IN THE CIRCUIT COURT FOR THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA

VINCE C. LAGO,

Plaintiff,

vs.

ACTUALIDAD MEDIA GROUP, LLC;

Defendant.

CASE NO.:

COMPLAINT

Plaintiff, Vince C. Lago ("Lago") sues Defendant, Actualidad Media Group, LLC ("Radio Station" or "Defendant"), and alleges:

INTRODUCTION

This is a complaint to protect the personal and business reputation of Vince Lago and to stop reckless journalists from making orchestrated and intentionally false statements to push their own narratives and agendas by recklessly publishing known falsehoods about the Plaintiff. Defendant defamed the reputation of Lago by falsely stating, when at the time the statements were made the Defendant knew the statement to be false, that there was an ongoing Miami-Dade County Commission on Ethics and Public Trust investigation into the Lago for serious, corrupt and criminal behavior when Defendant knew that injurious charge was false or was recklessly indifferent to whether the statements were accurate. This statement, and the clear intended direct implication that Plaintiff was, in fact, engaged in corrupt and illegal practices, when made by the Defendant was done intentionally, maliciously, and willfully. The falsity of the statements were made knowing they were false or with reckless disregard for the truth. The maliciously made statements at issue subjected Plaintiff to hatred, contempt, and charged Plaintiff with

characteristics incompatible with the proper exercise of his duties and the reputation Lago crafted over many years in the community. Florida law treats the value and protection of personal reputation with the utmost priority:

> Florida's unusually high protection of personal reputation derives from the common consent of humankind and has ancient roots. It is highly valued by civilized people. Our state constitution and common law powerfully support it. This is a value as old as the Pentateuch and the Book of Exodus, and its command as clear as the Decalogue: "Thou shall not bear false witness against thy neighbor." The personal interest in one's own good name and reputation surpasses economics, business practices or money. It is a fundamental part of personhood, of individual standing and one's sense of worth. In short, the wrongdoing underlying the punitive damages in this case has Florida law's most severe condemnation, its highest blameworthiness, its most deserving culpability. For slander per se, reprehensibility is at its highest.

Lawnwood Med. Ctr. Inc. v. Sadow, 43 So. 3d 710 (Fla. 4th DCA 2010). We cannot allow reckless journalism to assert categorically false facts with the specific malicious intent to damage and falsely accuse an individual of conduct incompatible with the conduct of the individual's business because the speaker has an "ax to grind" or has strong personal views that differ from the person victimized by the false accusation.

PARTIES, JURISDICTION, AND VENUE

1. This is an action for defamation for damages in excess of $50,000.00, exclusive of attorneys' fees and costs.

2. This Court has jurisdiction over the subject matter and parties pursuant to Section 26.012, Florida Statutes.

3. Venue is proper in Court because the causes of action accrued in Miami-Dade County, Florida.

4. Lago is an individual, *sui juris*, and a resident of Miami-Dade County, Florida.

5. Radio Station is a Florida limited liability company with its principal place of business in Miami-Dade County, Florida.

GENERAL ALLEGATIONS

6. Lago is the elected Mayor of the City of Coral Gables. Lago has served as Mayor for over two years. Far longer than he has been Mayor, Lago has spent years crafting a reputation in the community as an honest, trustworthy businessman.

7. Defendant published statements that contained per se defamatory remarks against Lago falsely claiming that Plaintiff was at the time being investigated by the Miami-Dade County Commission on Ethics and Public Trust ("MDCCOE"), for serious, deceitful, illegal and actionable behavior. The statement is defamatory per se because it suggests that the Plaintiff has committed a dishonest or illegal act.

8. On or about February 27, 2023, Radio Station broadcasted a Spanish-speaking radio show on Actualidad Radio 1040 AM hosted by Roberto Rodriguez Tejeda ("Tejeda") and Juan Camilo Gomez ("Gomez") (the "Show").

9. Tejada and Gomez are the employees, representatives, and/or agents of the Radio Station.

10. Ariel Fernandez ("Fernandez") was a guest on the Radio Station's Show. The Radio Station knew that Fernandez was going to make that false statement on the air before he uttered the defamatory charge. In fact, the Radio Station invited Fernandez as a guest on the Show because Fernandez was prepared and planned to make those false accusations on the air.

11. During the Show, Tejeda stated, *inter alia*, "there is an ethics investigation against the Mayor," referring to Lago.[1] A copy of the Spanish to English translation of the relevant portion of the Show is attached as **Exhibit A**.

12. In response, Fernandez stated, *inter alia*, "it seems that there is an … ethics claim against Vince Lago…" *See* Ex. A.

13. Both Tejada's and Fernandez' statements were false when made and each knew that the statement each uttered was false.

14. On March 30, 2023, Lago provided notice of this claim, and an opportunity to retract same, to the Radio Station pursuant to Section 770.01, Fla. Stat, a copy of which is attached as **Exhibit B**.

