

Dexter Lehtinen
LSRCF, LLC
1111Brickell Avenue
Miami, Florida 33131
305-760-8543
305-934-3764
dlehtinen@lsrcf.com
dwlehtinen@aol.com

December 10, 2015

VIA E-MAIL

Mr. Jeff Berkowitz
Berkowitz Development Group
2665 South Bayshore Drive, Suite 1200
Miami, Florida 33133
jberkowitz@berkowitzdev.com

Dear Mr. Berkowitz:

As municipal attorney for the Village of Palmetto Bay, Florida, I am writing to clarify whether Berkowitz Development Group has intended to send certain communications to the Village; or, alternatively whether such communications are sent by an individual on his own behalf without the agency authority (actual or apparent) of Berkowitz Development Group.

For some time now (more than a year), the Village of Palmetto Bay, as well as Village officials and employees, have received both (a) public records requests and (b) various communications often implying or accusing officials and/or employees of impropriety, both types apparently filed or sent on behalf of Berkowitz Development Group.

The requests and communications are identified as originating from “Berkowitz Development Group, 2665 South Bayshore Drive, Suite 1200, Miami, Florida, 305-854-2800”. The person signing the requests and communications on behalf of Berkowitz Development Group is identified as “David Singer, CFO.”

The source of the requests and communications is important insofar as the legal responsibility and consequences of sending such requests and communications rests with the sender or the entity which places actual or apparent authority in the hands of the sender. Such legal responsibility and consequences include, among other things, the costs of fulfilling the requests (if any) and the liability for libelous statements (if any).

I am assuming that Mr. Singer has acted on behalf of Berkowitz Development Group, in light of the identifying signature block. If Mr. Singer did not act on behalf of

Berkowitz Development Group, I would appreciate a communication to that effect from you. In such case, I will treat all of his prior requests and communications as originating from Mr. Singer personally, with no consequences to Berkowitz Development Group; and would suggest that Mr. Singer be urged to cease using the signature block discussed herein with respect to his private activities.

Thank you for your attention to this matter.

Sincerely,

Dexter Lehtinen
Village Attorney
Palmetto Bay, Florida