Pipeline to Brevard 4-12-16

After Pulse Bar Shooting! 6/18/16

Fabricated email by Dist 13 Judges

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• Jon Igleheart his record
Funding request sent 1-28-18
to FDEP Marjorie Stoneman Douglas
Bldg Tallahassee, FL

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE REVOLVING LOAN PROGRAM FOR DRINKING WATER FACILITIES

LOAN APPLICATION

Florida Department of Environmental Protection
State Revolving Fund Program
Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000

Form Application DW-1
Incorporated in 62-552.430(1)(a), F.A.C.

Effective Date July 2017

GO# 2018-900295 ARREST-DETECTIVE 130C-29 AGGRAVATED STALKING
REPORT FOR PROSECUTION
GENERAL OFFENSE HARDCOPY
TAMPA PD

Submitted 1-28-18
17 day before Stoneman Douglas Shooting in Parkland (Brandt Co)
See Videos!

LOAN APPLICATION

(1) SUBMITTAL. Submit the application and attachments to the Department of Environmental Protection, MS 3505, State Revolving Fund Program, Marjorie Stoneman Douglas Building, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. The application (and supporting documentation) may be submitted electronically to the Department's Project Manager.

(2) COMPLETING THE APPLICATION.

(a) This application consists of five parts: (I) ADMINISTRATIVE INFORMATION; (II) PROJECT INFORMATION; (III) FINANCIAL INFORMATION; (IV) AUTHORIZATION AND ASSURANCES; and (V) SUPPLEMENTARY INFORMATION.

(b) All information provided on this application must be printed. Monetary amounts may be rounded.

(c) Forms and attachments to be submitted are denoted with italic print.

(3) ASSISTANCE. Completing this application may require information that can be obtained from the Drinking Water State Revolving Fund Program staff. Please email SRF_Reporting@dep.state.fl.us for assistance in completing this application.

PART I - ADMINISTRATIVE INFORMATION

(1) PROJECT SPONSOR _____

Federal Employer Identification Number _____

DUNS Number _____

(2) AUTHORIZED REPRESENTATIVE (person authorized to sign or attest loan documents).

Name _____ Title _____

Telephone _____ Email _____

Mailing Address _____

_____

(3) PRIMARY CONTACT (person to answer questions regarding this application).

Name _____ Title _____

Telephone _____ Email _____

Employer _____

Mailing Address _____

_____

(4) ADDITIONAL CONTACTS. If more than one additional person is to receive copies of Department correspondence, attach the information (*Attachment #_____*).

Name _____ Title _____

Telephone _____ Email _____

Employer _____

Mailing Address _____

_____

(5) PROJECT NUMBER (listed on the Department's priority list). _____

(6) INTERIM FINANCING. A local government project sponsor that has interim financing may be subject to certain conditions regarding such financing.

Is the project currently being funded with interim financing? ☐ Yes ☐ No

TAMPA PD
GENERAL OFFENSE HARDCOPY
REPORT FOR PROSECUTION
GO# 2018-900295 ARREST-DETECTIVE 130C-29 AGGRAVATED STALKING

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ETR Environmental Testing & Research Laboratories

Report #: 11712156
Date : 11/7/2012
P.O.Number: 102 Ck

Same as Client

Matrix: Well Water
Client: Cecil Daughtrey Jr.
Sample Location 9438 Daughtrey Rd
Sidell FL 34266
Phone (813) 470-6000

This sample taken by Joe Gilberti, P.E. at 3:00:00 PM on 10/24/2012. . Point of collection: Well #2

Health Scan Report

	Results		Public Drinking Water EPA Limits
General Bacteria			
Total Coliform	Absent	Animal or Vegetational Bacteria	0
Fecal/E. Coli	Absent	Animal Bacteria	0
MicroAnalysis			
MicroAnalysis	See Attached		
General Chemistry			
Sodium	74.05 mg/L	20.0 mg/L is Mass. DEP Guideline	250.0 mg/L
Potassium	4.11 mg/L	A Component of Salt	No Limit
Copper	Not Detected	Indicates Plumbing Corrosion	1.30 mg/L
Iron	0.64 mg/L	Brown Stains, Bitter Taste	0.30 mg/L
Manganese	Not Detected	May Cause Laundry Staining	0.05 mg/L
Magnesium	71.90 mg/L	A Component of Hardness	No Limit
Calcium	118.20 mg/L	A Component of Hardness	No Limit
Arsenic	Not Detected	A Toxic Metal	0.010 mg/L
Lead	Not Detected	A Toxic Metal	0.015 mg/L
Zinc.	Not Detected	A Toxic Metal	5.0 mg/L
pH	7.49 SU	Acid/Basic Determination	6.5 - 8.5 SU
Turbidity	0.49 N.T.U.	Presence of Particles	No Limit
Color	Not Detected	Clarity (0), Discoloration (15)	15.0 C.U.
Odor	Not Detected	Odor due to Contamination	3.0 T.O.N.
Conductivity	1771.0 umhos	Electrical Resistance (umhos/cm)	No Limit
T.D.S.	1,062.6 mg/L	Total Dissolved Minerals Present	500.0 mg/L
Sediment	Absent	Undissolved Solids	Present
Alkalinity	170.0 mg/L	Ability to Neutralize acid	No Limit
Chlorine	Not Detected	A Disinfectant	4.0 mg/L
Chloride	206.13 mg/L	A component of salt	250.0 mg/L
Hardness	591.2 mg/L	0 - 75 is considered soft	No Limit
Nitrate as Nitrogen	0.29 mg/L	Indicator of Biological Waste	10.0 mg/L
Nitrite as Nitrogen	Not Detected	Indicator of Waste	1.0 mg/L
Ammonia as Nitrogen	0.497 mg/L	Indicator of Waste	No Limit
Sulfate	851.40 mg/L	A Mineral, Can Cause Odor	250.0 mg/L
Radiochemistry			
Radon in Water	Not Detected	Massachusetts D.E.P. Guideline	10,000 pCi/L

The integrity of the sample and results are dependent on the quality of sampling. The results apply only to the actual sample tested. Environmental Testing and Research Laboratories shall be held harmless from any liability arising out of the use of such results.

60 Elm Hill Ave. Leominster MA 01453-4864 (978) 840-2941 (800) 344-9977
info@etrlabs.com www.etrlabs.com

9-17-17

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ETR Environmental Testing & Research Laboratories

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Sample Location 9438 Daughtrey Rd
Sidell FL 34266
Phone (813) 470-6000

This sample taken by Joe Gilberti, P.E. at 3:00:00 PM on 10/24/2012. . Point of collection: Well #2

Health Scan Report

	Results	Public Drinking Water EPA Limits
Organic Analysis		
Benzene	Not Detected	5.0 ug/L
Bromobenzene	Not Detected	No Limit
Bromochloromethane	Not Detected	No Limit
Bromodichloromethane	Not Detected	No Limit
Bromoform	Not Detected	No Limit
Bromomethane	Not Detected	No Limit
n-Butylbenzene	Not Detected	No Limit
sec-Butylbenzene	Not Detected	No Limit
tert-Butylbenzene	Not Detected	No Limit
Carbon-Tetrachloride	Not Detected	5.0 ug/L
Chlorodibromomethane	Not Detected	No Limit
Chloroethane	Not Detected	No Limit
Chloroform	Not Detected	No Limit
Chloromethane	Not Detected	No Limit
1,2-Chlorotoluene	Not Detected	No Limit
1,4-Chlorotoluene	Not Detected	No Limit
1,2-Dibromo-3-chloropropane	Not Detected	No Limit
Dibromomethane	Not Detected	No Limit
1,2-Dibromomethane	Not Detected	No Limit
1,3-Dichlorobenzene	Not Detected	No Limit
1,2-Dichlorobenzene	Not Detected	No Limit
1,4-Dichlorobenzene	Not Detected	600.0 ug/L
Dichlorodifluoromethane	Not Detected	5.0 ug/L
1,1-Dichloroethane	Not Detected	No Limit
1,2-Dichloroethane	Not Detected	No Limit
1,1-Dichloroethylene	Not Detected	5.0 ug/L
cis-1,2-Dichloroethene	Not Detected	7.0 ug/L
trans-1,2-dichloroethene	Not Detected	70.0 ug/L
1,2-Dichloropropane	Not Detected	100.0 ug/L
1,3-Dichloropropane	Not Detected	5.0 ug/L
2,2-Dichloropropane	Not Detected	No Limit
1,1-Dichloropropene	Not Detected	No Limit
1,3-Dichloropropene	Not Detected	No Limit
trans-1,3-Dichloropropene	Not Detected	No Limit
Ethylbenzene	Not Detected	No Limit
Fluorotrichloromethane	Not Detected	700.0 ug/L
		No Limit

The integrity of the sample and results are dependent on the quality of sampling. The results apply only to the actual sample tested. Environmental Testing and Research Laboratories shall be held harmless from any liability arising out of the use of such results.

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info@etrlabs.com www.etrlabs.com

9-27-17

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Phone (813) 470-6000

This sample taken by Joe Gilberti, P.E. at 3:00:00 PM on 10/24/2012. . Point of collection: Well #2

Health Scan Report

	Results		Public Drinking Water EPA Limits
Hexachlorobutadiene	Not Detected		No Limit
Isopropylbenzene	Not Detected		No Limit
Methyl-t-Butyl Ether (MTBE)	Not Detected	Massachusetts DEP Limit	70.0 ug/L
p-Isopropyltoluene	Not Detected		No Limit
Methylene Chloride	Not Detected		5.0 ug/L
Monochlorobenzene	Not Detected		100.0 ug/L
Napthalene	Not Detected		No Limit
n-Propylbenzene	Not Detected		No Limit
Styrene	Not Detected		100.0 ug/L
1,1,1,2-Tetrachloroethane	Not Detected		No Limit
1,1,2,2-Tetrachloroethane	Not Detected		No Limit
Tetrachloroethylene	Not Detected		5.0 ug/L
Toluene	Not Detected		1000.0 ug/L
1,2,3-Trichlorobenzene	Not Detected		No Limit
1,2,4-Trichlorobenzene	Not Detected		70.0 ug/L
1,1,1-Trichloroethane	Not Detected		200.0 ug/L
1,1,2-Trichloroethane	Not Detected		5.0 ug/L
Trichloroethylene	Not Detected		5.0 ug/L
1,2,3-Trichloropropane	Not Detected		No Limit
1,2,4-Trimethylbenzene	Not Detected		No Limit
1,3,5-Trimethylbenzene	Not Detected		No Limit
Vinyl Chloride	Not Detected		2.0 ug/L
o-Xylene	Not Detected		T. Xylenes 10K ug/
m+p Xylenes	Not Detected		T. Xylenes 10K ug/

The integrity of the sample and results are dependent on the quality of sampling. The results apply only to the actual sample tested.
Environmental Testing and Research Laboratories shall be held harmless from any liability arising out of the use of such results.

60 Elm Hill Ave. Leominster MA 01453-4864 (978) 840-2941 (800) 344-9977
info@etrlabs.com www.etrlabs.com

9-21-17

PDF Created with deskPDF PDF Creator X - Trial :: http://www.docudesk.com

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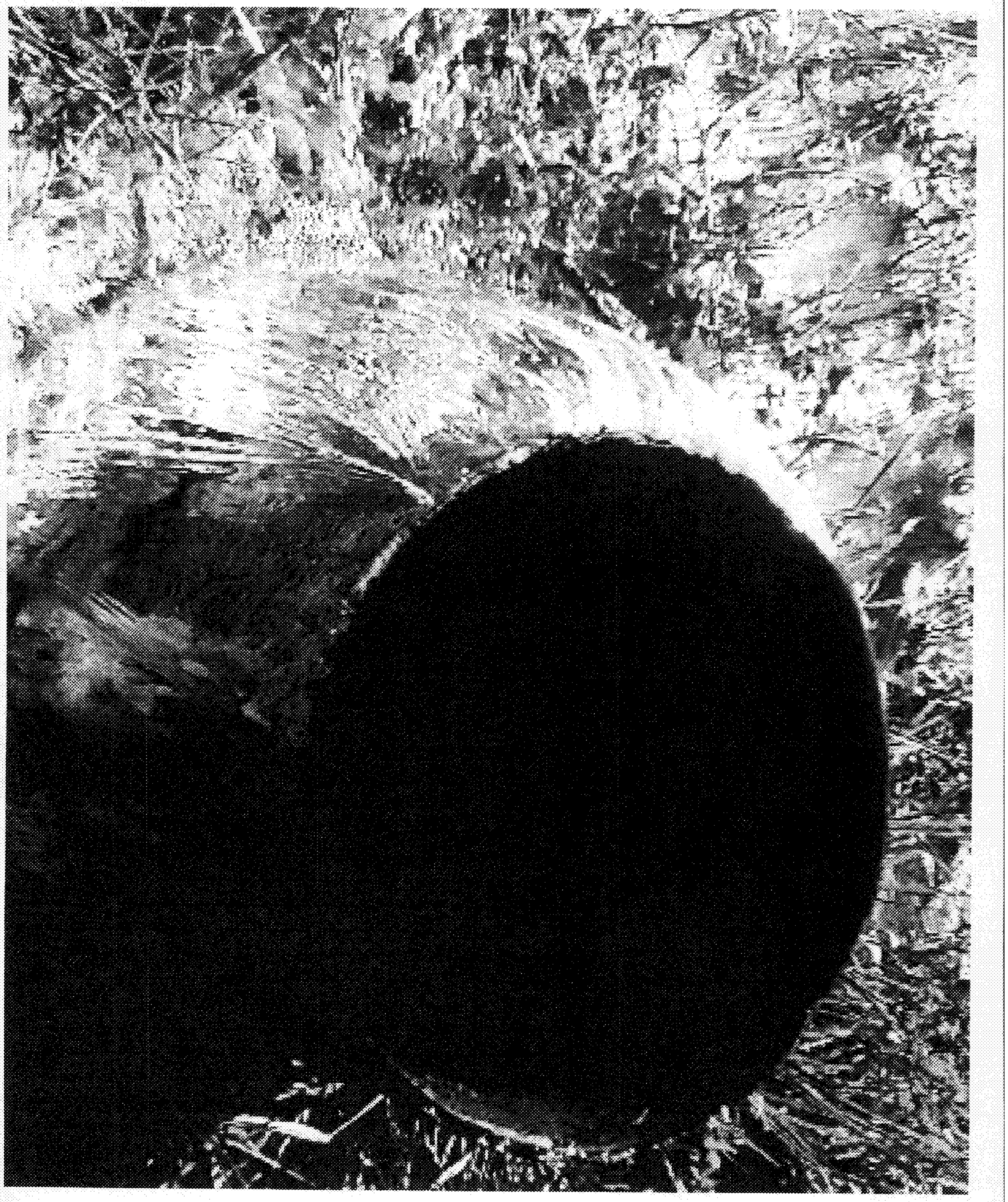

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Southwest Florida
Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

An Equal Opportunity Employer

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

August 20, 2014

Joseph Gilberti, P.E.
3148 Beaver Pond Trail
Valrico, FL 33596

Subject: **Notice of Intended Agency Action**
ERP Short Form

Project Name:	Eagle Feather Excavation Pit
App ID/Permit No:	701071 / 44010761.003
County:	SARASOTA
Letter Received:	August 19, 2014
Expiration Date:	August 20, 2019
Sec/Twp/Rge:	S2/T38S/R22E

Reference: Chapters 40D-4 and 40, Florida Administrative Code (F.A.C)
Sections 373.4141 and 120.60, Florida Status (F.S)

Dear Permittee(s):

Your request to modify Construction Permit No. 44010761.002 by Short Form Modification has been approved. This modification authorizes:

1. The extension of the expiration date for five (5) years from the issuance date of this permit modification.

2. Transfer of ownership to the permittee identified on this permit modification.

3. All other terms and conditions of Construction Permit No. 44010761.002, issued August 27, 2009, and entitled Eagle Feather Excavation Pit - apply.

Your Environmental Resource Permit has been approved contingent upon no objection to the District's action being received by the District within the time frames described in the enclosed Notice of Rights.

Approved construction plans are part of the permit, and construction must be in accordance with these plans. These drawings are available for viewing or downloading through the District's Application and Permit Search Tools located at www.WaterMatters.org/permits.

The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of intended agency action. If you wish to limit the time within which a person who does not receive actual written notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of intended agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of intended agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notice of intended agency action, as well as a noticing form that can be used is available from the District's website at www.WaterMatters.org/permits/noticing. If

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you publish notice of intended agency action, a copy of the affidavit of publishing provided by the newspaper should be sent to the District's Tampa Service Office, for retention in the File of Record for this agency action.

If you have questions regarding this modification, please contact Scott Hickerson, at the Tampa Service Office, extension 2033.

Sincerely,

Michelle K. Hopkins, P.E.
Bureau Chief
Environmental Resource Permit Bureau
Regulation Division

Enclosures: Notice of Rights

cc: Land Tech Design Group, Inc.

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Notice of Rights

ADMINISTRATIVE HEARING

1. You or any person whose substantial interests are or may be affected by the District's intended or proposed action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.

2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of intended or proposed agency action on a consolidated application for an environmental resource permit and use of sovereignty submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.

3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.

4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.

5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District intended or proposed action is not available prior to the filing of a petition for hearing.

6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28.106, F.A.C. A request or petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's intended action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C. can be viewed at www.flrules.org or at the District's website at www.WaterMatters.org/permits/rules.

7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 Highway 301 North,Tampa,FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 987-6746. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at www.WaterMatters.org/about.

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JUDICIAL REVIEW

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by District action may seek judicial review of the District's action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.

2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9.110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.

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Brief Timeline since 2011 to 2018

JOSEPH GILBERTI (234247) View All (read-all-from.cfm?memID=435345)

Lee County Jail

Monday, April 16, 2018 1:47 PM

Reply (new-message.cfm?reply=21975522) Delete (delete-message.cfm?mesID=21975522)

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Chris,

Here is some timeline milestone events on subduing me in Tampa to Lee County while attacking the US and World drinking water and medicine changing underground endless alkaline mineral river in Sarasota under our land and Daughtreys land.

2011 year

June - hired Greenberg Traurig through help of Scott Freyre who was going to help us get funding from hard money note that was stealing the land for pennies with Foley Lardner attorneys who are head of Florida Water forum

August - fired Greenberg due to friends 72partners taking note 12 days into litigation and the fact they are Isreal Mosaic Phosphates chief council doing Political mining compacts with Gov Scott and west florida counties from Sierra vs ACOE litigation for phosphate mines from Tampa to Lee County. Sarasota never signed due to Lee county for 57million as I have the only mining permit in phosphate district in Sarasota with deep well. two essentials for fertilizer plant. Mosaic is largest phosphate and potash corp in world controlling farming with Monsanto and all food production in World.

2012 year

April - Found water at deep well and sent plan showing spring water to Peace River WTP and RV Griffin reservoir to all leaders in mass email. Ross Morton of SWFWMD ombudsman responded 52minutes later to block staff contact.

July 4th Holiday - Arrested for cyberstalking or really 1st amendment rights for whistleblowing water resource with plans next to a 5county polluted Peace River Manasota water plant in Desoto county pumping to Sarasota, Charlotte, Manatee, Desoto and now Lee. Victims were three Greenberg Traurig Lawyers, Dave Weinstein, Vin Marchetti and Don Crawford. Vin was friends with Scott Freyre and used to work for Foley Lardner. Dave Wienstein is cheif council for Mosiac for decades! Major conflict against USA under attack by foriegn corporations with Nestle and more.

August - submitted $10,300 application and fee to FDEP in Sarasota and Ft Myers for Pipeline and filtration to bring millions Alkaline Mineral spring water to region. still didnt realize about the real value and uniqueness of underground RIVER and meteor stuff.

Presented to Peace River on Aug 1st on aquifer with spring water to four county commission. Public record.

December - FLorida pass HB1099 new cyberstalking laws to felony issues while Greenberg changes windows to bullet proof with Board of ENgineers to make me look like a terrorist

2013

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March 27 presented to City of North Port in sarasota with kids on spring water to taps in six months construction as they get is first as they are six miles away. sent plans to sarasota and venice churches and all hospitals.

April 3rd - Jim Murray of Amps Well Maintenance comes to site and says emails being deleted off his computer in front of his eyes within seconds of sending email of water readings and story. He said cleanest water on earth ever seen over 3\4 of world after drilling Oil 50yrs. says we are next to a titled platform from yucatan meteor impact

April 15 - I wrote hypothesis, emailed FDEP in Leon County tallahassee FDLE Torch run with mass email at 10:54 am and Boston Bomb blows 5hrs later and my $500 bond for a misdeammeanor with Greenberg Lawyers skyrockets to $300,000 and surrounded by secret service and helicopters at Hillsborough County government building with Nabil.

Rob stampe tk

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Timeline continued from 2013

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Thursday, April 26, 2018 2:54 PM

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continued from last email of Timeline....this is Milestone....much more to fill in.

2013

March 27 2013 - Kids present with Engineer Gilberti to City of North Port council on spring water and lower water bills to tap in 6months construction. City is only 6miles away locateed in Sarasota county and is the middle class work force for the region.

April 3, 2013 - Jim Murray does DOWN THE HOLE video of 1509' deep lower FLoridan well tied to secret underground river drilled in 1969. Sea world solicited this site with Disney early 70's but USA and Russia cold war politics had GW Bush, Pope and Tampa McDill AFB force them to Orlando as Universities and Politics open many college disiplines, EPA and bottling with France, Margaret Thatcher in Reagan a decade later.

April 15 2013 - After FDEP email of Gov Scott, Hershall Vinyard Jog email of FDLE Torch run posted 5hrs later Boston Marathon explosion and my cyberstalking bond for Mosaic Phosphates chief council Dave Weinstein at Greenberg Traurig goes up from $500 to $300,000 and I in a Hole for months while sarasota District 12 and 72 Partners LLC attacks the ranch with underground secret Alkaline Mineral endless river adjacent to a 5-7 county Infrastructure drinking water supply regional system via Peace River Manasota Water plant at RV Griffin Reservoir.

October 14 - Sarasota during an Obama HP Glitch Federal shutdown (Columbus Day) has a foreclosure trial without Notice to Daughtrey while Gilberti is on lockdown by Hillsborough Judge Conrad. Isreal Mosiac phosphate is partially sold to Saudi Arabia to use Muslims to hide this issue and attack on America. Judge Conrad receives Lincoln award for ethics in Tampa for Judges too.

Nov 7 - Daughtrey files Ch7 bankruptcy as Hillsborough cops come to Gilberti house and put Daughtrey and Gilberti at gunpoint forcing Ch7 instead of Ch11. to take property to a sale. One week later Ch7 is lifted and sale is posting to hide land for Nestle, Coke, Pepsi, Disney and Isreal Mosaic to continue cancer centers, big pharma and more terrorism on America.

December - Gilberti hires Mark Lippman, Casey Anthony's parents attorney and all charges dropped timed on same day of appeal in Foreclosure as Daughtrey attorney runs off again (5th lawyer, Arthur Rosenberg in FT lauderdale.

2014

January to April - Hillsborough drags a pending case with karl brooks at felon stalker who files police report on Boston bomb day, is at our house with US Marshalls saying hes our bondsman. see affidavit by neighbors of him stalking Gilberti's wife while he is in Hole. This case we never could get a police report for a year.. at this time Lee County Henderson Franklin Trustee meets Gilberti at 341 meeting with permits and water files with Daughtrey. Three meetings at 341 with witnesses on water but Henderson hides it.

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June to October - Henderson and Lara Hernandez is sub at Pinellas County Temper law signs compromise with 72 partners to hide water and gives land with bad title to attackers and hides water. Cancer patients call Judge Delano at US Middle District to turned down FULL PAYMENT of $4.8mil on a $2.3mil loan at 18% for a 2500 acre Ranch worth $25mil without underground river or Minerals. Gilberti already owns spring area as Daughtrey deeded it in 2013 as partial payment and to PROTECT the US Resource at Gilberti was the only Man who could help America and willing to fight this GLobal Elite and get the Resource knowledge out This site teaches Mankind how to find the rest in Days across earth. see Gilberti KT Hypothesis, reports, videos and plans, maps and studies across municipalities from Tampa to Miami.

Presentations to Sarasota commission Sept 2014, Miami 7-15-14 sponsored by Chief Commission at the time Commissioner Sosa who had breast cancer. Many witnesses at her office including Dr Waldo Castro, Chris Macey, contractors and WASD utility directors and staff.

2015

April 18 2015 - Gilberti presents to Lee County School board asking to help open water supply and get teacher raises from massive Alkaline Housing boom and milage rate stabilization. They fired the superintendent days later for helping him.

December 2015 - Beach Elementary and News teams setup a fake threat to Gilberti's sons elementary school with Environmental activist to hide Water and defame US Resource across USA news.

US Middle District courts of appeals denies Daughtrey with FULL Payment to creditors in Lee County with after 3 Judges run off from Tampa and Lee. Judge Stein denies it without hearing. Lives in Alva Marie and is known for major corruption of lands in area.

2016

January 2016 - Lee DCF tries to take Gilberti's kids and fails.

February 2016 - Daughtrey files appeal to Georgia 11th district courts of appeal to convert again to Ch11 too get water moving with FULL Payment to all creditors and is still pending. USC allows anyone to convert in days! Three Judge panel with Rothschild wife invovled Robin Rosinbaum appointed by Obama in late 2013.

April 12, 2016 - Gilberti presents water supply and US resource to Broward County commission who hides it a month with new software changes for commission meetings.

June 2016 - Pulse bar shooting so Gilberti offers to pay hospital bills and Gov Scott and Pam bondi pays them 2hrs later. Gilberti asks where all the drug bust are at 3am at a Gay bar to Orlando Police and call Hospitals, Leaders and more to help victims and ask them to expose water with Walt Disney.

Gilberti call ex-Public Defender Chris Shaw who went out on his own but disappeared two days before Greenberg Trial in summer 2013? Left voicemail, Shaw calls back, recorded on Youtube, Gilberti call him back and never thought of him again. Shaw and Tampa region fill out fake email, wont supply the email in discovery for two years, just a altered PDF. Judge wolfe then attacks Gilberti with competency test with Bayshore Dr Hong. Gilberti passes tests and fires Pubic defendor. This was after he retained private lawyer Doug Barnyard who suddenly had to leave for Cancer in the Mouth? ran off scared.

Twitter shutdown Gilberti sites for exposing BP Oil spill down on purpose via Kyoto protocol that never would be in affect by UN if this World water origin knowledge was exposed in 1969!! see vidoes on dropbox

December 2016 - Lee County arrest Gilberti for Hillsborough warrant days before election.

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Timeline 2016 to 2018

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Lee County Jail

Thursday, April 26, 2018 7:22 PM

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Timeline continued....

2016 continued... October 2016 - Gilberti presents in Sarasota county commission with other consultants before Hurricane Mathew for 3rd time via Peace River Manasota Water board. This drinking water board has a 4-7 county Peace River Pump station built by General development that went regional after Hurricane Charlie.

2017

Jan 27 2017 - appeal to Georgia 11th District courts of appeals gets files with Daughtrey attorney to convert to Ch11 that instantly opens water resource as Land is untouched. A $48mil dollar blanket bond from Union Bank has been hidden by all lawyers on both sides for 3yrs and now 4yrs in 2018. Three Judge panel of corruption holding up Global knowledge.

Whole year Gilberti trying to get Judge Wolfe in Tampa to order water test and for State attorney to forward the ONE EMAIL threat vs a fabricated PDF by Chris Shaw.

Gilberti cousin Cory Gilberti setup by Broward scott Isreal in fake AR-15 arrest where cops and Black ops shot up Cambridge security building in Broward and blamed him. Arrested him on GIlberti birthday March 20th 2017. Filed reports in June 2016 when GIlberti fake AR-15 case by Tampa sa and Pam bondi done too. they waited until election then attacked.

September - Gilberti files permits to FDEP Ft Myers to Director Jon Iglehart after Hurricane IRMA to have FEMA truck water for FREE to millions and Marco island. And to connect to infrastructure that feeds over 3mil residents from Sarasota to Naples thru interconnects already in place from Peace River water plant. Ask for app fees to be waived per Exec Order 235.

FDEP responds to pay fees per Gov Scott the Medicaid Fraud leader who is expanding Cancer centers across southwest and south Florida.

December 24 2018 - Christmas eve Lee county Masked cops surround Gilberti home to protect massive Disney Pedophile ring. see video.

2018 -

Jan 27 2018 - Gilberti files FDEP Revolving fund to Tallahassee to Majorie Stoneman Douglas Building in Tallahassee. One week later Parkland Majorie Stoneman Douglas Building FAKE SHOOTING happens.

March 20 2018 - Gilberti presents to Broward School board offering $1mil to each wounded student to expose wounds and water supply that brings teacher raises. Video posted online and given to teachers across Lee County to show kids. Still hidden.

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April 2018 - Lee county surrounds Gilberti home with Guns to kidnap him again on weed charges to revoke bonds and delay fake cases and trials set for April 23rd.

Still no bond for fake arrest while land is attacked in Sarasota. THey LOST!!!

They thought we couldn't pay taxes but wifes family and friends pitched in to save THE PEOPLES water. Now we win big!

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General Offense Information

Operational status: **CLEARED BY ARREST**
Reported on: **Jun-27-2016 (Mon.) 1204**
Occurred on: **Jun-18-2016 (Sat.) 1523**
Approved on: **Jun-27-2016 (Mon.)** by: **4343 - Napolitano, Shawn**
Report submitted by: **205058 - Armstrong, Paul**
Org unit: **Day A Squad 405 D4405**
Address: **6812 HOLLY HEATH DR**
Municipality: **HILLSBOROUGH COUNTY**
District: **D4** Beat: **J03** Grid: **HS3744**
Felony/Misdemeanor: **FELONY**
Special study: **Persons - Other (Stalking, Cyber Stalking, Threats, Etc.)**
Family violence: **No**

Offenses (Completed/Attempted)

Offense: **# 1 THREATS-1 COMMUNICATION OF THREATS - COMPLETED**
Location: **Residence/Home (Mobile homes, apartments, condos, nursing homes)**
Offender suspected of using: **Not Applicable**
Bias: **None (no bias)**

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Related Attachment(s) - Criminal Report Affidavit

Attachment Description: **GILBERTI**
Reference Number:

CRIMINAL REPORT AFFIDAVIT/HILLSBOROUGH COUNTY, FLORIDA

○ Supplemental Page ○ Plant City Courthouse ○ Notice To Appear **CRA #:** HS16017809

◉ Felony ○ Misdemeanor ○ Traffic ○ Tampa Ordinance ○ Juv. Delinquency ○ J.A.A.P. Booking #:

Arrest Type: ○ PC ○ Warrant ○ PC VOP/VOCC **Request:** ○ Warrant ◉ SAO Review Direct File ○ JUV Pick-Up Order

Court Case #	Family #	SOID #

Agency: ◉ HCSO ○ TPD ○ PCPD ○ TTPD ○ FHP ○ Other: _____ **Report #** 16-444605 Report Written ◉ Yes ○ No

Offense Location:	Offense Date:	Offense Time:
6812 Holly Heath Dr., Riverview, FL 33578	06/18/2016	1523

Arrest Location:	Arrest Date:	Arrest Time:

Defendant:

Last Name	First Name	Middle Name	○ Gang Name:
Gilberti	**Joseph**	**Dennis**	

Race	Gender	DOB	DL#	State	POB (City, State)
W	◉ M ○ F	03/20/1969	G416484691000	FLORIDA	Tampa, Florida

Address Street:	City:	State:	Zip:
3905 Halloak Ct.	Valrico	Florida	33594

School (JUV) **Parent**/Guardian (JUV)

CO-Defendant:

Last Name	First Name	Middle Name	Race	Gender	DOB
				○ M ○ F	

Statute	Charge Level	Charge	Citation #	DV
836.10	Fel	Written Threats to Kill or do Bodily Harm		○
				○
				○

The undersigned swears there is probable cause to believe that the above named defendant in Hillsborough County, Florida, did:
On 06/18/16 at approximately 1523 hours located at 6812 Holly Heath Dr., Riverview the defendant did intentionally and knowingly send the victim an email threatening to harm the victim. The defendants email indicated he had rifles and knives and would like to meet with the victim to introduce the rifles and knives to the victim. The victim knows the defendant as a former client and has had contact/communication with the defendant on several occasions prior to this incident. The defendant's email address was positively identified by the victim as his former client's email address. The defendant's actions placed the victim in well-founded fear for his safety and life. The defendant was identified with a search of the HCSO database.

Pursuant to Florida Statute §92.525 and under penalties of perjury, I declare that I have read the foregoing document and the facts stated in it are true to the best of my knowledge. For Notices to Appear, I also certify that a complete list of witnesses and evidence known to me is attached.

Affiant:	ABN	DIST: 4	SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE	ABN
Dep. P. Armstrong	205058	SQD: 405	Cpl. S. Napolitano	4343

Judgment requested against defendant for agency investigative cost per Florida Statute 938.27: _____

Victim	Last Name: Shaw	First: Christopher	M:	Race: W	Gender: ◉ M ○ F	DOB: 03/21/1985
Address: 6812 Holly Heath Dr.	City: Riverview	State: Florida	Zip: 33578	Primary Ph#: (727) 492-5759		
Sworn: ◉ Yes ○ No	Email:	VINE ○ Yes ○ No				
	Last Name:	First:	M:	Race:	Gender: ○ M ○ F	DOB:
Address:	City:	State: Florida	Zip:	Primary Ph#:		
Sworn: ○ Yes ○ No	Email:	VINE ○ Yes ○ No				
	Last Name:	First:	M:	Race:	Gender: ○ M ○ F	DOB:
Address:	City:	State: Florida	Zip:	Primary Ph#:		
Sworn: ○ Yes ○ No	Email:	VINE ○ Yes ○ No				

Arresting Agency

(SERVICE OF COURT DOCUMENTS may be served on the State Attorney's office at !MailProcessingStaff@sao13th.com)

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Related Attachment(s) - Miscellaneous

Attachment Description: **EMAIL**
Reference Number:

, Hey Chris 16-444605 Page 1 of 1 COPY

Reply all | Delete Not junk |

Hey Chris

JG Joe Gilberti <gilberti.water.company.fla@gmail.com> Reply all |
6/18/2016
Christopher Shaw

This message was identified as spam. We'll delete it after 22 days. It's not spam

This item will expire in 22 days.

Did you get my FUCKING MESSAGE?? How about we talk, how about we have a real long talk together you snivelling cock sucker? What about I come over and show you my fucking rifle and knife collection? I know it was you that ratted me out with the Boston bombings you Jew cock sucker. How about I show you what an AR15 is REALLY FUCKING CAPABLE of. You like that Chris ... do you? I know your after my goddammed water. 300 mile long pipeline, CLEAN WATER, thats the fucking future. Dont you care about kids with cancer Chris? 20,000 kids every fucking day dying of cancer. You sit there on your fat JEW ASS. FUCK YOU!! YOUR GONNA GET YOURS ASSHOLE!! RIGHT UP THE ASS FAGGOT!!

COPY

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Related Attachment(s) - SAO Letters

Attachment Description:
Reference Number:

MARK A. OBER
STATE ATTORNEY
419 N. Pierce Street
TAMPA, FLORIDA 33602
813-272-5400

STATE OF FLORIDA
VS
JOSEPH DENNIS GILBERTI

CASE NUMBER:
BOOKING NUMBER: N/A

NOTICE OF CASE STATUS

Case Filing Decision: FILED CIRCUIT COURT

Agency Report Number: 2016-00444605 HCSO

Lead LEO: Deputy PAUL G ARMSTRONG DPSD4 D4405

Case Decision Date: AUG 01 2016

New Case Number (if applicable): 2016-CF-10976

Withdraw Pick-Up Order (Juvenile upgrade only): Yes

ASA Comments: _____

CLAUDIA S. COCKRELL
Assistant State Attorney

Note: Notice JUVENILE CLERK OF COURT on Juvenile upgrade only
cc: LEO
[]DJJ (if Juvenile)
File

/tr

2016-033697/
Page 1 of 1
Notice of Case Status

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Related Attachment(s) - Criminal Report Affidavit

Attachment Description: **GILBERTI**
Reference Number:

CRIMINAL REPORT AFFIDAVIT/HILLSBOROUGH COUNTY, FLORIDA

○ Supplemental Page ○ Plant City Courthouse ○ Notice To Appear **CRA #:** HS16227057

◉ Felony ○ Misdemeanor ○ Traffic ○ Tampa Ordinance ○ Juv. Delinquency ○ J.A.A.P. / D.A.C. Booking #: 16043957

Arrest Type: ○ PC ◉ Warrant ○ PC VOP/VOCC **Request:** ○ Warrant ○ SAO Review Direct File ○ JUV Pick-Up Order

Court Case #	Family #	SOID #
16CF010976		

Agency: ◉ HCSO ○ TPD ○ PCPD ○ TTPD ○ FHP ○ Other: _____ **Report #** 16-444605 Report Written ◉ Yes ○ No

Offense Location:		**Offense Date:**	**Offense Time:**
Arrest Location: LEE COUNTY JAIL, LEE, FL		**Arrest Date:** 11/30/2016	**Arrest Time:** 0835

Defendant: Last Name	First Name	Middle Name	○ Gang Name:
GILBERTI JR	JOSEPH	DENNIS	

Race	Gender	DOB	DL#	State	POB (City, State)
White	◉ M ○ F	03/20/1969	G41648469100	FL	FL

Address Street:	City:	State:	Zip:
3905 HALLOAK CT	VALRICO	FL	33594

School (JUV)	**Parent**/Guardian (JUV)

No Co-defendants Found

Statute	Level	Charge	Count	Citation #	DV
784.048(3)	Fel	AGGRAV STALKING FOLLOW HARASS CYBERSTALK CRED THREAT TO PERSON	1		○
365.16(1)(b)	Misd	HARASSING COMMUNICATION PHONE CALL	1		○
836.10	Fel	INTIMIDATION WRITE SEND THREAT TO KILL OR INJURE	1		○

The undersigned swears there are reasonable grounds to believe that the above named defendant in Hillsborough County, Florida, did:
HILLSBOROUGH COUNTY JAIL
WT-16-22188589
CASE-16CF010976

Pursuant to Florida Statute §92.525 and under penalties of perjury, I declare that I have read the foregoing document and the facts stated in it are true to the best of my knowledge. For Notices to Appear, I also certify that a complete list of witnesses and evidence known to me is attached.