15. Lago also provided the Radio Station's counsel a transcript of the Show depicting the false statements.

16. On April 28, 2023, in response to Lago's notice, the Radio Station's counsel advised Lago's counsel that two online articles that speculate regarding a MDCCOE investigation against Lago "prompted the discussion in question" and served the basis for making the objectionable statement. A copy of the communication is attached as **Exhibit C**.

17. The first article relied upon by the Defendant was a blog post by the Political Cortadito, a notoriously questionable "news source" with a history of "pay-to-play" stories wrote an article titled "Coral Gables Mayor Vince Lago may have conflict of interest in Little Gables." A copy of the Political Cortadito Article is attached as **Exhibit D**. However, the Political Cortadito Article came out after the defamatory statements were made on the air February 27, 2023, and

[1] The following quote was translated from Spanish to English by Certified Interpreting & Translating Services, Inc.

could not have possibly been the basis and support for the false statements made on February 27, 2023 before the post was published.

18. The Political Cortadito article was published on ***March 3, 2023***, days ***after*** the statements made on the Show.

19. The Defendant relied on a second article. The second article referenced by the Show as its "basis" for the false statements was written by the Gables Beacon, and is titled "Did Mayor Vince Lago Commit Perjury?" A copy of the Beacon Article is attached as **Exhibit E**. The Beacon Article was also not in existence when the false statements were made.

20. The Beacon Article was published on ***March 4, 2023***, again after the statements made on the Show on February 27, 2023. None of the show sources that the Radio Station claimed grounded their false statements were in existence at the time the defamatory words were aired.

21. The Radio Station had no basis for the false statements when made, and when pressed for the factual support or grounds for its statements, the Defendant relied on after-the-fact stories proving there was no support at the time the false statements were made.

22. Despite knowing that the bases for the false statements were news stories issued after the false statements, they refused to issue a retraction and/or apology, they have left Plaintiff with no choice but to file this action to protect his personal and business reputation.

23. This blatant and malicious false statement that the Plaintiff was under an ethics investigation shows that the false statements made on February 27, 2023, were made with actual malice against Lago, and in an attempt to harm Lago's personal and business reputation in the community and with reckless disregard for the truth.

24. These maliciously made and defamatory statements had a severely detrimental and injurious effect on Lago's reputation in the community and as a businessman. These false

statements falsely portrayed the Plaintiff as unethical of character incompatible with his business, profession and duties.

25. There was no ethics investigation on February 27, 2023. MDCCOE's preliminary inquiry, pursuant to Florida Statute, is confidential and exempt from disclosure until, *inter alia*, a determination as to the sufficiency of such allegations is made. *See* Section 112.324, Fla. Stat. On February 27, 2023, Defendant had no basis, ground, or source to level the defamatory charges.

26. Therefore, at the time of the statements, it was impossible for the Defendant to have known of any investigations, even if in fact there was an investigation - which was not the case.

27. All conditions precedent to this action have been satisfied, occurred, waived, or would otherwise be futile.

COUNT I: DEFAMATION *PER SE*

28. Lago re-alleges paragraphs 1 through 27.

29. The Radio Station made, authorized, encouraged and/or published Tejada's and Fernandez' false statements regarding the existence of a MDCCOE investigation against Lago, a public official when the Radio Station knew there was no investigation at the time the defamatory charges were made.

30. At the time of the statements, the Radio Station, Tejada, and Fernandez knew the statements were false, had no factual basis to support their statements and they recklessly disregarded whether the statements were true when made.

31. Tejada and Fernandez each made their statements, and Radio Station knowingly published the statements, with full knowledge of their falsity, with malice, and with reckless disregard for such falsity to retaliate against the Plaintiff.

32. The false statements allege conduct incompatible with the proper exercise of Lago's lawful business, profession, and/or office. The defamatory charges were made to humiliate, ridicule and charge the Plaintiff with unethical conduct. The defamatory charges clearly suggest that Lago has committed a dishonest and illegal act.

33. The Radio Station knew the statements were false when made, and were made intentionally and with malice against Lago.

34. As a direct and proximate result of the Radio Station's *per se* defamatory statements, Lago has suffered damages, including but not limited to, deterioration of Lago's personal and business reputation in the community, humiliation, embarrassment and ridicule that has invited others to republish the falsehood that on February 27, 2023, the Plaintiff was the subject of ethics investigation.

WHEREFORE, Lago demands judgment against Actualidad Media Group, LLC for damages, including but not limited to reputational damages, and for such other and further relief as this Court deems just and proper.

DEMAND FOR JURY TRIAL

Lago demands a trial by jury on all matters raised herein so triable as a matter of right.

Dated this 22nd day of December 2023.

