LAW OFFICE OF

KUEHNE DAVIS LAW

PROFESSIONAL ASSOCIATION

BENEDICT P. KUEHNE*
SUSAN DMITROVSKY
MICHAEL T. DAVIS
*Board Certified
Appellate Practice and
Criminal Trial Practice

MIAMI TOWER, SUITE 3550 100 S.E. 2ND Street MIAMI, FLORIDA 33131-2154 Telephone: 305-789-5989 Facsimile: 305-789-5987 ben.kuehne@kuehnelaw.com susand@kuehnelaw.com mdavis@kuehnelaw.com

FORT LAUDERDALE OFFICE

1 W. Las Olas Blvd., Suite 500 Fort Lauderdale, FL 33301

REPLY TO: Miami

June 3, 2019

Dudley Goodlette, Special Master Suite 409, The Capitol 404 S Monroe Street Tallahassee, FL 32399-1100 Goodlette.dudley@flsenate.gov

Re: Scott Israel

Executive Order of Suspension, Executive Order No. 19-14

Sheriff Israel's Updated Witness Subpoena Requests

Dear Special Master Goodlette:

In compliance with your May 31, 2019 letter, Sheriff Israel submits this updated chart identifying the deposition subpoenas to be issued, as well as a limited number of trial subpoenas needed. The scheduling of some witness depositions is still being arranged based on the joint availability of counsel for the parties.

WITNESS SUBPOENAS REQUESTED

Kevin Bartlett,	Testimony concerning	Deposition	Deposition is
Captain,	BSO Fire Rescue	subpoena	being
Broward	protocol and response	requested.	coordinated
Sheriff's Office,	applicable to Fort		by the BSO
2601 West	Lauderdale		General
Broward Blvd,	Hollywood Airport		Counsel for a
Fort	and Marjory		date
Lauderdale, FL	Stoneman Douglas		available to
33312	High School at times		all counsel.
	pertinent to incidents		
John Curcio,	Participant in BSO	Deposition	Deposition is
Detective,	response to Fort	subpoena	scheduled

Broward	Lauderdale-	requested.	for June 7,
Sheriff's Office,		requesteu.	2019, at a
	shooting incident and		time to be
Broward Blvd,	_		determined.
Fort	Douglas High School		determined.
Lauderdale, FL			
33312	including preparation		
00012	for active shooter		
	response		
Jack Dale,	Knowledge of BSO	Trial	Trial
former Colonel,	protocols, policies,		subpoena
Broward	and procedures for	_	requested.
Sheriff's Office	active shooter	requesteur	roquesteut
	situations, including		
	BSO presence at and		
	response to Fort		
	Lauderdale-		
jdd1199@yahoo	Hollywood Shooting		
.com	Incident and Marjory		
	Stoneman Douglas		
	High School Shooting		
	incidents		
James		Deposition	Deposition is
Diefenbacher,	preparation of BSO	subpoena	being
Captain,	After Action report for	requested.	coordinated
Broward	Fort Lauderdale-		by the BSO
Sheriff's Office,	Hollywood Airport		General
2601 West	shooting incident.		Counsel for a
Broward Blvd,	Knowledge of BSO		date
Fort	certification and		available to
Lauderdale, FL	accreditation		all counsel.
33312			
Michael	Former SWAT	_	Deposition
Dimaggio,	Commander and in	subpoena	scheduled
former Lt.	charge of Criminal	requested.	for June 6,
Colonel,	Investigations.		2019, at a
Broward	Knowledge of BSO		time to be
Sheriff's Office,	response to Fort		determined.
	Lauderdale-		

Steve Geller, Commissioner, Broward County, Geller Law Firm, PA, 110 E Broward Blvd Ste 1700 Fort Lauderdale, FL 33301-3500 Tel: 954-315- 3926 steve@gellerla wfirm.com	system, coordination	Deposition subpoena requested.	Deposition for Wednesday, June 5, 2019, at 12:30 pm, at the Broward County Attorney's Office
Edward Grant, retired Lt. Colonel, Broward Sheriff's Office	Former SWAT Commander present at Fort Lauderdale- Hollywood Airport shooting incident and interacted with other responding law enforcement officers and agencies. Knowledge of Marjory Stoneman Douglas High School shooting incident.	-	Deposition date and time are still being coordinated based on witness and counsel availability.
Scott Israel, Broward County Sheriff,	All aspects of suspension		Trial appearance

C/O Donodist D			
C/O Benedict P.			
Kuehne,			
Kuehne Davis			
Law, P.A., 100			
S.E. 2 Street,			
Suite 3550,			
Miami, FL			
33131			
Stephen	Knowledge of BSO	Deposition	Deposition
Kinsey, former	response to and	subpoena	date and
Undersheriff,	involvement at Fort	requested.	time are still
Broward	Lauderdale-		being
County	Hollywood Airport		coordinated
Sheriff's Office	and Marjory		based on
	Stoneman Douglas		witness and
	High School shooting		counsel
	incidents. Oversight		availability.
	of NIMS Training at		ľ
	BSO.		
Jesse Madrigal,	Personal	Deposition	Deposition is
Deputy Sheriff,	participation in Fort	subpoena	being
Broward	Lauderdale-	requested.	coordinated
Sheriff's Office,		1	by the BSO
2601 West	shooting incident and		General
Broward Blvd,	apprehension of		Counsel for a
Fort	terrorist perpetrator.		date
Lauderdale, FL			available to
33312	Deputy of the Year by		all counsel.
00012	the Florida Sheriffs		dir counsei.
	Association for his		
	heroism in the line of		
	duty.		
Angela Mize,	Knowledge of BSO	Deposition	Deposition is
Broward	regional	subpoena	being
Sheriff's Office,	communications in	requested.	coordinated
Acting	use at time of Fort	10quostou.	by the BSO
Director,	Lauderdale-		General
Regional	Hollywood Airport		Counsel for a
regional	Honywood Amport		Counsel for a
Communicatio	and Marjory		date