Affiant:	ABN	DIST: J1	SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE	ABN
DDP J Darcy Digitally signed on 2016.12.05 08:57:19	139852	SQD: CCA	CPL O Rodriguez Digitally signed on 2016.12.05 10:59:10	4510

Judgment requested against defendant for agency investigative cost per Florida Statute 938.27: _____

Arresting Agency
(SERVICE OF COURT DOCUMENTS may be served on the State Attorney's office at !MailProcessingStaff@sao13th.com)
Page 1 of 1

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Related Event(s)

CP	HS2016-444605
AB	HS2016-16043957
WT	HS22188589

Related Person(s)

1. Victim # 1 - SHAW, CHRISTOPHER DERRICK

(Case Specific Information)

Sex: **MALE**
Race: **WHITE**
Date of birth: **Mar-21-1985**
Address: **6812 HOLLY HEATH DR**
Municipality: **RIVERVIEW , Florida 33578**
District: **D4** Beat: **J03** Grid: **HS3744**

Phone Numbers

Cellular: **(727) 491-5759**

Particulars

Occupation: **SELF EMPLOYED**
Employer: **ATTORNEY**
Citizenship: **America, United States of**
Marital status: **Married**
Ethnicity: **Not of Hispanic Origin**
Language(s) spoken: **English**
Height: **5'08**
Disability: **No**
Build: **Large** Complexion: **Fair**
Eye color: **Brown**
Hair color: **Brown**
Hair style: **Short**

Master Name Index Reference

Name: **SHAW, CHRISTOPHER DERRICK**
Sex: **MALE**
Race: **WHITE**
Date of birth: **Mar-21-1985**
Ethnicity: **Not of Hispanic Origin**
Address: **CONFIDENTIAL**
Municipality: **RIVERVIEW , Florida 33578**
District: **D4** Beat: **J03** Grid: **HS3744**

Phone numbers

Cellular: **(727) 491-5759**

Linkage factors

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Resident status : **Resident**
Age range : **30-49 Years**
Access to firearm : **No**
Victim of :
THREATS- 1 COMMUNICATION OF THREATS - COMPLETED

Victim's Relationship to Offender : **Acquaintance**
Person's role : **Arrestee #1**
Person's name : **GILBERTI, JOSEPH D (DOB: Mar-20-1969)**

2. Arrestee # 1 - GILBERTI, JOSEPH DENNIS JR

(Case Specific Information)

Sex: **MALE**
Race: **WHITE**
Date of birth: **Mar-20-1969**
Address: **3905 HALLOAK CT**
Municipality: **VALRICO , Florida 33594**
District: **D4** Beat: **J04** Grid: **HS3750**

Phone Numbers

Home: **(239) 233-8573**
Cellular: **(813) 470-6000**

Particulars

Place of birth: **Florida**
Employer: **PLEAD THE FIFTH**
Citizenship: **America, United States of**
Marital status: **Married**
Ethnicity: **Not of Hispanic Origin**
Language(s) spoken: **English**
Height: **5'08** Weight: **190** lbs.
Disability: **No**
Build: **Thin** Complexion: **Fair**
Eye color: **Green**
Hair color: **Brown**
Additional remarks: **ANTIGOVERNMENT STATEMENTS MADE, BOMB THREATS**

Master Name Index Reference

Name: **GILBERTI, JOSEPH DENNIS JR**
Sex: **MALE**
Race: **WHITE**
Date of birth: **Mar-20-1969**
Ethnicity: **Not of Hispanic Origin**
Address: **3905 HALLOAK CT**
Municipality: **VALRICO , Florida 33594**
District: **D4** Beat: **J04** Grid: **HS3750**
Phone numbers

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Cellular: **(813) 470-6000**
Home: **(813) 470-6000**

Charge Summary

Charge # 1

Offense date: **Dec-05-2016 (Mon.)**
Offense : **WRITTEN THREATS (KILL RECIPIANT)**
Charge statute: **F2 836.10**
Docket #: **16-CF-010976**
Domestic Violence: **No**
Bond: **7500.00**
Court: **31**

Charge # 2

Offense date: **Dec-05-2016 (Mon.)**
Offense : **AGGRAVATED STALKING**
Charge statute: **F3 784.048(3)**
Docket #: **16-CF-010976**
Domestic Violence: **No**
Bond: **2000.00**
Court: **31**

Charge # 3

Offense date: **Dec-05-2016 (Mon.)**
Offense : **Threatening Telephone Calls**
Charge statute: **M2**
Docket #: **16-CF-010976**
Domestic Violence: **No**
Bond: **250.00**
Court: **31**

Linkage factors

Resident status : **Resident**
Age range : **30-49 Years**
Access to firearm : **No**
Armed with : **Unarmed**
Offense: **STALKING- 1 STALKING VIOLATIONS - COMPLETED**
Arrest date: **Dec-05-2016 (Mon.)**

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Related Text Page(s)

Document: **INVESTIGATION**
Author: **205058 - Armstrong, Paul**
Related date/time: **Jun-27-2016 (Mon.) 1204**

On 06/27/16, I responded to 6812 Holly Heath Dr., Riverview in reference to Harassing Obscene Phone Calls/Communication Threats. Upon arrival I met with the victim, Christopher Shaw and conducted an interview under oath, see interview.

Through the course of the interview and investigation I learned the victim is a former attorney for the Public Defenders office and had a client approximatley two years ago known to him as Joseph Gilberti (suspect). The suspect allegedly sent the victim an email on 06/18/16 threatening to harm him with firearms and knifes. Reportedly the suspect's email address was known to the victim through prior contact/emails with the suspect. I noted the victim reportedly had a previously voice mail from the suspect on 06/15/16 that was allegedly harassing in nature and the victim had completed a request for prosecution for this incident. (16-413962)

The victim voluntarily signed an oath form and provided a written statement which I later impounded into evidence. I noted the victim was legitimately concerned over the nature of these contacts from the suspect, fearing the suspect might follow through with his threats to harm him. I took possession of a copy of the email sent to the victim and impounded the same into evidence. I noted the email address on the email to be, gilbert.water.company.fla@gmail.com.

I attempted to contact the suspect at 3905 Halloak Ct., Valrico which met with negative results. All parties I came into contact with were checked against FCIC/NCIC with negative results.

Given the nature of these threats and the content within the email being relevant to interactions the victim had with the suspect, the victim truly believes the suspect is the only person who could be sending him these communications. Therefore, I am submitting his case for direct file with the SAO for further review as to the charge of Written Threats to Kill or do Bodily Injury. The balance of this investigation is limited to the interviews.

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Related Text Page(s)

Document: **INVESTIGATION**
Author: **139852 - Darcy, Jean**
Subject: **WARRANT SERVICE**
Related date/time: **Dec-05-2016 (Mon.) 744**

On the above date and time the defendant was charged at the incident scene.
The defendant was charged with:
[AGGRAV STALKING
THREATENING OR HARRASSING TELEPHONE CALLS
WRITTEN THREATS KILL RECIPIENT]

Warrant Number(s): [16-22188589]

Booking Number: [ ]

Court [ ]

Division [31]

Ct. Case # [16CF010976]

Confirmed by HCSO Operator # [ ]

Narrative: (Issuing agency name and report number.)
[HILLSBOROUGH COUNTY SHERIFF
WT-16-22188589
CASE-16CF010976
BOND-$9750 TOTAL]

MRE Attachments:
[ ]

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Related Text Page(s)

Document: **INTERVIEW-VICTIM**
Author: **205058 - Armstrong, Paul**
Subject: **SHAW, CHRISTOPHER DERRICK**
Related date/time: **Jun-27-2016 (Mon.) 1250**

Christopher Shaw related the following under oath:

He is a former attorney for the Public Defenders office and approximately two years ago he had a client known to him as Joseph Gilberti. He did correspond with Mr. Gilberti via email on several occasions and can recognize Mr. Gilberti's email address. He did receive an email from Mr. Gilberti's email address on 06/18/16 and Mr. Gilberti was threatening to harm him with rifles or knifes. He is concerned for his safety and worried Mr. Gilberti may come to his home to harm or kill him.

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Clearance Information

Agency: **Hillsborough County**
Cleared status: **Adult Arrest - Not Applicable**
Cleared on: **Dec-05-2016 (Mon.)**
Complainant/Victim notified: **No**

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Related Property Report(s)

Report Information

Property Report #: 558331
Property case status: **EVIDENCE**
Submitted on: **Jun-27-2016 (Mon.)** by: **Armstrong, Paul**
Authority for disposal: **Armstrong, Paul** Org unit: **Day A Squad 405 D4405**
Related:
Offense: **GO HS 2016- 444605**
Location: **6812 HOLLY HEATH DR**
Related items: **1**

Articles - Evidence

Status: **EVIDENCE** Tag #: **HS558331- 1**
Article: **YDOCUME- OTHER ITEMS (MISCELLANEOUS)**
Make: **NO BRA**
Model: # of pieces: **1**
Serial # 1: **UNKNOWN** OAN:
Value: **$0.00** Color:
Description: **WRITTEN STATEMENT**
Recovered date: - Recovered value: **$0.00**
Flags: ***e**
Current Location: **W1 GEN/05/F/10/H**

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Related Property Report(s)

Report Information

Property Report #: 558340
Property case status: **EVIDENCE**
Submitted on: **Jun-27-2016 (Mon.)** by: **Armstrong, Paul**
Authority for disposal: **Armstrong, Paul** Org unit: **Day A Squad 405 D4405**
Related:
Offense: **GO HS 2016- 444605**
Location: **6812 HOLLY HEATH DR**
Related items: **1**

Articles - Evidence

Status: **EVIDENCE** Tag #: **HS558340- 1**
Article: **YDOCUME- OTHER ITEMS (MISCELLANEOUS)**
Make: **NO BRA**
Serial # 1: **UNKNOWN** OAN:
Value: **$0.00** Color:
Description: **COPY OF EMAIL**
Recovered date: **-** Recovered value: **$0.00**
Flags: ***e**
Current Location: **W1 GEN/05/F/10/H**

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Related Arrest Report: AB# 2016-16043957

Arrestee: **GILBERTI, JOSEPH DENNIS**
Date of birth: **Mar-20-1969**
Related CD#: **678487**

Arrest Information

Status: **Probable Cause**
Reason for arrest: **Direct Info**
Arrest date: **Dec-05-2016 (Mon.) 835**
Rush file required: **No**
Booked into cell: **No**
Arrest agency: **HILLSBOROUGH COUNTY SHERIFF'S OFFICE**
Arresting officers: **139852 - Darcy, Jean**
Summary of facts: **WRITTEN THREATS (KILL RECIPIANT)**

Arrest location

SODA zone: **No** Drug free zone: **No**

Additional Arrest Information

Case Screened: **No**
Notify victim on release: **No**
Juvenile: **No**
Armed with: **Unarmed**
Diversion recommended: **No**
Interpreter needed: **No**
Rights given: **No**
Marital status: **Married**
Mental exam required: **No**
Statement taken: **No**
Fingerprinted: **No** Photo taken: **No**
CD updated: **No**
Family notified: **No**
Lawyer called: **No**
Meal given: **No** Coffee given: **No**
Arrestee's occupation: **ENGINEERING**
Detained: **No**

Related Warrants

Warrant number: **22104850** on: **Apr-17-2013 (Wed.)**
Reason for warrant: **FTA STALKING X3**

Warrant number: **22188589** on: **Aug-02-2016 (Tue.)**
Reason for warrant: **AGGRAV STALKING AND OTHERS**

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

***** END OF HARDCOPY *****

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

General Offense Information

Operational status: **REQUEST FOR PROSECUTION**
Reported on: **Jun-15-2016 (Wed.) 2015**
Occurred between: **Jun-15-2016 (Wed.) 2010** and **Jun-15-2016 (Wed.) 2015**
Approved on: **Jun-16-2016 (Thu.)** by: **117035 - Roberts, Jason**
Report submitted by: **4681 - Fluellen, Curtis**
Org unit: **Night B Squad 408 D4408**
Address: **6812 HOLLY HEATH DR**
Municipality: **HILLSBOROUGH COUNTY**
District: **D4** Beat: **J03** Grid: **HS3744**
Felony/Misdemeanor: **MISDEMEANOR**
Special study: **Persons - Other (Stalking, Cyber Stalking, Threats, Etc.)**
Family violence: **No**

Offenses (Completed/Attempted)

Offense: # **1 HARASS-1 HARASSING/OBSCENE - COMPLETED**
Location: **Residence/Home (Mobile homes, apartments, condos, nursing homes)**
Offender suspected of using: **Not Applicable**
Bias: **None (no bias)**

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Related Attachment(s) - Request for Prosecution

Attachment Description:
Reference Number:

SWORN REQUEST FOR PROSECUTION BY COMPLAINANT

IF YOU WISH THIS CASE TO BE CONSIDERED FOR PROSECUTION, MAIL THIS FORM TO THE STATE ATTORNEY'S OFFICE: 419 N. PIERCE ST., TAMPA, FL 33602-4022, ATTENTION: INTAKE AFTER 10 DAYS BUT NO LATER THAN 21 DAYS. IF RECEIVED AFTER 21 DAYS, THIS CASE WILL NOT BE PROSECUTED.

TO BE FILLED IN BY OFFICER:
(FOR USE IN MISDEMEANOR CASES ONLY)

UCR	Agency	Case Number
	HCSO	16-413962

Defendant's Last Name	First Name	Middle Name	AKA
Gilbertl	Joseph	Dennis	

Address or Place Defendant can be Located (Do NOT enter a P.O. Box).	City	Zip Code
3905 Halloak Ct.	Valrico	33594

DOB	Sex	Race	HT	WT	Telephone Number
03/20/1969	(•) M ( ) F	White	5'8	190	(239) 233-8573

Co-Defendant(s) Names (Complete Separate Complaint Forms for Each.)

Cross Complaint Issued? ( ) Yes (•) No

Within the City of: ( ) Tampa ( ) Plant City ( ) Temple Terrace (•) N/A

If Unincorporated Area (Select One) (•) W. of 301 ( ) E. of 301

Location of Offense: Confidential address of Attorney Christopher Shaw

Offense: Harassing Phone Calls | Date: 06/15/2016 | Statute: 365.16 (1)(b)

Complainant's Last Name	First Name	Middle Name	Sex	Race	DOB
Shaw	Christopher		(•) M ( ) F	White	03/21/1985

Address (Do NOT Enter a P.O. Box)	City	Zip Code	Home Phone No	Business Phone No	Work Hours
Confidential	Confidential		(727) 492-5759		N/A

Complainant's Relationship to Defendant (Select One)
( ) Spouse ( ) Relative ( ) Neighbor ( ) Co-Worker (•) Acquaintance ( ) None

If "Relative" selected, list relationship.

Witness Last Name	First Name	Middle Name	DOB	Address (Do NOT Enter a P.O. Box)	Phone
Witness Last Name	First Name	Middle Name	DOB	Address (Do NOT Enter a P.O. Box)	Phone

State Facts to Establish a Crime was Committed (LEO):

The defendant is a former client of the victim and called the victim blaming him for the Boston Bombing and Orlando Terror Shooting.

State Facts to Establish the Defendant Committed the Crime (LEO):

The defendant was identified by the victim as the person committing the offense. The defendant also identified himself by name on the victim's phone message.

M/Deputy C. Fluellen	4681	4	408		
Printed Name of Law Enforcement Officer	Badge No.	District	Squad	Signature	Date

TO BE FILED OUT BY COMPLAINANT: I desire prosecution in this case and request the State Attorney's Office to review it for prosecution. I will be present for any required court dates should this case be prosecuted.

Write a brief statement about what happened and list any additional witnesses not listed above, and their addresses (use additional paper if necessary).

I Affirm These Facts Are True

Signature _____ Print Name _____

Subscribed and sworn to before me this _____ day of _____ 20___ _____ Notary Public

My commission expires: _____ Seal:

SAO FORM NO. 177 SEPTEMBER 2008

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Related Event(s)

CP HS2016-413962

Related Person(s)

1. Victim # 1 - SHAW, CHRISTOPHER DERRICK

(Case Specific Information)

Sex: **MALE**
Race: **WHITE**
Date of birth: **Mar-21-1985**
Address: **6812 HOLLY HEATH DR**
Municipality: **RIVERVIEW , Florida 33578**
District: **D4** Beat: **J03** Grid: **HS3744**

Phone Numbers

Cellular: **(727) 492-5759**

Particulars

Employer: **HILLSBOROUGH COUNTY PD OFFICE**
Citizenship: **America, United States of**
Marital status: **Married**
Ethnicity: **Not of Hispanic Origin**
Language(s) spoken: **English**
Height: **5'08**
Disability: **No**
Build: **Large** Complexion: **Fair**
Eye color: **Brown**
Hair color: **Brown**
Hair style: **Short**

Master Name Index Reference

Name: **SHAW, CHRISTOPHER DERRICK**
Sex: **MALE**
Race: **WHITE**
Date of birth: **Mar-21-1985**
Ethnicity: **Not of Hispanic Origin**
Address: **CONFIDENTIAL**
Municipality: **RIVERVIEW , Florida 33578**
District: **D4** Beat: **J03** Grid: **HS3744**

Phone numbers

Cellular: **(727) 491-5759**

Linkage factors

Resident status : **Resident**
Age range : **30-49 Years**
Access to firearm : **No**

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Victim of :
HARASS- 1 HARASSING/OBSCENE - COMPLETED

Victim's Relationship to Offender : **Acquaintance**
Person's role : **Suspect #1**
Person's name : **GILBERTI, JOSEPH D (DOB: Mar-20-1969)**

2. Suspect # 1 - GILBERTI, JOSEPH DENNIS JR

(Case Specific Information)

Sex: **MALE**
Race: **WHITE**
Date of birth: **Mar-20-1969**
Address: **3905 HALLOAK CT**
Municipality: **VALRICO , Florida 33594**
District: **D4** Beat: **J04** Grid: **HS3750**

Phone Numbers
Cellular: **(239) 233-8573**
Home: **(239) 233-8573**

Particulars

Place of birth: **Florida**
Employer: **PLEAD THE FIFTH**
Citizenship: **America, United States of**
Marital status: **Married**
Ethnicity: **Not of Hispanic Origin**
Language(s) spoken: **English**
Height: **5'08** Weight: **190** lbs.
Disability: **No**
Build: **Thin** Complexion: **Fair**
Eye color: **Green**
Hair color: **Brown**
Additional remarks: **ANTIGOVERNMENT STATEMENTS MADE, BOMB THREATS**

Master Name Index Reference

Name: **GILBERTI, JOSEPH DENNIS JR**
Sex: **MALE**
Race: **WHITE**
Date of birth: **Mar-20-1969**
Ethnicity: **Not of Hispanic Origin**
Address: **3905 HALLOAK CT**
Municipality: **VALRICO , Florida 33594**
District: **D4** Beat: **J04** Grid: **HS3750**
Phone numbers
Cellular: **(813) 470-6000**
Home: **(813) 470-6000**

Linkage factors

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Resident status : **Resident**
Age range : **30-49 Years**
Access to firearm : **No**

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Related Text Page(s)

Document: **INVESTIGATION**
Author: **4681 - Fluellen, Curtis**
Related date/time: **Jun-15-2016 (Wed.) 2131**

On 6/15/2016, I was dispatched to 6812 Holly Heath Dr. Riverview, FL 33578 in reference to harassing phone calls. Upon my arrival, I meet with the victim, Christopher Shaw and obtained an oral statement. I listened to a voice recording on Christopher's cellphone. The voice message was blaming Christopher for the Boston Bombing and Orlando night club shooting. The suspect identified himself as Joseph Gilberti. I attempted to make contact with Mr. Gilberti and was met with negative results. A request for prosecution was completed and provided to the victim, Christopher Shaw. Furthermore, the suspect was a former client of Mr. Shaw two years ago.

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Related Text Page(s)

Document: **INTERVIEW-VICTIM**
Author: **4681 - Fluellen, Curtis**
Subject: **SHAW, CHRISTOPHER**
Related date/time: **Jun-15-2016 (Wed.) 2138**

Christopher Shaw stated he represented the suspect, Joesph Gilberti two years ago when he worked at the Public Defender's Office. Christopher advised Joseph has a history of stalking and he did not know how he got his cellphone number.

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Clearance Information

Agency: **Hillsborough County**
Cleared status: **Not Applicable - Not Applicable**
Cleared on: **Jun-15-2016 (Wed.)**
Complainant/Victim notified: **No**

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

HILLSBOROUGH COUNTY SHERIFF

GENERAL OFFENSE HARDCOPY

GO# HS 2016-413962 REQUEST FOR PROSECUTION **HARASS-1 HARASSING/OBSCENE**

***** END OF HARDCOPY *****

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Filing # 74607879 E-Filed 07/09/2018 09:21:01 AM

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA **CASE NUMBER: 16CF010976A**

v.

DIVISION: B

JOSEPH DENNIS GILBERTI

DEFENDANT'S MOTION TO COMPEL DISCOVERY

COMES NOW the Defendant, JOSEPH DENNIS GILBERTI, by and through the undersigned attorney, pursuant to Rule 3.220 of the Florida Rules of Criminal Procedure, and respectfully requests this Honorable Court to compel the State of Florida to produce that information requested by the Defendant in the Notice of Discovery, and as grounds therefore states:

1. On 05/14/2017, by and through the undersigned attorney, the Defendant filed a Notice of Discovery requesting various types of information as set forth by Fla.R.Crim.P. 3.220.
2. Specifically the defense is requesting the following
    a. The production of the actual email in its original electronic format that is the subject of the listed charges.
    b. The google information, including the IPS address from which the alleged email was generated, received and sent to.
3. The ability to do a forensic inspection on the computer of the listed victim in reference to specifically the date of the alleged email of June 18, 2016.
4. As of 06/25/2017, no such discovery has been received.

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

WHEREFORE, the Defendant respectfully requests this Honorable Court to order the Office of the State Attorney to comply with Fla.R.Crim.P. 3.220 and require the Office of the State Attorney to answer each and every paragraph mentioned above and produce all information in the possession and control of the State, so that the attorney for the Defendant may inspect, copy, test, and photograph same.

I HEREBY CERTIFY that a copy of the foregoing motion has been furnished to ROBERT T MOSAKOWSKI via e-mail to !mailprocessingstaff@SAO13th.com, Assistant State Attorney, Office of the State Attorney of the Thirteenth Judicial Circuit, on this 25th day of June, 2018.

Respectfully submitted,
LAW OFFICE OF JULIANNE M. HOLT
PUBLIC DEFENDER

/s/ CATISHA R. SMITH
Florida Bar # 0057319
Post Office Box 172910
Tampa, Florida 33672-0910
(813) 272-5980
(813) 388-4267 (fax)
smithc@pd13.state.fl.us

Attorney for JOSEPH DENNIS GILBERTI

/smith_c

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA, IN AND FOR HILLSBOROUGH COUNTY

STATE OF FLORIDA

vs.

Case No.: ***16-CF-010976-A***
Division: **B**

JOSEPH DENNIS GILBERTI, JR., P.E.

MOTION TO COMPEL EVIDENCE FROM VICTIM AND GOOGLE EMAIL ACCOUNTS
SUBPOENA DUCES TECUM

COMES NOW, Joseph D. Gilberti, Jr, defendant in the above described case files a Motion to COMPEL EVIDENCE from his own Gmail account, support thereof, states as follows:

To: Google, LLC
1600 Amphitheatre Parkway
Mountain View, CA 94043

and

Corporation Service Company
1201 Hays Street
Tallahassee, FL 32301-2525

CLERK OF CIRCUIT COURT
2018 FEB 21 AM 8:32
COURTS

GREETINGS:

WE COMMAND YOU, that all businesses and excuses being laid aside, to produce for inspection and examination the materials as related to emails, IP Addresses, meta data and electronic data, regarding incoming and outgoing emails in the ranges listed below for both listed email accounts in those time ranges. We want to verify who received outgoing emails from Mr. Gilberti who was whistleblowing Americans No1 Drinking Water Supply during the Boston Bomb Terrorist act. As well as a potentially fabricated email done by Hillsborough County Public Defenders and a group of bad Lawyers, Leaders and IT groups within our Judiciary in Tampa Florida to kidnap Mr. Gilberti again during the Trump Election.

TAKE NOTICE THAT, failure to comply with this subpoena is punishable as a Contempt of Court and shall make you liable for harboring these US Terrorism crimes against our US Critical hidden Water Supply under attack by Florida Lawyers, Media, Judges, Doctors and Developers who hid this resource for bottling and Cancer businesses to thrive.

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

The following META DATA and ACTUAL EMAIL electronic information sought for is listed below per email account and time of concern ranges by Professional Engineer JOSEPH DENNIS GILBERTI, JR., PE, the defendant, who is requesting the CRITICAL information for Trial as follows:

1. Please provide all emails sent from gilberti.water.company.fla@gmail.com from June 2016 to July 2017.

2. Please provide all emails sent from gilbertiwater@gmail.com from April 2013.

3. The State emailed their discovery response in the above referenced project but the information is unclear and recent depositions show very serious descripencies in time of email and places it was sent to the Victim.

4. Additionally, the copy provided in PDF format could have been manufactured or manipulated on any word processor.

5. The State must prove that the email is authentic and that it actually orgininated from the defendant.

6. Accordingly, the Defendant hereby request that the State produce the actual email in electronic from the actual computer that received it and allow his expert the opportunity to conduct a forensic examination of the Victims computer that received emails in the ranges listed above being also asked for from the Google Corporate Internet service provider for time and date ranges listed above.

7. Given the severity of the crime as charged and the potential penalty, Defendants expert should be afforded this opportunity.

8. Defendant understands, given the fact that the Victim is an attorney, there may exist certain confidentiality concerns. Therefore, Defendant does not object to an in camera inspection of this data.

WHEREFORE, Defendant Joseph Gilberti respectfully request that this Court enter an Order issuing the Request for Evidence of emails sent by these accounts based on the ranges of dates listed above from Google Corporation.

DONE AND ORDERED by the Court of Tampa, Hillsborough County, Florida on this _____ day of February 2018.

_____
THE HONORABLE MARK R WOLFE
CIRCUIT COURT JUDGE
THIRTEENTH JUDICIAL CIRCUIT
HILLSBOROUGH COUNTY, FLORIDA

Copies furnished to:
APRIL L. JOHNSON, Assistant State Attorney
CATISHA R. SMITH, legal assistance to JOSEPH DENNIS GILBERTI, JR. P.E

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

Law Office of
JULIANNE M. HOLT
Public Defender

Thirteenth Judicial Circuit of Florida
700 East Twiggs Street, Fifth Floor
P.O. Box 172910
Tampa, Florida 33672-0910

REPLY TO: CATISHA R. SMITH
TEL: (813) 277-1530
FAX: (813) 388-4267

July 9, 2018

JOSEPH DENNIS GILBERTI
1201 ORIENT RD
5C35A
TAMPA, FL 33619

RE: Case Number(s): 16CF010976A, Division B

Dear MR GILBERTI:

Enclosed please find copies of depositions taken of:

PAUL G ARMSTRONG (8/3/17 1:40P.M. 13 PAGES)

Please do not discuss your case with anyone except your attorney. Discussions about your case with others (i.e. husband/wife, siblings, family or friends) are not confidential and can be used against you in a criminal proceeding. **Do not share, show, or discuss** any of the information on your case that you have received with others. Any information about your case can be used by others against you.

If you have any questions, please feel free to contact me at the above-listed telephone number.

Please keep your copy of the materials enclosed - you may need these materials in the future. Additional copies will require advance payment.

Sincerely,

LAW OFFICE OF JULIANNE M. HOLT
PUBLIC DEFENDER

Legal Assistant to CATISHA R. SMITH

JMH/temaul_j

Enclosure: Transcript(s)

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

IN THE CIRCUIT COURT OF THE THIRTEENTH
JUDICIAL CIRCUIT OF THE STATE OF FLORIDA
IN AND FOR HILLSBOROUGH COUNTY
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA — CASE NO. 16-CF-010976

vs. — DIVISION: B

JOSEPH DENNIS GILBERTI

DEPOSITION OF DEPUTY CURTIS FLUELLEN

DATE: Tuesday, August 15, 2017

TIME: 3:03 p.m. -- 3:10 p.m.

PLACE: Public Defender's Office
700 E. Twiggs Street
Fifth Floor
Tampa, Florida

PURPOSE: Of discovery, for use at trial, or for such other purposes as are permitted under the Florida Rules of Criminal Procedure

REPORTED BY: MARC HOWTON
NOTARY PUBLIC
REGISTERED PROFESSIONAL REPORTER

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

APPEARANCES

Counsel for State of Florida:

MS. APRIL JOHNSON -- VIA TELEPHONE
Assistant State Attorney
State Attorney's Office
419 N. Pierce Street
Second Floor
Tampa, Florida 33602

Counsel for Defendant:

MS. CATISHA SMITH
Assistant Public Defender
Public Defender's Office
700 E. Twiggs Street
Fifth Floor
Tampa, Florida 33602

I N D E X

WITNESS	EXAMINATION	PAGE NUMBER
DEPUTY PAUL G. ARMSTRONG		
	By Ms. Smith.....	3
	Stipulations.....	12
	Reporter Certificate	13

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

DEPUTY PAUL G. ARMSTRONG

called as a witness by the Defendant, having been first duly sworn, testified as follows:

EXAMINATION

BY MS. SMITH:

Q. Deputy Armstrong, can you state your name and spell your last name for the record, please, sir?

A. Deputy Paul Armstrong.

Q. Deputy Armstrong, you're employed with Hillsborough County Sheriff's Office?

A. Yes, I am.

Q. Prior to June 27, 2016, had you ever come into contact with the person you now know as Christopher Shaw?

A. Prior to? No, I did not.

Q. And when speaking to Mr. Shaw, were you given any information in reference to this case?

A. Yes, I was.

Q. Can you provide us with what Mr. Shaw advised you?

A. Yes. In June 2016, Mr. Shaw advised that a former client of his, last name Gilberti, was sending him E-mails and threatening harassing text messages and E-mails to his E-mail and to his phone.

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Q. Did you have an opportunity to review -- Let's start with the text message.

A. I did review it, and I did provide a picture and a copy of it to evidence.

Q. Did you keep a copy? Have you had a chance to review it since June 27, 2016?

A. No, ma'am, I have not. Just my report.

Q. And from your recollection -- And if you don't recall, please tell me you don't recall. In reference to the text message, were there threats to kill? Did the person threaten to kill Mr. Shaw?

A. He threatened to use knives and guns to harm Mr. Shaw, correct.

Q. The text message that we have -- and understanding that the picture would be the best evidence, and you don't have it in front of you -- specifically did he threaten to use them, or did he say something along the lines of showing him about the knives and the guns?

A. I don't recall the exact details of the text message.

Q. But the text message included something about knives and something about guns?

A. Yes, ma'am. That is correct.

Q. All right. In reference to the E-mails,

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what gave you the impression that the E-mails came from Mr. Gilberti?

A. Mr. Shaw indicated that Mr. Gilberti was a former client of his and that he had direct knowledge of Mr. Gilberti's E-mail address and phone number due to him being a former client.

Q. Did Mr. Shaw explain to you what type of client it was and what capacity?

A. He was just representing him in a legal capacity.

Q. Could Mr. Shaw recite to you the E-mail address, or was he relying on what he observed on the E-mail?

A. He provided me a copy. And I don't remember if he recited it to me, but he provide me a copy of the E-mail address.

Q. Did you see the E-mail on Mr. Shaw's computer or phone, or did he just give you a paper copy of the E-mail?

A. He provided me a paper copy of the E-mail.

Q. So, you never saw the E-mail actually on the phone or the computer or where he observed it at?

A. No, ma'am, I don't believe so.

Q. And we as well was given a copy of what is

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believed the E-mail that Mr. Shaw provided law enforcement officers. And understanding you have no expertise in computer E-mails and stuff of that nature, did it appear that the E-mail had any changes to it or any deletions or anything that you thought should have been there but was not there?

A. There was nothing unusual in appearance about the E-mail.

Q. And again, understanding that the E-mail would be the best evidence, and reviewing the E-mail from your recollection, did Mister -- the person who sent the E-mail, did they ever allege that they were going to kill Mr. Shaw?

A. I don't recall the exact details of the E-mail, ma'am.

Q. Did Mr. Shaw discuss with you as to any other forms of communications that were sent to him other than the -- it appears to be one text message that he showed you and one E-mail that he showed you. Were there any other communications that Mr. Shaw advised you that were sent to him that he believed to be threatening in nature?

A. I don't recall any others. No, ma'am.

Q. Did Mr. Shaw ever speak to you or discuss with you as to whether he returned any of the phone

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calls or whether he replied back to any of the E-mails?

A. I don't recall him discussing if he returned any of the E-mails or phone calls.

Q. Did Mr. Shaw ever advise you of Mr. Gilberti coming to his home or anything of that nature?

A. No, ma'am. Not to my knowledge.

MS. SMITH: April, any questions from that?

MS. JOHNSON: No questions.

BY MS. SMITH:

Q. Did Mr. Shaw ever advise you that Mr. Gilberti was repeatedly following him?

A. No, ma'am, not to my knowledge when I had contact with him, no.

Q. So, it's just one text message and one E-mail that Mr. Shaw related Mr. Gilberti did in reference to this case?

A. I did learn of a previous incident when I met him. I don't recall the actual incident, but I did link the two calls together and link the report information together. I don't remember the details of it, though.

Q. Do you remember the date of the text message that you saw?

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A. If I can refer to my report, I might have it in there real quick.

Q. That's fine. Yes, sir.

A. I just have the dates for the E-mails which were 6/18 and 6/15 of 2016.

Q. One E-mail or two E-mails?

A. I have two different E-mails. One on 6/18 and one on 6/15 that I referred to in my report. Oh, I'm sorry. There was a voice mail from -- an alleged voice mail from Mr. Gilberti on 6/15 and an E-mail from Mr. Gilberti on 6/18.

Q. So, voice mail 6/15. E-mail 6/18. And the text message. What text message are you referring to?

A. I notice that the voice mail was -- a previous report was done for that in 2016. I don't have any reference to the text messages in my report.

Q. So, when you were testifying earlier that Mr. Shaw advised you of threatening text messages and you viewed a picture of the text message and the text message included use of knives and guns, what text message are you referring to?

A. I misspoke. I meant the E-mail, not the text message referred to knives and guns.

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Q. So, just one E-mail and one voice mail E-mail from 6/15 -- I'm sorry -- E-mail from 6/18/2016 and voice mail from 6/15/2016 are the only things that Mr. Shaw alleged to you was sent to him in reference to Mr. Gilberti?

A. Yes, ma'am, to my knowledge.

Q. And you said Mr. Shaw had advised you that he had contacted law enforcement in reference to the voice mail on 6/15. That had already been reported to law enforcement?

A. Yes, ma'am. That is correct. He did contact law enforcement previous to that incident, yes.

Q. And when you were referring to you said the picture of the text message, you were actually referring to the E-mail?

A. Yes ma'am. That's correct. I misspoke. I meant the E-mail.

MS. SMITH: Ms. Johnson, any questions from that?

MS. JOHNSON: Let me just double-check.

BY MS. SMITH:

Q. While Ms. Johnson is looking. Did Mr. Shaw ever advise you how he believed the person he identified as Mr. Gilberti had gotten his contact

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information?

A. He advised that he was a previous client of his. That's how he obtained his contact information.

Q. And that would have been his phone number and E-mail address?

A. Yes, ma'am. That is correct.

MS. JOHNSON: I don't have any questions.

BY MS. SMITH:

Q. Did Mr. Shaw advise you that he provided that contact information, his cellphone number and his E-mail address to Mr. Gilberti?

A. I don't recall if he said he provided it, but he obtained it via their communication back and forth of him being a client of his, of Mr. Gilberti being a client of Mr. Shaw.

Q. And based on your recollection, did Mr. Shaw -- it sounds like Mr. Shaw is indicating that the person he identified as Mr. Gilberti lawfully obtained his phone number and E-mail address. He, Mr. Shaw, just didn't appreciate the E-mails and the voice mail that were sent to him.

A. I believe that's the case.

MS. SMITH: Anything from that, Ms. Johnson?

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MS. JOHNSON: No.

BY MS. SMITH:

Q. Thank you so very much. Any additions, deletions or modifications to what we discussed or what's in the report at this time, Deputy Armstrong?

A. No, ma'am, not at this time. Thank you.

Q. Read or waive, sir?

A. Waive, please.

Q. Thank you so very much. Have a good day.

A. You too. Thank you.

MS. SMITH: We're off the record.

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

STIPULATIONS

IT WAS STIPULATED BETWEEN
counsel for the respective parties,
with the consent of the witness,
that reading and signing of the foregoing
deposition by the witness be waived.

THEREUPON, the deposition of
DEPUTY PAUL G. ARMSTRONG, taken at the
instance of the Defendant,
was concluded.

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

COURT REPORTER CERTIFICATE

STATE OF FLORIDA)

COUNTY OF HILLSBOROUGH)

I, MARC HOWTON, Registered Professional Reporter and Notary Public in and for the State of Florida at large, hereby certify that the witness named herein appeared before me for the taking of the foregoing deposition, and was by me first duly sworn to tell the whole truth.

I FURTHER CERTIFY that the deposition was recorded by me and that the foregoing pages constitute a true and correct transcription of my recordings thereof.

I FURTHER CERTIFY that I am neither an attorney, nor of counsel for the parties to this cause, nor a relative or employee of any attorney or party connected with this litigation, and that I have no interest in the outcome of this action.

WITNESS my hand on July 9, 2018, at Tampa, Hillsborough County, Florida.

Marc Howton

MARC HOWTON, RPR
Florida Notary Public FF-130768 EXPIRES: 8-7-2018

TRANSCRIPT ORDERED: June 28, 2018

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

IN THE CIRCUIT COURT OF THE THIRTEENTH
JUDICIAL CIRCUIT OF THE STATE OF FLORIDA
IN AND FOR HILLSBOROUGH COUNTY
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA — CASE NO. 16-CF-010976

vs. — DIVISION: B

JOSEPH DENNIS GILBERTI

DEPOSITION OF DEPUTY PAUL G. ARMSTRONG

The witness testified via computer video and was not in the deposition room with the court reporter

DATE: Thursday, August 3, 2017

TIME: 1:40 p.m. -- 1:54 p.m.