KRINZMAN, HUSS LUBETSKY
FELDMAN & HOTTE
Counsel for Lago
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Miami, Florida 33131
Telephone: (305) 854-9700
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Primary email: map@khllaw.com
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/s/ *Mason A. Pertnoy*
Mason A. Pertnoy, Esq.
Florida Bar No. 18334

DORTA LAW
Co-Counsel for Lago
334 Minorca Avenue
Coral Gables, Florida 33134
Telephone: (305) 441-2299
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Primary email: grd@dortalaw.com
Secondary email: jgonzalez@dortalaw.com

/s/ *Gonzalo R. Dorta*
Gonzalo R. Dorta, Esq.
Florida Bar No. 650269

EXHIBIT A

Duration: 00:04:02
Participants: Juan Camilo Gómez, Ariel Fernández, Roberto Rodríguez Tejeda
[I/I] Inintelegible [U/I] Unintelligible
Words in language other than original are italicized

Speakers	[Comienzo de grabación]	[Beginning of recording]
Juan Camilo Gómez	elegido como alcalde por un periodo más. Envió un mensaje en su cuenta de Twitter diciendo "Estoy honrado de ser oficialmente reelegido como alcalde sin oposición. Creo que este es un testimonio de todo lo que hemos logrado juntos. Espero continuar trabajando con ustedes con la Comisión para implementar nuestra visión de mantener a Coral Gables como la Ciudad Bonita".	elected as mayor for another term. He sent a message from his Twitter account saying "I am humbled to have been officially reelected as mayor without opposition. I believe this is a testament to all we have accomplished together. I hope to continue to work with you and with the Commission to implement our vision to keep Coral Gables as the City Beautiful."
Roberto Rodríguez Tejeda	Efectivamente. Y le felicitamos al alcalde Lago, pero mientras, eh, pues, él celebra, eh, hay personas preocupadas. O sea, porque el alcalde Lago debía haber hecho, pues, eh, público, eh, pues, una relación que tenía y q le hubiera, pues, impedido tomar, eh, pues, una posición como la que está tomando con respecto al *trailer park* que está en el Little Gables. Eh, Fernández ha estado siguiendo, eh, esta información. Ariel, muy buenos días.	Exactly. And we congratulate Mayor Lago, but while, um, well, he celebrates, um, there are people who are concerned. I mean, because Mayor Lago should have made, well, public, um, well, a relationship that he had and that would have, well, prevented him from taking, um, a position such as the one he is taking with respect to the trailer park that is in Little Gables. Um, Fernández has been following, um, this information. Ariel, a very good morning to you.
Ariel Fernández	Buenos días. ¿Cómo están ustedes?	Good morning. How are you guys?
Roberto Rodríguez Tejeda	Bastante bien. ¿Qué es lo que está pasando? Eh, hay un, o sea, hay una protes, hay, hay una investigación de ética en contra del alcalde. Eh, pues, el Lago, y tiene que ver precisamente con este campo de *trailers* que, que está en, eh, Little Gables. El Little Gables está tratando de ser toda esta parte de Co, de, de, de Miami, está tratando de ser controlada por Coral Gables. Hay un, o sea, hay un] I/I] un, un, un parque de trailers ahí, y este parque de trailers se ha convertido en la manzana de la discordia. Cuéntanos qué está pasando y por qué, eh, pues esta	Quite well. What is happening? Um, there is a, I mean, there is a protes, there is, there is an ethics investigation against the mayor. Um, well, Lago, and it precisely has to do with this trailer park that, that is in, um, Little Gables. Little Gables is trying to be that whole part of Co, of, of, of Miami. It's trying to be controlled by Coral Gables. There is a, I mean, there is a [U/I] a, a, a trailer park there, and this trailer park has become the apple of discord. Tell us, what is happening and why, um, well, there is this ethics complaint against the mayor, who just won without opposition.

	queja ética en contra del alcalde que acaba de ganar sin oposición.	
	[Música instrumental en el fondo]	[Instrumental music in the background]
Ariel Fernández	Bueno, la, la, lo que es la anexación [sic] de Little Gables ha sido bastante controversial desde que se empezó a discutir hace unos, eh cinco años, eh, y esto, acaba de salir. Todavía estoy procesando la información que me ha estado llegando, pero parece que hay un, eh, eh, una, em, un *claim* de ética en contra de Vince Lago, eh, en cuanto a un affidavit que llenó él. Él hizo bien públicamente en la Comisión como un *show* diciendo que él no tenía ningún interés en Little Gables, y parece que, en este affidavit, eh, dice que ninguno de sus hermanos tampoco tiene intereses. La información que me ha llegado a mí es que está también el hermano de él tiene intereses ahí, siendo el abogado que representa, eh, uno de los, él, eh, abogado y cabildero, si no me equivoco, de, del dueño del parque de *trailers* que está ahí en Little Gables, para, eh, el futuro de esa propiedad.	Well, the, the, what I know is that the annexation of Little Gables has been very controversial since it started to be discussed some, um, five years ago, um, and this, has just come out. I am still processing the information that has been coming to me, but it seems that there is an, um, an, um, an ethics claim against Vince Lago, um, in regards to an affidavit that he filled out. He very publicly at the Commission did like a show, saying that he had no interest in Little Gables, and it seems that in this affidavit, um, he says none of his siblings have interests either. The information that has been received by me is that his brother who has an interest is also there, being the attorney who represents, um, one of the, he, um, is attorney and lobbyist, if I am not wrong, for the, the owner of the trailer park that is in Little Gables there, for, um, the future of that property.
Roberto Rodríguez Tejeda	Bueno, pues, Ariel, gracias. Muchísimas gracias, Ariel. Ariel Fernández, acá en Actualidad. Diez Cuarenta, Ciento tres puntos, FM, siguiendo esta información, eh, pues, eh, que, probablemente, pues, eh, se provoque, pues una investigación ética eh, en contra del alcalde de Coral Gables. ¿Qué es lo que sabemos? O sea, de que el alcalde, eh, pues, eh, en este affidavit no revela, y pues, tenemos copia del affidavit con nosotros. Eh, no revela unas relaciones, pues, eh, [I/I], dice que él no tiene ninguna relación, ni él ni ningún familiar, de, eh, él, eh con, eh, pues, el, lo, o sea, con ninguna propiedad, con ningún negocio, eh, de ninguna manera con Little	Well, Ariel, well, thank you. Thank you so very much, Ariel. Ariel Fernández, here at Actualidad. Ten Forty, one hundred and three dot, FM. Following up on this information, um, well, um, that, probably, well, um, an ethics investigation will be generated against the mayor of Coral Gables. What do we know? I mean, that the mayor, um, well, um, does not reveal in this affidavit, and, well, we have a copy with us. Um, he does not reveal some relationships, well, um, [U/I], he says that he has no relationship, nor does he or any family member of, um, his, um, with, um, well, the what, I mean, with any property, with any business, um, in any way with Little Gables. This was part of an affidavit that he had that,

