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REPLY TO: Miami

January 29, 2019

Debbie Brown, Secretary
The Florida Senate
Suite 405 Capitol
404 S Monroe Street
Tallahassee, FL 32399-1100
brown.debbie@flsenate.gov

Re: Scott Israel
Executive Order of Suspension, Executive Order No. 19-14
Invocation of Right of Review

Dear Senate Secretary Brown:

This letter constitutes a formal request by elected Sheriff Scott Israel to invoke his constitutional right for a review of Executive Order of Suspension No. 19-14. He requests a full and fair evidentiary hearing as authorized by Article IV, §7 of the Florida Constitution, before a neutral and disinterested hearing officer. This invocation of the right to a hearing is not intended to waive or limit Sheriff Israel's available legal remedies to challenge the unlawful exercise of the Governor's suspension power.

As to the Senate's authority to appoint a special magistrate to receive evidence and make recommendations to the Senate pursuant to §112.41(4), Florida Statutes (2018), Sheriff Israel requests the appointment of an experienced administrative hearing officer with no significant existing or prior relationship to the Florida Legislature or any of the parties to this proceeding. While Sheriff Israel respects the stated intention of the Senate President to appoint a former legislator to serve as special magistrate, we believe the interests of justice and considerations of neutrality are best served through the appointment of

a person with judicial and administrative experience but without substantial involvement in partisan political matters.

On behalf of Sheriff Israel, we look forward to discussing the process going forward. Please confirm receipt.

Respectfully submitted,

A handwritten signature in blue ink that reads "Benedict P. Kuehne". The signature is written in a cursive style.

BENEDICT P. KUEHNE
STUART N. KAPLAN

Copy:

Jeremiah Hawkes, Senate General Counsel

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Joseph W. Jacquot, Office of General Counsel, Florida Governor

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