PLACE: Public Defender's Office
700 E. Twiggs Street
Fifth Floor
Tampa, Florida

PURPOSE: Of discovery, for use at trial, or for such other purposes as are permitted under the Florida Rules of Criminal Procedure

REPORTED BY: MARC HOWTON
NOTARY PUBLIC
REGISTERED PROFESSIONAL REPORTER

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

APPEARANCES

Counsel for State of Florida:

MS. APRIL JOHNSON
Assistant State Attorney
State Attorney's Office
419 N. Pierce Street
Second Floor
Tampa, Florida 33602

Counsel for Defendant:

MS. CATISHA SMITH
Assistant Public Defender
Public Defender's Office
700 E. Twiggs Street
Fifth Floor
Tampa, Florida 33602

I N D E X

WITNESS	EXAMINATION	PAGE NUMBER
DEPUTY CURTIS FLUELLEN		
	By Ms. Smith.....	3
	Stipulations.....	7
	Reporter Certificate	8

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

DEPUTY CURTIS FLUELLEN

called as a witness by the Defendant, having been first duly sworn, testified as follows:

EXAMINATION

BY MS. SMITH:

Q. State your name for the record, please, sir.

A. Deputy Curtis Fluellen. F-L-U-E-L-L-E-N.

Q. Deputy Fluellen, you work for the Hillsborough County Sheriff's Office?

A. Yes.

Q. Were you so employed back in June of 2016?

A. Yes.

Q. How long have you worked for HCSO, sir?

A. Going on 19 years.

Q. Prior to June 15, 2016, had you ever come into contact with the person you now know as Christopher Shaw?

A. No.

Q. Had you ever come into contact with the person identified as Joseph Gilberti?

A. No.

Q. And you were given an opportunity to review a voice mail in reference to this case?

A. Yes.

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Q. Did you recognize the voice on there?
A. After hearing the voice message and the name that was given.
Q. So, that's how you identified it?
A. That's how I identified it.
Q. But you have no personal recollection of who that individual is?
A. No.
Q. You relied on the voice mail itself to tell you who it was and Mr. Shaw?
A. Yes.
Q. Did Mr. Shaw give you any other voice mail in reference to this case?
A. No.
Q. Did Mr. Shaw advise you of any other contact that he had received from the person he identified as Mr. Gilberti?
A. No.
Q. Did you collect any other evidence other than the voice mail that's been provided to us in discovery?
A. No.
Q. Do you have an independent recollection of what the voice mail stated?
A. It mentioned about him being a terrorist

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and basically blaming him for the Boston and Orlando incidents.

Q. If I play you the voice mail and you listen to it, can you tell me if this is a voice mail that you heard on that particular day if I play it for you?

A. I can try.

Q. And if you don't know, please tell me you don't know, sir.

A. Indeed I will.

(Ms. Smith playing audio recording)

BY MS. SMITH:

Q. Is that the voice mail you recall hearing on that particular day, June 15, 2016?

A. Yes.

Q. And you indicated Mr. Shaw didn't provide you with any other voice mails at all?

A. No.

Q. Did Mr. Shaw ever advise you of any other contact, threatening contact in any way by a Joseph Gilberti?

A. No.

MS. SMITH: I don't have anything else. Do you have anything for Deputy Fluellen?

MS. JOHNSON: No.

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BY MS. SMITH:

Q. Anything else, Deputy Fluellen? Additions, deletions, or modifications to what we've discussed or what is written in your report?

A. No.

Q. Read or waive?

A. Waive.

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

STIPULATIONS

IT WAS STIPULATED BETWEEN
counsel for the respective parties,
with the consent of the witness,
that reading and signing of the foregoing
deposition by the witness be waived.

THEREUPON, the deposition of
DEPUTY CURTIS FLUELLEN, taken at the
instance of the Defendant,
was concluded.

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

COURT REPORTER CERTIFICATE

STATE OF FLORIDA)

COUNTY OF HILLSBOROUGH)

I, MARC HOWTON, Registered Professional Reporter and Notary Public in and for the State of Florida at large, hereby certify that the witness named herein appeared before me for the taking of the foregoing deposition, and was by me first duly sworn to tell the whole truth.

I FURTHER CERTIFY that the deposition was recorded by me and that the foregoing pages constitute a true and correct transcription of my recordings thereof.

I FURTHER CERTIFY that I am neither an attorney, nor of counsel for the parties to this cause, nor a relative or employee of any attorney or party connected with this litigation, and that I have no interest in the outcome of this action.

WITNESS my hand on July 9, 2018, at Tampa, Hillsborough County, Florida.

Marc Howton

MARC HOWTON, RPR
Florida Notary Public FF-130768 EXPIRES: 8-7-2018

TRANSCRIPT ORDERED: June 28, 2018

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

IN THE CIRCUIT COURT OF THE THIRTEENTH
JUDICIAL CIRCUIT OF THE STATE OF FLORIDA
IN AND FOR HILLSBOROUGH COUNTY
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA — CASE NO. 16-CF-010976

vs. — DIVISION: B

JOSEPH DENNIS GILBERTI

DEPOSITION OF CHRISTOPHER DERRICK SHAW

DATE: Tuesday, August 15, 2017

TIME: 2:10 p.m. -- 2:57 p.m.

PLACE: Public Defender's Office
700 E. Twiggs Street
Fifth Floor
Tampa, Florida

PURPOSE: Of discovery, for use at trial, or for such other purposes as are permitted under the Florida Rules of Criminal Procedure

REPORTED BY: MARC HOWTON
NOTARY PUBLIC
REGISTERED PROFESSIONAL REPORTER

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

STATE OF FLORIDA

FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL

ENGINEERS,

Petitioner,

v. FEMC Case No. 2016029320

JOSEPH GILBERTI P.E.,

Respondent,

_____/

Notice of Evidence of FRAUD ON COURTS

by

Hillsborough County Judge Wolfe, Judge Conrad, Judge Dominquez and all State Attorneys in Hillsoborough including Pam Bondi, Andrew Warren and ex-Public Defender Chris Shaw via Boston Bomb game to kidnap Engineer Gilberti to steal his Land with Critical Aquifer under it in Sarasota

COMES NOW, the Respondent JOSEPH GILBERTI pursuant to Section 120.57, Florida Statues answers the alleged complaint by Petitioner, FEMC on behalf of Florida Board of Engineers complaint filed to hide this US Resource from THE PEOPLE using Terrorist acts with Gov Scott, Pam Bondi, Obama, Members of Congress and Florida Leaders with Hillsborough County Judiciary, Sarasota Judiciary, Mosaic Phosphate and other to be included as part of ongoing cases in Florida, US Middle District Florida and Georgia Courts as related to Water Wars and US Natural Resources hidden by US Colleges and Medical Universities, EPA and NASA.

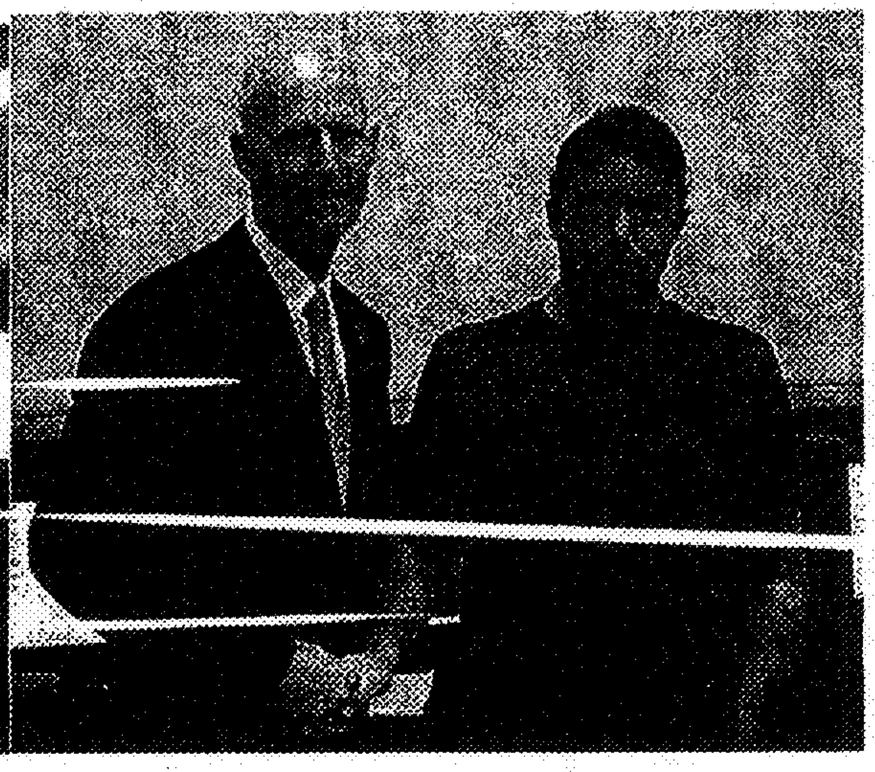
1. Attached is a Deposition by Catisha Smith who did not pull Chris Shaw's computer that was granted early 2017 to hide the fact he lied with the Board of Engineers and Mosaic Fertilizer AGAIN to stop Clean Water to the Tap of over 10million homes and potentially across America!

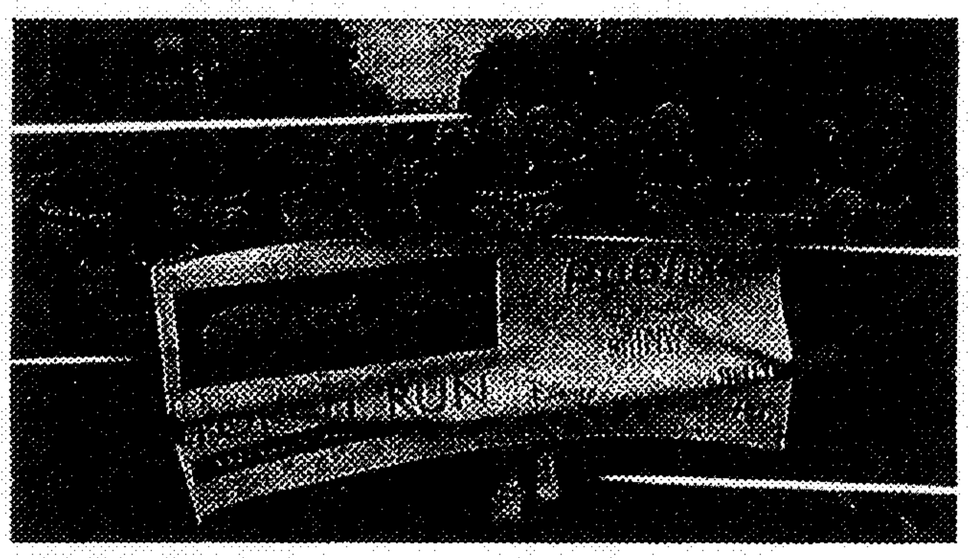
Filed November 22, 2017 12:51 PM Division of Administrative Hearings

Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

2. Tap Water is based on Cancer Rates and Medicaid Fraud Gov Scott is taking pictures with my missing Cad Tech Rob Stampe below, before and after the Boston Terror attack that raised my bond retroactively with a Leon County Torch Run with FDEP Hershall Vinyard. See EPA Health Advisories and common sense that Treated Water is less healthy and more expensive to the Tap than Endless Free Alkaline Mineral Spring Water. Humans take in a liter of Water in the Shower where Medicaid Fraud Trump, Obama, Florida Hospital Boards and Media hide this US TERRORISM with all Tampa to Miami Judges, Engineering Firms working for Municipalities and the EPA!







3. Why is Trump with Trump ICE Bottled Water hiding this US Resource with the Florida Board of Engineers, Administrative Law Judges and all Florida Cops and Firemen in our FACES to kill our Children and Pets with Cancer Rates?

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4. Why are all 26 Administrative Law Judges in Tallahassee hiding this World Resource with the Board of Engineers for an entire year through Hurricanes with John Rimes and Wendy Anderson to kill Americans at the Tap? This mixture changes World medicine so it's not just the pipeline! Arrest all Judges who knew in Florida for Civil duty and take their Bar away immediately for TREASON! Fraud on Courts across Tampa and Tallahassee to Destroy American Families with Water Supply and Cancer!

Compare U.S. v. Throckmorton, 98 U.S. 61, 25 L.Ed 93 (1878)E
Hazel-Atlas Glass Co. v. Hartford Empire Co., 64 S. Ct. 997 (1944)
Demjanjule v. Petrovsky, 10 F. 3d 338 at 352 (6th Cir 1993)

A cause of action for fraud on the court may be brought at any time, and any order, judgment or decree, obtained by fraud upon the court may be recalled and set aside at any time, whether entered in a civil or criminal case. See, **State v. Booker, 314 So. 2d 136 (Fla. 1975).**
Judges and attorneys are officers of the Court. A State judge is a state judicial officer, paid by the state to act impartially and lawfully. A federal judge is a federal judicial officer, paid by the federal government to act impartially and lawfully. State and federal attorneys fall into the same general category and must abide by the rules. A judge is not the court. **People v. Azjic, 88 Ill.App.3d 477,410 N>E.2d 626 (1980).**

In Bullock v. United states, 763 F.2d 1115, 1121 (10th Cir. 1985), the court stated "Fraud upon the court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury...where a judge has not performed his/her judicial function — thus where the impartial functions of the court have been directly corrupted."
"Fraud upon the court" has been defined by the 7th Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery cannot perform in the usual manner it impartial tasks of adjudging cases that are presented for adjudication."

Kenner v C.I.R., 387 F.3d 689(1968); 7 Moore's Federal Practice, 2d ed., p. 512, 60:23. The 7th Circuit further stated "a decision produced by fraud upon the courtis not in essence a decision at all, and never becomes final." "Fraud upon the court" makes void the orders and judgments of that court. It is also clear and well-settled that any attempt to commit "fraud upon the court" vitiates the entire proceeding. The People of the State of Illinois v. Fred E. Sterling, 357 Ill.354;192 N.E. 229 (1934) ("The maxim that fraud vitiates every transaction into which it enters applies to judgments as well as to contracts and other transactions."); In re Village of Willowbrook, 37 Ill. App.2d 393 (1962) ("It is axiomatic that fraud vitiates everything.").

Title XXIX PUBLIC HEALTH

Chapter 403 ENVIRONMENTAL CONTROL Entire Chapter

SECTION 851

Declaration of policy intent.

403.851 Declaration of policy; intent.—It is the policy of the state that the citizens of Florida shall be assured of the availability of safe drinking water. Recognizing that this policy encompasses both environmental and public health aspects, it is the intent of the Legislature to provide a water supply program operated jointly by the department, in a lead-agency role of primary responsibility for the program, and by the Department of Health and its units, including county health departments, in a supportive role with specific duties and responsibilities of its own. Without any relinquishment of Florida's sovereign powers and responsibilities to provide for the public health, public safety, and public welfare of the people of Florida, the Legislature intends:

(1) To give effect to Pub. L. No. 93-523 promulgated under the commerce clause of the United States Constitution, to the extent that interstate commerce is directly affected.

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(2) To encourage cooperation between federal, state, and local agencies, not only in their enforcement role, but also in their service and assistance roles to city and county elected bodies.

(3) To provide for safe drinking water at all times throughout the state, with due regard for economic factors and efficiency in government.

History.—s. 2, ch. 77-337; s. 162, ch. 79-400; s. 425, ch. 94-356; s. 164, ch. 99-8.

5.

Respectfully submitted,
Joe Gilberti

_____

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I N D E X

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CHRISTOPHER DERRICK SHAW

called as a witness by the Defendant, having been first duly sworn, testified as follows:

EXAMINATION

BY MS. SMITH:

Q. State your name and spell your last name for the record, please, sir.

A. Christopher Shaw. S-H-A-W.

Q. Mr. Shaw, when did you first become aware of Mr. Gilberti?

A. When I was working at the Public Defender's Office here in Hillsborough County.

Q. Do you remember what year it was?

A. 2012, I believe. That could be incorrect.

Q. And since working at the Public Defender's Office when you first came into contact with Mr. Gilberti, did you have discussions or contact with him outside of the Public Defender's Office?

A. After my employment?

Q. At any point.

A. Yes. He reached out to me.

Q. At what point did Mr. Gilberti first reach out to you outside of the office?

A. He placed a phone call when I had my own firm, and it was a very interesting phone call. And

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at that point, I returned the call at the advice of a former public defender friend of mine and Dr. Carpenter who is a psychiatrist who helps the Public Defender's Office.

Q. Okay. So, you get a phone call from Mr. Gilberti --

A. Correct.

Q. -- and you indicated it was interesting. What do you mean interesting?

A. He said I was responsible for the Boston bombing. A couple other things. I can't remember off the top of my head. But it was very inappropriate.

Q. The phone call you're referring to -- Did you talk to Mr. Gilberti on the phone, or is this a message that Mr. Gilberti left?

A. This is a voice mail.

Q. So, it's a voice mail that was provided us in discovery. Is that the first time that Mr. Gilberti reached out to you outside of the office?

A. Yes.

Q. All right. I have just played to you the voice mail that was provided to us by the State Attorney's Office in reference to this case. You

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had an opportunity to listen to it, correct?

A. Correct.

Q. Is that the full audio recording or voice mail that was left to you by who you indicated is Mr. Gilberti?

A. It actually goes on a little bit more. But yes.

Q. But as far as words from the person that you have indicated was Mr. Gilberti, that's the full content of the words?

A. Correct.

Q. And you said this is the first time that the person you identified as Mr. Gilberti on the voice mail reached out to you outside of the office?

A. Correct.

Q. You indicated that a friend of yours, as well as Dr. Carpenter, recommended that you return the phone call. What friend?

A. Jeanette Abuchaibe.

Q. And what information did you tell Ms. Abuchaibe as to what had happened for her to advise you to return the phone call

A. I played the voice mail for her and said, "I received this from a former client of mine. I don't know what to do. I'm very confused. What do

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I do?" And she recommended that I try to defuse the situation by giving him a call back and try talking him down. She also recommended I reach out to Dr. Carpenter, which I did, and he advised me the same thing.

COURT REPORTER: Mr. Shaw, would you talk slower, please?

WITNESS: I'm sorry. I'm a fast talker.

BY MS. SMITH:

Q. I'm pulling up a voice mail that was provided to us by Mr. Gilberti, if I can get it to come up. I just played you a voice mail that was provided to the defense from Mr. Gilberti. It has a date of June 16, 2016 at 4:42 p.m. Is that the voice mail -- I'm sorry. Is that the call that you indicated you returned --

A. Correct.

Q. -- to Mister -- Did Mr. Gilberti return that phone call?

A. Yes.

Q. Did you --

A. I did not answer the phone.

Q. Why didn't you answer the phone when you asked him to call you back?

A. I was at work.

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Q. Did you call him when you got back from work?

A. No.

Q. You called him Joe rather than Mr. Gilberti. Do you typically call your former clients by their first name?

A. Yes.

Q. Did you ever call Mr. Gilberti back?

A. No, I did not.

Q. Why not?

A. At that point, I reached out to my family for their input as well. And my brother-in-law who is a police officer in Citrus County advised me to file a police report instead.

Q. Your brother-in-law asked you to file a police report in reference to somebody asking you to come in and do a deposition and to tell the truth and file a police report based on what?

A. It was much more than that. He threatened me, saying I was responsible for Orlando, the Boston bombings. He said, "I'm putting you in jail." All kinds of things he said.

(Witness talking fast -- Some words unintelligible)

Q. Well, the voice mail we just listened to didn't say "I blame you for the Boston bomb." The

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voice mail that Mr. Gilberti left said, "The Boston bomb is going on. You're gonna help fix this." He never said, "I'm gonna blame you." Correct?

A. That's not my interpretation of what he said.

Q. Okay. So, your interpretation of what he said is that he was blaming you for the Boston bomb, but he never says directly you were the cause of the Boston bomb.

A. Well, he said, "You're gonna fix it." So, I don't know what that means to you.

Q. All right. So, the only thing that Mr. Gilberti said for you to think that he was saying you had caused the Boston bomb is you're going to fix it?

A. Correct.

Q. Mr. Gilberti -- in the contact that you had with him during your representation of him, was focused on -- he focused a lot on this water issue.

A. I can't comment on representation because of attorney-client privilege.

Q. Mr. Gilberti never, throughout this conversation, the voice mail that Mr. Gilberti left you in reference to this case, Mr. Gilberti doesn't say "I blame you for the Boston bomb."

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A. Those exact words? I did not hear those exact words.

Q. All right. And based on your experience as an attorney, if you are given a subpoena and you fail to show up and it's a lawful subpoena, isn't it true that you could be placed in jail for contempt of court for violating a court order?

A. That's a legal conclusion. I can't comment on --

Q. As your experience -- As your experience as an attorney -- You're an attorney, correct?

A. Correct.

Q. And how long have you been an attorney?

A. Seven years.

Q. All right. And your knowledge as being an attorney, a subpoena is a court order. Is it, or is it not?

A. It is a court order, correct.

Q. And if a person violates a court order, one of the sanctions as an attorney is that a person can be placed in jail. Can you or can you not?

A. It is discretion of the judge. But yes, it --

Q. All right. So, when Mr. Gilberti -- who you indicate is Mr. Gilberti on the voice mail --

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when that statement is made, that could be a lawful legal conclusion if he subpoenaed you that you could be placed in jail?

A. He had not subpoenaed me at that time. But if he had subpoenaed me, I would have appeared.

Q. And his statement to you is that he was going to subpoena you for a deposition.

A. Can you play the recording again?

(Recording played by Ms. Smith)

COURT REPORTER: Mr. Shaw, I'm going to ask you again to talk slower because --

WITNESS: It's very hard for me. I'll try.

MS. SMITH: I'll help slow him down.

COURT REPORTER: Frankly, some of your words are unintelligible, and I might be asked to transcribe this depo. Thank you.

WITNESS: I'll try my hardest. I apologize.

MS. SMITH: I'll help slow you down.

WITNESS: I get nervous. I get worked up. I'm sorry.

BY MS. SMITH:

Q. We just listened to the recording again, and Mr. Gilberti is saying that he wants to depose you.

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A. Those exact words? I did not hear those exact words.

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BY MS. SMITH:

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A. Correct.

Q. All right. At no point during the audio recording does Mr. Gilberti do anything other than say "I'm going to put you in jail if you fix this." You don't fix this. Right?

A. Well, he said other things in the Email.

Q. As far as threats. The voice mail. I haven't got to the Email yet. I'm just at the voice mail.

A. Direct threats? The only direct threat was he'd put me in jail.

Q. All right. So, you returned Mr. Gilberti's call based on Ms. Abuchaibe and Dr. Carpenter's request. What did you tell Dr. Carpenter?

A. I basically explained the phone call and said, "This is the phone call I received from a former client of mine when I was a public defender. And I don't know what to do. Should I return the call? Should I not return the call? What should I do to try to get him to leave me alone?"

Q. But this is -- This is only -- So, Mr. Gilberti makes one phone call to you. You return his phone call. He calls you a second time. You don't answer that phone call. And then -- But you called Dr. Carpenter in-between your return

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A. Correct.

Q. Because it's your testimony today that you immediately contacted the police?

A. Correct. Once I saw the Email.

Q. Other than the one voice mail and the one Email, did the person you have identified as Mr. Gilberti -- Did that person ever reach out to contact you again?

A. No.

Q. So, just those two contacts?

A. I believe I saw him outside my house. I can't remember the exact day. But I wasn't 100 percent certain it was him.

Q. So, from your knowledge, the person you know as Mr. Gilberti has only contacted you twice?

A. Correct.

Q. And that was the phone call -- the voice mail and the Email?

A. Correct.

Q. So, the Email goes -- In reading the Email that's been provided to us, the Email says -- Well, let me ask you. What makes you think that the person who sent the Email is Mr. Gilberti?

A. The subject line of the Email (unintelligible)

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Q. I didn't understand. You said --
A. Sorry. The subject line of the -- Or not subject line. The name line of the Email.
Q. Okay.
A. And the Email address I'm familiar with belonging to him.
Q. How are you familiar with that Email address?
A. From my representation.
Q. How much time had passed between your representation of Mr. Gilberti and this June 2016 date?
A. Years.
Q. How many?
A. I believe about four.
Q. So, four years passed --
A. No, that's not right. I'm sorry. Two years. I left the Public Defender's Office in February of '14. So, it would have been two years.
Q. So, two years passed between your representation of Mr. Gilberti and you receiving this Email, and you were able to recognize the Email as Mr. Gilberti's from your knowledge?
A. Yes.
Q. Without telling me what was included in the

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Email, how did you know his Email address during your representation of him?

A. He had sent Emails to the state, the judge, and defense counsel.

Q. How did you know it was Mr. Gilberti who sending those Emails?

A. I was not physically with him when he sent them, so -- They came from his Email address. That's all I know.

Q. It came from his Email address based on Mr. Gilberti saying "That's my Email address"? Well, let me ask you. Throughout the entire time of knowing Mr. Gilberti, did Mr. Gilberti ever tell you himself that "This is my Email address."

A. During the representation, I can't comment. Outside of representation, no.

Q. So, the Email address -- The Email that is sent -- It says: This item will expire in 22 days. And then it goes and says, "Did you get my fucking message? How about we talk? How about we have a real long talk together, you sniveling cocksucker? What about I come over and show you my fucking rifle and knife collection?" When you hear me get to a portion in the Email that you interpreted as a threat, please tell me. Do you want me to start

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from the beginning?

A. Sure.

Q. Okay. "Did you get my fucking message? What about we talk? How about we have a real long talk together, you sniveling cocksucker? What about I come over and show you my fucking rifle and knife collection?"

A. That's the first threat I identified.

Q. Okay. And that's based on your interpretation?

A. Correct.

Q. It's very well possible that the person you identified as Mr. Gilberti just wanted to show you his rifle collection and his knife collection without causing any harm or threat to you.

A. I highly doubt that.

Q. Based on him stating that?

A. Based on my interpretation of words.

Q. Okay. So, it's just based on your interpretation. But you would agree with me that nowhere in that statement that he said he that you identify as Mr. Gilberti comes and makes a statement and says "How about I show you my fucking rifle and I shoot you with my rifle? Or how about I show you my knife collection and I stab you with my knife

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collection?" He never actually writes down a written threat directly.

A. He does later on.

Q. We're at this statement where you've identified a threat. You would agree with me that nowhere in that sentence or that question does the person you identify as Mr. Gilberti actually specifically threatens you?

A. Incorrect. He does -- If you go beyond the words and go to the meaning of the words, he does directly threaten me.

Q. Based on your interpretation of the meaning of the words?

A. Correct.

Q. But this person that you've identified as Mr. Gilberti never explained to you what they meant or he meant or she meant in reference to this question.

A. There's subtext to words, and words have meaning.

Q. Listen to the question. The question is: Did the person who wrote the Email ever specifically tell you what they meant by writing that statement? Yes or no?

A. He did not define it, no.

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Q. All right. So, the next statement is, "I know it was you that ratted me out with the Boston bombing, you Jew cocksucker. How about I show you what an AR-15 is really capable of?"

A. Another threat.

Q. All right. And the person never tells you specifically how they are going to show you what an AR-15 is capable of. Correct?

A. I don't understand the question.

Q. The person who is writing this never says, "I'm going to use the AR-15 on you to show you what it's capable of." Correct?

A. Correct.

Q. It's your interpretation that that is a threat?

A. My interpretation, correct.

Q. All right. The next statement is: "You like that, Chris? Do you? I know you're after my goddamn water, point 300 mile long pipeline. Clean water. That's the fucking future. Don't you care about kids with cancer, Chris? 20,000 kids every fucking day dying of cancer. You sit there on your fat Jew ass. Fuck you. You're getting -- You're gonna get your asshole right up the ass, faggot."

A. That's another threat.

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Q. Okay. How so? I'm sorry. "You're gonna get yours, asshole." I apologize. I read that wrong. You're gonna get yours, asshole, right up the ass, faggot."

A. That's a threat.

Q. So, you read that as a threat?

A. Correct.

Q. What is it that you're gonna get?

A. Well, based on the context of the Email, I would assume the knife and gun collection.

Q. So, you're assuming?

A. Correct.

Q. All right. No one specifically goes and tells you specifically what you're gonna get?

A. It's implied by the Email --

Q. No one --

A. -- by interpretation.

Q. But no one specifically tells you what you're gonna get. Correct?

A. Specifically? No.

Q. All right. So, when it comes to the threat, it's based on your interpretation of the threat --

A. Correct.

Q. -- of the Email? All right. After this,

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there was -- This took place over a year ago. Correct?

A. Correct.

Q. All right. And there was an injunction that was going forward, and you failed to appear to the injunction hearing; is that correct?

A. Incorrect. What happened was, the hearing was -- I hired counsel, and we couldn't find him to serve him. So, the judge indicated that if we could not serve him by the final hearing, he was going to dismiss the case. So, my attorney failed to appear.

Q. Your attorney failed to appear?

A. Correct.

Q. Because when I read -- Were you present?

A. I was not present. My attorney was supposed to be present.

Q. So, when the judge wrote in the order that they were not -- they did not grant the injunction based on the petitioner's nonappearance, the petitioner would have been you. Correct?

A. Correct. But my attorney was supposed to appear.

Q. But you didn't appear either?

A. Correct.

Q. You were aware of the injunction hearing?

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A. I was aware. But we could not serve him. The judge indicated he was going to dismiss it. So, my attorney chose not to appear.

Q. You could not serve who?

A. Mr. Gilberti. We could not find him.

Q. And Mr. Gilberti never came and used a knife on you during this entire year?

A. Correct.

Q. Mr. Gilberti never came and used an AR-15 on you?

A. Correct.

Q. Mr. Gilberti never came and used any guns towards you?

A. Correct.

Q. Mr. Gilberti never put anything up your ass?

A. Correct.

Q. I'm reading your injunction. And you wrote on June 18 received Email stating "How about I show you what an AR-15 is really fucking capable of" along with other threats. "This Email originally went to my junk box, so I just" -- I don't understand. What's the next word? I just -- Then you put here: Today, June 27.

A. I just saw it today. I guess I was

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incorrect on my dates. I apologize.

Q. All right.

A. That was more contemporaneous with the issues. I was incorrect.

Q. So, the injunction is more contemporaneous with --

A. With what happened.

Q. -- what happened. So, when the police wrote in their report --

A. They were incorrect. I was incorrect.

Q. So, the Email came -- Email was sent on June 18. So, almost ten days passed, and there was nothing, no voice mails, no other Emails that came to you between the June 18 date and you saying this on June 27?

A. Not that I saw, no.

Q. And so, the only two contacts that you saw that the person that you've identified as being Mr. Gilberti was the voice mail and the Email sent on June 18?

A. Correct.

Q. No physical harm or anything of that nature?

A. Correct. There was no physical harm.

Q. All right. Give me a minute.

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A. Sure.
Q. Mr. Gilberti never repeatedly followed you?
A. Not that I'm aware of, no.
Q. And never cyberstalked you?
A. Depends how you define cyberstalking.
Q. He sent one Email?
A. Correct.
Q. From what your testimony. So --
A. He also posted things about me online.
Q. But in reference to this case, between June 15, 2016 and June 18, 2016, as far as anything cybering, the person you identify as Mr. Gilberti only sent one Email?
A. And he posted things about me online. Numerous things about me online --
Q. All right.
A. -- factually incorrect.
Q. All right. But he only sent you one Email. The only evidence we have in this particular case is a voice mail and an Email. Is there something else that you haven't provided to the state or that we need to be aware of that you're indicating was done to you between June 15, 2016 and June 18, 2016? That's all I have.
A. Yes. He posted things on -- I believe it's

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Google Docks and You Tube. Numerous things that are factually and -- just incorrect about me.

Q. But he didn't send them to you? He just posted them?

A. Correct.

Q. All right. And that's the only two -- Well, three times that Mr. Gilberti reached out to you between June 15 and June 18 was the initial voice mail. And then the second time, he was returning your phone call based on your message. "Hey, Joe. Return my call." And then he sent the Email. According to what you're saying, Mr. Gilberti sent the Email. So, that's only three types of contact, and one was at your request?

A. Correct.

Q. And it is your interpretation of the Emails that there is a threat to kill or a threat to do bodily injury, but no one specifically ever threatened to kill you. Correct?

A. Those specific words were not said, but the meaning of the words is still present.

Q. Based on your interpretation?

A. Correct.

Q. All right. The person could have very well wanted to show you their gun collection.

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A. I highly doubt that.

Q. Okay. But the person could have very well just wanted to show you their gun collection.

A. I can't comment on someone else's thoughts.

Q. So, in reference to the threat to kill, you're speculating as to what the person meant by the Email and the voice message.

A. Well, based on my interpretation of the words.

Q. All right.

A. Am I still going too fast?

Q. No.

A. Okay.

Q. And both times, the communication -- the person, either by name or by the Email -- you knew who that individual was, and you've identified that person as being Joe Gilberti?

A. Correct.

Q. So, it wasn't -- It was never an anonymous phone call and never an anonymous Email?

A. Correct. They were both identified as coming from him.

MS. SMITH: April?

///

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EXAMINATION

BY MS. JOHNSON:

Q. Mr. Shaw, based on the phone call and the Email that you received from Mr. Gilberti, did you believe that there was a threat potentially to yourself?

A. Yes. I felt there was threat to my life.

Q. Even with the lapse in time, you didn't know whether or not Mr. Gilberti could have carried that threat out, you know, that immediate day that he had sent it, or the nine days or ten days that you received that letter -- that Email?

A. I don't understand the question. I'm sorry.

Q. You received that -- Miss Smith asked you -- Because you received the Email nine days after.

A. Correct.

Q. She indicated that nothing happened in-between when it was originally sent and nine days --

A. Correct.

Q. -- when you received it. So, when you opened it nine days later, you didn't know whether or not you were gonna have harm inflicted on

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yourself that day or the next day or --

A. I had no clue.

Q. Okay.

A. I actually fled to my in-laws' house that day when I received the Email.

Q. And you were still in fear for yourself?

A. Correct.

Q. With regards to the Email that you received, given the context of the entire Email, did you believe that it was a credible threat to your safety?

A. I did.

Q. Did you believe that Mr. Gilberti was capable of carrying out such a threat?

A. I did.

Q. And as previously indicated, you returned Mr. Gilberti's initial call after speaking with your friend Ms. Abuchaibe and Dr. Carpenter, and they initially recommended you call him back to try to defuse the situation?

A. Correct.

Q. But after speaking with your -- I believe you said your brother-in-law --

A. Correct.

Q. -- who is a law enforcement officer,

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after talking to him about the situation and the voice mail that you received, he thought it best that you go ahead and report it, given the nature of the call and the things that were said inside the call?

A. Correct.

Q. And that is what you did?

A. Correct.

MS. JOHNSON: No other questions.

RE-EXAMINATION

BY MS. SMITH:

Q. When the voice mail was sent to you, Mr. Gilberti wasn't around you?

A. Physically present? No.

Q. Physically present.

A. No.

Q. So, there was no way -- Even if you believed it to have been a threat, there was no way he could have taken out the threat at that time?

A. I'm very certain he knows where I live.

Q. Okay. The question is: When you received it, there is no way that Mr. Gilberti could have went through with the threat at the time that you received the voice mail?

A. That physical second? Correct. He could

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not.

Q. All right. And you cannot positively say that Mr. Gilberti has ever been to your house?

A. I cannot, no.

Q. And so, although you may be fairly certain, you're not a hundred percent certain that Mr. Gilberti is aware of where you live at?

A. Correct.

Q. And, I mean, you received the Email. Although you interpreted it to be a threat at the time that you received the Email, you've reviewed the Email. From the time that it came on the 18th to the nine days, there has been no threat or no physical harm done by to you Mr. Gilberti?

A. Correct.

Q. And since then, there has not been any physical harm done to you by Mr. Gilberti?

A. Correct.

Q. And Mr. Gilberti has not specifically at any time came out and told you that the voice mail was meant to be a threat to cause harm to you?

A. He never used those specific words, no.

Q. And Mr. Gilberti has never came out and specifically told you that the Email was a threat to do physical harm to you?

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A. He never used those specific words, no.
Q. What words did Mr. Gilberti say?
A. The words in the Email.
Q. Outside of getting the voice mail and the Email, has Mr. Gilberti spoken to you about the voice mail at all?
A. No.
Q. Outside of receiving the Email, has Mr. Gilberti spoken to you at all about the Email?
A. No.
Q. Do you know if Mr. Gilberti has a gun collection?
A. I have no idea.
Q. Do you know if Mr. Gilberti has a knife collection?
A. I have no idea.
MS. SMITH: Anything from that, April?
MS. JOHNSON: No.
BY MS. SMITH:
Q. Any additions, deletions, or anything else we need to be aware of, Mr. Shaw?
A. No.
Q. Read or waive, sir?
A. Read.
Q. Do you want to schedule an appointment with

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him, or are you going to read for purposes of trial?

A. Sure.

Q. Sure as in schedule an appointment with him?

A. Sorry?

Q. Sure as in schedule an appointment with --

A. Yes.

Q. -- the court reporter?

A. Yes.

Q. Okay.

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STIPULATIONS

IT WAS STIPULATED BETWEEN
counsel for the respective parties,
with the consent of the witness,
that reading and signing of the foregoing
deposition by the witness not be waived.

THEREUPON, the deposition of
CHRISTOPHER DERRICK SHAW, taken at the
instance of the Defendant,
was concluded.

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COURT REPORTER CERTIFICATE

STATE OF FLORIDA)

COUNTY OF HILLSBOROUGH)

I, MARC HOWTON, Registered Professional Reporter and Notary Public in and for the State of Florida at large, hereby certify that the witness named herein appeared before me for the taking of the foregoing deposition, and was by me first duly sworn to tell the whole truth.

I FURTHER CERTIFY that the deposition was recorded by me and that the foregoing pages constitute a true and correct transcription of my recordings thereof.

I FURTHER CERTIFY that I am neither an attorney, nor of counsel for the parties to this cause, nor a relative or employee of any attorney or party connected with this litigation, and that I have no interest in the outcome of this action.

WITNESS my hand on October 6, 2017, at Tampa, Hillsborough County, Florida.

Marc Howton

MARC HOWTON, RPR
Florida Notary Public FF-130768 EXPIRES: 8-7-2018

TRANSCRIPT ORDERED: September 28, 2017

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ERRATA CERTIFICATE

STATE vs JOSEPH DENNIS GILBERTI -- 16-CF-010976

WITNESS: CHRISTOPHER DERRICK SHAW -- August 15, 2017

PAGE	LINE	CHANGE TO	REASON FOR CHANGE

WITNESS SIGNATURE

Job No. 51692

PLEASE RETURN TO:

MARC HOWTON
Mills Reporting Group, Inc.
412 E. Madison Street -- Suite 817
Tampa, Florida 33602

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Case Information

Uniform Case Number: 292012MM011299000AHC

STATE OF FLORIDA vs GILBERTI, JOSEPH DENNIS

Icon Keys | Summary | Parties | Events\Documents | Charges

Hearings | Financial | Warrants | Bonds | Disposition

File Location

Charges

Show 25 entries | Column visibility | Excel | CSV | Search:

Select	Charge Number	Offense Description	Offense Date	Degree Description	Disposition
	1	7840482-ASSA6000 (MF) STALKING	12/14/2011	FIRST DEGREE MISDEMEANOR	NOLLE PROSSED
	2	7840482-ASSA6000 (MF) STALKING	12/14/2011	FIRST DEGREE MISDEMEANOR	NOLLE PROSSED
	3	7840482-ASSA6000 (MF) STALKING	12/14/2011	FIRST DEGREE MISDEMEANOR	NOLLE PROSSED

Showing 1 to 3 of 3 entries

Previous 1 Next

$500 Bond Hike to $300,000

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STATE OF FLORIDA

FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,
Petitioner,

v.