	Gables.Esto era parte de un affidavit que él tenía que, pues que firmar y q tenía que, pues, eh, públicamente, eh, dar a conocer. Eh, después de haber dado, de haber firmado este affidavit donde decía que no había ninguna relación, el alcalde , eh, Lago, pues, eh, se nombra a sí mismo como el negociador entre el condado y la ciudad de Coral Wa, eh, de Coral Gables para el traspaso de la propiedad, y se utiliza dinero de la ciudad de Coral Gables para hacer un estudio para que, en caso de que se ah, pudiera tomar control de esa parte del condado, eh, lo que se pudiera haber hecho de desarrollo, en el parque de *trailers*, pero no reveló que su hermano era el cabildero principal de la empresa eh, que quiere adquirir precisamente los derechos, eh, para construir y convertir el parque de *trailers* en un desarrollo de inmuebles. Eh, vamos a, pues, tan pronto tengamos más información con ustedes se la estaremos compartiendo. Son las siete con	well, sign, and that he had to, well, um, publicly, um, reveal. Um, after having s having given, of having signed this affidavit where he said that there was no relationship, Mayor, um, Lago, well, um, named himself as the negotiator between the county and the City of Coral Wa, um, of Gables for the transfer of the property, and City of Coral Gables money was used to do a study to, in case that, uh, it could take control over that part of the county, um, what could have been done as development in the trailer park, but he did not reveal that his brother was the main lobbyist of the business, um, that wants to acquire, precisely, the rights, um, to build and convert the trailer park into a real estate development. Um, let's, well, as soon as we have more information, we will be sharing it with you. It is seven
	[Termina grabación]	[End of recording]

EXHIBIT B

KRINZMAN
HUSS LUBETSKY
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T: 954.761.3454
F: 954.761.3484

Please Reply To: Miami

March 30, 2023

Via US Mail and Certified Mail
Actualidad Media Group, LLC
2525 Ponce de Leon Blvd, Suite 250
Coral Gables, FL 33143

Re: Defamatory Statements Made on Actualidad Radio 1040 AM Regarding City of Coral Gables Mayor, Vince Lago ("Mayor Lago")

To Whom It May Concern:

Undersigned counsel and law firm represent Mayor Lago with respect to the above-referenced matter.

We are aware of certain defamatory statements made by you and/or your agents on Actualidad Radio 1040 AM regarding the filing of an Ethics Complaint and/or ongoing investigation, with the Miami-Dade County Commission on Ethics (the "Commission") against Mayor Lago.

We have been advised that no such Complaints have been filed with the Commission, nor that are there any ongoing investigations. Accordingly, please provide any and all evidence in support of your unsubstantiated statements on or before Friday, April 7, 2023.

As I am sure you know, Florida law provides an unusually high protection of personal reputation. *See, e.g.*, *Lawnwood Medical Center, Inc. v. Sadow*, 43 So.3d 710, 729 (Fla. 4th DCA 2010) ("To sum up, Florida's unusually high protection of personal reputation derives from the common consent of humankind and has ancient roots. It is highly valued by civilized people. Our state constitution and common law powerfully support it. This is a value as old as the Pentateuch and the Book of Exodus, and its command as clear as the Decalogue: "Thou shall not bear false witness against thy neighbor." The personal interest in one's own good name and reputation surpasses economics, business practices or money. It is a fundamental part of personhood, of individual standing and one's sense of worth. In short, the wrongdoing underlying the punitive damages in this case has Florida law's most severe condemnation, its highest blameworthiness, its most deserving culpability. For slander per se, reprehensibility is at its highest.").