ns, 2601 West Broward Blvd, Fort Lauderdale, FL 33312	Stoneman Douglas High School shooting incidents, including system limitations, workarounds needed as result of Broward County ongoing efforts to upgrade the regional communications system.		available to all counsel.
Mel Murphy, Deputy Sheriff, Broward Sheriff's Office, 2601 West Broward Blvd, Fort Lauderdale, FL 33312	BSO Trainer with knowledge of training and protocols in place at the time of the Fort Lauderdale-Hollywood Airport and Marjory	Deposition subpoena requested.	Deposition is being coordinated by the BSO General Counsel for a date available to all counsel.
Nathan Osgood, Retired Major, Broward Sheriff's Office	Participation in BSO active shooter/killer training received during time preceding incidents, including scope of training and knowledge of required practices, including impact of BSO Active Shooter policy and protocol in effect at time of incidents	subpoena	Deposition date and time are still being coordinated based on witness and counsel availability.
George Piro, Federal Bureau of Investigation, Special Agent in Charge,	FBI Special Agent in Charge at time of Fort Lauderdale- Hollywood Airport shooting incident, and knowledge of inter-	Deposition subpoena requested.	Deposition date and time are still being coordinated based on

7			
1	agency law		witness and
Office, 2030 SW			counsel
145 Avenue,	coordination		availability.
Miramar, FL			
33027			
James Polan,	Knowledge of Fort	Deposition	Deposition
former Colonel,	Lauderdale-	subpoena	date and
Broward	Hollywood Airport	_	time are still
Sheriff's Office	and Marjory	•	being
	Stoneman Douglas		coordinated
	High School shooting		based on
	incidents, including		witness and
			counsel
	post-shooting assessment and		
			availability.
D-l D	response	m: - 1	//:-1
Robert Pusins,	Knowledge of BSO		Trial
former	Policies, Procedures,	_	subpoena
Executive	and Practices, and	requested.	requested.
Director,	status of regional		
Broward	communications		
Sheriff's Office,	utilized by BSO and		
	Broward County law		
	enforcement agencies		
	at the time of the		
	subject incidents		
	2 4.0,000 2220202		
Steve Robson,	Knowledge and	Deposition	Deposition is
Major, Broward	supervision of BSO	_	being
	_	_	coordinated
Sheriff's Office,	1 -	requested.	
2601 West			by the BSO
Broward Blvd,	"		General
Fort	and Marjory		Counsel for a
Lauderdale, FL	Stoneman Douglas		date
33312	High School shooting		available to
	incidents, including		all counsel.
	training protocols,		
	practices, and		

	I		ı
	involvement at time		
	of the incidents		
Kevin Shults,	Participant in Fort	Deposition	DEPOSITIO
Retired Major,	Lauderdale-	subpoena	N Monday,
Broward	Hollywood Airport	requested.	May 10, 2019,
Sheriff's Office	and Marjory		morning
	Stoneman Douglas		(may be
	High School shooting		altered
	incidents, and		depending
	knowledge of active		on Pre-
	shooter training at		Hearing
			Conference
	BSO, including		
	implementation at		scheduling).
.	time of the incidents		
Lisa	Responsibility for	_	Deposition is
Zarazinski,	BSO regional	subpoena	being
Broward	communications in	requested.	coordinated
Sheriff's Office,	use at time of Fort		by the BSO
Former	Lauderdale-		General
Director,	Hollywood Airport		Counsel for a
Regional	and Marjory		date
Communicatio	Stoneman Douglas		available to
ns. 2601 West	High School shooting		all counsel.
Broward	incidents, with		
	particular knowledge		
Lauderdale,	of Broward County		
FL 33312	l *		
TL 33312	efforts to improve and upgrade the		
	10		
	communications		
	system that is under		
	the County's control,		
	and the impact on all		
	law enforcement		
	agencies in the		
	County		
Any person			
deposed in this			
proceeding.			
· .			
Any person			

listed by other		
parties in this		
proceeding.		
Any persons		
called as		
witnesses by		
other parties in		
this		
proceeding.		
Any person		
who may be		
necessary to		
authenticate		
documents or		
testify		
regarding		
hearsay or		
other		
objections.		
Any rebuttal		No rebuttal
and/or		witnesses
impeachment		known
witnesses.		

Respectfully submitted,

BENEDICT P. KUEHNE STUART N. KAPLAN

Benedict P. Kuehne

Copy:

Jeremiah Hawkes, Senate General Counsel hawkes.jeremiah@flsenate.gov

Nicholas A. Primrose, Deputy General Counsel

Nicholas.prim rose@eog.my florida.com

 $Christie\ M.\ Let arte,\ Special\ Counsel,\ let arte.christie@flsenate.gov$