FEMC Case No. 2016029320

JOSEPH GILBERTI P.E.,
Respondent,
_____/

DOAH Case No. 17-3257PL

Modified Motion to Vacate Order of Lifting Abeyance and Request Judge Johnston Recuse himself for Conflict with this US Drinking Water Resource, FPL and Duke-Progress Energy Power Corporations and Israel Mosaic Phosphate in West Florida

COMES NOW, the Respondent JOSEPH GILBERTI pursuant to Section 120.57, Florida Statues answers the alleged complaint by Petitioner, FEMC on behalf of Florida Board of Engineers complaint filed to hide this World and US Resource from THE PEOPLE using Terrorist acts with FPL, Duke Power Corps, Tampa to Sarasota Judges, Police Officers across Florida, New York and Boston, Gov Scott, Pam Bondi, Obama, Members of Congress and Florida Leaders with Hillsborough County Judiciary, Sarasota Judiciary, Mosaic Phosphate and other to be included as part of ongoing cases in Florida, US Middle District Florida and Georgia Courts as related to Water Wars and US Natural Resources hidden by US Colleges such at FSU, UF, USF, UM, USF, Notre Dame, Yale, Harvard, Northwestern University and various Medical Universities across America, UN, EPA and NASA.

Reasons to Reinstate Order are as follows:

1. The Petitioner, filed a complaint in house knowing with full notification, once Gmail account is obtained from the ISDN Google server in the Hillsborough FAKE Criminal case used again to kidnap Engineer Joe Gilberti to hide the Resource.

2. The current Hillsborough case involves Chris Shaw an ex-public defender who was working on the Karl Brooks case that Gilberti was forced to plead Guilty under duress and the outcome of the current case will result in a Civil RICO that becomes Criminal as Karl Brooks and Chris Shaw with Tampa District 13, worked with Mosaic, Greenberg Traurig, corrupt leaders, Mosaic Phosphate, Duke Energy and FPL to kidnap Gilberti with Sheriff Gee, Pam Bondi and Mark Ober, and now Andrew Warren State Attorneys.

3. The Karl Brooks case will be reversed once we actually get a Police report as that case ran tandem with the Greenberg Case involving Dave Weinstein the Chief Council of Mosaic Phosphate next to our property offering $500,000,000 to hide it from THE PEOPLE!

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4. Public Service commission complaints on FPL, Duke Energy and more were filed in 2012 by others PSC Complaints 05400-13 and 02424-13 with Gilberti Water supply documents attached at the same time Duke and Progress Energy were assessing $1.5billion to clean up a STILL EMITTING Nuclear Power plant in Crystal River which are the Headwaters of Hillsborough River pumping 65MGD of Radioactive Water to the Tampa Region to fill Moffitt cancer centers and USF Cancer Grants.

5. Judge Lawrence Johnston in this case is in Conflict with THE PEOPLES resource in that he is full aware based on this cases NOTICE OF EVIDENCE of Power and Water advantages this Resource gives millions of Floridians from Tampa to Miami as shown in case below:

   Administrative Law Judge J. Lawrence Johnston will conduct a hearing to consider the environmental effects and any other appropriate matters regarding whether to approve the site certification of the proposed Progress Energy Florida, Levy Nuclear Plant Units 1 and 2, application for site certification number PA08-51, DOAH Case number 08-2727EPP, DEP Office of General Counsel Case Number 08-1621, pursuant to the Florida Electrical Power Plant Siting Act, Sections 403.501-.518, Florida Statutes. ...

   Meeting: *hearing*

   Contact: *Mr. Michael P. Halpin, P.E., Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, M.S. 48, Tallahassee, Florida 32399-3000, (850)245-2007.*

6. Engineer Gilberti submitted FDEP application to Tallahassee Revolving fund to Marjorie Stoneman Douglas Building on Jan 31, 2018 via email to build phase 1 pipe and suddenly the School was shot up with an AR-15 at Parkland Marjorie Stoneman Building days later, very similar to the Boston Bomb case where Gilberti sent an FDEP email of Hershall Vinyard as stated below and his bond with Chris Shaw and Karl Brooks went from $500 to $300,000 and put in a Hole for 268 days while Sarasota District 12 attacked the land with many Leaders, Judges and Lawyers in the Region for Mosaic, FPL, Duke, PRECO, Nestle and many more we will show in Civil RICO to these Corps and Individuals.

7. A current Trustee Bond at US Middle District Florida via case 9:13-bk-14832-FMD to sue both Henderson Franklin and Grey Robinson Law for US Treason and Genocide worth $50million is being sued by Gilberti and others to expose all this Corruption by Florida Judges, State Attorneys and large corps hiding Americas Nol Resource for National Defense and Healthcare. This case is now asking for ALL Engineer Gilberti land and lien cases that shows this Board of Engineers, Gov Scott, Florida Leaders and FDEP timed all their Motions and cases around US Terrorism to kidnap Engineer Gilberti and attack his License with FEMC, Board of Engineers, Jon Rimes, Wendy Anderson and Tampa to Ft Myers Judges and US Middle District, its Appeal Judges and more. They want to stop all permitting as all the Civil Engineers in the State of Florida working at Municipalities are hiding it with their Continuing Service Consultants for years.

8. Tap Water is based on Cancer Rates and Medicaid Fraud Gov Scott is taking pictures with my missing Cad Tech Rob Stampe below, before and after the Boston Terror attack that raised my bond retroactively with a Leon County Torch Run with FDEP Hershall Vinyard. See EPA Health

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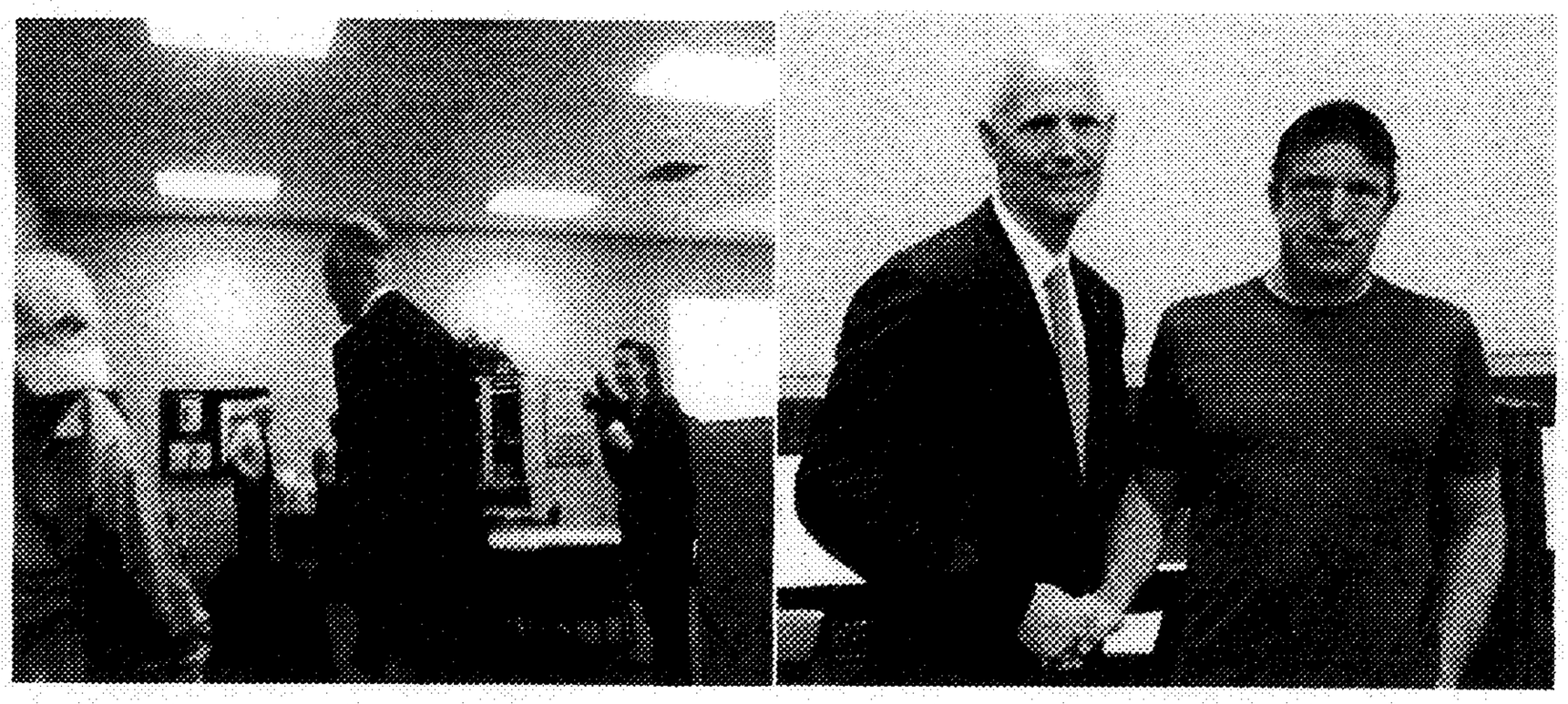
Advisories and common sense that Treated Water is less healthy and more expensive to the Tap than Endless Free Alkaline Mineral Spring Water. Humans take in a liter of Water in the Shower where Medicaid Fraud Trump, Obama, Florida Hospital Boards and Media hide this US TERRORISM with all Tampa to Miami Judges, Engineering Firms working for Municipalities and the EPA!



Rob Stampe is being deposed who worked on Gilberti plans and is taking pictures with Gov Scott two different times to testify on all said issues of Corruption against THE US PEOPLE on this Water Supply!



This FDEP Email was sent 5hrs before the Boston Bomb and suddenly Gilberti is kidnapped by Pam Bondi and Obama in District 13 with Judge Dominquez and Judge Conrad with Mark Ober and a slew of State Attorneys and Public Defenders

9. Why is President Trump with Trump ICE Bottled Water, EPA, NASA and all Florida Leaders, Media and FDEP hiding this US Resource with the Florida Board of Engineers, Administrative Law Judges and all Florida Cops and Firemen in our American FACES to kill our Children and Pets with Cancer Rates at the Tap with Hospitals stealing Medicaid fees with LOW LEVEL OF SERVICE Raw Water drinking resources containing Arsenic from Groundwater and Rivers polluted by Israel Mosaic Phosphate and their Political Mining Compacts from Tampa to Ft Myers?

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10. Why are all 26 Administrative Law Judges in Tallahassee hiding this World Resource with the Board of Engineers for an entire year through Hurricanes with John Rimes and Wendy Anderson to kill Americans at the Tap? This mixture changes World medicine so it's not just the pipeline! Arrest all Judges who knew in Florida for Civil duty and take their Bar away immediately for TREASON! Fraud on Courts across Tampa and Tallahassee to Destroy American Families with Water Supply and Cancer!

Compare U.S. v. Throckmorton, 98 U.S. 61, 25 L.Ed 93 (1878)E
Hazel-Atlas Glass Co. v. Hartford Empire Co., 64 S. Ct. 997 (1944)
Demjanjuk v. Petrovsky, 10 F. 3d 338 at 352 (6th Cir 1993)

A cause of action for fraud on the court may be brought at any time, and any order, judgment or decree, obtained by fraud upon the court may be recalled and set aside at any time, whether entered in a civil or criminal case. See, **State v. Booker, 314 So. 2d 136 (Fla. 1975).**
Judges and attorneys are officers of the Court. A State judge is a state judicial officer, paid by the state to act impartially and lawfully. A federal judge is a federal judicial officer, paid by the federal government to act impartially and lawfully. State and federal attorneys fall into the same general category and must abide by the rules. A judge is not the court. **People v. Azjic, 88 Ill.App.3d 477,410 N>E.2d 626 (1980).**

In Bullock v. United states, 763 F.2d 1115, 1121 (10th Cir. 1985), the court stated "Fraud upon the court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury...where a judge has not performed his/her judicial function — thus where the impartial functions of the court have been directly corrupted."
"Fraud upon the court" has been defined by the 7th Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery cannot perform in the usual manner it impartial tasks of adjudging cases that are presented for adjudication."

Kenner v C.I.R., 387 F.3d 689(1968); 7 Moore's Federal Practice, 2d ed., p. 512, 60:23. The 7th Circuit further stated "a decision produced by fraud upon the courtis not in essence a decision at all, and never becomes final." "Fraud upon the court" makes void the orders and judgments of that court. It is also clear and well-settled that any attempt to commit "fraud upon the court" vitiates the entire proceeding. The People of the State of Illinois v. Fred E. Sterling, 357 Ill.354;192 N.E. 229 (1934) ("The maxim that fraud vitiates every transaction into which it enters applies to judgments as well as to contracts and other transactions."); In re Village of Willowbrook, 37 Ill. App.2d 393 (1962) ("It is axiomatic that fraud vitiates everything.").

Title XXIX PUBLIC HEALTH

Chapter 403 ENVIRONMENTAL CONTROLEntire Chapter

SECTION 851

Declaration of policy intent.

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403.851 Declaration of policy; intent.—It is the policy of the state that the citizens of Florida shall be assured of the availability of safe drinking water. Recognizing that this policy encompasses both environmental and public health aspects, it is the intent of the Legislature to provide a water supply program operated jointly by the department, in a lead-agency role of primary responsibility for the program, and by the Department of Health and its units, including county health departments, in a supportive role with specific duties and responsibilities of its own. Without any relinquishment of Florida's sovereign powers and responsibilities to provide for the public health, public safety, and public welfare of the people of Florida, the Legislature intends:

(1) To give effect to Pub. L. No. 93-523 promulgated under the commerce clause of the United States Constitution, to the extent that interstate commerce is directly affected.

(2) To encourage cooperation between federal, state, and local agencies, not only in their enforcement role, but also in their service and assistance roles to city and county elected bodies.

(3) To provide for safe drinking water at all times throughout the state, with due regard for economic factors and efficiency in government.

History.—s. 2, ch. 77-337; s. 162, ch. 79-400; s. 425, ch. 94-356; s. 164, ch. 99-8.

With this information above we ask that Judge Lawrence Johnston and all Florida Board of Engineer Members turn themselves in for US Treason and that Judge Lawrence Johnston recuse himself from this case and turn evidence for the US People IMMEDIATELY!

I HEREBY CERTIFY that a true and correct copy of the above information and Motion has been furnished to the Petitioner, Board of Engineers at 2639 North Monroe Street, Suite B-112, Tallahassee, Floridas 32303, related cases involving US Terrorism, School Boards, Federal Bureau of Investigation, local Police Stations across America, FDEP and the White House via email and court docket clerk on this 16th day of March, 2018.

Respectfully submitted,

Joe Gilberti

_____

Joseph D. Gilberti, Jr., PE
Florida PE No. 56079
LandTech Design Group, Inc.
385 Donora Blvd
Ft Myers Beach, Florida 33931
813-470-6000
gilberti.water.company.fla@gmail.com

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Federal Crime Reporting Statute

The federal offense of failure to disclose a felony, if coupled with some act concealing the felony, such as suppression of evidence, harboring or protecting the person performing the felony, intimidation or harming a witness, or any other act designed to conceal from authorities the fact that a crime has been committed.

> **Title 18 U.S.C. § 4.** Misprision of felony. Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

A federal judge, or any other government official, is required as part of the judge's mandatory administrative duties, to receive any offer of information of a federal crime. If that judge blocks such report, that block is a felony under related obstruction of justice statutes, and constitutes a serious offense.

Upon receiving such information, the judge is then required to make it known to a government law enforcement body that is not themselves involved in the federal crime.

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Misprision of a Felony

Misprision of a felony is the offense of failure to inform government authorities of a felony that a person knows about. A person commits the crime of misprision of a felony if that person:

- Knows of a federal crime that the person has witnessed or that has come to the person's attention, or failed to prevent.
- Fails to report it to a federal judge or other federal official (who is not thems4elves involved in the crime).

Another Federal Statute for Forcing A Federal Officer To Perform a Mandatory Duty

Another federal statute exists for reporting high-level corruption in government:

> Title 28 U.S.C. § 1361. Action to compel an officer of the United States to perform his duty. The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.

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This federal statute permits any citizen to file a lawsuit in the federal courts to obtain a court order requiring a federal official to perform a mandatory duty and to halt unlawful acts. This statute is Title 28 U.S.C. § 1361.

These two statutes are among the most powerful tools in the hands of the people, even a single person, to report corrupt and criminal activities by federal officials–including federal judges–and to circumvent the blocks by those in key positions in the three branches of government. That statute was also repeatedly blocked by federal judges and Justices of the U.S. Supreme Court.

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Filing # 34705805 E-Filed 11/20/2015 11:32:59 AM

IN THE COUNTY COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY, FLORIDA
CIVIL DIVISION

72 PARTNERS, LLC, Plaintiff, vs. CECIL DAUGHTREY AND PATRICIA DAUGHTREY., Defendants.	) Case No.: 2011 CA 004209 NC))) Hon. Rochelle Curley)) **Hearing: Nov. 23, 2015 @ 10:00 am (30 min)**))) **OPPOSITION TO MOTION TO VOID TRANSFER OF REAL ESTATE**

NOW COMES The Defendants, Cecil and Patricia Daughtrey, and hereby oppose Plaintiffs motion to avoid certain real estate transfers, and further state unto this Honorable Court in support of their opposition:

RELEVANT FACTS

On July 26, 2013 the Defendants transferred the relevant portion of property to Joseph Gilberti. Despite the transfer, this matter continued to final judgment of foreclosure on October 13, 2013. The Defendants filed for bankruptcy protection on November 7, 2013.

During the course of the bankruptcy, the Plaintiff, herein, filed for relief from the automatic stay on the property and this matter seeking to reset the foreclosure sale date and finalize this matter. Initially the Court granted relief from the automatic stay, but later re-imposed it at the Chapter 7 Trustee's request.

During the course of the Bankruptcy matter the Trustee and Plaintiff negotiated and resolved the relief from stay via a compromise proposal. The only relevant part of the compromise in this matter is paragraph 3(f) which states that the Plaintiff took the trustee's deed which specifically states "The Trustee shall execute a Trustee's Deed conveying the Remaining Real Property, "as is" with no warranties of any kind."

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After the Bankruptcy Court approved the compromise, the Defendant-Debtors appealed the Bankruptcy Court's Order approving the compromise to the Federal District Court for the Middle District of Florida. While that appeal was pending, the Plaintiffs filed a motion similar to this motion in the Bankruptcy Court. (see attached exhibit "A"). The motion scheduled for hearing before the Bankruptcy Court on February 19, 2015. At that hearing, the Plaintiff appeared by Counsel and the Chapter 7 Trustee appeared. The court heard oral arguments, and rather than suffer the collateral affects of an order denying the motion, the Plaintiff's chose to withdraw it in open court. (see attached Exhibit "B"). The Plaintiff then files the substantially same motion before this court eight months later.

ARGUMENT

The main argument made by the Plaintiff is that the property was transferred in violation of Federal Bankruptcy Law, and therefore is invalid. However, the plaintiff failed to provide an accurate factual history.

Florida Statute, section 695.11 contains the following language: "The sequence of such official numbers shall determine the priority of recordation. An instrument bearing the lower number in the then-current series of numbers shall have priority over any instrument bearing a higher number in the same series." Florida courts over time have described and applied Florida's recording statute in a manner that is consistent with a "notice" type of recording statute. See *Lesnoff v. Becker,* 101 Fla. 716, 135 So. 146, 147 (1931) (" 'Under our recording statutes, subsequent purchasers, acquiring title without notice of a prior unrecorded deed, mortgage, or transfer of real property, or any interest therein, will be protected against such unrecorded instrument, unless the party claiming thereunder can show that such subsequent purchaser acquired the title with **actual notice** of such unrecorded conveyance or mortgage; and the burden of showing such notice is upon the party claiming under such unrecorded instrument, the

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presumption in such case being that such subsequent purchaser acquired his title in good faith and without notice of the prior unrecorded conveyance.' " (Emphasis Added) (quoting *Rambo v. Dickenson*, 92 Fla. 758, 110 So. 352, 353 (1926))); *Morris v. Osteen,* 948 So.2d 821, 826 (Fla. 5th DCA 2007) ("Generally, competing interests in land have priority in the order in which they are created;" "[t]he important caveat to this rule is that those acquiring rights later will have priority if they took without 'notice of the first created rights.' " *F.J. Holmes Equip., Inc. v. Babcock Bldg. Supply, Inc.*, 553 So.2d 748, 750 (Fla. 5th DCA 1989) "The first rule is that competing interests in land have priority in order of their creation in point of time;" "[t]his rule is subject to the important exception created by the recording statute that notice of the first created rights must be available to those later acquiring rights in the same land. . ." *id.*

The Plaintiff, in their motion argue that the transfer of the property interest occurred in violation of the automatic stay, however, that is incorrect. A plain reading of the deed from the Defendants to Mr. Gilberti shows that the property was transferred on July 26, 2013, which precedes the filing of the bankruptcy by more than 90 days. The transfer of ownership was not affected by the Bankruptcy, nor was the transfer set aside by the Chapter 7 Trustee prior to the compromise. This only leaves open the question, did the Plaintiff take a deed, which is "as is" with knowledge of the earlier transfer? The answer is yes, the Plaintiff took the Trustee deed with full knowledge of Mr. Gilberti's ownership interest. The Plaintiff cannot get relief in State Court based upon Bankruptcy Law and argument when it tried and failed to get the same relief in Bankruptcy Court.

CONCLUSION

The Plaintiff filed this motion, failed to serve it upon the Defendants, also it appears that the Plaintiff filed for some emergency relief against the Defendants without service, and that

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relief was denied. The Plaintiff argues that the Defendant have no standing, but of course they do. 72 Partners looks to the Chapter 7 Trustee as its rock, but the Trustee has no further interest in this case or the property (see attached Exhibit "C"), except if the compromise gets overturned by the 11th Circuit Court or the US Supreme Court.

So why would the Plaintiff go so far to exclude opposing parties from participating in this motion? Because, 72 Partners knows that they sought this relief once and failed to get it. The bottom line in this matter is, the Plaintiff claims to own the property by virtue of a deed recorded after Mr. Gilberti's. Plaintiff cannot argue they took that deed without notice of Mr. Gilberti's interest, and the Plaintiff has failed to plead or support a claim that the July 2013 transfer was not in good faith. The Plaintiff's motion should be denied.

WHEREFORE the Defendants, Cecil and Patricia Daughtrey, respectfully request that the Court deny the motion, award costs and attorney fees so wrongly incurred by the Defendants herein, and for any other relief that the Court deems equitable.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent this 20th Day of November, 2015 via the Courts Electronic Filing system to ***Ryan Snyder [ryan@snyderlawgroup.com]***

Respectfully Submitted,
DeCailly Law Group, PA

By: /s/ Paul DeCailly
Paul DeCailly, 796301
Attorney for Defendant
PO Box 490
Indian Rocks Beach, FL 33785
(727) 824-7709
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Filed 08/21/2018 05:05 PM - Karen E. Rushing, Clerk of the Circuit Court, Sarasota County, FL

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 13-14831
Case Name: Cecil Daughtrey, Jr.
Patricia A. Daughtrey

Taxpayer ID No: XX-XXX8221
For Period Ending: 03/31/2015

Trustee Name: Luis E. Rivera II
Bank Name: Union Bank
Account Number/CD#: XXXXXX6479
Checking
Blanket Bond (per case limit): $48,409,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposits ($)	Disbursements ($)	Account/CD Balance ($)
01/29/15	14	Trenam Kemker	Surrender of Asset 14 per Order (Doc No. 97)	1129-000	$300,000.00		$300,000.00
02/25/15		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		$28.77	$299,971.23
03/25/15		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		$402.73	$299,568.50

COLUMN TOTALS	$300,000.00	$431.50
Less: Bank Transfers/CD's	$0.00	$0.00
Subtotal	$300,000.00	$431.50
Less: Payments to Debtors	$0.00	$0.00
Net	$300,000.00	$431.50

Page Subtotals:	$300,000.00	$431.50

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TOTAL OF ALL ACCOUNTS

	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
XXXXXX6479 - Checking	$300,000.00	$431.50	$299,568.50
	$300,000.00	$431.50	$299,568.50

	(Excludes account transfers)	(Excludes payments to debtors)	Total Funds on Hand
Total Allocation Receipts:	$0.00		
Total Net Deposits:	$300,000.00		
Total Gross Receipts:	$300,000.00		

Trustee Signature: /s/ Luis E. Rivera II Date: 04/30/2015

Luis E. Rivera II
1715 Monroe Street
Fort Myers, FL 33901
(239) 344-1104
Trustee.Rivera@henlaw.com

Page Subtotals:	$0.00	$0.00

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Filing # 39656672 E-Filed 03/30/2016 04:32:56 PM

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY, FLORIDA

72 PARTNERS, LLC,

Plaintiff,

v. Case No.: 2011-CA-004209 NC

CECIL DAUGHTREY, JR., et. al.,

Defendants.
_____/

RECEIVER'S FIRST INVENTORY REPORT

RECEIVER, Andrew W. Rosin, by and through its undersigned counsel, respectfully files this First Inventory Report, pursuant to Rule 1.620, of the Florida Rules of Civil Procedure and in support thereof, states as follows:

1. On or about February 22, 2016, this Court entered an Order Appointing Receiver.

2. The Receiver, Andrew W. Rosin, was appointed Receiver of the Property, a copy legal description of the acreage is attached hereto as Exhibit A.

3. The Property is located at the intersection of Daughtrey Road and State Road 72.

4. On or about March 9, 2016, the Receiver filed an Ex Parte Emergency Motion for Possession and Control.

5. On or about March 9, 2016, this Court Granted Receiver's Ex Parte Emergency Motion for Possession and Control.

6. On or about March 9, 2016, the Clerk of Court issued a Writ of Possession.

7. On or about March 10, 2016, the Sheriff's office executed on the Writ of Possession and returned possession to the Receiver.

8. On or about March 11, 2016, the Receiver's office received a death threat from Joseph Gilberti.

9. The Receiver is in possession of the Property.

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10. The Receiver is working with Mr. Robert Flint, who is farming on the Property. The Receiver has provided temporary access to the Property for the sole purpose of harvesting the cabbage crop. The access is revocable at anytime by the Receiver.

11. The Receiver is also working others concerning an Agricultural Lease for the Property.

12. The Receiver has is not holding and has not received any monies.

WHEREFORE, Receiver, under oath, provides that this First Inventory Report is true and complete Inventory.

Respectfully submitted,

Law Office of Andrew W. Rosin, P.A.
1966 Hillview Street
Sarasota, Florida 34239
(941) 359-2604
(941) 366-1252

By: _____
Andrew W. Rosin, Esquire
Florida Bar No. 0598305
Attorneys For Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was delivered by electronic mail on this 30 day of March 2016 to:

Ryan L. Snyder, Esq.
ryan@snyderlawgroup.com

Eduardo Morrell, Esq.
emorrell@morrellpa.com

Paul DeCailly, Esq.
pdecailly@dlg4me.com

David J. Fredericks, Esq.
dfredericks@lobeckhanson.com

Attorney

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EXHIBIT A

All that part of Section 1, Township 38 South, Range 22 East, lying North of State Road 72, All Section 2, Township 38 South, Range 22 East, LESS right of way for State Road 72, All Section 11, Township 38 South, Range 22 East, The North 1/2 and the West 1/4 of the South 1/2 of Section 14, Township 38 South, Range 22 East, All of Section 15, Township 38 South, Range 22 East, LESS railroad right of way, The West 1/2 of Section 16, Township 38 South, Range 22 East, LESS a parcel of land in Sections 2, 11, 14 and 15, lying within the following described parcel: Begin at the NW corner of said Section 11; thence South 01 degrees 59'53" West, 5340.95 feet to the SW corner of said Section 11, thence North 88 degrees 22'46" West, 5377.94 feet to the NW corner of said Section 15; thence South 02 degrees 00'10" West, 1320 feet; thence South 88 degrees 22'46" East, 6698.08 feet; thence North 01 degrees 59'53" East, 7240.95 feet to the South Right-of-Way line of State Road 72; thence South 66 degrees 13'13" West, 1042.16 feet along said South Right-of-Way of State Road 72; thence along said South Right-of-Way of State Road 72, Southwesterly along a curve to the right 400.45 feet to the West line of said Section 2; thence South 02 degrees 14'29" West, 18.87 feet to the Point of Beginning, LESS Oil and Mineral Right, all lying and being in Sarasota County, Florida

LESS AND EXCEPT

Commence at the intersection of the East section line of Section 2, Township 38 South, Range 22 East, Sarasota County, Florida and the North right-of-way line of SR 72. Then southwesterly along north right-of-way line of SR 72 a distance of 1,870 feet more or less to the point of beginning of the property. This point would be 1,752 feet westerly as measured perpendicular from the east line of said Section 2, Township 38 South, and Range 22 East. Then continue southwesterly along north right-of-way SR 72 for 498 feet; thence northerly parallel to the east section line of Section 2, Township 38 South, Range 22 East a distance of 916 feet. Thence westerly and parallel to the north section line of Section 2, Township 38 South, Range 22 East a distance of 1,527 feet; Thence northerly 2,717 feet more or less parallel to the East section line of Section 2, Township 38 South, Range 22 East to the north section line of Section 2, Township 38 South, Range 22 East; Thence east along the north section line of Section 2, Township 38 South, Range 22 East a distance of 3,814 feet more or less to the northeast corner of said Section 2, Township 38 South, Range 22 East; Thence continue along the north line of Section 1, Township 38 South, Range 22 East a distance of 90 feet; Thence southerly parallel to the west section line of Section 1, Township 38 South, Range 22 East a distance of 603 feet; Thence westerly parallel to the north section line of Section 1, Township 38 South, Range 22 East a distance of 90 feet to the west section line of Section 1, Township 38 South, Range 22 East; Thence westerly parallel to the north section line of Section 2, Township 38 South, Range 22 East a distance of 1,752 feet; Thence southerly parallel to the east section line of Section 2. Township 38 South, Range 22 East a distance of 2,826 feet more or less to the point of beginning.

together with all Property rights incident thereto, including all rents, issues, profits, and income arising therefrom, and all title and interest in or to any security deposits or advance rents paid by tenants thereto.

The Property is located at the intersection of Daughtrey Road and State Road 72

(hereinafter collectively referred to as the "Property")

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Herald Tribune

Federal flip-fraud case names 6 Sarasotans

By MICHAEL BRAGA
Posted Nov 21, 2011 at 2:32 AM

Sarasota couple and six others are part of a RICO racketeering suit alleging they schemed to defraud lenders by inflating the value of properties in Oklahoma and South Carolina

Kevin and Deborah Flessner have already been the subject of two federal lawsuits filed by banks accusing them of flipping fraud.

Now the Sarasota couple and six of their associates are being dragged into a RICO racketeering suit that alleges they schemed to defraud federally insured lenders by inflating the value of three apartment complexes in Oklahoma and two in South Carolina to boost the amount of loan money they could get.

The suit, filed by Wells Fargo in Oklahoma's Western District Court, claims that the Flessners and their associates conspired to buy apartment buildings for one price and immediately sold them to related companies at much higher prices. That not only covered the purchase price, it also left them with nearly $1.6 million in excess loan proceeds, the suit says.

"In executing the scheme, the defendants employed aliases and deceptive corporate names to conceal the connection between the second-leg flip sellers and buyers," the lawsuit states. "In addition, the defendants submitted to the lenders false and misleading financial statements and loan documentation."

In the end, the companies that borrowed the money defaulted on five loans totaling $12.3 million.

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Besides the Flessners, the other Sarasota residents named in the suit are Gary Dowden and Gerald Sterbinsky, two executives who worked for the Flessners; Andrew Rosin, an attorney who drafted documents used to close the allegedly fraudulent deals; and Terry Fine, a real estate broker who introduced the Flessners to agents representing the sellers of apartment complexes in Oklahoma.

Michael Biddinger, an Oklahoma real estate agent and Marcia Chappelear, an Oklahoma title agent, also were named in the suit.

The Flessners, who did return calls left with their former bankruptcy attorney Michael Moran, are representing themselves in the case and have denied they were part of any conspiracy to defraud banks. The same goes for all the other defendants.

If found guilty, they could be held liable for as much as $15.6 million in damages, equal to three times what Wells Fargo is demanding.

In his motion to dismiss the case, Fine said he only found the apartment complexes for the Flessners and assessed whether they were worth buying. But he never completed or verified any documents and never had any ownership interest in the properties.

Dowden and Sterbinsky argued that the statute of limitations for fraud had passed, while Rosin said he merely performed his duties as a real estate attorney and had no obligation to disclose the existence of the so-called flip or alleged wrongful acts of his client.

"A lawyer owes no such duty," Rosin said in his motion to dismiss the case. "Rule 1.6 of the Rules of Professional Conduct gives a lawyer the option to make such disclosures by providing that a lawyer 'may' disclose anticipated criminal or fraudulent misconduct that is likely to result in substantial financial injury to others. However, the lawyer is never 'required' to make that disclosure."

Rosin's former law firm — Hankin Persson Davis McClenathen & Darnell — has taken a different approach.

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"Mr. Rosin had his office here from late 2004 until early 2010," the firm's managing partner David Persson wrote in an email message to the Herald-Tribune. "Our only connection with this lawsuit is that Mr. Rosin used to work here."

Persson said that Rosin left the firm more than a year before anybody at Hankin Persson knew anything about the allegations concerning the real estate deals in South Carolina and Oklahoma.

"We are all shocked," Persson said. "We are all being tarred with a nasty fraud case through the actions of one person who is accused of using our good name for illegal purposes."

Court documents filed by Wells Fargo show that the Flessners and their associates initiated their string of apartment complex deals in November 2005 when they bought the 112-unit Royal Oak Apartments in Oklahoma City for $2.356 million and sold it on the same day to a related company for $3.58 million.

The Flessners then used the higher value to get a $2.70 million loan from LaSalle Bank — $348,000 more than they paid for the property to begin with.

Court documents state that Fine originally contacted Biddinger in August 2005 to find a suitable apartment complex and informed Biddinger that the transaction should be completed as a double flip.

Once an agreement was reached, a company managed by Flessner's wife — who signed documents using a version of her maiden name — completed the front end of the flip and sold the complex for a higher price to a company managed by her husband.

"Despite knowing that the closings being conducted by them in the Royal Oak Transaction were a double escrow flip; that the first leg buyer was related to the second leg buyer; that the mortgage loan proceeds from the lender, LaSalle, in the second leg of the flip were being used to close the first leg; and that there was more than a million dollar difference between the purchase prices in the two legs of the flips, the defendants knowingly closed the transaction without telling LaSalle," the Wells Fargo lawsuit states.

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During the next 12 months, court documents show the defendants deployed the same formula four more times, getting three loans totaling $7.3 million from LaSalle and a $2.3 million loan from Imperial Capital Bank.

In each case, Dowden and Sterbinsky have been accused in court documents of handling some of the negotiations and Rosin has been accused of preparing the closing documents on behalf of the Flessners.

In the Heritage Ridge Apartments deal, the lawsuit states that "Rosin handled everything in the closing" and "never batted an eye about the ethics of the transaction."

After the Flessners began to default on the apartment building loans in 2008, banks started filing suit.

Wells Fargo, which represented entities that bought three of the loans from LaSalle, filed the first. It claimed that LaSalle breached its duty by failing to properly underwrite the loans and allowing mortgage fraud to occur.

That case went to trial in May of this year and a jury ruled in favor of Wells Fargo in June. Wells Fargo has since demanded at least $6.3 million in damages, but the final sum will not be decided by the court February.

In the meantime, Wells Fargo opted to go after the individuals involved in the transactions and their companies. That is why it filed its RICO suit in July.

It is the second RICO suit against the Flessners and their associates.

The first was filed in May 2009 by the successor of Imperial National Bank, which accused Dowden, Sterbinsky, Chappelear, the Flessners and their firms of orchestrating a fraudulent flip to obtain a $2.3 million loan to buy the Archway Apartments in Oklahoma City in November 2006.

The case was settled in July 2010 with the defendants and their companies agreeing to pay an undisclosed sum.

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[redacted]

PARTIES AND DESCRIPTION OF PROPERTY

1. SALE AND PURCHASE:
CECIL DAUGHTREY, JR. AND PATRICIA A. DAUGHTREY ("Seller"),
and *FLINT FAMILY FARMS, LLC, AND GEORGIANA, LLC OR THEIR RESPECTIVE ASSIGNS* ("Buyer"),
agree to sell and buy on the terms and conditions specified below the property ("Property") described as:
Address: _____
Legal Description:
the properties included within the following tax parcel ID numbers: 1011-00-1000, 1029-00-1000, 1035-00-1000, 1037-00-1000, 1039-00-2000, 1011-00-1010 and 1009-00-1000, less approximately 160 acres north of SR72 for the Daughtrey homestead (including the well contained thereon), all as more particularly described in the Addendum attached hereto.
including all improvements and the following additional property:
See Addendum attached hereto

PRICE AND FINANCING

2. PURCHASE PRICE: $ *4,621,000.00* payable by Buyer in U.S. funds as follows:
(a) $ *25,000.00* Deposit received (checks are subject to clearance) on *October 2014*
by _____ for delivery to *Williams Parker Law Firm*
Signature *Name of Company* ("Escrow Agent")
(Address of Escrow Agent) *200 S. Orange Avenue, Sarasota, FL 34236*
(Phone # of Escrow Agent) *(941) 366-4800*
(b) $ _____ Additional deposit to be delivered to Escrow Agent by _____
or _____ days from Effective Date (10 days if left blank).
(c) _____ Total financing (see Paragraph 3 below) (express as a dollar amount or percentage)
(d) $ _____ Other: _____
(e) $ *4,596,000.00* Balance to close (not including Buyer's closing costs, prepaid items and prorations). All funds paid at closing must be paid by locally drawn cashier's check, official check or wired funds.