Should you fail to provide us with the aforementioned evidence supporting your defamatory statements, we demand you issue an immediate retraction of your statements both live on the air, and via your social media pages. Should you fail to do so, Mayor Lago may pursue any and all rights and remedies he has at law or in equity with respect to, *inter alia*, this wrongful attack on his reputation.

Do not hesitate to contact me should you wish to discuss further. This correspondence reserves all of Mayor Lago's rights without limitation or waiver.

Very truly yours,

/s/ Mason A. Pertnoy
MASON A. PERTNOY

EXHIBIT C

From: Anthony T. Lepore
To: Mason A. Pertnoy; Justin M. Henning
Subject: RE: Vince Lago/Actualidad 1040AM Licensee, LLC
Date: Friday, April 28, 2023 9:44:37 AM
Attachments: image001.png
image002.png

Mason - check out these two sources for the discussion:

https://www.politicalcortadito.com/2023/03/03/coral-gables-mayor-vince-lago-brother-little-gables-annexation/

https://gablesbeacon.com/did-mayor-vince-lago-commit-perjury/

As you can see, both sources claim there's an investigation - which is what prompted the discussion in question.

Anthony

Anthony T. Lepore - Radiotvlaw Associates, LLC
anthony@radiotvlaw.net

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From: Mason A. Pertnoy [mailto:map@khllaw.com]
Sent: Wednesday, April 26, 2023 1:33 PM
To: anthony@radiotvlaw.net; Justin M. Henning
Subject: RE: Vince Lago/Actualidad 1040AM Licensee, LLC

Will do.

Mason A. Pertnoy, Esq., Partner

KRINZMAN HUSS LUBETSKY FELDMAN & HOTTE
ATTORNEYS AT LAW

Alfred I. duPont Building
169 E. Flagler Street | Suite 500 | Miami, Florida 33131
O: 305.854.9700 | E: map@khllaw.com

From: Anthony T. Lepore <anthony@radiotvlaw.net>
Sent: Wednesday, April 26, 2023 9:32 AM
To: Justin M. Henning <jmh@khllaw.com>; Mason A. Pertnoy <map@khllaw.com>
Subject: RE: Vince Lago/Actualidad 1040AM Licensee, LLC

Justin/Mason - give me a call Friday morning at 9:30 if you can.

Anthony

Anthony T. Lepore, Esq.
Tel: 202.681.2201
anthony@radiotvlaw.net

From: Justin M. Henning [mailto:jmh@khllaw.com]
Sent: Tuesday, April 25, 2023 8:50 AM
To: anthony@radiotvlaw.net; Mason A. Pertnoy
Subject: RE: Vince Lago/Actualidad 1040AM Licensee, LLC

Good morning Anthony –

Attached please find the translation from the relevant portions of the radio show. As you can see, it is the radio host who initiated the discussion regarding the ethics complaint. Additionally, as confirmed by the Public Records Request, no ethics complaints have been filed against Mayor Lago. Moreover, in the event an ethics complaint had been filed against Mayor Lago, he would have been notified.

In the event you have some documentation indicating otherwise, please provide same forthwith for our review.

Let's set aside a few minutes Thursday or Friday to discuss an amicable resolution to this matter as we are not in trial those days. Please let us know your availability.

We look forward to discussing further. All rights reserved.

Thank you,

Justin M. Henning, Esq.

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From: Anthony T. Lepore <anthony@radiotvlaw.net>
Sent: Thursday, April 20, 2023 8:28 AM
To: Mason A. Pertnoy <map@khllaw.com>
Cc: Justin M. Henning <jmh@khllaw.com>
Subject: RE: Vince Lago/Actualidad 1040AM Licensee, LLC

I'll be around Friday afternoon and then back in office late Monday (driving back to DC from Charlotte late Sunday/early Monday) - talk to you soon.

Anthony T. Lepore - Radiotvlaw Associates, LLC
anthony@radiotvlaw.net

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From: Mason A. Pertnoy [mailto:map@khllaw.com]
Sent: Wednesday, April 19, 2023 9:38 PM
To: anthony@radiotvlaw.net
Cc: Justin M. Henning
Subject: Re: Vince Lago/Actualidad 1040AM Licensee, LLC

Thanks for the email. Should have the transcript in the next day or so. Currently in trial. Let's plan to discuss soon. Because

Mason A. Pertnoy, Esq.

Sent from my iPhone

On Apr 19, 2023, at 8:42 AM, Anthony T. Lepore <anthony@radiotvlaw.net> wrote:

Justin/Mason - I've now returned from broadcasting trade show (clients are there until tomorrow) and have received communications from M-D Ethics Comm'n stating they can NEITHER confirm nor deny existence of an active investigation relating to your client.

When Mason and I last spoke, you were getting a transcript to ascertain who made what statements - have you obtained same? As you know, there is a significant difference between whether the statements were made by the host or the guest. If you can share that transcript, we can then discuss a means to resolve the matter depending on the content and source of the statements at issue.