☐ (f)(complete only if purchase price will be determined based on a per unit cost instead of a fixed price) The unit used to determine the purchase price is ☐ lot ☐ acre ☐ square foot ☐ other (specify: _____) prorating areas of less than a full unit. The purchase price will be $_____ per unit based on a calculation of total area of the Property as certified to Buyer and Seller by a Florida-licensed surveyor in accordance with Paragraph 8(c) of this Contract. The following rights of way and other areas will be excluded from the calculation:

3. CASH/FINANCING: (Check as applicable) ☒ (a) Buyer will pay cash for the Property with no financing contingency.
☐ (b) This Contract is contingent on Buyer qualifying and obtaining the commitment(s) or approval(s) specified below (the "Financing") within _____ days from Effective Date (if left blank then Closing Date or 30 days from Effective Date, whichever occurs first) (the "Financing Period"). Buyer will apply for Financing within _____ days from Effective Date (5 days if left blank) and will timely provide any and all credit, employment, financial and other information required by the lender. If Buyer, after using diligence and good faith, cannot obtain the Financing within the Financing Period, either party may cancel this Contract and Buyer's deposit(s) will be returned after Escrow Agent receives proper authorization from all interested parties.
☐ (1) New Financing: Buyer will secure a commitment for new third party financing for $_____ or _____% of the purchase price at the prevailing interest rate and loan costs based on Buyer's creditworthiness. Buyer will keep Seller and Broker fully informed of the loan application status and progress and authorizes the lender or mortgage broker to disclose all such information to Seller and Broker.
☐ (2) Seller Financing: Buyer will execute a ☐ first ☐ second purchase money note and mortgage to Seller in the amount of $_____, bearing annual interest at _____% and payable as follows: _____
The mortgage, note, and any security agreement will be in a form acceptable to Seller and will follow forms generally accepted in the county where the Property is located; will provide for a late payment fee and acceleration at the mortgagee's option if Buyer defaults; will give Buyer the right to prepay without penalty all or part of the principal at any time(s) with interest only to date of payment; will be due on conveyance or sale; will provide for release of contiguous parcels, if applicable; and will require Buyer to keep liability insurance on the Property, with Seller as additional named insured. Buyer authorizes Seller to obtain credit, employment and other necessary information to determine creditworthiness for the financing. Seller will, within 10 days from Effective Date, give Buyer written notice of whether or not Seller will make the loan.

Buyer (RF) (JB) and Seller (C.D.) (P.D.) acknowledge receipt of a copy of this page, which is Page 1 of 7 Pages.

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☐ **(3) Mortgage Assumption: Buyer will take title subject to and assume and pay existing first mortgage to** _____ **LN#** _____ **in the approximate amount of** $_____ **currently payable at** $_____ **per month including principal, interest,** ☐ **taxes and insurance and having a** ☐ **fixed** ☐ **other (describe)** _____ **interest rate of** _____ **% which** ☐ **will** ☐ **will not escalate upon assumption. Any variance in the mortgage will be adjusted in the balance due at closing with no adjustment to purchase price. Buyer will purchase Seller's escrow account dollar for dollar. If the lender disapproves Buyer, or the interest rate upon transfer exceeds** _____ **% or the assumption/transfer fee exceeds** $_____, **either party may elect to pay the excess, failing which this agreement will terminate and Buyer's deposit(s) will be returned.**

CLOSING

4. CLOSING DATE; OCCUPANCY: This Contract will be closed and the deed and possession delivered ***as stated in Addendum*** ("Closing Date"). Unless the Closing Date is specifically extended by the Buyer and Seller or by any other provision in this Contract, the Closing Date shall prevail over all other time periods including, but not limited to, financing and feasibility study periods. If on Closing Date insurance underwriting is suspended, Buyer may postpone closing up to 5 days after the insurance suspension is lifted. If this transaction does not close for any reason, Buyer will immediately return all Seller-provided title evidence, surveys, association documents and other items.

5. CLOSING PROCEDURE; COSTS: Closing will take place in the county where the Property is located and may be conducted by mail or electronic means. If title insurance insures Buyer for title defects arising between the title binder effective date and recording of Buyer's deed, closing agent will disburse at closing the net sale proceeds to Seller (in local cashier's checks if Seller requests in writing at least 5 days prior to closing) and brokerage fees to Broker as per Paragraph 17. In addition to other expenses provided in this Contract, Seller and Buyer will pay the costs indicated below.

(a) Seller Costs:

~~Taxes on the deed~~
~~Recording fees for documents needed to cure title~~
~~Title evidence (if applicable under Paragraph 8)~~
~~Other~~ _____

(b) Buyer Costs:

Taxes and recording fees on notes and mortgages
Recording fees on the deed and financing statements
Loan expenses
Lender's title policy at the simultaneous issue rate
Inspections
Survey and sketch
Insurance
Other: ***taxes on the deed, recording fees for documents needed to cure title and title evidence*** _____

(c) Title Evidence and Insurance: Check (1) or (2):

☒ **(1) The title evidence will be a Paragraph 8(a)(1) owner's title insurance commitment.** ☐ **Seller will select the title agent and will pay for the owner's title policy, search, examination and related charges or** ☒ **Buyer will select the title agent and pay for the owner's title policy, search, examination and related charges or** ☐ **Buyer will select the title agent and Seller will pay for the owner's title policy, search, examination and related charges.**

☐ **(2) Seller will provide an abstract as specified in Paragraph 8(a)(2) as title evidence.** ☐ **Seller** ☐ **Buyer will pay for the owner's title policy and select the title agent. Seller will pay fees for title searches prior to closing, including tax search and lien search fees, and Buyer will pay fees for title searches after closing (if any), title examination fees and closing fees.**

(d) Prorations: The following items will be made current and prorated as of the day before Closing Date: real estate taxes, interest, bonds, assessments, leases and other Property expenses and revenues. If taxes and assessments for the current year cannot be determined, the previous year's rates will be used with adjustment for any exemptions.

PROPERTY TAX DISCLOSURE SUMMARY: BUYER SHOULD NOT RELY ON THE SELLER'S CURRENT PROPERTY TAXES AS THE AMOUNT OF PROPERTY TAXES THAT BUYER MAY BE OBLIGATED TO PAY IN THE YEAR SUBSEQUENT TO PURCHASE. A CHANGE OF OWNERSHIP OR PROPERTY IMPROVEMENTS TRIGGERS REASSESSMENTS OF THE PROPERTY THAT COULD RESULT IN HIGHER PROPERTY TAXES. IF YOU HAVE ANY QUESTIONS CONCERNING VALUATION, CONTACT THE COUNTY PROPERTY APPRAISER'S OFFICE FOR FURTHER INFORMATION.

(e) Special Assessment by Public Body: Regarding special assessments imposed by a public body, Seller will pay (i) the full amount of liens that are certified, confirmed and ratified before closing and (ii) the amount of the last estimate of the assessment if an improvement is substantially completed as of Effective Date but has not resulted in a lien before closing, and Buyer will pay all other amounts. If special assessments may be paid in installments ☐ **Buyer** ☐ **Seller (if left blank, Buyer) shall pay installments due after closing. If Seller is checked, Seller will pay the assessment in full prior to or at the time of closing. Public body does not include a Homeowner Association or Condominium Association.**

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(f) Tax Withholding: If **Seller** is a"foreign person" as defined by FIRPTA, Section 1445 of the Internal Revenue Code requires **Buyer** to withhold 10% of the amount realized by the **Seller** on the transfer and remit the withheld amount to the Internal Revenue Service (IRS) unless an exemption applies. The primary exemptions are (1) **Seller** provides **Buyer** with an affidavit that **Seller** is not a"foreign person", (2) **Seller** provides **Buyer** with a Withholding Certificate providing for reduced or eliminated withholding, or (3) the gross sales price is $300,000 or less, **Buyer** is an individual who purchases the Property to use as a residence, and **Buyer** or a member of **Buyer's** family has definite plans to reside at the Property for at least 50% of the number of days the Property is in use during each of the first two 12 month periods after transfer. The IRS requires **Buyer** and **Seller** to have a U.S. federal taxpayer identification number ("TIN"). **Buyer** and **Seller** agree to execute and deliver as directed any instrument, affidavit or statement reasonably necessary to comply with FIRPTA requirements including applying for a TIN within 3 days from Effective Date and delivering their respective TIN or Social Security numbers to the Closing Agent. If **Seller** applies for a withholding certificate but the application is still pending as of closing, **Buyer** will place the 10% tax in escrow at **Seller's** expense to be disbursed in accordance with the final determination of the IRS, provided **Seller** so requests and gives **Buyer** notice of the pending application in accordance with Section 1445. If **Buyer** does not pay sufficient cash at closing to meet the withholding requirement, **Seller** will deliver to **Buyer** at closing the additional cash necessary to satisfy the requirement. **Buyer** will timely disburse the funds to the IRS and provide **Seller** with copies of the tax forms and receipts.

(g) 1031 Exchange: If either **Seller** or **Buyer** wishes to enter into a like-kind exchange (either simultaneously with closing or after) under Section 1031 of the Internal Revenue Code ("Exchange"), the other party will cooperate in all reasonable respects to effectuate the Exchange including executing documents; provided, however, that the cooperating party will incur no liability or cost related to the Exchange and that the closing shall not be contingent upon, extended or delayed by the Exchange.

PROPERTY CONDITION

6. LAND USE: **Seller** will deliver the Property to **Buyer** at the time agreed in its present "as is" condition, with conditions resulting from **Buyer's** inspections and casualty damage, if any, excepted. **Seller** will maintain the landscaping and grounds in a comparable condition and will not engage in or permit any activity that would materially alter the Property's condition without the **Buyer's** prior written consent.

(a) Flood Zone: **Buyer** is advised to verify by survey, with the lender and with appropriate government agencies which flood zone the Property is in, whether flood insurance is required and what restrictions apply to improving the Property and rebuilding in the event of casualty.

(b) Government Regulation: **Buyer** is advised that changes in government regulations and levels of service which affect **Buyer's** intended use of the Property will not be grounds for canceling this Contract if the Feasibility Study Period has expired or if **Buyer** has checked choice (c)(2) below.

(c) Inspections: *(check (1) or (2) below)*

☐ **(1) Feasibility Study:** **Buyer** will, at **Buyer's** expense and within _____ days from Effective Date ("Feasibility Study Period"), determine whether the Property is suitable, in **Buyer's** sole and absolute discretion, for _____ use. During the Feasibility Study Period, **Buyer** may conduct a Phase I environmental assessment and any other tests, analyses, surveys and investigations ("Inspections") that **Buyer** deems necessary to determine to **Buyer's** satisfaction the Property's engineering, architectural and environmental properties; zoning and zoning restrictions; subdivision statutes; soil and grade; availability of access to public roads, water, and other utilities; consistency with local, state and regional growth management plans; availability of permits, government approvals, and licenses; and other Inspections that **Buyer** deems appropriate to determine the Property's suitability for the **Buyer's** intended use. If the Property must be rezoned, **Buyer** will obtain the rezoning from the appropriate government agencies. **Seller** will sign all documents **Buyer** is required to file in connection with development or rezoning approvals.

Seller gives **Buyer**, its agents, contractors and assigns, the right to enter the Property at any time during the Feasibility Study Period for the purpose of conducting Inspections; provided, however, that **Buyer**, its agents, contractors and assigns enter the Property and conduct Inspections at their own risk. **Buyer** will indemnify and hold **Seller** harmless from losses, damages, costs, claims and expenses of any nature, including attorneys' fees, from expenses and liability incurred in application for rezoning or related proceedings, and from liability to any person, arising from the conduct of any and all Inspections or any work authorized by **Buyer**. **Buyer** will not engage in any activity that could result in a construction lien being filed against the Property without **Seller's** prior written consent. If this transaction does not close, **Buyer** will, at **Buyer's** expense, (1) repair all damages to the Property resulting from the Inspections and return the Property to the condition it was in prior to conduct of the Inspections, and (2) release to **Seller** all reports and other work generated as a result of the Inspections.

Buyer will deliver written notice to **Seller** prior to the expiration of the Feasibility Study Period of **Buyer's** determination of whether or not the Property is acceptable. **Buyer's** failure to comply with this notice requirement will constitute acceptance of the Property as suitable for **Buyer's** intended use in its "as is" condition. If the Property is unacceptable to **Buyer** and written notice of this fact is timely delivered to **Seller**, this Contract will be deemed terminated as of the day after the Feasibility Study period ends and **Buyer's** deposit(s) will be returned after Escrow Agent receives proper authorization from all interested parties.

☒ **(2) No Feasibility Study:** **Buyer** is satisfied that the Property is suitable for **Buyer's** purposes, including being satisfied that either public sewerage and water are available to the Property or the Property will be approved for the installation of a well and/or private sewerage disposal system and that existing zoning and other pertinent regulations and restrictions, such as subdivision or deed restrictions, concurrency, growth management and environmental conditions, are acceptable to **Buyer**. This Contract is not contingent on **Buyer** conducting any further investigations.

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(d) Subdivided Lands: If this Contract is for the purchase of subdivided lands, defined by Florida Law as "(a) Any contiguous land which is divided or is proposed to be divided for the purpose of disposition into 50 or more lots, parcels, units, or interests; or (b) Any land, whether contiguous or not, which is divided or proposed to be divided into 50 or more lots, parcels, units, or interests which are offered as a part of a common promotional plan.", Buyer may cancel this Contract for any reason whatsoever for a period of 7 business days from the date on which Buyer executes this Contract. If Buyer elects to cancel within the period provided, all funds or other property paid by Buyer will be refunded without penalty or obligation within 20 days of the receipt of the notice of cancellation by the developer.

7. RISK OF LOSS; EMINENT DOMAIN: If any portion of the Property is materially damaged by casualty before closing, or Seller negotiates with a governmental authority to transfer all or part of the Property in lieu of eminent domain proceedings, or if an eminent domain proceeding is initiated, Seller will promptly inform Buyer. Either party may cancel this Contract by written notice to the other within 10 days from Buyer's receipt of Seller's notification, failing which Buyer will close in accordance with this Contract and receive all payments made by the government authority or insurance company, if any.

TITLE

8. TITLE: Seller will convey marketable title to the Property by statutory warranty deed or trustee, personal representative or guardian deed as appropriate to Seller's status.

(a) Title Evidence: Title evidence will show legal access to the Property and marketable title of record in Seller in accordance with current title standards adopted by the Florida Bar, subject only to the following title exceptions, none of which prevent Buyer's intended use of the Property as *agricultural use*; covenants, easements and restrictions of record; matters of plat; existing zoning and government regulations; ~~oil, gas and mineral rights of record if there is no right of entry~~; current taxes; mortgages that Buyer will assume; and encumbrances that Seller will discharge at or before closing. ~~Seller will deliver to Buyer Seller's choice of one of the following types of title evidence, which must be generally accepted in the county where the Property is located (specify in Paragraph 5(c) the selected type). Seller will use option (1) in Palm Beach County and option (2) in Dade County.~~ will procure

(1) A title insurance commitment issued by a Florida-licensed title insurer in the amount of the purchase price and subject only to title exceptions set forth in this Contract and delivered no later than 2 days before Closing Date.

~~(2) An existing abstract of title from a reputable and existing abstract firm (if firm is not existing, then abstract must be certified as correct by an existing firm) purporting to be an accurate synopsis of the instruments affecting title to the Property recorded in the public records of the county where the Property is located and certified to Effective Date. However if such an abstract is not available to Seller, then a prior owner's title policy acceptable to the proposed insurer as a base for reissuance of coverage. Seller will pay for copies of all policy exceptions and an update in a format acceptable to Buyer's closing agent from the policy effective date and certified to Buyer or Buyer's closing agent, together with copies of all documents recited in the prior policy and in the update. If a prior policy is not available to Seller then (1) above will be the title evidence. Title evidence will be delivered no later than 10 days before Closing Date.~~

(b) Title Examination: Buyer will examine the title evidence and deliver written notice to Seller, within 5 days from receipt of title evidence but no later than closing, of any defects that make the title unmarketable. Seller will have 30 days from receipt of Buyer's notice of defects ("Curative Period") to cure the defects at Seller's expense. If Seller cures the defects within the Curative Period, Seller will deliver written notice to Buyer and the parties will close the transaction on Closing Date or within 10 days from Buyer's receipt of Seller's notice if Closing Date has passed. If Seller is unable to cure the defects within the Curative Period, Seller will deliver written notice to Buyer and Buyer will, within 10 days from receipt of Seller's notice, either cancel this Contract or accept title with existing defects and close the transaction.

(c) Survey: Buyer may, prior to Closing Date and at Buyer's expense, have the Property surveyed and deliver written notice to Seller, within 5 days from receipt of survey but no later than 5 days prior to closing, of any encroachments on the Property, encroachments by the Property's improvements on other lands or deed restriction or zoning violations. Any such encroachment or violation will be treated in the same manner as a title defect and Buyer's and Seller's obligations will be determined in accordance with subparagraph (b) above.

(d) Coastal Construction Control Line: If any part of the Property lies seaward of the coastal construction control line as defined in Section 161.053 of the Florida Statutes, Seller shall provide Buyer with an affidavit or survey as required by law delineating the line's location on the Property, unless Buyer waives this requirement in writing. The Property being purchased may be subject to coastal erosion and to federal, state, or local regulations that govern coastal property, including delineation of the coastal construction control line, rigid coastal protection structures, beach nourishment, and the protection of marine turtles. Additional information can be obtained from the Florida Department of Environmental Protection, including whether there are significant erosion conditions associated with the shoreline of the Property being purchased.

☒ Buyer waives the right to receive a CCCL affidavit or survey.

MISCELLANEOUS

9. EFFECTIVE DATE; TIME; FORCE MAJEURE:

(a) Effective Date: The "Effective Date" of this Contract is the date on which the last of the parties initials or signs and delivers final offer or counteroffer. Time is of the essence for all provisions of this Contract.

(b) Time:

~~All time periods expressed as days will be computed in business days (a "business day" is every calendar day except Saturday, Sunday and national legal holidays).~~ If any deadline falls on a Saturday, Sunday or national legal holiday, performance will be due the next business day. All time periods will end at 5:00 p.m. local time (meaning in the county where the Property is located) of the appropriate day.

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(c) **Force Majeure: Buyer** or **Seller** shall not be required to perform any obligation under this Contract or be liable to each other for damages so long as the performance or non-performance of the obligation is delayed, caused or prevented by an act of God or force majeure. An "act of God" or "force majeure" is defined as hurricanes, earthquakes, floods, fire, unusual transportation delays, wars, insurrections and any other cause not reasonably within the control of the **Buyer** or **Seller** and which by the exercise of due diligence the non-performing party is unable in whole or in part to prevent or overcome. All time periods, including Closing Date, will be extended (not to exceed 30 days) for the period that the force majeure or act of God is in place. In the event that such "act of God" or "force majeure" event continues beyond the 30 days in this sub-paragraph, either party may cancel the Contract by delivering written notice to the other and **Buyer's** deposit shall be refunded.

10. NOTICES: All notices shall be in writing and will be delivered to the parties and Broker by mail, personal delivery or electronic media. **Buyer's failure to deliver timely written notice to Seller, when such notice is required by this Contract, regarding any contingencies will render that contingency null and void and the Contract will be construed as if the contingency did not exist. Any notice, document or item delivered to or received by an attorney or licensee (including a transaction broker) representing a party will be as effective as if delivered to or by that party.**

11. COMPLETE AGREEMENT: This Contract is the entire agreement between **Buyer** and **Seller**. Except for brokerage agreements, no prior or present agreements will bind **Buyer**, **Seller** or Broker unless incorporated into this Contract. Modifications of this Contract will not be binding unless in writing, signed or initialed and delivered by the party to be bound. This Contract, signatures, initials, documents referenced in this Contract, counterparts and written modifications communicated electronically or on paper will be acceptable for all purposes, including delivery, and will be binding. Handwritten or typewritten terms inserted in or attached to this Contract prevail over preprinted terms. If any provision of this Contract is or becomes invalid or unenforceable, all remaining provisions will continue to be fully effective. **Buyer** and **Seller** will use diligence and good faith in performing all obligations under this Contract. This Contract will not be recorded in any public records.

12. ASSIGNABILITY; PERSONS BOUND: Buyer may not assign this Contract without **Seller's** written consent. The terms **"Buyer"**, **"Seller"**, and "Broker" may be singular or plural. This Contract is binding on the heirs, administrators, executors, personal representatives and assigns (if permitted) of **Buyer**, **Seller** and Broker.

DEFAULT AND DISPUTE RESOLUTION

13. DEFAULT: (a) Seller Default: If for any reason other than failure of **Seller** to make **Seller's** title marketable after diligent effort, **Seller** fails, refuses or neglects to perform this Contract, **Buyer** may choose to receive a return of **Buyer's** deposit without waiving the right to seek damages or to seek specific performance as per Paragraph 14. **Seller** will also be liable to Broker for the full amount of the brokerage fee. **(b) Buyer Default:** If **Buyer** fails to perform this Contract within the time specified, including timely payment of all deposits, **Seller** may choose to retain and collect all deposits paid and agreed to be paid as liquidated damages ~~or to seek specific performance as per Paragraph 14; and Broker will, upon demand, receive 50% of all deposits paid and agreed to be paid (to be split equally among Brokers) up to the full amount of the brokerage fee~~ as Seller's sole and exclusive remedy.

14. DISPUTE RESOLUTION: This Contract will be construed under Florida law. ~~All controversies, claims, and other matters in~~ question arising out of or relating to this transaction or this Contract or its breach will be settled as follows:

(a) Disputes concerning entitlement to deposits made and agreed to be made: Buyer and **Seller** will have 30 days from the date conflicting demands are made to attempt to resolve the dispute through mediation. If that fails, Escrow Agent will submit the dispute, if so required by Florida law, to Escrow Agent's choice of arbitration, a Florida court or the Florida Real Estate Commission. ("FREC"). **Buyer** and **Seller** will be bound by any resulting award, judgment or order. A broker's obligation under Chapter 475, FS and the FREC rules to timely notify the FREC of an escrow dispute and timely resolve the escrow dispute through mediation, arbitration, interpleader, or an escrow disbursement order, if the broker so chooses, applies only to brokers and does not apply to title companies, attorneys or other escrow companies.

(b) All other disputes: Buyer and **Seller** will have 30 days from the date a dispute arises between them to attempt to resolve the matter through mediation, failing which the parties will resolve the dispute through neutral binding arbitration in the county where the Property is located. The arbitrator may not alter the Contract terms or award any remedy not provided for in this Contract. The award will be based on the greater weight of the evidence and will state findings of fact and the contractual authority on which it is based. If the parties agree to use discovery, it will be in accordance with the Florida Rules of Civil Procedure and the arbitrator will resolve all discovery-related disputes. Any disputes with a real estate licensee named in Paragraph 17 will be submitted to arbitration only if the licensee's broker consents in writing to become a party to the proceeding. This clause will survive closing.

(c) Mediation and Arbitration; Expenses: "Mediation" is a process in which parties attempt to resolve a dispute by submitting it to an impartial mediator who facilitates the resolution of the dispute but who is not empowered to impose a settlement on the parties. Mediation will be in accordance with the rules of the American Arbitration Association ("AAA") or other mediator agreed on by the parties. The parties will equally divide the mediation fee, if any. "Arbitration" is a process in which the parties resolve a dispute by a hearing before a neutral person who decides the matter and whose decision is binding on the parties. Arbitration will be in accordance with the rules of the AAA or other arbitrator agreed on by the parties. Each party to any arbitration will pay its own fees, costs and expenses, including attorneys' fees, and will equally split the arbitrators' fees and administrative fees of arbitration. In a civil action to enforce an arbitration award, the prevailing party to ~~the arbitration shall be entitled to recover from the nonprevailing party reasonable attorneys' fees, costs and expenses.~~

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ESCROW AGENT AND BROKER

15. ESCROW AGENT: Buyer and Seller authorize Escrow Agent to receive, deposit and hold funds and other items in escrow and, subject to clearance, disburse them upon proper authorization and in accordance with Florida law and the terms of this Contract, including disbursing brokerage fees. The parties agree that Escrow Agent will not be liable to any person for misdelivery of escrowed items to Buyer or Seller, unless the misdelivery is due to Escrow Agent's willful breach of this Contract or gross negligence. If Escrow Agent interpleads the subject matter of the escrow, Escrow Agent will pay the filing fees and costs from the deposit and will recover reasonable attorneys' fees and costs to be paid from the escrowed funds or equivalent and charged and awarded as court costs in favor of the prevailing party. All claims against Escrow Agent will be arbitrated, so long as Escrow Agent consents to arbitrate.

16. PROFESSIONAL ADVICE; BROKER LIABILITY: Broker advises Buyer and Seller to verify all facts and representations that are important to them and to consult an appropriate professional for legal advice (for example, interpreting contracts, determining the effect of laws on the Property and transaction, status of title, foreign investor reporting requirements, the effect of property lying partially or totally seaward of the Coastal Construction Control Line, etc.) and for tax, property condition, environmental and other specialized advice. Buyer acknowledges that Broker does not reside in the Property and that all representations (oral, written or otherwise) by Broker are based on Seller representations or public records. Buyer agrees to rely solely on Seller, professional inspectors and governmental agencies for verification of the Property condition and facts that materially affect Property value. Buyer and Seller respectively will pay all costs and expenses, including reasonable attorneys' fees at all levels, incurred by Broker and Broker's officers, directors, agents and employees in connection with or arising from Buyer's or Seller's misstatement or failure to perform contractual obligations. Buyer and Seller hold harmless and release Broker and Broker's officers, directors, agents and employees from all liability for loss or damage based on (1) Buyer's or Seller's misstatement or failure to perform contractual obligations; (2) Broker's performance, at Buyer's and/or Seller's request, of any task beyond the scope of services regulated by Chapter 475, F.S., as amended, including Broker's referral, recommendation or retention of any vendor; (3) products or services provided by any vendor; and (4) expenses incurred by any vendor. Buyer and Seller each assume full responsibility for selecting and compensating their respective vendors. This paragraph will not relieve Broker of statutory obligations. For purposes of this paragraph, Broker will be treated as a party to this Contract. This paragraph will survive closing.

17. BROKERS: The licensee(s) and brokerage(s) named below are collectively referred to as "Broker." **Instruction to Closing Agent: Seller and Buyer** direct closing agent to disburse at closing the full amount of the brokerage fees as specified in separate brokerage agreements with the parties and cooperative agreements between the brokers, except to the extent Broker has retained such fees from the escrowed funds. In the absence of such brokerage agreements, closing agent will disburse brokerage fees as indicated below. This paragraph will not be used to modify any MLS or other offer of compensation made by Seller or listing broker to cooperating brokers.

_____ _____

Selling Sales Associate/License No. _____ *Selling Firm/Brokerage Fee: ($ or % of Purchase Price)* _____

_____ _____

Listing Sales Associate/License No. _____ *Listing Firm/Brokerage Fee: ($ or % of Purchase Price)* _____

ADDITIONAL TERMS

18. ADDITIONAL TERMS:

_____

_____

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_____

_____

_____

_____

_____

Buyer (RJ) (VB) **and Seller** (CD) (PD) acknowledge receipt of a copy of this page, which is Page 6 of 7 Pages.

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This is intended to be a legally binding contract. If not fully understood, seek the advice of an attorney prior to signing.

OFFER AND ACCEPTANCE

(Check if applicable: ☐ Buyer received a written real property disclosure statement from Seller before making this Offer.) Buyer offers to purchase the Property on the above terms and conditions. Unless this Contract is signed by Seller and a copy delivered to Buyer no later than _____ ☐ a.m. ☐ p.m. on _____ this offer will be revoked and Buyer's deposit refunded subject to clearance of funds.

COUNTER OFFER / REJECTION

☐ Seller counters Buyer's offer (to accept the counter offer, Buyer must sign or initial the counter offered terms and deliver a copy of the acceptance to Seller. Unless otherwise stated, the time for acceptance of any counteroffers shall be 2 days from the date the counter is delivered. ☐ Seller rejects Buyer's offer.

Date: 10/14/14 Buyer: _____
Print name: James E. Burch

Date: 10-14-14 Buyer: _____
Phone: 863-990-0932 Print name: Robert J. Flint JR.
Fax: 863-494-1629 Address: 2634 NW Flint Rd.
Email: flintarms527@Yahoo.com Arcadia, FL 34266

Date: 10/14/14 Seller: _____
Print name: Cecil Daughtrey, Jr.

Date: 10-14-14 Seller: _____
Phone: 863 441-3387 Print name: Patricia A. Daughtrey
Fax: Address: 9438 Daughtrey Rd
Email: Mrs.Pattyd@yahoo.com Sidell, FL 32566

Effective Date: _____ (The date on which the last party signed or initialed and delivered the final offer or counteroffer.)

Buyer RF, JB and Seller CD, PD acknowledge receipt of a copy of this page, which is Page 7 of 7 Pages.

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ATTACHMENT

PARCEL ID; 1009001000 THAT PART OF SEC 1-38-22 LYING NORTH OF STATE RD. 72 CONTAINING 208.5 AC.

PARCEL ID; 1011001010 THAT PART OF E 1675 FT OF SEC 2-38-22 LYING N OF STATE RD + N 2068.04 OF W 924.27 FT OF SAID SEC 2-38-22 CONTAINING 157 AC.

PARCEL ID; 1011001000 ALL OF SEC 2-38-22, LESS THAT PART OF 1675 FT THERE OF LYING N OF STATE RD 72 ALSO LESS N 2068.04 FT OF W 924.27 FT OF E 2599.27 FT THERE OF ALSO LESS PORTION LYING IN FOLLOWING DESC PARCEL, BEG AT NW COR OF SEC 11-38-22 TH S-01-59-53-W 5340.95 FT TO SW COR OF SAID SEC 11 TH N-88-22-46-W 5377.94 FT TO NW COR OF SEC 15-38-22 TH S-02-00-10-W 1320 FT TH S-88-22-46-E 6698.08 FT TH N-01-59-53-E 7240.95 FT TO S R/W LINE OF SR 72 TH S-66-13-13-W 1042.16 FT TH SWLY ALG CURVE TO RIGHT 400.45 FT TO W LINE OF SAID SEC 2 TH S-02-14-29-W 18.87 FT TO POB ALSO LESS R/W FOR STATE RD 72, CONTAINING 466 AC, LESS 160 AC HOMESTEAD.

PARCEL ID; 1039002000 W ½ OF SEC 16-38-22, LESS OIL & MINERAL RIGHTS IN DB 311/95 TO COURY, CONTAINING 323 AC.

PARCEL ID; 1029001000 ALL OF 11-38-22, LESS PORTION LYING IN FOLLOWING DESC PARCEL, BEG AT NW COR OF SEC 11-38-22 TH S-01-59-53-W 5340.95 FT TO SW COR OF SAID SEC 11 TH N-88-22-46-W 5377.94 FT TO NW COR OF SEC 15-38-22 TH S-02-00-10-W 1320 FT THS-88-22-46-E 6698.08 FT TH N-01-59-53-E 7240.95 FT TO S R/W LINE OF SR 72 TH S-66-13-13-W 1042.16 FT TH SWLY ALG CURVE TO RIGHT 400.45 FT TO W LINE OF SAID SEC 2 TH S-02-14-29-W 18.87 FT TO POB, CONTAINING 478 C-AC M/L

PARCEL ID; 1035001000 ALL OF 14-38-22, LESS E ¾ OF S ½ THERE OF ALSO LESS PORTION LYING IN FOLLOWING DESC PARCEL, BEG AT SAID SEC 11 TH N-88-22-46-W 5377.94 FT TO NW COR OF SEC 15-38-22 TH S-02-00-10-W 1320 FT TH S-88-22-46-E 6698.08 FT TH N-01-59-53-E 7240.95 FT TO S R/W LINE OF SR 72 TH S-66-13-13-W 1042.16 FT TH SWLY ALG CURVE TO RIGHT 400.45 FT TO W LINE OF SAID SEC 2 TH S-02-14-29-W 18.87 TO POB, CONTAINING 360 C-AC M/L

PARCEL ID; 1037001000 ALL OF SEC 15-38-22 LESS PORTION LYING IN FOLLOWING DESC PARCEL, BEG AT NW COR OF SEC 11-38-22 TH S-01-59-53-W 5340.95 FT TO SW COR OF SAID SEC 11 TH N-88-22-46-W 5377.94 FT TO NW COR OF SEC 15-38-22 TH S-02-00-10-W 1320 FT TH S-88-22-46-E 6698.08 FT TH N-01-59-53-E 7240.95 FT TO S R/W LINE OF SR 72 TH S-66-13-13-W 1042.16 FT TH SWLY ALG CURVE TO RIGHT 400.45 FT TO W LINE OF SAID SEC 2 TH S-02-14-29-W 18.87 FT TO POB ALSO LESS RR R/W OF TAMPA SOUTHERN RR CO P-1, CONTAINING 472 C-AC M/L

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ADDENDUM TO VACANT LAND CONTRACT

THIS ADDENDUM is made to the Vacant Land Contract (the "Contract") by and between Cecil Daughtery, Jr. and Patricia A. Daughtery ("Seller"), and Flint Family Farms, LLC, and Georgiana, LLC or their respective assigns ("Buyer").

The parties do hereby agree as follows:

1. Words and phrases defined in the Contract shall have the same meaning when used in this Addendum. The terms contained in this Addendum shall control if in conflict with terms contained in the Contract, but this Addendum shall otherwise be deemed a part of, and incorporated within, the Contract.

2. The Property to be sold by Seller to Buyer under the Contract is more specifically defined as follows:

A. THE LAND. All the land located in the County of Sarasota, State of Florida (the "Land"), more particularly described as:

On Exhibit "A" attached hereto and made a part hereof.

B. THE IMPROVEMENTS. Together with all equipment, buildings, structures and improvements of every nature whatsoever now situated on the Land, including, without limitation, irrigation equipment, wells, pumps and drainage systems (the "Improvements").

C. EASEMENTS OR OTHER INTERESTS. Together with all easements, rights of way, streets, ways, alleys, passages, mineral rights, waters, water courses, water rights and powers, water use permits issued by the Southwest Florida Water Management District, licenses, permits, approvals, development rights, and all other estates, rights, titles, interests, privileges, liberties, tenements, hereditaments and appurtenances whatsoever, in any way belonging, relating, or appertaining to any of the property hereinabove described, including but not limited to the access easement across the E ½ of Section 16, T 365, R 22 E, to provide access from Parcel ID #1037-00-1000 and the properties adjacent thereto to Parcel ID #1039-00-2000 (which is the W ½ of said Section 16).

3. This Contract is expressly contingent upon the issuance of a final, nonappealable order (the "Sale Order") by the United States Bankruptcy Court of the Middle District of Florida in Case No. 9:13-bk-14831-FMD (the "Bankruptcy Action"), approving this Contract and directing Seller or the Trustee to consummate the purchase and sale of the Property described herein. Seller shall exercise commercially reasonable efforts to obtain the Sale Order as soon as practicable. The Closing Date shall be fifteen (15) business days after the entry of the Sale Order, in such a manner as to allow Seller to deliver to Buyer at Closing good, marketable title to the Property as warranted in this Contract, unencumbered by any claims, including but not limited to those of 72 Partners, LLC, and any claims arising out of the transaction pursuant to which Joseph D. Gilberti, Jr. ("Gilberti") received and recorded a deed to the portion of the Property in Parcel numbers 1009-00-1000 and 1011-00-1010, and any other claims of Gilberti or Gilberti Water Company, or any other party or entity related or associated with any of the parties mentioned above or any other claimants. Provided, however, in the event the Sale Order has not been obtained within two (2) years after the Effective Date hereof, Buyer may terminate this Contract and all rights, liabilities, or obligations related thereto, by written notice to Seller at any time thereafter, whereupon the deposit shall be refunded to Buyer. Seller agrees that it shall not take any action on or before the Closing Date which would impair Seller's ability to convey the Property to Buyer as warranted in this Contract or which

RF FB

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would result in any new lien, claim, encumbrance or other matter affecting title to the Property. This agreement shall survive Closing or the termination of this Contract.

4. The parties acknowledge that they have had the opportunity to be represented by counsel in connection with the Contract and this Addendum and it shall be interpreted according to its fair construction and shall not be constructed against either party.

5. This Addendum can be executed in counterparts which shall form one Addendum. Fully executed, facsimile or other electronically communicated copies shall be considered effective for all purposes.

6. Any notice to be given or to be served upon any party hereto in connection with the Contract or this Addendum must be in writing, and may be given by telefax transmission with confirmation of receipt, certified mail, or overnight receipt delivery service, and shall be deemed to have been given and received as of the day telecopied, and, if given by certified mail, when the certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States mail, and, if given by overnight receipt delivery service, it shall be deemed to have been given when delivered to the overnight receipt delivery service for delivery. Such notices shall be given to the parties hereto at the following addresses:

FOR BUYER:
Flint Family Farms, LLC and Georgiana, LLC
C/O Robert Flint
2634 NW Flint Road
Arcadia, FL 34266

WITH COPY TO:
James L. Turner, Esq.
Williams Parker Harrison Dietz & Getzen
200 S. Orange Avenue
Sarasota, FL 34236
Phone: (941) 366-4800
Fax: (941) 954-6045
Email: jturner@williamsparker.com

FOR SELLER:
Cecil Daughtery, Jr. and Patricia A. Daughtery
9438 Daughtrey Road
Sidell, FL 34266

WITH COPY TO:
Paul DeCailly, Esq.
DeCailly Law Group, P.A.
19455 Gulf Boulevard, Suite 8
Indian Shores, FL 33785
Phone: (727) 824-7709
Fax: (866) 906-5977
Email: pdecailly@dlg4me.com

7. <u>REPRESENTATIONS REGARDING REAL ESTATE BROKERAGE</u>:

A. Seller hereby represents and warrants to Buyer that Seller has not engaged or dealt with any agent, broker or finder in regard to this Contract or to the sale and purchase of the Property contemplated hereby. Seller hereby indemnifies Buyer and agrees to protect, defend, and hold Buyer free and harmless from and against any and all claims, causes of action, liability, loss, cost, damage or expense, including, but not limited to, attorney's fees and costs of litigation (whether or not an action is actually commenced, and whether incurred before, during, or after trial,

RFJB

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or upon any appellate level), which Buyer shall ever suffer or incur because of any claim by any agent, broker or finder engaged by Seller, or with whom Seller has dealt, for any fee, commission or other compensation with respect to this Contract or to the sale and purchase of the Property contemplated hereby.

B. Buyer hereby represents and warrants to Seller that Buyer has not engaged or dealt with any agent, broker or finder in regard to this Contract or to the sale and purchase of the Property contemplated hereby. Buyer hereby indemnifies Seller and agrees to protect, defend, and hold Seller free and harmless from and against any and all claims, actions, causes of action, liability, loss, cost, damage and expense, including but not limited to attorneys' fees and costs of litigation (whether or not any action is actually commenced, and whether incurred before, during or after trial, or upon any appellate level), which Seller shall ever suffer or incur because of any claim by any agent, broker or finder engaged by Buyer, or with whom Buyer has dealt, and whether or not meritorious, for any fee, commission or other compensation with respect to this Contract or to the sale and purchase of the Property contemplated hereby.

C. The indemnities contained in this Paragraph 8 shall survive the Closing or any termination of this Contract.

8. RADON GAS NOTIFICATION: Radon is a naturally occurring radioactive gas that when accumulated in a building in sufficient quantities may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from your County Public Health unit.

9. ATTORNEYS' FEES: In the event of any dispute hereunder or of any action to interpret or enforce this Contract, any provision hereof or any matter arising here from, the prevailing party shall be entitled to recover its reasonable costs, fees and expenses including, but not limited to, witness fees, expert fees, consultant fees, attorney, paralegal and legal assistant fees, costs and expenses and other professional fees, costs and expenses whether suit be brought or not, and whether in settlement, in any declaratory action, before, during or after trial or on appeal.

10. ASSIGNMENT: This Agreement, and Buyer's rights and obligations hereunder, may not be assigned by Buyer except to an entity in which Robert J. Flint, Jr., (as to Flint Family Farms, LLC) and Jimmy Burch (as to Georgiana, LLC) directly or indirectly, is an owner, without the written consent of the Seller, and such consent shall not be unreasonably withheld. Such assignment by Buyer shall not release Buyer from liability for the performance of this Agreement.

All other terms and conditions of the Contract which are not in conflict herewith shall remain in full force and effect.

[SIGNATURE PAGE TO FOLLOW]

BF TR

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Executed by Seller on: 10-14 **2014**

CECIL DAUGHTREY, JR.

PATRICIA A. DAUGHTREY

Executed by Buyer on: 10-14 **2014**

FLINT FAMILY FARMS, LLC

By:

Print Name: Robert J. Flint JR.

As Its: Owner

Executed by Buyer on: Oct. 14 **2014**

GOERGIANA, LLC of NORTH CAROLINA

By:

Print Name:

As Its:

RF JR

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ATTACHMENT

PARCEL ID; 1009001000 THAT PART OF SEC 1-38-22 LYING NORTH OF STATE RD. 72 CONTAINING 208.5 AC.

PARCEL ID; 1011001010 THAT PART OF E 1675 FT OF SEC 2-38-22 LYING N OF STATE RD + N 2068.04 OF W 924.27 FT OF SAID SEC 2-38-22 CONTAINING 157 AC.

PARCEL ID; 1011001000 ALL OF SEC 2-38-22, LESS THAT PART OF 1675 FT THERE OF LYING N OF STATE RD 72 ALSO LESS N 2068.04 FT OF W 924.27 FT OF E 2599.27 FT THERE OF ALSO LESS PORTION LYING IN FOLLOWING DESC PARCEL, BEG AT NW COR OF SEC 11-38-22 TH S-01-59-53-W 5340.95 FT TO SW COR OF SAID SEC 11 TH N-88-22-46-W 5377.94 FT TO NW COR OF SEC 15-38-22 TH S-02-00-10-W 1320 FT TH S-88-22-46-E 6698.08 FT TH N-01-59-53-E 7240.95 FT TO S R/W LINE OF SR 72 TH S-66-13-13-W 1042.16 FT TH SWLY ALG CURVE TO RIGHT 400.45 FT TO W LINE OF SAID SEC 2 TH S-02-14-29-W 18.87 FT TO POB ALSO LESS R/W FOR STATE RD 72, CONTAINING 466 AC, LESS 160 AC HOMESTEAD.

PARCEL ID; 1039002000 W ½ OF SEC 16-38-22, LESS OIL & MINERAL RIGHTS IN DB 311/95 TO COURY, CONTAINING 323 AC.

PARCEL ID; 1029001000 ALL OF 11-38-22, LESS PORTION LYING IN FOLLOWING DESC PARCEL, BEG AT NW COR OF SEC 11-38-22 TH S-01-59-53-W 5340.95 FT TO SW COR OF SAID SEC 11 TH N-88-22-46-W 5377.94 FT TO NW COR OF SEC 15-38-22 TH S-02-00-10-W 1320 FT THS-88-22-46-E 6698.08 FT TH N-01-59-53-E 7240.95 FT TO S R/W LINE OF SR 72 TH S-66-13-13-W 1042.16 FT TH SWLY ALG CURVE TO RIGHT 400.45 FT TO W LINE OF SAID SEC 2 TH S-02-14-29-W 18.87 FT TO POB, CONTAINING 478 C-AC M/L

PARCEL ID; 1035001000 ALL OF 14-38-22, LESS E ¾ OF S ½ THERE OF ALSO LESS PORTION LYING IN FOLLOWING DESC PARCEL, BEG AT SAID SEC 11 TH N-88-22-46-W 5377.94 FT TO NW COR OF SEC 15-38-22 TH S-02-00-10-W 1320 FT TH S-88-22-46-E 6698.08 FT TH N-01-59-53-E 7240.95 FT TO S R/W LINE OF SR 72 TH S-66-13-13-W 1042.16 FT TH SWLY ALG CURVE TO RIGHT 400.45 FT TO W LINE OF SAID SEC 2 TH S-02-14-29-W 18.87 TO POB, CONTAINING 360 C-AC M/L

PARCEL ID; 1037001000 ALL OF SEC 15-38-22 LESS PORTION LYING IN FOLLOWING DESC PARCEL, BEG AT NW COR OF SEC 11-38-22 TH S-01-59-53-W 5340.95 FT TO SW COR OF SAID SEC 11 TH N-88-22-46-W 5377.94 FT TO NW COR OF SEC 15-38-22 TH S-02-00-10-W 1320 FT TH S-88-22-46-E 6698.08 FT TH N-01-59-53-E 7240.95 FT TO S R/W LINE OF SR 72 TH S-66-13-13-W 1042.16 FT TH SWLY ALG CURVE TO RIGHT 400.45 FT TO W LINE OF SAID SEC 2 TH S-02-14-29-W 18.87 FT TO POB ALSO LESS RR R/W OF TAMPA SOUTHERN RR CO P-1, CONTAINING 472 C-AC M/L

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LandTech Design Group, Inc.

Planning, Engineering and Consulting Services
385 Donora Blvd
Fort Myers Beach, FL 33931
813-470-6000 Office
gilberti.water.company.fla@gmail.com

HAND DELIVERED and Copied US Mail

September 27, 2017

Mr. John Inglehart
Director of Department of Protection, South District
2295 Victoria Avenue
Fort Myers, Florida 33901
239-344-5600

RE: Closer to the Heart Antioxidant Spring Water Transmission – New Global Natural Resource discovered for National Defense and FEMA Disaster Recovery Program for a Sustainable Water Supply in South Florida
Florida Department of Environmental Protection Application for Filtration and Transmission – 300mile Transmission from Sarasota (Source) down I-75 to South Florida – Servicing Sarasota, Charlotte, Desoto, Lee, Collier, Dade, Broward, Palm Beach & Monroe Counties.

World & US Natural Drinking Water Resource Location: 9438 Daughtrey Road, Sarasota, Florida 34266. End of Clark Road in Lower Sarasota Myakka Peace River Region.

Dear Mr. Inglehart:

Enclosed herewith are alignment plans and support documentation regarding the above referenced project for Water Filtration and Transmission review that was submitted in 2013 with a full application fee of $10,300.00 dollars. The file was originally submitted to the Health Department to disclose the unique readings to Tampa and Sarasota, Florida office than transferred to your office December 31, 2013 by Brian Dietz, P.E. to James Oni, P.E. as we discussed on September 7, 2017 just before Hurricane IRMA hit on September 10, 2017 in the Southwest Florida region. My electrical power has just been turned on so I was a bit slow on getting this information resubmitted as we discussed for Disaster Recovery Relief for Hurricane IRMA and future Disasters that will surely come in the Tropics of Florida.

On the FDEP application, I am asking to implement Executive Order 17-235 to waive all fees and local signatures from County officials as the treatment is neglible as this spring water is the healthiest untouched in the World, from our private property, and most of the pipeline is on the FDOT Right of way. And my last review was basically hidden or ignored and we paid $10,300.00 already. We want to include the leaders and staff at the county who all have the plans for years now but also want to avoid games to expedite this water as Disaster Recovery not an Election for Senator or next President? We need the diligence by the Health Department Agency, FEMA and the Military at this point of the Natural US Water Resource on my land in Sarasota that can feed all Floridians with a Much higher level of service in quality and Disaster Recovery. The system is planned with EOC designated along evacuation

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routes I-75 at repump stations. This is THE PEOPLES Water to the Tap, and the Military needs it for multiple purposes I cannot disclose related to magnetic propulsion, bio-hazard defense systems and computer parts and new medicines abroad.

The source is located on Clark Road at 9438 Daughtrey Road, Sarasota Florida 34266 approximately 1500 feet below the Ranch in the Lower Floridan discovered in 1969 by the a deep Floridan well used for agricultural purposes. Many out here didn't realize what they had, nor was the population triggering expertise to justify its existence and value to Mankind. It's a Unique Resource that shows an underground Alkaline Mineral River in the Rocks larger than Niagara Falls and flowing millions of years via geological indicators and more we can discuss once a simple water quality test is verified by your office.

We are showing essential minerals of Calcium and Magnesium 1x higher magnitude than FIJI bottled water from overseas, with pH=7.49 and chlorides very low showing an Antioxidant reading never seen on the planet with the two essentials for Humans. This molecular mixture may change most Medicines and much of the questions we have had on evolution in regard to Earth Science and Water Origins. Nevertheless, let's get this Ocean tied into the infrastructure to lower Healthcare cost, sick people while causing a housing boom never seen on the Planet before. Why spend money on Walls of Hate and Fear when one 7' diameter pipe can support most all of Miami-Dade County with 300mgd of this wonderful new water reading and endless resource.

This project was submitted in 2013 and can be reactivated under this Disaster Recovery phase with Hurricane IRMA. I have a program to split Peace River System at Longino Ranch and utilize the RV Griffin Reservoir for a future Power plant needed with the growth and demand for high quality spring water homes. Just as Flint Michigan home values went down, this will cause home value to rise and economics to stabilize while protecting Americans in Natural Disasters with much lower costs and hassles!

This water is a huge Cancer antioxidant and tap water is based on Cancer Rates. We want to impose FDEP 62-555(301) for Raw Resources and deliver as much Engineering product with access to the Resource for the People with ready to drink sparking spring water. An ENDLESS unique Florida Drinking Water and Medicine resource with massive pumping capacity to serve millions of People.

I put a copy of Governor Rick Scotts Executive Order 17-235 in this package for your convenience. Considering the recent issue on the Assisting Living Facility in Hollywood Hills and Marco Island Boil Water notice who should already have this water at the Tap by now since the 2013 submittal, I suggest FEMA and FDEP from all offices this pipeline can serve in Florida to come to our site with 4000-gallon water trucks, fill up for FREE, install 10,000 gal above ground tanks at $5,000/each at central locations so Citizens can fill up Jugs and bottles for FREE versus buying bottled water at stores and driving around the flooded streets? Also the Schools and Hospitals should have large Hydropneumatics tanks with Truck fleets available to fill up as this source is artesian if I sleeve down to 1100 feet year round.

Other items such as the original application mail receipt, alignment plans to serve existing Water plants with Water 10x healthier than FIJI Water, pump stations approximately 10-20 miles down I-75 with 2 EOC's per County in West Florida and more toward south Florida higher populations.

LANDTECH DESIGN GROUP, INC
813-470-6000

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I also included the FDEP on file current Arsenic Variances currently imposed to millions of Homes and businesses in this service area due to utilizing Raw Drinking Water Resources from surface rivers and everglades polluted ground water that is rising from population, agriculture, storm disasters, pollution and more. These unique isolated Spring Water Rivers are potentially everywhere across the USA and Earth hydrating the Oceans we see above, and may also be accessible if within 6miles depth and help communities such as Flint Michigan if this knowledge I have is put on TV. Gilberti KT Hypothesis and this site is showing Meteor impacts are giving access to Oceans Beneath Earth that maybe generated from within Earth like LAVA versus ICE Comet Theory. If this is true, all Environmental Rules and World Trade may be affected to the GOOD! Everything goes up in LEVEL OF SERVICE.

Please set a meeting with staff to determine the fastest way to get these sites natural resource to the right people to simple do a diligence for a few hours. A pump report and water health scan.

I have the deeds and the documents to expedite the US Military, FEMA, EPA, ACOE and more to finalize the size per demand to 2050, order the pipe and then final the plans with an after the fact permit based on Stafford Act 6.11 (Zika causing RV Reservoir and CW Bill Young Reservoir exposed to Drones) and FEMA Disaster Recovery programs as well as motions in the Executive Order 17-235 we are in today with Hurricane IRMA with more Hurricanes like Maria in the Caribbean now.

Please consider the enclosed plans and supporting documentation for review and route all to every Health department from Sarasota to South Florida including County Engineering departments for Transmissions if possible. I will do the same as I believe President Trump, FDEP, FEMA and Florida Citizens have a terrific opportunity to open Natural Resources across Earth with this site if your office and the others come together like Americans and simply do the few hours of diligence. It could save millions of lives for many years to come. 20,000 kids per day die of Blue Gold Water Wars around the Globe and the World Health Organization is hiding this with Rothschild World Bank and Israel Mosaic Fertilizer that allows President Trump and Congress to negotiate all US Debt down to ZERO too! So please EXPEDITE this resource to the President Trump and FEMA immediately as this opens money up for both and all America. A private European bank who owns our dollar is hiding our No1 Resource with EPA and UN with Rothschild and we have the Proof with Mosaic Fertilizer and other cases ongoing.

I suggest forwarding this packet to all Hospitals and President Trump considering the Water Readings and capacity available as well as the actions that transpired to hide this Resource by Corporate groups overseas and abroad we all witnessed these past few years which tells us all with common sense this is a REAL OPPORTUNITY for America!

If you have any questions, please do not hesitate to contact our office at your convenience.

Sincerely,

LandTech Design Group, Inc.

Joseph D. Gilberti, Jr. PE., President

cc:\Agencies, Media, Leaders, Universities.

Enclosure

LANDTECH DESIGN GROUP, INC
813-470-6000

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APPLICATION FOR A SPECIFIC PERMIT TO CONSTRUCT PWS COMPONENTS

See page 4 for instructions.

I. General Project Information

A. Name of Project: Closer to the Heart - 300mile Antioxidant Spring Water Transmission - Sarasota to South Florida

B. Description of Project and Its Purpose:
This project is a proposed Multi-Region Antioxidant Spring Tranmission system including (3) 84-inch Antioxidant down I-75 from Sarasota to South Florida previously submitted in 2013 to SWFWMD, SFWMD, EPA, FEMA, Sarasota and Ft Myers health Departments and Engineering

We are requesting ALL AGENCIES waive all permit review fees for Hurricane IRMA Disaster Recovery Program and Future Disasters issues eminent in this part of USA pursuant to Executive Order 17-235 by Gov Rick Scott (see attached). Also a request to contact FEMA, Gov Scott, Adam Putnam, FDEP, FDOH & EPA and to expedite the diligence of this Unique Natural Resource under our land, which we have access, showing a Massive 65mil year old underground Antioxidant Spring River approximately 2000' below, with Health reading NEVER SEEN ON PLANET EARTH TIED TO OCEANS, near Peace River Water Plant and Carlton Water plant with FDOT Corridor. FDOT has Alignment plans in District 1,3,4,5,6 & 7 for over 4yrs as well with Unique Water Readings. EOC plants along 20mile repump stations along I-75 and potentially natural flow if power is out due to upstream elevations at point source demonstrating even more Value to millions of People for health care level of service and Disaster situations like Hurricane IRMA

C. Does project create a "new system" as described under subsection 62-555.525(1), F.A.C.? ☐ Yes, and a completed copy of Form 62-555.900(20), New Water System Capacity Development Financial and Managerial Operations Plan, is attached. ☒ No.

D. Location of Project

1. County Where Project Located: Sarasota, Charlotte, Lee, Collier, Dade, Broward, Palm Beach and Monroe Counties
2. Description of Project Location:
Project Underground Antioxidant River is located at 9438 Daughtrey Road, Sarasota, Florida 34266. Two parcels in Sec 1 & 2, Sarasota County on north side of Clark Road, owned by Joe Gilberti since 2013.

3. Latitude and Longitude of Each New Treatment Plant and Each New Raw Water Source (attach additional sheets if necessary):

Name of New Treatment Plant or Raw Water Source	Latitude	Longitude
	° ' "N	° ' "W
	° ' "N	° ' "W
	° ' "N	° ' "W
	° ' "N	° ' "W
	° ' N	° ' "W

E. Estimate of Cost to Construct Project: _____

F. Estimate of Dates for Starting and Completing Construction of Project: _____

G. Applicant

PWS/Company Name: LandTech Design Group, Inc.		PWS Identification No.:*
PWS Type:* ☒ Community ☐ Non-Transient Non-Community	☐ Transient Non-Community	☐ Consecutive
Contact Person: Joe Gilberti PE	Contact Person's Title: President	
Contact Person's Mailing Address: 385 Donora Blvd		
City: Ft Myers Beach	State: Florida	Zip Code: 33931
Contact Person's Telephone Number: 813-470-6000	Contact Person's Fax Number:	
Contact Person's E-Mail Address: gilberti.water.company.fla@gmail.com		

** This information is required only if the applicant is a public water system (PWS).*

H. Public Water System (PWS) Supplying Water to Project

PWS Name: Closer to the Heart - Antioxidant Spring Water Transmission		PWS Identification No.:
PWS Type: ☒ Community ☐ Non-Transient Non-Community	☐ Transient Non-Community	☐ Consecutive
PWS Owner: LandTech Design Group, Inc.		
Contact Person: Joe Gilberti PE	Contact Person's Title: President	
Contact Person's Mailing Address: 385 Donora Blvd		
City: Ft Myers Beach	State: Florida	Zip Code: 33931
Contact Person's Telephone Number: 813-470-6000	Contact Person's Fax Number:	
Contact Person's E-Mail Address: gilberti.water.company.fla@gmail.com		

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APPLICATION FOR A SPECIFIC PERMIT TO CONSTRUCT PWS COMPONENTS

Project Name: Closer to the Heart - 300mile Antioxidant Spring Water Transmission	Applicant: Joe Gilberti, PE

I. Public Water System (PWS) that Will Own Project after It Is Placed into Permanent Operation

PWS Name: Closer to the Heart - 300mile Antioxidant Spring Water Transmission - Sarasota to South Florida			PWS Identification No.:*
PWS Type:* ☐ Community	☐ Non-Transient Non-Community	☐ Transient Non-Community	☐ Consecutive
PWS Owner: TBD			
Contact Person: TBD		Contact Person's Title: TBD	
Contact Person's Mailing Address: TBD			
City:		State:	Zip Code:
Contact Person's Telephone Number:		Contact Person's Fax Number:	
Contact Person's E-Mail Address:			

* *This information is required only if the owner/operator is an existing PWS.*

J. Professional Engineer(s) or Other Person(s) in Responsible Charge of Designing Project*

Company Name: LandTech Design Group, Inc.	
Designer(s): Joseph Gilberti PE	Title(s) of Designer(s): President

Qualifications of Designer(s):

- ■ Professional Engineer(s) Licensed in Florida – License Number(s): PE# 56079
- ☐ Public Officer(s) Employed by State, County, Municipal, or Other Governmental Unit of State†
- ☐ Plumbing Contractor(s) Licensed in Florida – License Number(s):^

Mailing Address of Designer(s): 385 Donora Blvd		
City: Ft Myers Beach	State: Florida	Zip Code: 33931
Telephone Number of Designer(s): 813-470-6000	Fax Number of Designer(s):	
E-Mail Address(es) of Designer(s): gilberti.water.company.fla@gmail.com		

* *Except as noted in paragraphs 62-555.520(3)(a) and (b), F.A.C., projects shall be designed under the responsible charge of one or more professional engineers licensed in Florida.*

† *Attach a detailed construction cost estimate showing that the cost to construct this project is $10,000 or less.*

^ *Attach documentation showing that this project will be installed by the plumbing contractor(s) designing this project, documentation showing that this project involves a public water system serving a single property and fewer than 250 fixture units, and a detailed construction cost estimate showing that the cost to construct this project is $50,000 or less.*

II Certifications

A. Certification by Applicant

I am duly authorized to sign this application on behalf of the applicant identified in Part I.G of this application. I certify that, to the best of my knowledge and belief, this project complies with Chapter 62-555, F.A.C., and provides assurance of compliance with Chapter 62-550, F.A.C. I also certify that construction of this project has not begun yet.

Signature and Date | Joe Gilberti PE (Printed or Typed Name) | President (Title)

B. Certification by PWS Supplying Water to Project

I am duly authorized to sign this application on behalf of the PWS identified in Part I.H of this application. I certify that said PWS will supply the water necessary to meet the design water demands for this project. I certify that, to the best of my knowledge and belief, said PWS's connection to this project will not cause said PWS to be, or contribute to said PWS being, in noncompliance with Chapter 62-550 or 62-555, F.A.C. I also certify that said PWS has reviewed the preliminary design report or drawings, specifications, and design data for this project and that said PWS considers the connection(s) between this project and said PWS acceptable as designed.

- Name(s) of Water Treatment Plant(s) to Which this Project Will Be Connected: Closer to the Heart
- Total Permitted Maximum Day Operating Capacity of Plant(s), gpd: 80 to 750 Mgd as it extends south down I-75 to each WTP
- Total Maximum Day Flow at Plant(s) as Recorded on Monthly Operating Reports During Past 12 Months, gpd:

Signature and Date | Joe Gilberti (Printed or Typed Name) | Pres. (Title)

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APPLICATION FOR A SPECIFIC PERMIT TO CONSTRUCT PWS COMPONENTS

INSTRUCTIONS: This application shall be completed and submitted by persons proposing to construct or alter public water system components unless such proposed construction or alteration is permitted under the Department of Environmental Protection's (DEP's) "General Permit for Construction of Water Main Extensions for Public Water Systems," in which case Form 62-555.900(7) is to be completed and submitted, or under the DEP's "General Permit for Construction of Lead or Copper Corrosion Control, or Iron or Manganese Sequestration, Treatment Facilities for Small or Medium Public Water Systems," in which case Form 62-555.900(18) is to be completed and submitted. Complete and submit one copy of this application to the appropriate DEP District Office or Approved County Health Department (ACHD) along with payment of the proper application processing fee and one copy of the following information:

- either a preliminary design report or drawings, specifications, and design data (the preliminary design report or drawings, specifications, and design data shall contain all pertinent information required under subsection 62-555.520(4), F.A.C.); and
- the Florida Public Service Commission (FPSC) certificate of authorization to provide water service if the project involves construction of a new public water system subject to the jurisdiction of the FPSC.

All information provided on this application shall be typed or printed in ink. Application processing fees are listed in paragraph 62-4.050(4) (n), F.A.C. Checks for application processing fees shall be made payable to the Department of Environmental Protection or to the appropriate ACHD. Preliminary design reports, drawings, specifications, and design data prepared under the responsible charge of one or more professional engineers licensed in Florida shall be signed, sealed, and dated by the professional engineer(s) in responsible charge. NOTE THAT A SEPARATE APPLICATION AND A SEPARATE APPLICATION PROCESSING FEE ARE REQUIRED FOR EACH NON-CONTIGUOUS PROJECT.*

* *Non-contiguous projects are projects that are neither interconnected nor located nearby one another (i.e., on the same site, on adjacent streets, or in the same neighborhood).*

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SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

James Cox, P.E.
FDEP Water, Sub Dot
2295 Victoria Ave
Ste 364
Fort Myers, FL 33901-2549
239-344-5620

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Jon
B. Received by (Printed Name)
C. Date of Delivery
D. Is delivery address different from item 1? Yes / No
If YES, enter delivery address below:

3. Service Type
Certified Mail / Express Mail
Registered / Return Receipt for Merchandise
Insured Mail / C.O.D.
4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7013 1710 0002 0710 1128

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Gary Hart
Publix Supermarkets
Corporate Purchasing
3300 Publix Corporate Pkwy
Lakeland, FL 33811

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
B. Received by (Printed Name) Date of Delivery
C. Is delivery address different from item 1? Yes / No
If YES, enter delivery address below:

3. Service Type
Certified Mail / Express Mail
Registered / Return Receipt for Merchandise
Insured Mail / C.O.D.
4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7013 1710 0002 0710 1081

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tricia Lynch
Regional Sales Manager - Globe
700 Anderson Hill Road
Purchase, NY 10577

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Eddie Rivera
B. Received by (Printed Name) Date of Delivery
C. Is delivery address different from item 1? Yes / No
If YES, enter delivery address below:

3. Service Type
Certified Mail / Express Mail
Registered / Return Receipt for Merchandise
Insured Mail / C.O.D.
4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7013 1710 0002 0710 1098

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Anna Petrochenko
Public Process Specialist
P.O. Drawer 57086
Atlanta, GA 30343

Gary Hart
Publix Supermarkets
Corporate Purchasing
3300 Publix Corporate Pkwy
Lakeland, FL 33811

Tricia Lynch
Regional Sales Manager - Globe
700 Anderson Hill Road
Purchase, NY 10577

Eddie Rivera
Supervisor Compliance

STATE OF FLORIDA

OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NUMBER 17-235
(Emergency Management – Hurricane Irma)

WHEREAS, as of 11:00 a.m. on Monday, September 4, 2017, Hurricane Irma is a major hurricane located approximately 560 miles east of the Leeward Islands with maximum sustained winds of 120 mph;

WHEREAS, the five-day forecast from the National Hurricane Center predicts that, on Saturday, September 9, 2017, Hurricane Irma will be a major hurricane located somewhere north of Cuba and south of Andros Island in the Bahamas;

WHEREAS, current forecast models predict that Hurricane Irma will head into the Straits of Florida as a major hurricane;

WHEREAS, current forecast models predict that Hurricane Irma will make landfall somewhere in South Florida or Southwestern Florida as a major hurricane;

WHEREAS, current forecast models predict that Hurricane Irma will travel up the entire spine of Florida;

WHEREAS, Hurricane Irma poses a severe threat to the entire State of Florida and requires that timely precautions are taken to protect the communities, critical infrastructure, and general welfare of this State;

WHEREAS, as Governor, I am responsible to meet the dangers presented to this state and its people by this emergency;

NOW, THEREFORE, I, RICK SCOTT, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution and by the Florida

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8) Appropriation and expenditure of public funds.

D. All agencies whose employees are certified by the American Red Cross as disaster service volunteers within the meaning of Section 110.120(3), Florida Statutes, may release any such employees for such service as requested by the Red Cross to meet this emergency.

E. The Secretary of the Florida Department of Transportation (DOT) may:

1) Waive the collection of tolls and other fees and charges for the use of the Turnpike and other public highways, to the extent such waiver may be needed to provide emergency assistance or facilitate the evacuation of the affected counties;

2) Reverse the flow of traffic or close any and all roads, highways, and portions of highways as may be needed for the safe and efficient transportation of evacuees to those counties that the State Coordinating Officer may designate as destination counties for evacuees in this emergency;

3) Suspend enforcement of the registration requirements pursuant to sections 316.545(4) and 320.0715, Florida Statutes, for commercial motor vehicles that enter Florida to provide emergency services or supplies, to transport emergency equipment, supplies or personnel, or to transport FEMA mobile homes or office style mobile homes into or from Florida;

4) Waive the hours of service requirements for such vehicles;

5) Waive by special permit the warning signal requirements in the Utility Accommodations Manual to accommodate public utility companies from other jurisdictions which render assistance in restoring vital services; and,

6) Waive the size and weight restrictions for divisible loads on any vehicles transporting emergency equipment, services, supplies, and agricultural commodities and citrus as recommended by the Commissioner of Agriculture, allowing the establishment of alternate size

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certificates, vehicle title certificates, handicapped parking permits, replacement drivers' licenses, and replacement identification cards and to waive the additional fees for the late renewal of or application for such licenses, certificates, and documents due to the effects of adverse weather conditions; and.

5) Defer administrative actions and waive fees imposed by law for the late renewal or application for the above licenses, certificates, and documents, which were delayed due to the effects of adverse weather conditions, including in counties wherein the DHSMV has closed offices, or any office of the County Tax Collector that acts on behalf of the DHSMV to process renewals has closed offices due to adverse weather conditions.

Recordkeeping and other applicable requirements for existing IFTA and IRP licensees and registrants are not affected by this order. The DHSMV shall promptly notify the State Coordinating Officer when the waiver is no longer necessary.

G. In accordance with section 465.0275, Florida Statutes, pharmacists may dispense up to a 30-day emergency prescription refill of maintenance medication to persons who reside in an area or county covered under this Executive Order and to emergency personnel who have been activated by their state and local agency but who do not reside in an area or county covered by this Executive Order.

H. All State agencies responsible for the use of State buildings and facilities may close such buildings and facilities in those portions of the State affected by this emergency, to the extent to meet this emergency. I direct each State agency to report the closure of any State building or facility to the Secretary of the Department of Management Services. Under the authority contained in section 252.36, Florida Statutes, I direct each County to report the closure of any building or facility operated or maintained by the County or any political subdivision therein to

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that sufficient funds be made available, as needed, by transferring and expending moneys appropriated for other purposes, moneys from unappropriated surplus funds, or from the Budget Stabilization Fund.

Section 7. All State agencies entering emergency final orders or other final actions in response to this emergency shall advise the State Coordinating Officer contemporaneously or as soon as practicable.

Section 8. Medical professionals and workers, social workers, and counselors with good and valid professional licenses issued by states other than the State of Florida may render such services in Florida during this emergency for persons affected by this emergency with the condition that such services be rendered to such persons free of charge, and with the further condition that such services be rendered under the auspices of the American Red Cross or the Florida Department of Health.

Section 9. Pursuant to section 501.160, Florida Statutes, it is unlawful and a violation of section 501.204 for a person to rent or sell or offer to rent or sell at an unconscionable price within the area for which the state of emergency is declared, any essential commodity including, but not limited to, supplies, services, provisions, or equipment that is necessary for consumption or use as a direct result of the emergency.

Section 10. Under the authority contained in sections 252.36(5)(a), (g), and (m), Florida Statutes, I direct that, for the purposes of this emergency, the term "essentials", as defined by section 252.359(2), Florida Statutes, shall be the same as and no more expansive than the term "commodity", as defined by section 501.160(1)(a), Florida Statutes (hereinafter referred to collectively or alternatively as "essential commodities"). Accordingly, any person who delivers essential commodities to a location in the area(s) declared to be under a state of emergency by this

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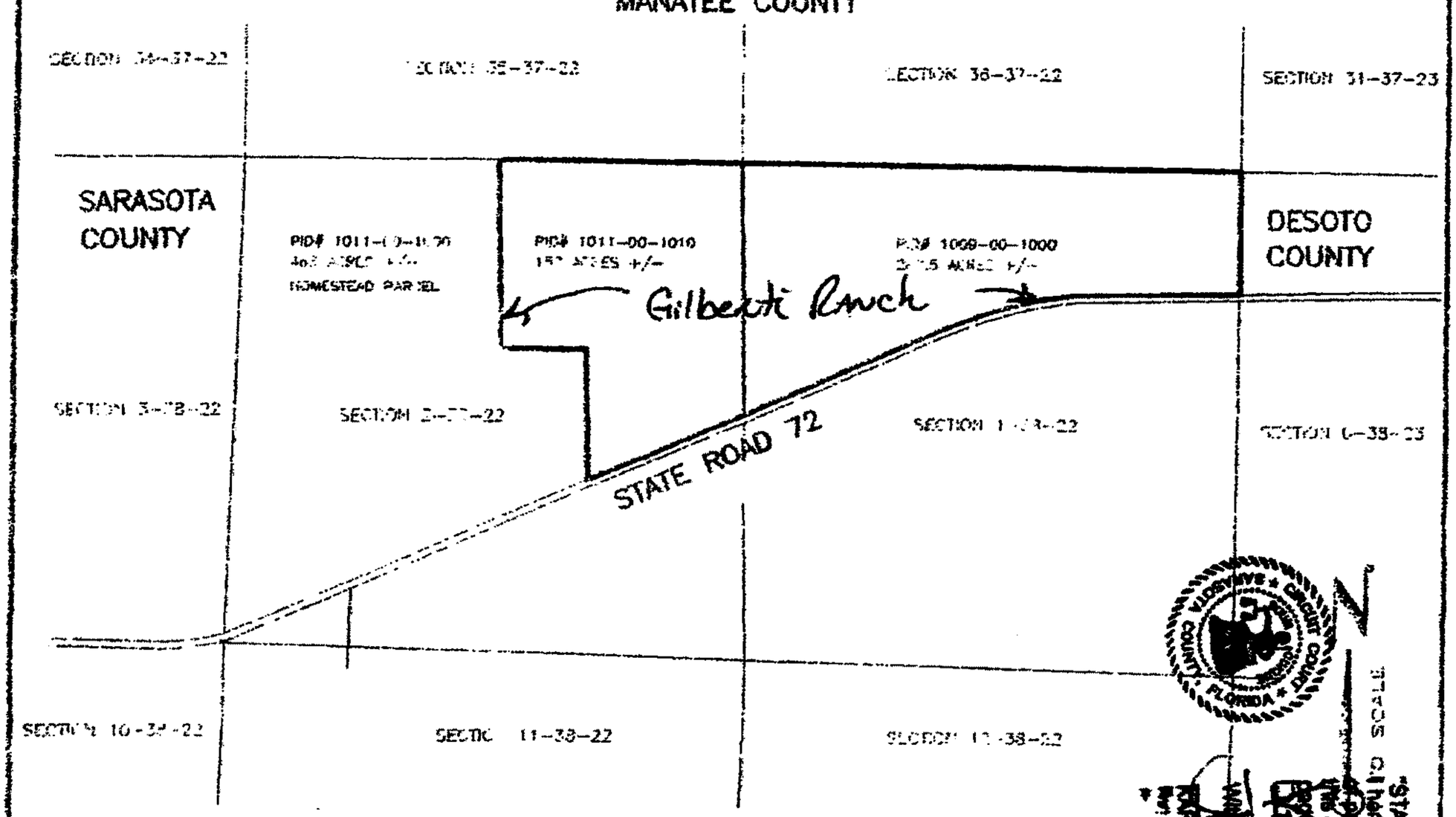
SKETCH AND DESCRIPTION

THAT PART OF SECTION 1, TOWNSHIP 38 SOUTH, RANGE 22 EAST, LYING NORTH OF STATE ROAD 72, CONTAINING 208.5 ACRES,

ALSO THAT PART OF THE EAST 1675 FEET OF SECTION 2, TOWNSHIP 38 SOUTH, RANGE 22 EAST, LYING NORTH OF STATE ROAD 72, AND THE NORTH 2068.04 FEET OF THE WEST 924.27 FEET OF THE EAST 2599.27 FEET OF SAID SECTION 2, TOWNSHIP 38, RANGE 22 EAST, CONTAINING 157 ACRES, MORE OR LESS.

MANATEE COUNTY



SURVEYORS NOTE

1. THIS DRAWING IS A DESCRIPTION SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY OF PARCEL DESCRIBED. INFORMATION SHOWN HEREON WAS TAKEN FROM PUBLIC RECORDS.

2. THE AREAS OF THE TRACTS SHOWN HEREON ARE APPROXIMATED BASED ON INFORMATION FROM SARASOTA COUNTY G.I.S. SITE AND HAVE NOT BEEN VERIFIED BY FIELD SURVEY.

CERTIFICATION

I HEREBY CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

ESBER & ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NO. LB 6054

Alex S Esber

BY: ALEX S. ESBER
PROFESSIONAL SURVEYOR
FLORIDA CERTIFICATE # 4149

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

"STATE OF FLORIDA, COUNTY OF SARASOTA
I hereby certify that the foregoing is a true and correct copy of the instrument filed in this office. The original instrument filed contains ___ pages.
This copy has been redacted pursuant to law. ☐ This copy has been redacted pursuant to law.
Witness my hand and official seal this ___ day of ___, 20___
KAREN E. RUSHING, CLERK OF CIRCUIT COURT
By: ___ Deputy Clerk"

SCALE: 1" = 1320'

PROPERTY NORTH OF SR 72 SECTIONS 1 & 2, TWP. 38 S., RNG. 22 E.	SKETCH AND DESCRIPTION Bradbrew Ranch P20314 DRAWN BY: ME / DATE: 04/11/20 FIELD BY: ME / FIELD BOOK: N/A	ESBER & ASSOCIATES Professional Surveyors 1370 Myakka Road · Sarasota, FL 34240 (941)379-8831 · Fax (941)922-9031

EXHIBIT "A"

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IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Signature of first witness to both

Cecil Daughtrey, Jr.

CARL MUSSELWHITE
Printed name of first witness

Signature of second witness to both

Patricia Ann Daughtrey

Jonathan Forman
Printed name of second witness

STATE OF FLORIDA

COUNTY OF DESOTO

The foregoing instrument was acknowledged before me this 26th day of July, 2013, by **Cecil Daughtrey, Jr.** joined by his spouse **Patricia Ann Daughtrey**, husband and wife, who are each [✓] personally known to me or who have each produced [ ] a Florida driver's license as identification, and who did/did not take an oath.

Sign
Notary Public, State of Florida

Notary Public State of Florida
Bobbi Jo Forman
My Commission DD907737
Expires 9/27/2013

Bobbi Jo Forman
Print Notary Name

My Commission Expires: 9/27/13

DD907737
Commission Number

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(3)

THIS INSTRUMENT PREPARED BY
Joseph D. Gilberti, Jr., President
LandTech Design Group, Inc.
~~3148 Beaver Pond Trail~~ 395 Dekka Ave
~~Valrico, Florida 33596~~ Ft Myers, FL 33931
~~(813) 470-6000~~ 813-482-8512

Property Appraisers Tax Folio Numbers:
1009-00-1000 and 1011-00-1010

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2014067964 3 PG(S)
June 10, 2014 12:11:17 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL

Doc Stamp-Deed: $910.00

WARRANTY DEED

THIS INDENTURE, made this 26th day of July, A.D. 2013 between **Cecil Daughtrey, Jr.** joined by his spouse **Patricia Ann Daughtrey**, whose address is 9438 Daughtrey Road, Sidell, Florida 34266, grantor*, and **Joseph D. Gilberti, Jr.** whose address is 3148 Beaver Pond Trail, Valrico, Florida 33596, grantee*

*"Grantor" and "Grantee" are used for singular and plural, as context requires.

WITNESSETH that said grantor, for the consideration of the sum of Ten Dollars ($10.00) and other good and valuable considerations to said grantor I hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Sarasota County, Florida, to wit:

All that part of Section 1 lying North of State Road No. 72 and all that part of the East 1675.00 feet of Section 2 lying North of State Road No. 72 and the North 2068.04 feet of the West 924.27 feet of the East 2,599.27 feet of said Section 2, all in Township 38 South, Range 22 East, Sarasota County, Florida.

Subject to reservations, restrictions and easements of record (360 +/- Acres)

TOGETHER WITH: All tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, with all oil, gas and mineral rights held by grantor and by Predecessors in title.