I look forward to hearing from you soon.

Anthony

Anthony T. Lepore - Radiotvlaw Associates, LLC
anthony@radiotvlaw.net

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From: Justin M. Henning [mailto:jmh@khllaw.com]
Sent: Friday, April 14, 2023 9:41 AM
To: anthony@radiotvlaw.net
Cc: Mason A. Pertnoy
Subject: Vince Lago/Actualidad 1040AM Licensee, LLC

Good morning, I am working with Mr. Pertnoy on the above-referenced matter.

The Miami-Dade County Commission on Ethics has advised that they have no responsive documents to our request regarding any ethics complaints or investigations filed or conducted against City of Coral Gables Mayor, Vince Lago from January 1, 2023 to present. Please advise as to your findings.

At this stage it seems there was no basis for the statements made on the radio, and we need to resolve this matter amicably and expediently.

All rights reserved without limitation or waiver.

Thank you,

Justin M. Henning, Esq.

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Alfred I. duPont Building
169 E. Flagler Street | Suite 500 | Miami, Florida 33131
O: 305.854.9700 | E: jmh@khllaw.com | W: www.khllaw.com

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EXHIBIT D

Coral Gables Mayor Vince Lago may have conflict of interest in Little Gables

By Ladra on March 3, 2023 · 28 Comments

Twe
SUMO

The Miami-Dade Commission on Ethics and Public Trust has gotten a complaint about Coral Gables Mayor **Vince Lago** and his intense interest in the annexation of Little Gables, where his lobbyist brother represents the largest property owner.

Yeah, yeah, yeah. Ladra knows Lago *said* that nobody in his family had any business interest in the area. But that was a lie. He was very dramatic about it, pulling out an affidavit at a public commission meeting in August and signing it, "under penalty of perjury," in front of the City Clerk.

"For the record," he said, declaring himself the lead negotiator on the annexation process. "Neither I nor any member of my immediate family have any property or business interest in any property or business located within the boundaries of the area commonly referred to as Little Gables."

Read related: Coral Gables Mayor Vince Lago wins automatic re-election with no challenge

He got up and handed the affidavit to City Clerk **Billy Urquia**. "The city clerk will notarize it. This will be a public record," Lago said.

"People have made very strong allegations that I own a property in Little Gables, that I have a business interest in Little Gables, that I have accepted money from lobbyists in Little Gables to bring this back," he said. "I am putting it on the record that that is furthest from the truth."

Wellllll. Not furth*est*.

The mayor's brother, **Carlos Lago**, is the registered lobbyist for Titan Development Partners, the business that owns the mobile park in Little Gables that could become another Old Spanish Village. In fact, there are some old plans floating around that would turn it into a "Moorish village."

Carlos Lago has been registered to lobby for Titan Development with the city of Miami since 2014.

Wait… take a look at the fine print on the mayor's affidavit. There's a footnote that says "'Immediate family' is defined in accordance with the Miami-Dade County Ethics Code (Sec. 2-11.1(b)(9), as spouse, domestic partner, parents, stepparents, children, and stepchildren."

Um, that's missing a few words.

According to the county's municode found here, "Miami-Dade County Conflict of Interest and Code of Ethics Ordinance," (Sec. 2-11.1(b)(9), says "the term 'immediate family' shall refer to the

spouse, domestic partner, parents, stepparents, siblings, half-siblings, step-siblings, children, and stepchildren of the person involved."

Siblings, half-siblings, step-siblings.

Did the mayor miss that? Or did he knowingly and intentionally delete those words when he made that big public todo about not having any business interest in Little Gables?

Because he couldn't have signed it if it said siblings.

And doesn't this mean that he actually does have a conflict of interest? Me thinks the lady doth complain too much.

1 / 7

The city is reviewing the annexation of Little Gables — for the umpteenth time in 34 years — because it is a public safety matter, Lago said. And he is right that Coral Gables Police and Fire could respond quicker to that area more often than not. It's an enclave, an unincorporated island surrounded by the cities of Miami and Coral Gables on all sides. Having the county respond there is not the most efficient way to provide services.

Read related: Little Gables annexation dreams dashed by staged 'grassroots' effort

Little Gables should definitely be annexed into the City Beautiful already.

But Lago, who did not return several calls and text messages over several days — and he was told what it was about — should not be involved in any part of it. He should recuse himself from any further votes or even discussion on the annexation.

And he should stop lying.

"There is no hidden agenda," he said Aug. 24. "There is no benefit on my part."

Keyword: *My*. Because the benefit is on his *brother's* part.