THE ABOVE-DESCRIBED REAL PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR

And the said grantor of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

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ETR Environmental Testing & Research Laboratories

Report #: 11712156
Date : 11/7/2012
P.O.Number: 102 Ck

Same as Client

Matrix: Well Water
Client: Cecil Daughtrey Jr.
Sample Location: 9438 Daughtrey Rd
Sidell FL 34266
Phone (813) 470-6000

This sample taken by Joe Gilberti, P.E. at 3:00:00 PM on 10/24/2012. . Point of collection: Well #2

Health Scan Report

	Results		Public Drinking Water EPA Limits
General Bacteria			
Total Coliform	Absent	Animal or Vegetational Bacteria	0
Fecal/E. Coli	Absent	Animal Bacteria	0
MicroAnalysis			
MicroAnalysis	See Attached		
General Chemistry			
Sodium	74.85 mg/L	28.0 mg/L is Mass. DEP Guideline	250.0 mg/L
Potassium	4.11 mg/L	A Component of Salt	No Limit
Copper	Not Detected	Indicates Plumbing Corrosion	1.30 mg/L
Iron	0.64 mg/L	Brown Stains, Bitter Taste	0.30 mg/L
Manganese	Not Detected	May Cause Laundry Staining	0.05 mg/L
Magnesium	71.90 mg/L	A Component of Hardness	No Limit
Calcium	118.20 mg/L	A Component of Hardness	No Limit
Arsenic	Not Detected	A Toxic Metal	0.010 mg/L
Lead	Not Detected	A Toxic Metal	0.015 mg/L
Zinc.	Not Detected	A Toxic Metal	5.0 mg/L
pH	7.49 SU	Acid/Basic Determination	6.5 - 8.5 SU
Turbidity	0.49 N.T.U.	Presence of Particles	No Limit
Color	Not Detected	Clarity (5), Discoloration (15)	15.0 C.U.
Odor	Not Detected	Odor due to Contamination	3.0 T.O.N.
Conductivity	1771.0 umhos	Electrical Resistance (umhos/cm)	No Limit
T.D.S.	1,062.6 mg/L	Total Dissolved Minerals Present	500.0 mg/L
Sediment	Absent	Undissolved Solids	Present
Alkalinity	178.0 mg/L	Ability to Neutralize acid	No Limit
Chlorine	Not Detected	A Disinfectant	4.0 mg/L
Chloride	206.13 mg/L	A component of salt	250.0 mg/L
Hardness	591.2 mg/L	0 - 75 is considered soft	No Limit
Nitrate as Nitrogen	0.29 mg/L	Indicator of Biological Waste	10.0 mg/L
Nitrite as Nitrogen	Not Detected	Indicator of Waste	1.0 mg/L
Ammonia as Nitrogen	0.497 mg/L	Indicator of Waste	No Limit
Sulfate	851.48 mg/L	A Mineral, Can Cause Odor	250.0 mg/L
Radiochemistry			
Radon in Water	Not Detected	Massachusetts D.E.P. Guideline	10,000 pCi/L

The integrity of the sample and results are dependent on the quality of sampling. The results apply only to the actual sample tested. Environmental Testing and Research Laboratories shall be held harmless from any liability arising out of the use of such results.

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9-11-17

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Same as Client

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Client: Cecil Daughtrey Jr.
Sample Location: 9438 Daughtrey Rd
Sidell FL 34266
Phone (813) 470-6000

This sample taken by Joe Gilberti, P.E. at 3:00:00 PM on 10/24/2012. . Point of collection: Well #2

Health Scan Report

	Results	Public Drinking Water EPA Limits
Organic Analysis		
Benzene	Not Detected	5.0 ug/L
Bromobenzene	Not Detected	No Limit
Bromochloromethane	Not Detected	No Limit
Bromodichloromethane	Not Detected	No Limit
Bromoform	Not Detected	No Limit
Bromomethane	Not Detected	No Limit
n-Butylbenzene	Not Detected	No Limit
sec-Butylbenzene	Not Detected	No Limit
tert-Butylbenzene	Not Detected	No Limit
Carbon-Tetrachloride	Not Detected	5.0 ug/L
Chlorodibromomethane	Not Detected	No Limit
Chloroethane	Not Detected	No Limit
Chloroform	Not Detected	No Limit
Chloromethane	Not Detected	No Limit
1,2-Chlorotoluene	Not Detected	No Limit
1,4-Chlorotoluene	Not Detected	No Limit
1,2-Dibromo-3-chloropropane	Not Detected	No Limit
Dibromomethane	Not Detected	No Limit
1,2-Dibromomethane	Not Detected	No Limit
1,3-Dichlorobenzene	Not Detected	No Limit
1,2-Dichlorobenzene	Not Detected	600.0 ug/L
1,4-Dichlorobenzene	Not Detected	5.0 ug/L
Dichlorodifluoromethane	Not Detected	No Limit
1,1-Dichloroethane	Not Detected	No Limit
1,2-Dichloroethane	Not Detected	5.0 ug/L
1,1-Dichloroethylene	Not Detected	7.0 ug/L
cis-1,2-Dichloroethene	Not Detected	70.0 ug/L
trans-1,2-dichloroethene	Not Detected	100.0 ug/L
1,2-Dichloropropane	Not Detected	5.0 ug/L
1,3-Dichloropropane	Not Detected	No Limit
2,2-Dichloropropane	Not Detected	No Limit
1,1-Dichloropropene	Not Detected	No Limit
1,3-Dichloropropene	Not Detected	No Limit
trans-1,3-Dichloropropene	Not Detected	No Limit
Ethylbenzene	Not Detected	700.0 ug/L
Fluorotrichloromethane	Not Detected	No Limit

The integrity of the sample and results are dependent on the quality of sampling. The results apply only to the actual sample tested. Environmental Testing and Research Laboratories shall be held harmless from any liability arising out of the use of such results.

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Same as Client

Matrix: Well Water
Client: Cecil Daughtrey Jr.
Sample Location: 9438 Daughtrey Rd
Sidell FL 34266
Phone: (813) 470-6000

This sample taken by Joe Gilberti, P.E. at 3:00:00 PM on 10/24/2012. . Point of collection: Well #2

Health Scan Report

	Results		Public Drinking Water EPA Limits
Hexachlorobutadiene	Not Detected		No Limit
Isopropylbenzene	Not Detected		No Limit
Methyl-t-Butyl Ether (MTBE)	Not Detected	Massachusetts DEP Limit	70.0 ug/L
p-Isopropyltoluene	Not Detected		No Limit
Methylene Chloride	Not Detected		5.0 ug/L
Monochlorobenzene	Not Detected		100.0 ug/L
Naphthalene	Not Detected		No Limit
n-Propylbenzene	Not Detected		No Limit
Styrene	Not Detected		100.0 ug/L
1,1,1,2-Tetrachloroethane	Not Detected		No Limit
1,1,2,2-Tetrachloroethane	Not Detected		No Limit
Tetrachloroethylene	Not Detected		5.0 ug/L
Toluene	Not Detected		1000.0 ug/L
1,2,3-Trichlorobenzene	Not Detected		No Limit
1,2,4-Trichlorobenzene	Not Detected		70.0 ug/L
1,1,1-Trichloroethane	Not Detected		200.0 ug/L
1,1,2-Trichloroethane	Not Detected		5.0 ug/L
Trichloroethylene	Not Detected		5.0 ug/L
1,2,3-Trichloropropane	Not Detected		No Limit
1,2,4-Trimethylbenzene	Not Detected		No Limit
1,3,5-Trimethylbenzene	Not Detected		No Limit
Vinyl Chloride	Not Detected		2.0 ug/L
o-Xylene	Not Detected		T. Xylenes 10K ug/
m+p Xylenes	Not Detected		T. Xylenes 10K ug/

The integrity of the sample and results are dependent on the quality of sampling. The results apply only to the actual sample tested. Environmental Testing and Research Laboratories shall be held harmless from any liability arising out of the use of such results.

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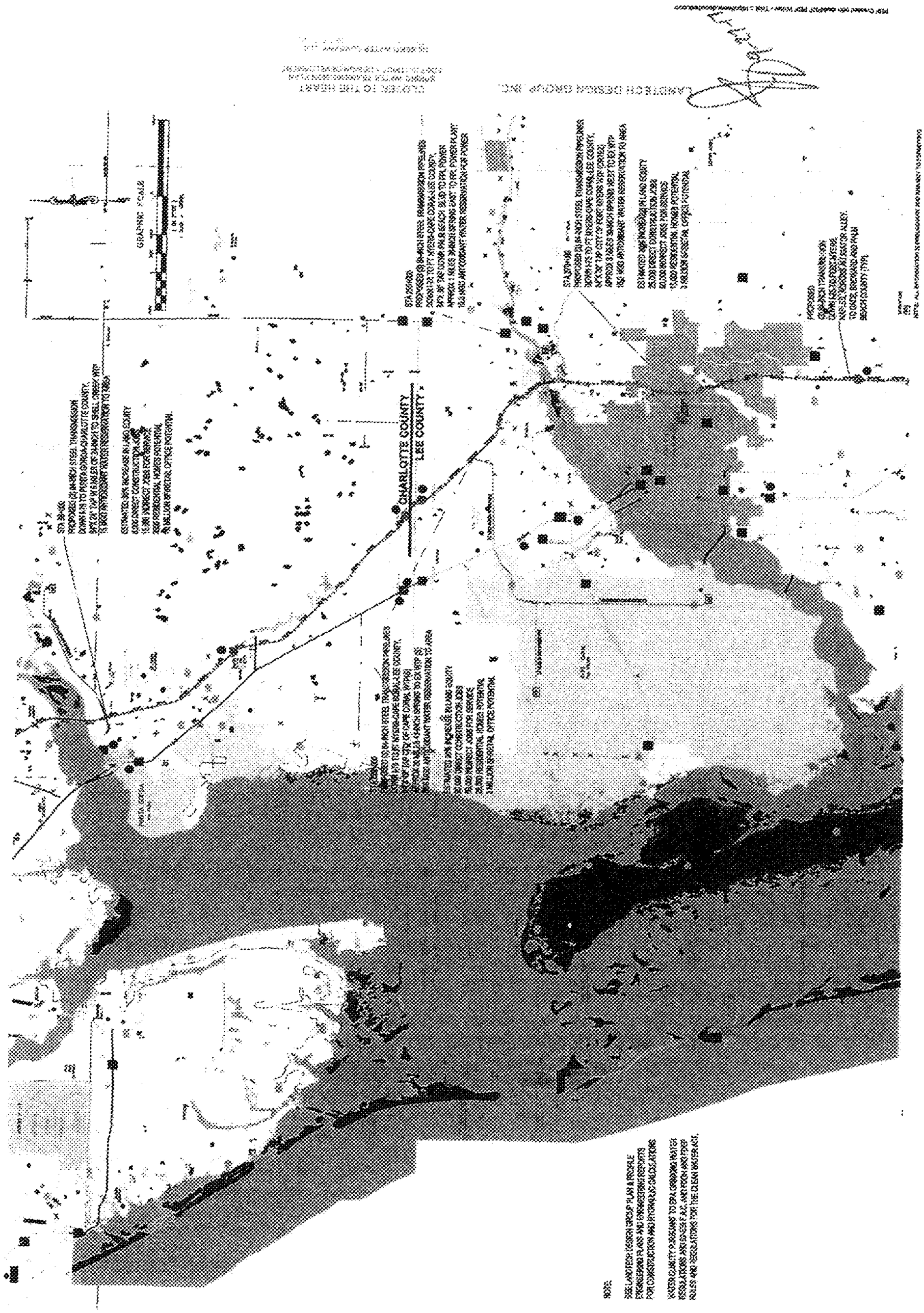

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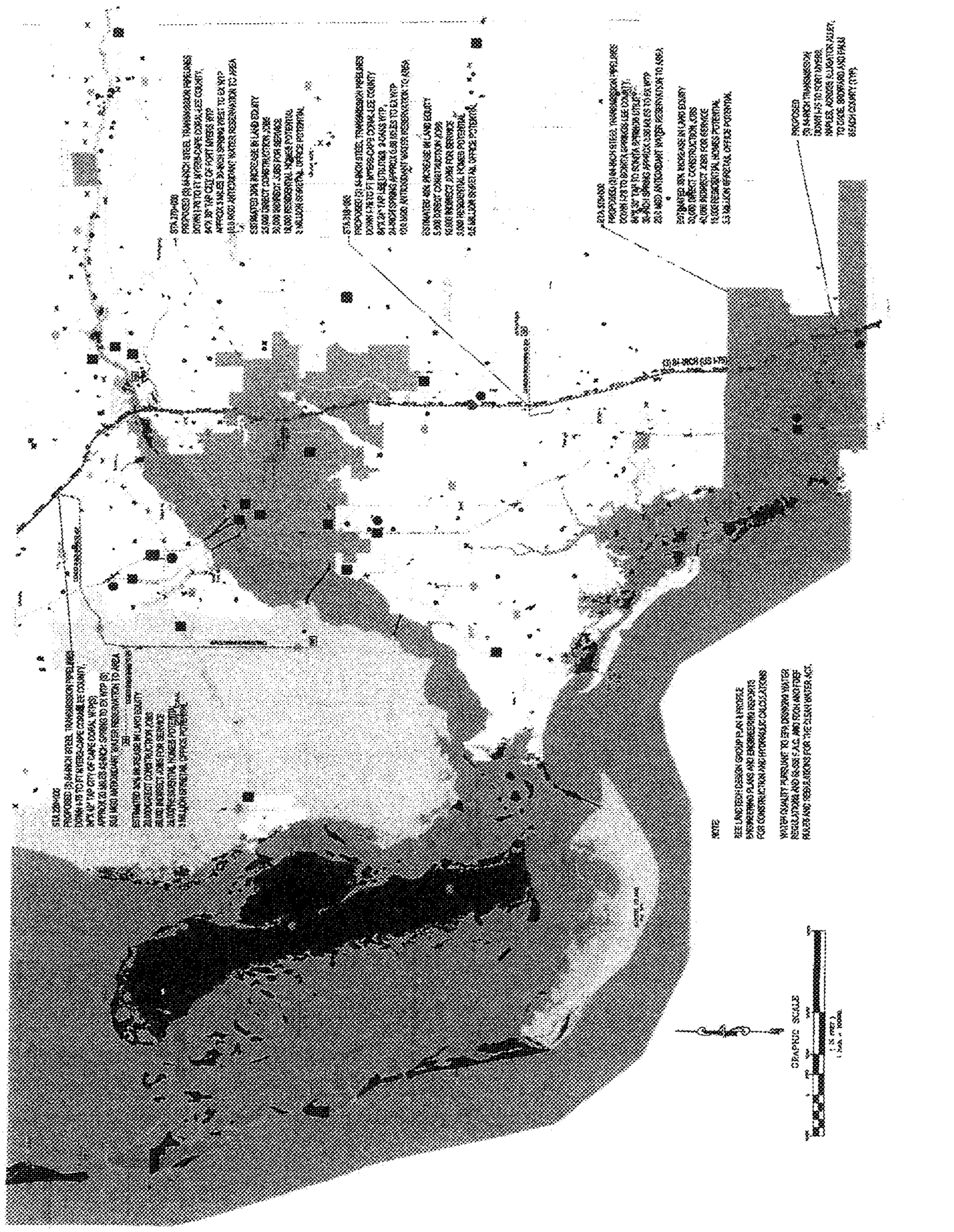

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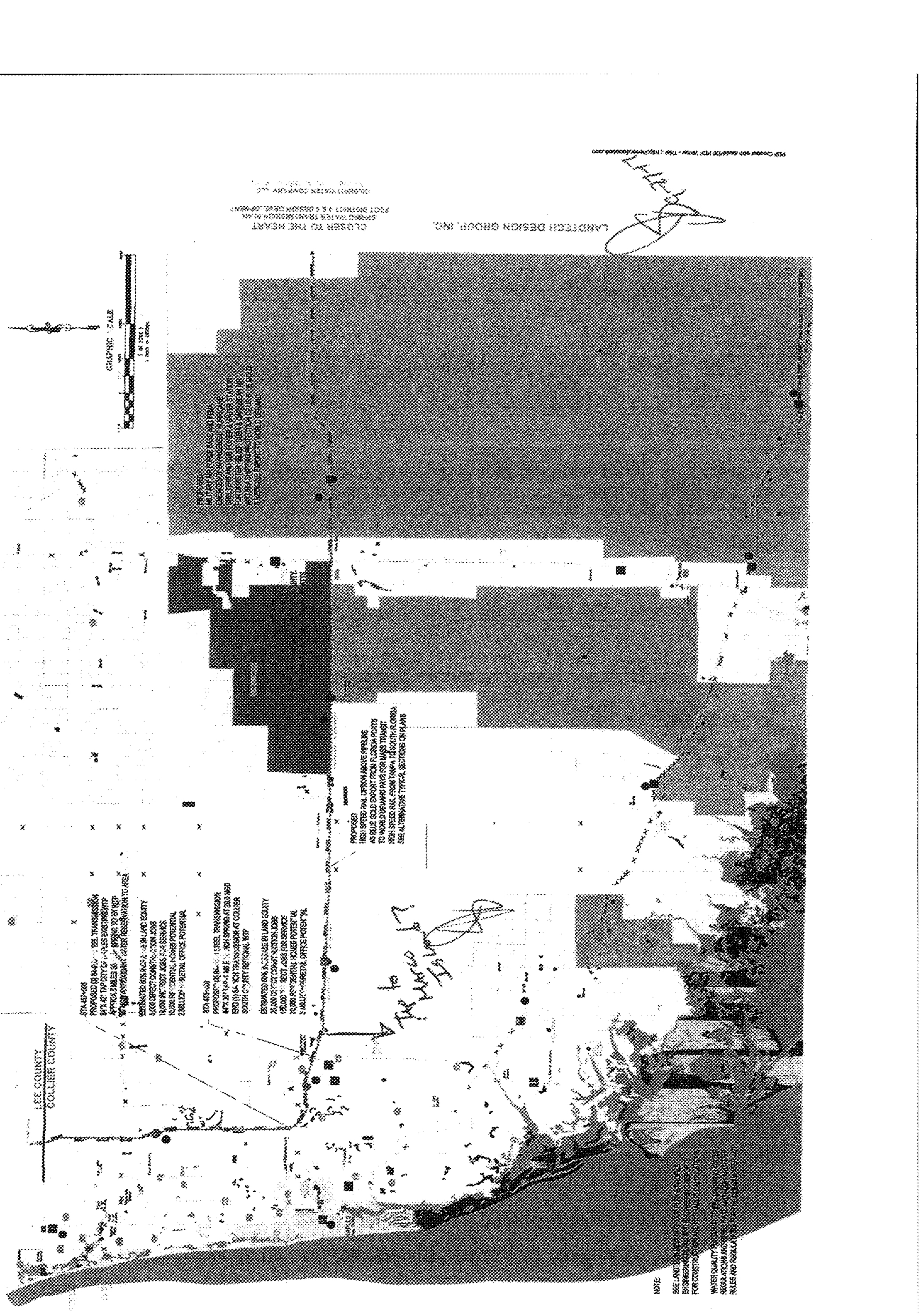

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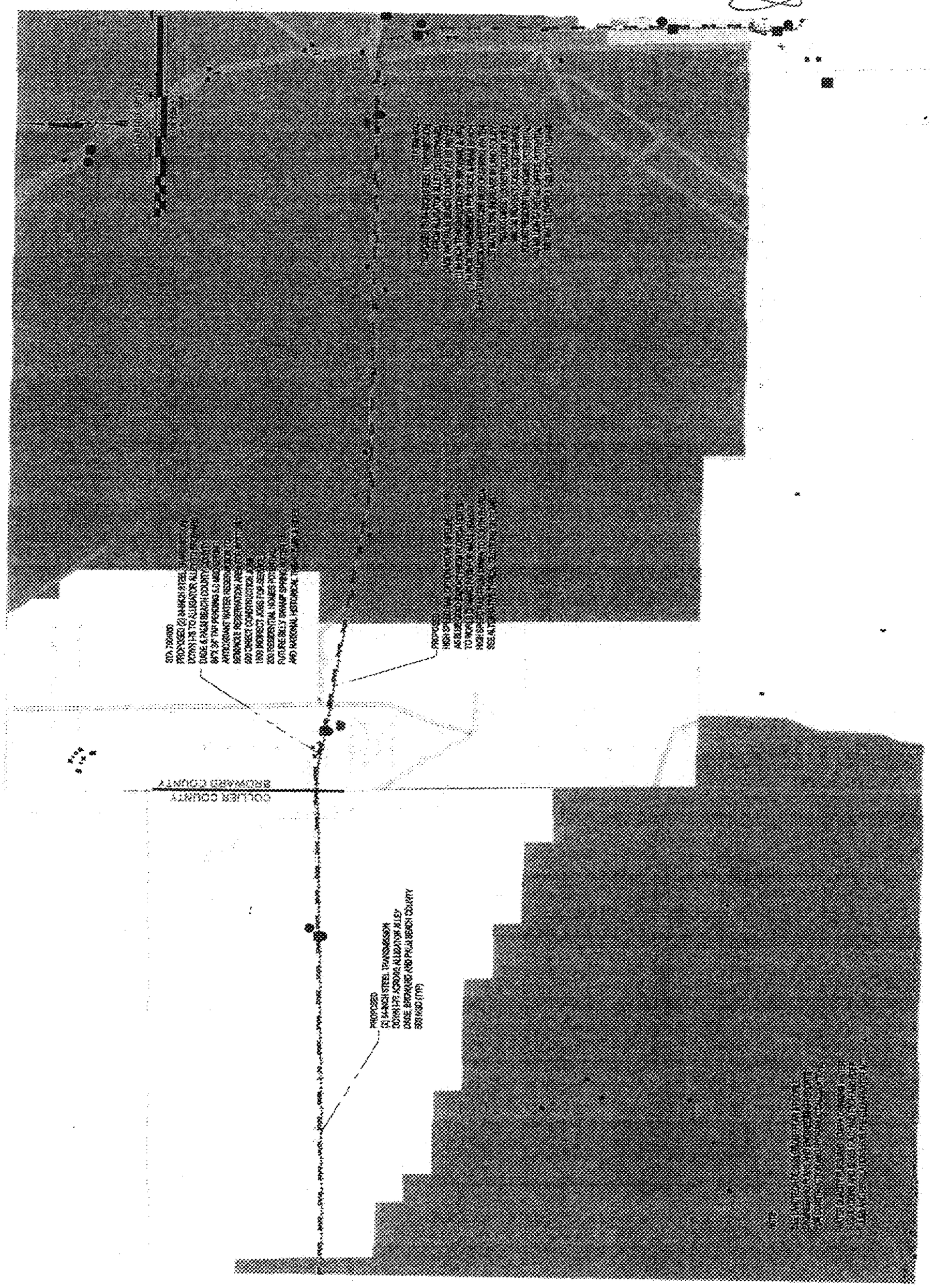

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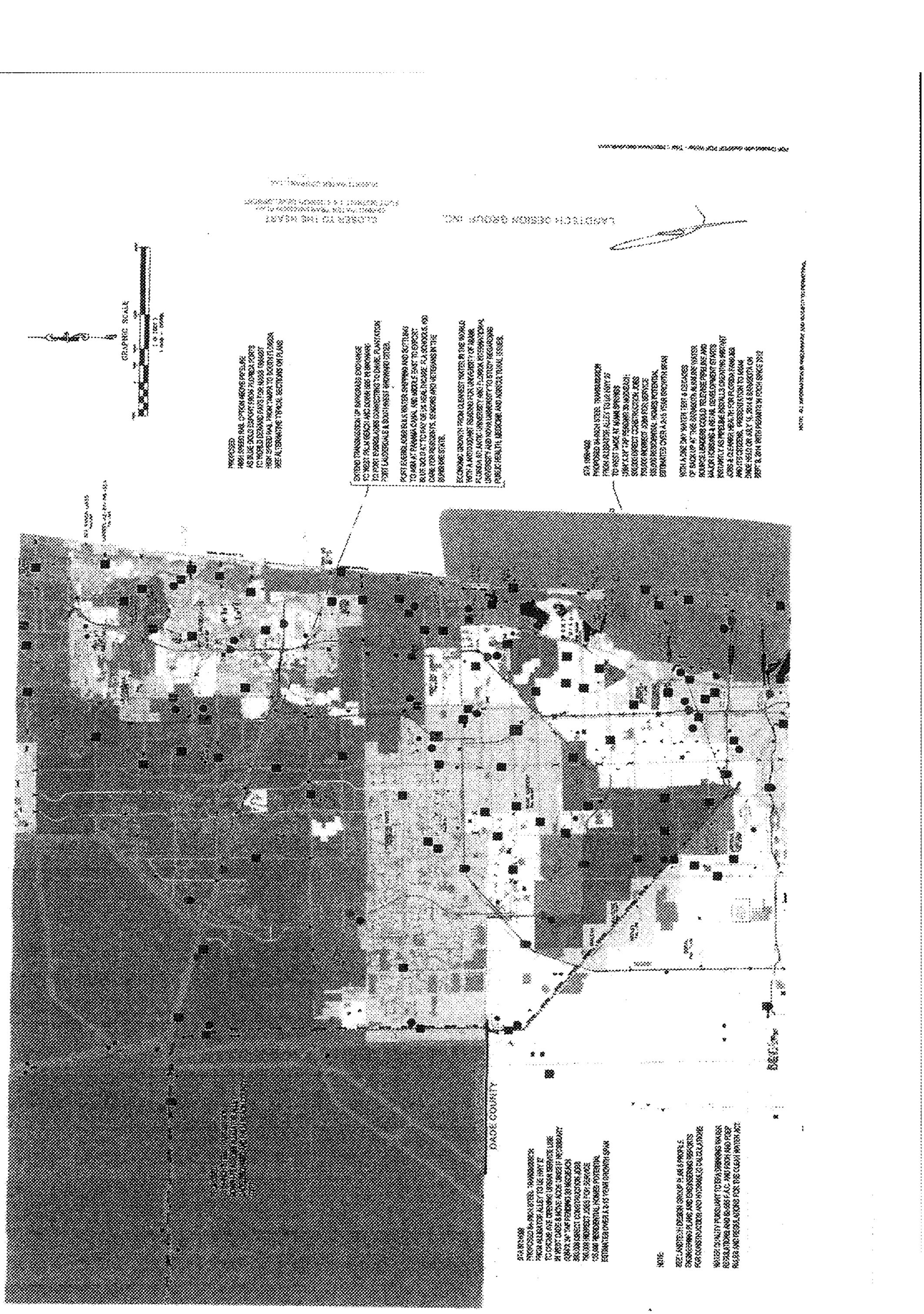

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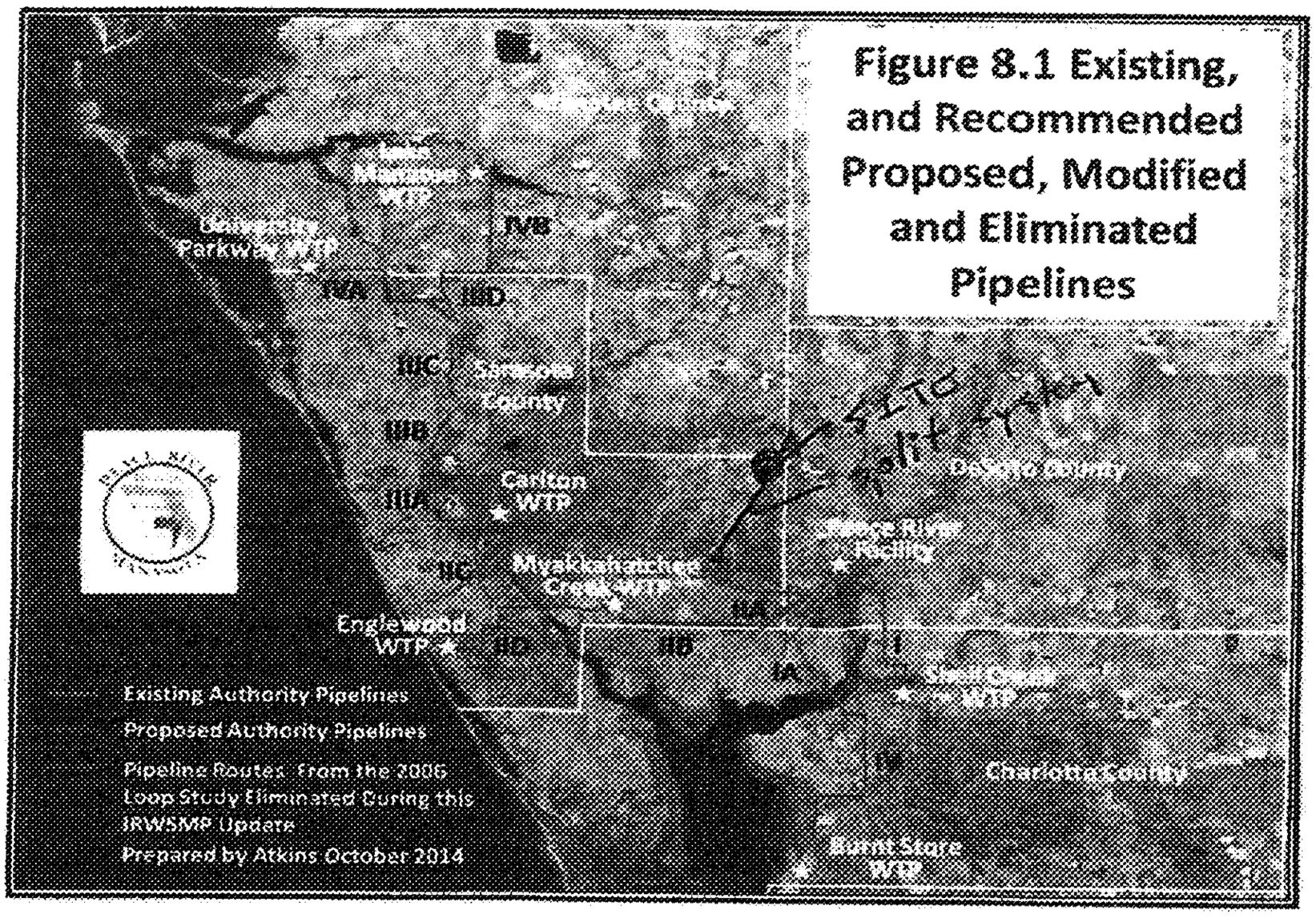

Table 8.3 Easements and Capacities of Future Regional Pipeline Segments

Phase Number	Total Length Linear Feet	Pipeline Diameter	Permanent Easement Width	Approx. Storage Tank Capacity Million Gallons	Approx. Avg. Pump Station Capacity (MGD)
Phase I	33,555	24"/30"	35'	2	3.5
Phase IIB (updated)	49,278	36"/42"	40'	5	8
Phase IIC	76,635	36"	35'	3	6
Phase IID	66,305	24"	35'	2	4
Phase IIIB	22,300	48"	50'	5	7
Phase IIIC	33,200	42"	40'	10	10
Phase IIID	19,000	24"	35'	2	5
Phase IV (New)	81,311	24"	35'	2	4

8.4 Update of Probable Construction Cost

A preliminary estimate of probable construction costs are presented in the table following. This type of pre-design estimate corresponds to the American Association of Cost Engineers guidelines for various levels of accuracy of cost estimates. When final design and construction drawings and specifications have been prepared, the level of accuracy will be much further refined. Costs are estimated February 2014 dollars.

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The estimate of probable construction cost is based on the recommended pipeline routes as shown in Figure 8.1. Construction costs have been broken down into an itemized estimate of lineal feet of pipe and appurtenances required for construction of each project phase. Costs for each segment include the cost for each transmission main and appurtenances flow metering, a storage tank, booster pump station, chemical feed facilities for trimming, and instrumentation and controls. Costs are based on historical engineering and construction experience. The capital costs includes an allowance of 8 percent of construction cost for mobilization costs, 15 percent for contingencies and 20 percent for engineering, legal and administrative fees. Costs are included for easements for each pipeline and storage/pumping facility near each point of connection. Property costs have been estimated using $63,000 per acre for permanent pipeline easements, $13,000 per acre for a temporary construction easement, and $125,000 per acre for a permanent easement for storage/pumping facilities.

Table 8.4 Estimate of Probable Costs (Future Phases)

Project Phase	Construction Cost		Land Cost		TOTAL
	Pipeline	Storage, Pumping, Metering, Instrumentation & Chemical Feed	Pipeline Easements	Facilities Sites	
Phase I	$9,405,000	$2,850,000	$350,000	$122,500	$12,727,500
Phase IIB	$29,846,000	$10,800,000	$555,000	$750,000	$41,951,000
Phase IIC	$39,820,000	$8,700,000	$412,000	$750,000	$49,682,000
Phase IID	$27,300,000	$6,500,000	$299,000	$500,000	$34,599,000
Phase IIIB	$13,871,000	$10,400,000	$1,946,000	$750,000	$26,967,000
Phase IIIC	$18,924,000	$13,900,000	$2,378,000	$750,000	$35,952,000
Phase IIID	$6,992,000	$6,700,000	$1,910,000	$500,000	$15,383,000
Phase IV	$20,505,000	$6,500,000	In R.O.W.	$500,000	$27,505,000
TOTAL					**$244,766,500**

8.5 Other Existing Interconnections

Over 50 interconnects/delivery points exist between the region's 15 Alliance members or between the regional system and Alliance members. Of these, 38 are between local utilities; half of these (19) are 10-inches in diameter or larger. Of these 19, 11 were considered to have regional significance in that they could be operated either routinely or on an emergency basis and be able to provide sufficient utility to cause reconsideration of construction or priority of one or more of the regional pipelines being considered. These 11 are listed in Table 6-5. Capacities are estimated based upon assumed velocities of three feet per second (fps). More detailed design level information and hydraulic evaluations would be required to further validate the data shown.

Englewood has two existing interconnects. One is a 12-inch interconnect with Charlotte County and the other with Sarasota County. The connection with Charlotte also has an associated pump station and has been used to send flow (approximately 1.0 MGD) to western Charlotte County to increase system pressure in that area. The other is with Sarasota County and is also a 12-inch emergency connection allowing flows in either direction. If one or both of the connections has the reliability that the EWD needs during an emergency or other severe condition, then the future Phase IID pipeline may not be required.

Similarly, the City of North Port has two interconnects with Charlotte County, and one with Sarasota County. All three are 12-inch, and the one with Sarasota County has an associated pump station. The Sarasota County-North Port connection enables the routine exchange of water between systems at this location to maintain system water quality. Exchange is typically done seasonally, but can be

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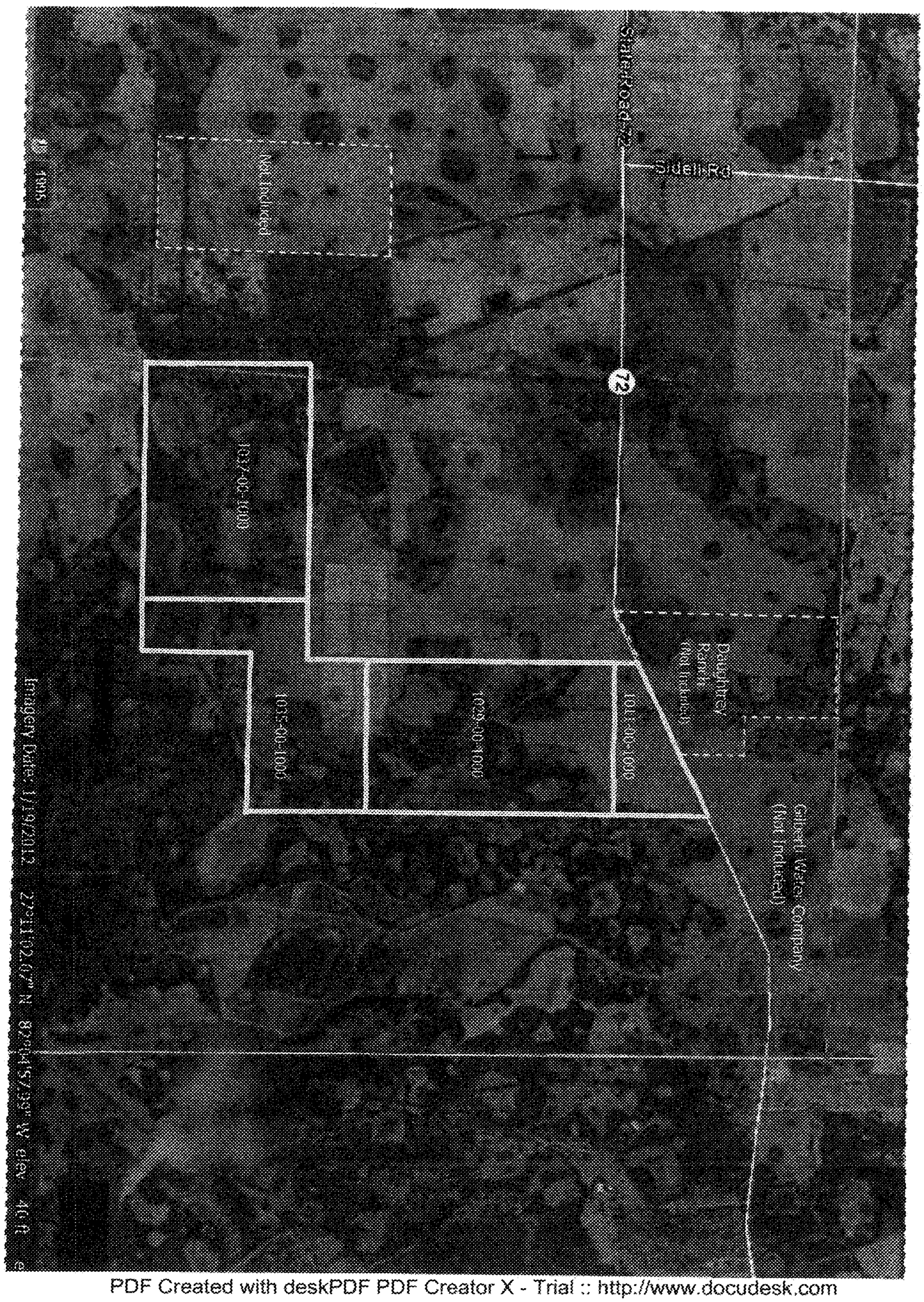

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BENCHMARK
EnviroAnalytical Inc.

FDOH Certification #884167

Peace River/Manasota R W S
8998 Sw County Road 769
Arcadia, Fl 34269

Sam Stone

Corrected
SEE NOTES

ANALYTICAL TEST REPORT
THESE RESULTS MEET NELAC STANDARDS

INORGANIC ANALYSIS
62-550.310 (1)

REPORT NUMBER: 15010850 - 001
SYSTEM NAME: Entry Point (Lab Tap)-Annual
SYSTEM ID: 6142734

PARAMETER ID	PARAMETER NAME	MCL	UNITS	ANALYSIS RESULT	QUALIFIER	ANALYTICAL METHOD	MDL	ANALYSIS DATE	ANALYSIS TIME	LAB ID
	TOTAL KJELDAHL NITROGEN		MG/L	1.11		**351.2**	**0.05**	01/28/2015	**11:00**	E84167
	TOTAL NITROGEN		MG/L	1.11		353+351	0.05	01/28/2015	11:00	E84167
1040	NITRATE NITROGEN	10	MG/L	0.704		300.0	0.050	01/22/2015	19:02	E84167
1041	NITRITE NITROGEN	1.0	MG/L	[illegible]	U	300.0	0.041	01/22/2015	19:02	E84167
1038	NITRATE+NITRITE AS N	10	MG/L	0.204		300.0	0.050	01/22/2015	19:02	E84167
1064	**ASBESTOS**		MFL	0.18	U	100.2	0.18	02/07/2015	12:00	E88772
1005	ARSENIC	0.010	MG/L	0.00132	U	SM3113B	0.00132	02/03/2015	19:28	E84167
1010	BARIUM	[illegible]	MG/L	0.010		200.7	0.002	01/28/2015	14:29	E84167
1015	CADMIUM	0.005	MG/L	0.0009	U	200.7	0.0009	01/28/2015	14:29	E84167
1020	CHROMIUM	[illegible]	MG/L	0.002	U	200.7	0.002	01/28/2015	14:29	E84167
1024	CYANIDE	[illegible]	MG/L	0.005	U	335.4	0.005	01/28/2015	12:48	E84167
1025	FLUORIDE	[illegible]	MG/L	0.375		300.0	0.030	01/22/2015	19:02	E84167
1030	LEAD	[illegible]	MG/L	0.00087	U	SM3113B	0.00087	01/30/2015	11:40	E84167
1035	MERCURY	[illegible]	MG/L	0.000198	U	245.1	0.000198	01/30/2015	11:00	E84167
1036	NICKEL	[illegible]	MG/L	0.002		200.7	0.00118	01/28/2015	14:29	E84167
1048	SELENIUM	[illegible]	MG/L	0.00157	U	SM3113B	0.00157	01/30/2015	19:15	E84167
1052	SODIUM	[illegible]	MG/L	48.1		200.7	0.034	01/28/2015	14:29	E84167
1074	ANTIMONY	[illegible]	MG/L	0.00226	U	SM3113B	0.00226	01/29/2015	18:29	E84167
1075	BERYLLIUM	[illegible]	MG/L	0.000078	U	200.7	0.000078	01/28/2015	14:29	E84167
1085	THALLIUM	[illegible]	MG/L	0.000081	U	200.8	0.000081	01/23/2015	13:19	E84167

15010850 Corrected

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CHAPTER 9
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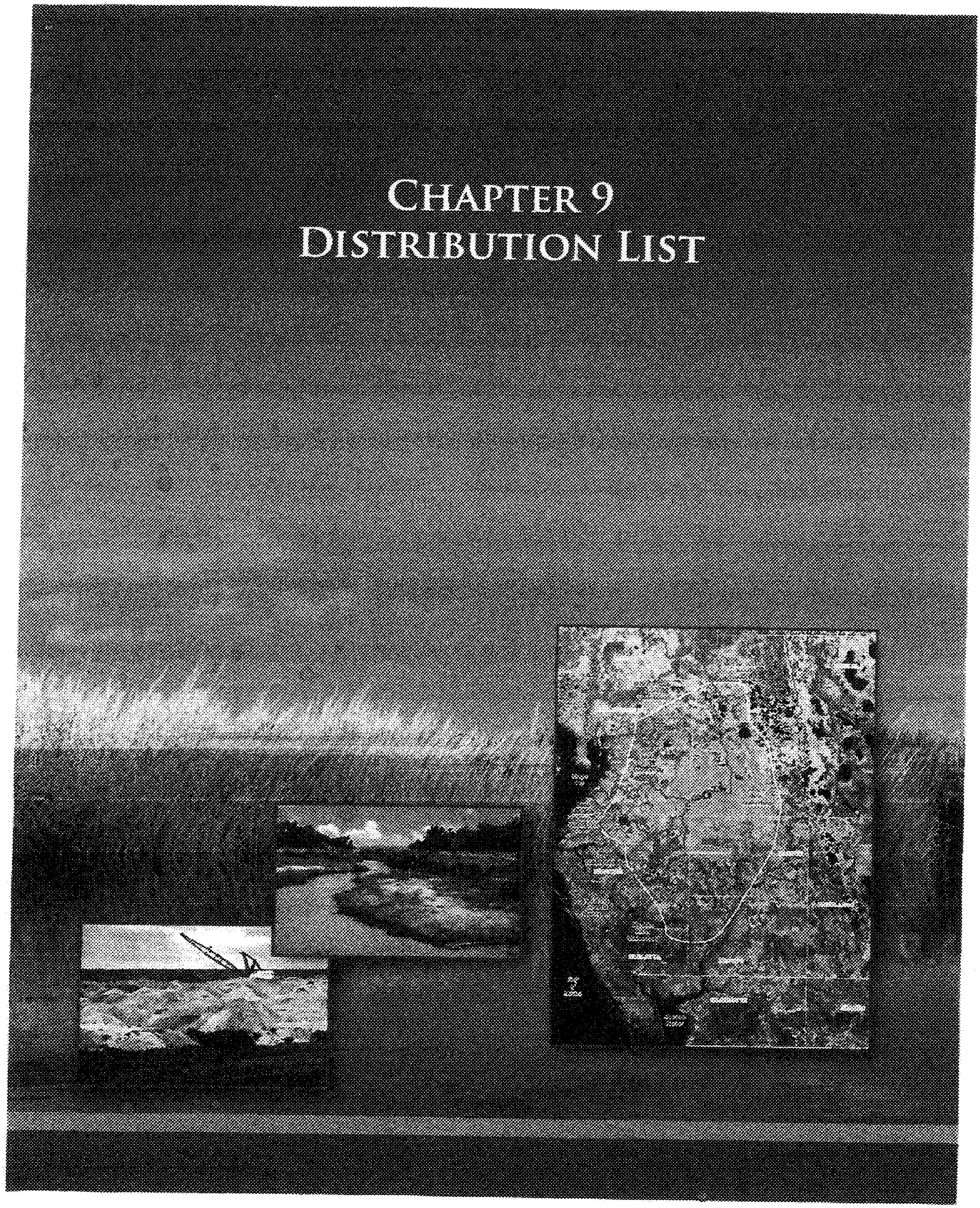

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CHAPTER 9
DISTRIBUTION LIST

The U.S. Army Corps of Engineers provided copies of the *Final Areawide Environmental Impact Statement* to federal, state, and local officials, governmental agencies, tribal representatives, organizations and companies, and individuals listed in this chapter. Copies were distributed to public libraries located within the AEIS study area and a set of pdf files was made accessible to the public through the AEIS website at www.phosphateaeis.org . Copies will be provided to others upon request.

United States Congress

U.S. House of Representatives
- District 10 - Daniel Webster
- District 14 - Kathy Castor
- District 15 - Dennis Ross
- District 16 - Vern Buchanan
- District 17 - Tom Rooney

U.S. Senate
- Marco Rubio, R-Florida
- Bill Nelson, D-Florida

Federal Agencies

Advisory Council on Historic Preservation
- John Fowler

U.S. Coast Guard, District 7
- Radm. William Baumgartner

U.S. Department of Agriculture
Natural Resources Conservation Service
- Rosalind Moore

U.S. Department of the Interior
National Marine Fisheries Service – NOAA
- Dr. Roy Crabtree
- Mark Sramek
- Shelley Norton

U.S. Fish and Wildlife Service
- Cindy Dohner
- Heath Rauschenberger
- Victoria Foster
- Paul Tritaik

U.S. Geological Survey
- Arturo Torres
- Terrie Lee
- Patricia Metz

U.S. Environmental Protection Agency, Region IV
- Jamie Higgins
- Alan Annicella
- Stephen Maurano
- Duncan Powell
- Dan Holliman
- Cpt. Paul Gagliano
- Lee Thomas
- Heinz Mueller
- Phil Mancusi-Ungaro

U.S. Environmental Protection Agency
National Center for Environmental Economics
- Dr. Patrick Walsh
- Dr. Matt Massey

Charlotte Harbor National Estuary Program
- Dr. Lisa Beever

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State Agencies

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Herschel T. Vinyard Jr.

Bureau of Mining and Minerals Regulation
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Office of Intergovernmental Programs-State Clearinghouse
James Quinn
Lauren Mulligan

Florida Department of Agriculture and Consumer Services
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Florida Fish and Wildlife Conservation Commission
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Florida Division of Historical Resources
Office of Cultural and Historical Programs
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Central Florida Regional Planning Council
Jennifer Codo-Salisbury

Southwest Florida Regional Planning Council
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Southwest Florida Water Management District
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Florida Department of Transportation
Aaron D. Kaster

Local Government

Mayors
William Albers, City of Punta Gorda

City Officials
Howard Kunik, City of Punta Gorda
Jonathan Lewis, City of North Port
Elizabeth Wong, City of North Port

Charlotte County Commission
Christopher Constance

DeSoto County Commission
Buddy Mansfield
Jan Brewer

Hardee County Commission
Sue Birge
West Palmer
Kevin Denny

Hillsborough County Commission
Ken Hagan
Mike Williams

Lee County Commission
John Manning
Roland Ottolini
Susan Henderson

Manatee County Commission
John Chappie
Charlie Hunsicker

Polk County Commission
Melony Bell
Amee Bailey

Sarasota County Commission
Christine Robinson

Peace River Manasota Regional Water Supply Authority
Mike Coates

Tribal Representatives

Miccosukee Tribe of Indians of Florida
Fred Dayhoff

Seminole Tribe of Florida
Dr. Paul Backhouse

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Organizations and Companies

1000 Friends of Florida, Charles Pattison
3PR, Dennis Mader
Applied Environmental Services, Sydney Bacchus
Audubon - Lake Region, Reinier Munguia
Audubon - Peace River, Larry Behrens
CF Industries, Inc., Craig Kovach and Gary Blitch
Common Purpose Institute, Steve Segrest
de la Parte & Gilbert, PA, Linda Kaufmann Foy
Ecology Party, Cara Campbell
ECOSWF (Environmental Confederation of SouthWest Florida)
Florida Industrial and Phosphate Research Institute, Dr. Brian Birky
Fort Myers – Lee County Garden Council, Inc., Laura Jibben
Hopping Green & Sams, Susan Stephens
Manasota 88
Manson Law Group, Laura Donaldson
Mosaic Fertilizer, LLC, Deedra Allen, Shelley Thornton, Peggy Strand, Kirk Stark
Protect Our Watersheds, Jim Cooper
Sanibel Captiva Conservation Foundation, Rae Ann Wessel
Sierra Club – Florida Chapter, Craig Diamond
Sierra Club – Ancient Islands Group, Andy Quinn
Sierra Club – Manatee-Sarasota Group, Linda Jones
Sierra Club – Greater Charlotte Harbor Group, John Phillips

Public Libraries

A complete copy of the Areawide Environmental Impact Statement *(AEIS)* on Phosphate Mining in the Central Florida Phosphate District (CFPD) may be reviewed at the public libraries listed below.

Charlotte County
Mid-County Regional Library
2050 Forrest Nelson Blvd.
Port Charlotte, FL 33952
(941) 613-3200

Port Charlotte Public Library
2280 Aaron St.
Port Charlotte, FL 33952
(941) 625-6470

Punta Gorda Public Library
424 W. Henry St.
Punta Gorda, FL 33950
(941) 639-2049

DeSoto County
DeSoto County Library
125 N. Hillsborough Ave.
Arcadia, FL 34266
(863) 993-4851

Hardee County
Hardee County Public Library
315 N. 6th Ave.
Wauchula, FL 33873
(863) 773-6438

Hillsborough County
Bloomingdale Regional Library
1906 Bloomingdale Ave.
Valrico, FL 33596-6204
(813) 273-3652

Bruton Memorial Library
302 McLendon St.
Plant City, FL 33563-3212
(813) 757-9215

Manatee County
Central Library
1301 Barcarrota Blvd. W.
Bradenton, FL 34205-7522
(941) 748-5555

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Polk County
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100 W. Bridgers Ave.
Auburndale, FL 33823
(863) 965-5548

Bartow Public Library
2150 S. Broadway Ave.
Bartow, FL 33830
(863) 534-0131

Fort Meade Public Library
75 E. Broadway St.
Fort Meade, FL 33841
(863) 285-8287

Lakeland Public Library
100 Lake Morton Dr.
Lakeland, FL 33801
(863) 834-4280

Larry R. Jackson Library
1700 N. Florida Ave.
Lakeland, FL 33805
(863) 834-4288

Mulberry Public Library
103 E. Canal St.
Mulberry, FL 33860
(863) 425-3246

Sarasota County
North Port Library
13800 S. Tamiami Trail
North Port, FL 34287
(941) 861-1300

Individuals

Percy Angelo
George Brooks
Nora Demers
Kristi Patel
Kenneth Paulsen
John Rehill

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CHAPTER 8
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CH2M HILL

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CRITIGEN

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Experience: 9 years

ICF International

William Baird, *CommentWorks Software Applications*
Project Management Professional
B.A., American Government, Georgetown University
Experience: 21 years

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DEP 0 5-0 0 6 1

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In re: Lee County Utilities

Petition for Variance

OGC File No. 04-1417

_____/

FINAL ORDER GRANTING PETITION FOR
VARIANCE FROM RULE 62-528.630(3), F.A.C.

On July 29, 2004, a petition for variance from requirements in Rule 62-528.630(3) of the Florida Administrative Code (F.A.C.), under section 120.542 of the Florida Statutes was filed by Lee County Utilities (County). The County petitioned for a variance for its Olga Water Treatment Plant (WTP) Aquifer Storage and Recovery (ASR) facility to allow arsenic concentrations to exceed the State of Florida's (State) new primary drinking water standard (standard) of 10 µg/L during January 1, 2005 through January 25, 2006.

A notice of receipt of the petition was published on the Department's Internet site on August 20, 2004.

1. Petitioner is located at 1500 Monroe Street, Third Floor, Fort Myers, Florida 33902.

2. The Petitioner wants to continue operation and testing of the County's Olga WTP ASR system well ASR-1, located at 1450 Werner Drive, Fort Myers, Florida 33905. This potable water ASR system is a multiple-use alternative water supply that is

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utilized by the County to meet peak water demands, provide water during droughts, and serve as an important backup water source when the Olga WTP and other interconnected treatment facilities experience shortages due to maintenance needs and other factors. Due to dissolved oxygen and disinfection chemicals present in the recharge water reacting with the rocks and minerals in the storage zone, there is a possibility of arsenic leaching into the stored water. The County applied for a variance to allow arsenic to exceed the new State arsenic standard of 10 µg/L (the previous standard for arsenic was 50 µg/L) for all recovered water and on-site ground water. The new State standard became effective January 1, 2005. The State set the new standard for arsenic based on the Environmental Protection Agency's (EPA) standard change that is to become effective on January 25, 2006. The water that is used for recharge is potable drinking water that meets all the primary and secondary drinking water standards and minimum criteria parameters. The water that is used for recharge also has always met the new arsenic standard of 10 µg/L.

3. The applicable rules state in pertinent part:

> 62-520.420(1), F.A.C., - In addition to the minimum criteria provided in Rule 62-520.400, F.A.C., waters classified as Class G-I and Class G-II ground water shall meet the primary and secondary drinking water quality standards for public water systems established pursuant to the Florida Safe Drinking Water Act, which are listed in Rules 62-550.310 and 62-550.320, F.A.C., except as provided in Rule 62-520.520, F.A.C., and subsections (4) and (5) below, and except that the total coliform bacteria standard shall be 4 per 100 milliliters. In addition, the primary drinking

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water standard for public drinking water systems for asbestos shall not apply as a ground water standard.

> 62-528.630(3), F.A.C., - No underground injection control authorization by permit or rule shall be allowed where a Class V well causes or allows movement of fluid containing any contaminant into underground sources of drinking water, and the presence of that contaminant may cause a violation of any primary drinking water regulation under Chapter 403, F.S., and Chapter 62-550, F.A.C., or which may adversely affect the health of persons.
>
> 62-550.310(1), F.A.C., - INORGANICS -
> (c) The revised maximum contaminant level of 0.010 mg/L for arsenic becomes effective January 1, 2005. . . .

4. There are no users of the middle Suwannee aquifer (aquifer which is used for this ASR) within the 9 mile area of review.

5. The storage zone is separated from the overlying aquifers by confining intervals in the Hawthorn Group.

6. Recovered water from the ASR system will be blended with a substantially higher volume of finished water from the Olga WTP prior to distribution. The finished water contains low arsenic concentrations and therefore blending will reduce the arsenic concentration to below the 10 µg/L standard.

7. Information provided in support of the County's petition indicates that to apply the arsenic standard of 10 µg/L before January 25, 2006, would create a substantial hardship for economic reasons.

8. The Department received no comments concerning the petition for variance.

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9. For the foregoing reasons, it has been demonstrated that the County has met the requirements for a variance from Rules 62-520.420(1), 62-528.630(3), and 62-550.310(1), F.A.C., subject to the following conditions.

a. Operational testing of this well must be in accordance with a Department-approved UIC construction permit.

b. This variance is granted only for the recovered water and on-site ground water.

c. Concentrations of arsenic in the recovered water or on-site ground water may not exceed 50 µg/L.

d. If arsenic in the recovered water exceeds 10 µg/L the water must be blended with the potable water from the Olga WTP prior to entry into the potable water transmission system, to assure that the finished water supplied to the customers does not exceed the new standard.

e. This variance is being granted only for the existing ASR well at this facility (not for a facility expansion that includes new ASR wells);

f. Arsenic shall not exceed 10 µg/L at the property boundary unless:

(1) monitoring wells are placed to determine the lateral extent of arsenic concentrations exceeding 10 µg/L in the storage zone, and

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(2) institutional controls are in place that prohibit water wells (except monitoring wells) that withdraw water from the ASR storage zone, or

(3) total dissolved solids concentrations exceed 3000 mg/L in the storage zone.

g. A report shall be provided to the Department within six months outlining the actions to be taken to ensure compliance with the arsenic standard by January 26, 2006.

h. After January 25, 2006, the arsenic standard of 10 µg/L must be met. Any exceedance of the standard will be followed by appropriate Department enforcement action. A variance to the federal primary drinking water standard cannot be allowed.

This order will become final unless a timely petition for an administrative proceeding is filed pursuant to the provisions of sections 120.569 and 120.57 of the Florida Statutes. Any person whose substantial interests are affected by the Department's action may file such a petition. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000. Petitions filed by Lee County Utilities, or any of the parties listed below must be filed within 21 days of receipt of this

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order. Petitions filed by any other person must be filed within 21 days of publication of the public notice or within 21 days of receipt of this order, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication. A petitioner must mail a copy of the petition to Lee County Utilities, 1500 Monroe Street, Third Floor, Fort Myers, Florida 33902, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will only be at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputed the material facts on which the Department's action is based must contain the following information:

(a) The name, address, and telephone number of each petitioner; the Department case identification number and the county in which the subject matter or activity is located;

(b) A statement of how and when each petitioner received notice of the Department action;

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(c) A statement of how each petitioner's substantial interests are affected by the Department action;

(d) A statement of the material facts disputed by the petitioner, if any;

(e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action;

(f) A statement of which rules or statutes the petitioner contends require reversal or modification of the Department action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise contain the same information as set forth above, as required by Rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department final action may be different from the position taken by it in this order. Persons whose substantial interests will be affected by any such final decision of the Department on the petitions have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under section 120.573 of the Florida Statutes is not available for this proceeding.

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This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above.

A party to this order has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

DONE AND ORDERED this 2 day of February 2005 in Tallahassee, Florida.

Mimi A. Drew
Director
Division of Water Resource Management
Department of Environmental Protection

2600 Blair Stone Road
Mail Station 3500
Tallahassee, Florida 32399-2400
Telephone (850) 245-8335

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to s. 120.52, Florida Statutes, with the designated Agency Clerk,

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receipt of which is hereby acknowledged. All copies were mailed before the close of business on the date below to the persons listed.

S. Shields
Clerk

02-02-05
Date

Copies furnished to:
Cynthia Christen, MS 35
Donnie McClaugherty, MS3530
Cathy McCarty, MS 3530
Susan Stafford, JAPC
Rick Diaz, Lee County
Bob Gray, Lee County Attorney
Daniel J. Acquaviva, Water Resources Solutions
Kathy Carter, MS 35
Richard Deuerling, MS 3530
Jack Myers, S District
Joe Haberfeld, MS 3530

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NOTICE OF RIGHTS OF SUBSTANTIALLY AFFECTED PERSONS.

This determination is final and effective on the date filed with the Clerk of the Department unless a timely and sufficient petition for an administrative hearing is filed under sections 120.569 and 120.57 of the Florida Statutes as provided below. If a sufficient petition for an administrative hearing is timely filed, this determination automatically becomes only proposed agency action subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. The procedures for petitioning for a hearing are set forth in Rules 28-106.201-.202 and 62-110.106, F.A.C., and are summarized below.

The Department will not publish notice of this determination. Publication of notice by you is required for you to proceed. However, in the event that an administrative hearing is held and the Department's determination is reversed, proceeding with the proposed activity before the time period for requesting an administrative hearing has expired would mean that the activity was conducted without the required permit or authorization.

The petitioner must publish, at your own expense, the notice specified below in the legal advertisement section of a newspaper of general circulation in the county where the activity is to take place. A single publication will suffice.

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If you wish to limit the time within which any specific person(s) may request an administrative hearing, you may provide direct notice to such person(s), by certified mail and enclosing a copy of this determination.

For the purposes of publication, a newspaper of general circulation means a newspaper meeting the requirements of sections 50.011 and 50.031 of the Florida Statutes. Within seven days of publication, you must provide to the following address proof of publication issued by the newspaper as provided in section 50.051 of the Florida Statutes. If you provide direct written notice to any person as noted above, you must provide to the following address a copy of the direct written notice:

Florida Department of Environmental Protection, UIC Program, MS 3530, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; Attn: Cathy McCarty.

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NOTICE
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection gives notice that a variance has been granted to Lee County Utilities for the Olga Aquifer Storage and Recovery facility to allow arsenic concentrations to exceed the State's new primary drinking water standard of 10 µg/L during January 1, 2005 through January 25, 2006.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Mediation is not available.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code (F.A.C.).

In accordance with Rules 28-106.111(2) and 62-110.106(3)(a)(4), F.A.C., petitions for an administrative hearing must be filed within 21 days of publication of the notice or receipt of written notice, whichever occurs first. Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 before the applicable deadline. A timely request for extension of time will toll the running of the time period for filing a petition until the request is acted upon. Upon motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect, the Department may also grant the requested extension of time.

The petitioner shall mail a copy of the petition to the applicant at Lee County Utilities, 1500 Monroe Street, Third Floor, Fort Myers, Florida 33902, at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that right.

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A petition that disputes the material facts on which the Department's action is based must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;

(c) A statement of when and how the petitioner received notice of the agency decision;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;

(f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301.

Under sections 120.569(2)(c) and (d) of the Florida Statutes, a petition for administrative hearing shall be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

Complete copies of all documents relating to this determination are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, at Florida Department of Environmental Protection, UIC Program, Room 212F, 2600 Blair Stone Road, Tallahassee, Florida. Please call Cathy McCarty to set up appointment, 850/245-8654.

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Florida Department of Environmental Protection

South District
Post Office Box 2549
Fort Myers, Florida 33902-2549
SouthDistrict@dep.state.fl.us

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

October 6, 2017

ELECTRONIC MAIL

Mr. Joseph D. Gilberti
LandTech Design Group, Inc.
385 Donora Blvd.
Fort Myers Beach, FL 33931
Email: gilberti.water.company.fla@gmail.com

RE: Application for Filtration and Transmission – 300 mile Transmission from Sarasota (Source) down I-75 to South Florida - Servicing Sarasota, Charlotte, Desoto, Lee, Collier, Dade, Broward, Palm Beach & Monroe Counties.

Dear Mr. Gilberti:

Thank you for submitting the permit application referenced above. The Department of Environmental Protection ("Department") received the application on September 27, 2017.

To be considered by the Department, each application must be accompanied by the proper processing fee. No fee was received with the above referenced application. Recent Emergency Orders related to Hurricane IRMA did not waive permit application fees for proposed new utility infrastructure construction.

The Department takes notice that the construction proposed in the permit application falls under the delegated regulatory authority of multiple primacy agencies as shown below:

PORTION OF PROJECT	PRIMACY REGULATORY AGENCY	CONTACT INFORMATION
Construction of a drinking water treatment plant to include filtration in Sarasota County.	Department of Health in Sarasota County	DOH Sarasota County 1001 Sarasota Center Blvd. Sarasota, FL 34240 941-861-6133
Water Main Construction in Sarasota County.	Department of Health in Sarasota County	DOH Sarasota County 1001 Sarasota Center Blvd. Sarasota, FL 34240 941-861-6133

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Mr. Joseph D. Gilberti
LandTech Design Group, Inc.
October 6, 2017

Water Main Construction in Charlotte, DeSoto, Collier, and Monroe Counties.	DEP South District Office. Fees for this portion of the project are $900 for each county permit, for a total of $3,600.	Letterhead Address Above.
Water Main Construction in Lee County.	Department of Health in Lee County	DOH Lee County 60 South Danley Drive Fort Myers, FL 33907 239-274-2200
Water Main Construction in Dade County.	Department of Health in Miami-Dade County	DOH Miami-Dade County 1725 NW 167th Street Miami, FL 33056 305-623-3500
Water Main Construction in Broward County.	Department of Health in Broward County	DOH Broward County 2421 SW 6th Avenue Operations Building 2nd Floor Ft. Lauderdale, FL 33315 954-467-4700 Ext 4231
Water Main Construction in Palm Beach County.	Department of Health in Palm Beach County	DOH Palm Beach County 800 Clematis Street West Palm Beach, FL 33402 561-837-5900

For proper permit application processing, LandTech Design Group, Inc., will need to submit an appropriate permit application for each portion of the project to the appropriate delegated regulatory primacy agency. Please verify the appropriate application processing fee with each agency as the fees may vary from county to county.

The Department and the other delegated regulatory authorities cannot take further action until appropriate applications and the correct fees are received.

Sincerely,

Jon M. Iglehart
Director of District Management
South District

JMI/GM
cc: DOH Broward, Post.CHD006@flhealth.gov
DOH Sarasota, DOHSarasotaEH@flhealth.gov
DOH Lee, LeeCHDEEFeedback@flhealth.gov
DOH Palm Beach, chd50feedback@flhealth.gov
DOH Dade, contact.miamidade@flhealth.gov
FEMA, Paul.Williams6@fema.dhs.gov

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Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

March 6, 2018

Mr. Joseph Gilberti, P.E.
LandTech Design Group, Inc.
385 Donora Boulevard
Fort Myers, Florida 33931
gilbertiwater@gmail.com

RE: Request for Inclusion on Florida Department of Environmental Protection Drinking Water Priority List

Dear Mr. Gilberti:

I have been asked by the Department's Division of Water Restoration Funding Assistance to respond to a series of emails beginning in late January, 2018, regarding your request for inclusion, presumably to obtain state funding, in the Department's Drinking Water State Revolving Fund Program (the "program"). That program is administered by the Department under Rule Chapter 62-552 of the Florida Administrative Code ("F.A.C."); attached for your convenience.

It appears that you are not eligible to request inclusion in the program, or to receive a program loan under the cited Rule Chapter. Rule 62-552.300(1), F.A.C., provides in pertinent part:

> *(1) Steps involved in obtaining a loan.*
> *(a) Request for Inclusion. The project sponsor shall submit a complete Request for Inclusion Form, referenced in subsection 62-552.200(28), F.A.C., to the Department to establish project ranking on the priority list as outlined in paragraph (1)(e), below.*

A request for inclusion is limited to a "project sponsor"; a "project sponsor" is defined by the rules as an entity that owns a public water system, and a "public water system" is one that provides water to the public for human consumption through pipes or other constructed conveyances, if the system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. (See Rules 62-552.200(26) and (27), F.A.C.). It therefore appears, based on my understanding of your proposal, that it would not qualify as eligible for inclusion or funding under the cited rule

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provisions.

I have attached a "Notice of Rights" that advises you of your options in the event that you disagree with my assessment; additionally, please feel free to have your attorney contact me at (850)245-2242 if he or she wishes to discuss the above.

Sincerely



Betsy Hewitt
Assistant General Counsel

Cc: Shanin Speas-Frost

Attachments: Rule Chapter 62-552, F.A.C.
Notice of Rights

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[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 15-14544

D.C. Docket No. 2:15-cv-00029-JES; 8:13-bkc-14831-FMD

In re: CECIL DAUGHTREY, JR.,
PATRICIA A. DAUGHTREY,

Debtors.

CECIL DAUGHTREY, JR.,
PATRICIA A. DAUGHTREY,

Plaintiffs-Appellants,

versus

LUIS E. RIVERA, II,

Defendant-Appellee.

Appeal from the United States District Court
for the Middle District of Florida

(July 24, 2018)

Before TJOFLAT, ROSENBAUM and SENTELLE,* Circuit Judges.

---

*The Honorable David Bryan Sentelle, United States Circuit Judge for the District of Columbia Circuit, sitting by designation.

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IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, STATE OF FLORIDA
CIRCUIT CIVIL DIVISION

MYAKKA MITIGATION, LLC, a Florida Corporation, and JOSEPH GILBERTI, JR.,
Plaintiffs,

Case No.:
Division:

-vs.-

WELLS FARGO BANK, N.A., a California Corporation
Defendant.
_____/

COMPLAINT

COMES NOW, the Plaintiffs, MYAKKA MITIGATION, LLC, and JOSEPH GILBERTI, JR., by and through their undersigned counsel and hereby sue the Defendant, WELLS FARGO BANK, N.A., upon the grounds set forth below:

JURISDICTION & VENUE

1. This is an action for in excess of $15,000.00, exclusive of interest, court costs and attorney's fees, and as such, this Court has subject matter jurisdiction over the disputes arising hereunder.
2. The Plaintiff, MYAKKA MITIGATION, LLC, is a Florida Corporation which did business in the State of Florida during 2011 and 2012. This Plaintiff shall be referred to hereafter as "Myakka".
3. The Plaintiff, JOSEPH GILBERTI, JR., was part owner and the managing member of Myakka during the allegations set forth herein. This Plaintiff shall be referred to hereafter as "Mr. Gilberti" or "Plaintiff Gilberti."

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4. The Defendant, WELLS FARGO BANK, N.A., is a California Corporation, whose principal address is 420 Montgomery Street, San Francisco, California 94163, and is actively engaged in business in Hillsborough County, State of Florida, by having banking branches, employees and advertising in Hillsborough County, Florida.

5. The Court has personal jurisdiction over the parties hereto.

6. The actions giving rise to this lawsuit occurred in Brandon, Hillsborough County, State of Florida. Accordingly, Venue is appropriate in the Thirteenth Judicial Circuit, Hillsborough County, Florida, as the events, witnesses and evidence are located within this county.

GENERAL ALLEGATIONS

7. Plaintiff Myakka opened a business checking account with the Defendant's institution in late December 2011, or early January, 2012. This account shall be referred to herein as the "Business Checking Account."

8. Part and parcel to the Business Checking Account was a contract between the Plaintiff, Myakka, and the Defendant, Wells Fargo Bank, governing the terms of the Plaintiff's deposit with the bank, and the bank's handling of the moneys when they were maintained in the bank accounts. No physical copies of the agreement remain in the Plaintiffs' possession at present, but are in the possession of the Defendant. Accordingly, in compliance with the Florida Rules of Civil Procedure, the Plaintiffs reserve the right to amend this Complaint to attach such documents as they are produced.

9. Into that checking account, Plaintiff Myakka deposited a considerable sum of money, from which the corporation intended to operate out of.

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10. Only the Corporate officers (which were comprised of Mr. Gilberti and Cecil Daughtrey, Jr.) were authorized to sign and remove moneys from the Business Checking Account.

11. The Defendant was aware that those two persons were the only authorized signors on the Business Checking Account, per the Defendant's own records and regulations.

12. However, on several instances, third parties who were not authorized signors on the account were permitted to make regular and routine withdrawals from the account in person and through the Brandon, Hillsborough County, Florida branch of Wells Fargo Bank.

13. These third parties who made the withdrawals were not granted authority on behalf of Plaintiff Myakka to withdraw such monies, nor was Myakka aware that such actions were occurring.

14. As a result of the unauthorized withdrawals at the Defendant's banking branches, a substantial amount of Plaintiff Myakka's corporate moneys were converted and permanently lost to the corporation, ultimately resulting in the closure of the corporation.

15. Plaintiff Gilberti is a successor in interest to Myakka, and accordingly, has standing to sue in Myakka's place.

COUNT I: NEGLIGENCE

16. The Plaintiffs hereby re-allege the allegations set forth above in paragraphs 1-15 as though fully set forth herein.

17. The Defendant owed a fiduciary duty to the Plaintiffs in handling and maintaining those moneys left with the bank on deposit.

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18. The Defendant's fiduciary duty extended to prohibiting and preventing unauthorized third parties to have access to and use of those moneys deposited by the Plaintiff with the Defendant.

19. The Defendant breached its fiduciary duty by permitting an unauthorized third party to have access, use and ultimately possession of those moneys.

20. The Plaintiffs were harmed by the Defendant's breach as the moneys which were on deposit were impermissibly taken from the Plaintiffs.

21. As a result of the loss of those moneys, Plaintiff Myakka ended up going out of business, and lost its primary means to gain a revenue and grow business.

22. The Defendant's breach of duty was the proximate cause of the damage to the Plaintiffs.

WHEREFORE, the Plaintiffs, MYAKKA MITIGATION, LLC, and the JOSEPH GILBERTI, respectfully request this Honorable Court enter Judgment against the Defendant upon the grounds set forth above, and award the Plaintiffs compensatory and special damages, plus pre-judgment interest, to be paid by the Defendant, plus such further relief as the Court deems fair and equitable under the circumstances.

COUNT II: IN THE ALTERNATIVE TO FRAUD, BREACH OF CONTRACT

23. The Plaintiffs hereby re-allege the allegations set forth above in paragraphs 1-15 as though fully set forth herein.

24. The Plaintiff and Defendant entered into a contract which was to govern the management of the moneys held by the Defendant on the Plaintiff's behalf.

25. The Plaintiff fully complied with the terms of the contract, and performed all obligations contained therein under.

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26. The contract prohibited the Defendant from releasing moneys from the Plaintiffs' account to unauthorized third parties.

27. The Defendant breached this obligation by permitting a third party or parties to unilaterally and impermissibly withdraw moneys from the Business Checking Account.

28. The Plaintiffs were damaged by the Defendant's breach of contract, and incurred significant and substantial monetary losses.

29. As a result of the loss of access to those funds, Plaintiff Myakka was no longer able to maintain operations and was forced to go out of business.

WHEREFORE, the Plaintiffs, MYAKKA MITIGATION, LLC, and the JOSEPH GILBERTI, respectfully request this Honorable Court enter Judgment against the Defendant upon the grounds set forth above, and award the Plaintiffs compensatory and special damages, plus pre-judgment interest, to be paid by the Defendant, plus such further relief as the Court deems fair and equitable under the circumstances.

METROPOLIS BUSINESS LAW

ANDREW Z. TAPP, ESQUIRE
Florida Bar Number: 68002
100 South Ashley Drive, Suite 1780
Tampa, Florida 33602
Telephone: (813) 228-0658
andrew@metropolitanfamilylaw.com
Attorney For Joseph D. Gilberti, Jr.
and Myakka Mitigation, LLC

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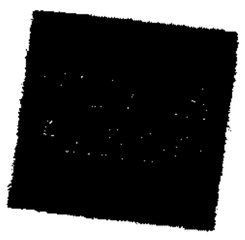
approx 2.00 PM.

7-17-12

3 People Viewed House #100 - did not appear interested. Accurate were refused.

Allegra (CSM)
Jose (CSM)
Luke Ricketts (Cas



Kathleen Magro
Service Manager

Bloomingdale
MAC Z0110-010
501 East Bloomingdale Avenue
Brandon, FL 33511
Tel: 813 952 1660
Fax: 813 952 1679
800 CALL WELLS

kathleen.magro@wellsfargo.com

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Attorneys throughout Foreclosure case # 9:13-bk-14831
And Bankruptcy case # 15-14544

1) **Greenberg Traurig** (Group of Three Attorneys)

With David Weinstein, Vincent Marchetti and Don Crawford: Mosaic phosphate conflict via Sarasota mining compact settlement Meade VS Army Corps of Engineers which donate Horse Prairie Creek. Two essentials for fertilizer plants are to be in a phosphate district with an active mining permit. See relevance to active mining Permit #(44010761.003) Assigned note to friends (72 Partners) of Notre Dame within 12 days

2) Steve Stanley was hired for a motion only; left do to politics in Tampa via Mosaic mining compacts and hidden water supply involving water wars.

3) Tonya Smith asked for a release. Hired for motion only do to water politics in Sarasota and Peace River Manasota water supply that built a 500 million RV Griffith Reservoir with a 50 US state grant after hurricane Charlie do to politics.

4) Sandy Sanders asked to leave from same politics in Desota County where Peace River water plant pumps to four counties with RV Griffith Reservoir involving Mosaic/ Arcadia Rodeo. Judge Hall and Judge Parker relatives with Lawrence and Spencer Hall whom are members of 72 Partners. Judge Hall called engineer Gilberti the day after the note was taken as engineer Gilberti did the rodeo plans that Mosaic built at The Turner Center.

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5) Mike Owen fired for lying. After fired he set trial without notice on Columbus Day October 14, 2013 during HP glitch federal shutdown. Never got a trial for foreclosure still pending.

6) Arthur Rosenberg fired for hiding water and lying to us and siding with Mike Owen timed with kidnapping our engineer in district 13 where his misdemeanor bonds each at $500 went to $300,000 on Boston Bomb marathon day.

7) Eric Lanigan fired for being paid to type a brief that was never done. He also hid water supply and title issues.

8) Dellutri was fired for hiding land value appraisal with Trustee with regards to water supply and minerals. Sarasota mining compact was denied by Commissioner Nora Patterson from Mosaic for 57 million in 2008/2009 all other counties from Tampa to Ft Myers signed mining compacts timed with elections and electoral votes. Rico case coming.

9) Paul DeCalli fired for hiding water supply instructed us on to small of an offer without breaking down tax burden. Sided with Trustee and 72 Partners in Tampa. Influenced as a Marine by Central Command Tampa to hide this resource that shows science that millions more unique natural drinking water tied to oceans hidden everywhere to reduce wars and oppression with plenty of water and food. Paul DeCalli caused litigation and hid blanket bond.

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10) Gerod Hooper Attorney on engineers criminal case (# 18-CF-5038)

Reference also case#18-CF-4829 & #16-CF-010976-A

Fired for not disclosing conflict on relationship with Julianne Holt of the Public Defenders office at District 13 criminal case. Hired to expose Fake e-mail and unwilling to file motion to obtain e-mail account.

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