Affidvait from Vince Lago on conflict of interest by Political Cortadito on Scribd

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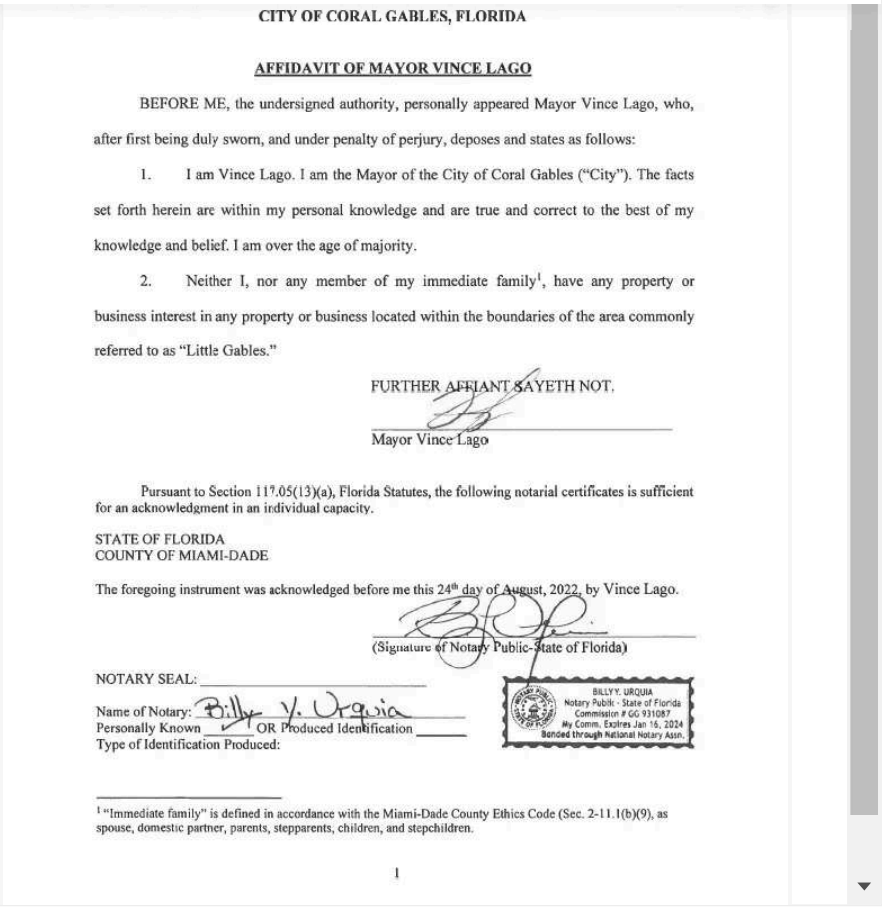

CITY OF CORAL GABLES, FLORIDA

AFFIDAVIT OF MAYOR VINCE LAGO

BEFORE ME, the undersigned authority, personally appeared Mayor Vince Lago, who, after first being duly sworn, and under penalty of perjury, deposes and states as follows:

1. I am Vince Lago. I am the Mayor of the City of Coral Gables ("City"). The facts set forth herein are within my personal knowledge and are true and correct to the best of my knowledge and belief. I am over the age of majority.

2. Neither I, nor any member of my immediate family[1], have any property or business interest in any property or business located within the boundaries of the area commonly referred to as "Little Gables."

FURTHER AFFIANT SAYETH NOT.

Mayor Vince Lago

Pursuant to Section 117.05(13)(a), Florida Statutes, the following notarial certificates is sufficient for an acknowledgment in an individual capacity.

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 24th day of August, 2022, by Vince Lago.

(Signature of Notary Public-State of Florida)

NOTARY SEAL:

Name of Notary: Billy Y. Urquia
Personally Known ____ OR Produced Identification ____
Type of Identification Produced:

BILLY Y. URQUIA
Notary Public - State of Florida
Commission # GG 931087
My Comm. Expires Jan 16, 2024
Bonded through National Notary Assn.

[1] "Immediate family" is defined in accordance with the Miami-Dade County Ethics Code (Sec. 2-11.1(b)(9), as spouse, domestic partner, parents, stepparents, children, and stepchildren.

1

1 of 1

Coral Gables, Vince Lago

Coral Gables Mayor Vince Lago may have conflict of interest in Little Gables added by **Ladra** *on March 3, 2023*

View all posts by Ladra →

EXHIBIT E

The Gables Beacon
CORAL GABLES NEWS IN ONE PLACE
(https://gablesbeacon.com/)

News (https://gablesbeacon.com/category/news/)

Did Mayor Vince Lago Commit Perjury?

Luis Diaz March 4, 2023 7 1 min read

Coral Gables Mayor Vince Lago is under scrutiny by the Miami-Dade Commission on Ethics and Public Trust for his involvement in the annexation of Little Gables. It has been alleged that his lobbyist brother, Carlos Lago, represents the largest property owner in the area. Mayor Vince Lago claimed at a public commission meeting on August 24 that he and his immediate family had no business interests in the area.

Mayor Lago Signs Affidavit

Mayor Lago signs affidavit

Mayor Lago's Brother is a Registered Lobbyist For Mobile Park In Little Gables

Registered Lobbyists and Active Issues

Lago, Carlos R.

Address: 333 SE 2 Avenue 44th Floor		**Organization**	
City : Miami		**Telephone** (305) 579-	Fax:
State : FL	**Zip : 33131**	**Email: lagoc@gtlaw.com**	

Principal Name	Issue Description	Registration Date	Amount	Payment Comments
Stirrup Properties	Charles/William ave rezoning and comprehensive plan amendment	05/03/2018	$105.00	815328
Storage 7th Street, LLC	Zoning Entitlement	10/05/2015	$105.00	688452
Terra 2701 Investment	2675-2701 South Bayshore Drive - Zoning and HEP Entitlements	06/26/2013	$105.00	582420
Terra 2701 Investment	Grand Bay - Zoning Entitlements	06/26/2013	$105.00	582419
TF Second and 23rd, LLC	Land use and zoning approvals for 212 NE 23rd Street, Miami, Florida	02/13/2023	$105.00	955323
The Cushman School, Inc.	Zoning entitlements and platting	07/02/2018	$105.00	822881
The Home Depot	potential lease of city owned properties	06/17/2019	$105.00	867515
The Home Depot	Zoning Entitlements and Code Enforcement Issues	03/13/2017	$105.00	759415
The Related Companies of Florida	Island Gardens / Flagstone Amendment to Entitlements	06/26/2013	$105.00	582431
Tineo Group, LLC	Zoning entitlements	06/10/2016	$105.00	723100
Titan Development Partners, LLC	TDRs for commonwealth building property	02/20/2014	$105.00	608517

Contrary to Mayor Lago's statement, his brother is registered as a lobbyist for Titan Development Partners, the business that owns the mobile park in Little Gables. Lago's affidavit, signed "under penalty of perjury," contained a footnote that defined "immediate family" according to Miami-Dade County Ethics Code, which includes siblings, half-siblings, and step-siblings, but Lago stated in public that neither he nor any member of his immediate family had a business interest in Little Gables.

Lobbyist Carlos Lago

Mayor Lago Signs Affidavit

Bluffing The Residents On The Dias

CITY OF CORAL GABLES, FLORIDA

AFFIDAVIT OF MAYOR VINCE LAGO

BEFORE ME, the undersigned authority, personally appeared Mayor Vince Lago, who, after first being duly sworn, and under penalty of perjury, deposes and states as follows:

1. I am Vince Lago. I am the Mayor of the City of Coral Gables ("City"). The facts set forth herein are within my personal knowledge and are true and correct to the best of my knowledge and belief. I am over the age of majority.

2. Neither I, nor any member of my immediate family[1], have any property or business interest in any property or business located within the boundaries of the area commonly referred to as "Little Gables."

FURTHER AFFIANT SAYETH NOT.

Mayor Vince Lago

Pursuant to Section 117.05(13)(a), Florida Statutes, the following notarial certificates is sufficient for an acknowledgment in an individual capacity.

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 24th day of August, 2022, by Vince Lago.

(Signature of Notary Public-State of Florida)

NOTARY SEAL: _____

Name of Notary: Billy Y. Urquia
Personally Known ✓ OR Produced Identification _____
Type of Identification Produced:

BILLY Y. URQUIA
Notary Public - State of Florida
Commission # GG 931087
My Comm. Expires Jan 16, 2024
Bonded through National Notary Assn.

[1] "Immediate family" is defined in accordance with the Miami-Dade County Ethics Code (Sec. 2-11.1(b)(9), as spouse, domestic partner, parents, stepparents, children, and stepchildren.

The city is reviewing the annexation of Little Gables, citing public safety concerns, but the issue of Lago's potential conflict of interest remains unresolved. It appears Mayor Lago may have been playing games on the dais. On the affidavit that City Clerk Billy Urquia notarized, there was a footnote at the bottom that read, **"Immediate family' is defined in accordance with the Miami-Dade County Ethics Code (Sec. 2-11.1(b)(9), as spouse, domestic partner, parents, stepparents, children, and stepchildren."**

The Miami-Dade County muni-code includes siblings,

"(9)The term "immediate family" shall refer to the spouse, domestic partner, parents, stepparents, *siblings*, half-siblings, step-siblings, children, and stepchildren of the person involved."

It appears he added a footnote and intentionally left out the term siblings to deceive the public.

> *"That's why I'm putting everything on the record. Being as **transparent** as possible. There is no hidden agenda. There is no other benefit on my part."*
>
> Vince Lago on conflict of interest in Little Gables – Coral Gables August 24, 2022 Commission Meeting

What Is Mayor Lago's Definition of Transparency?

It will be difficult for Mayor Lago to deny that he did not know that siblings are considered "immediate famliy" because since 2015, state law requires **all elected municipal officers** to take four (4) specific hours of ethics training each calendar year. It seems that every commission meeting Mayor Lago uses the term "transparency." If that is his definition of transparency, what else has Mayor Vince Lago been "transparent" about?

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(https://www.addtoany.com/share#url=https%3A%2F%2Fgablesbeacon.com%2Fdid-mayor-vince-lago-commit-perjury%2F&title=Did%20Mayor%20Vince%20Lago%20Commit%20Perjury%3F)

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