



**Florida Commission on Ethics**  
 P. O. Drawer 15709, Tallahassee, Florida 32317-5709  
 "A Public Office is a Public Trust"

FLORIDA  
 COMMISSION ON ETHICS

JUL 22 2024

RECEIVED  
 ORIGINAL

**COMPLAINT**  
**24-162**

**1. PERSON BRINGING COMPLAINT:**

Name: Pam Childers, Clerk and Comptroller Telephone Number: 850-595-4199  
 Address: 190 W. Government Street, Pensacola, Florida  
 City: Pensacola County: Escambia State: Florida Zip Code: 32502

**2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:**

Use a separate complaint form for each person you wish to complain against:  
 Name: Jeff Bergosh, County Commissioner Telephone Number: 850-595-4910  
 Address: 221 North Palafox Street  
 City: Pensacola County: Florida Zip Code: 32502  
 Title of office or position held or sought: Escambia County Commissioner, District 1

**3. STATEMENT OF FACTS:**

Please provide a full explanation of your complaint, describing the facts and the actions of the person named above and why you believe he or she violated the law. Include relevant dates and the names and addresses of persons whom you believe may be witnesses. Please do not submit more than 15 pages, including this form. Please do not submit video or audio tapes, CDs, DVDs, flash drives or other electronic media; such material will not be considered part of the complaint and will be returned.

**4. OATH**

STATE OF FLORIDA  
 COUNTY OF Escambia

I, the person bringing this complaint, do swear or affirm that the facts set forth in the foregoing complaint and attachments thereto are true and correct to the best of my knowledge and belief.

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 18<sup>th</sup> day of July, 20 24, by Pam Childers (name of person making statement)

Pam Childers

SIGNATURE OF COMPLAINANT

Brenda Van Brussel  
 (Signature of Notary Public)

BRENDA VAN BRUSSEL

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known  OR Produced Identification   
 Type of Identification Produced: \_\_\_\_\_



Brenda Van Brussel  
 Comm. #HH061684  
 Expires: Feb. 21, 2025  
 Bonded Thru Aaron Notary



# Pam Childers

Clerk of the Circuit Court and Comptroller, Escambia County

Clerk of Courts • County Comptroller • Clerk of the Board of County Commissioners • Recorder • Auditor

July 18, 2024

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Florida Commission on Ethics

P.O. Box 15709

Tallahassee, Florida 32317

RE: Ethics Complaint for Jeff Bergosh, Escambia County Commissioner

Attention Commission on Ethics:

I am submitting an ethics complaint to the Florida Commission on Ethics because Escambia County Commissioner Jeff Bergosh knowingly voted and demanded to pay for an illegal expenditure in violation of section 129.08, Florida Statutes. Jeff Bergosh knew the expenditure was illegal because he was advised before the Board meeting that Alison Rogers, County Attorney for Escambia County, had rejected the expenditure because it did not serve a "lawful public purpose." He voted in favor of the expenditure anyway. Further, he misrepresented the written opinion of the County Attorney when he verbally told his fellow board members on February 2, 2023, that "paying these sorts of things...according to our attorney is certainly looks as though its legal and appropriate." He then moved to authorize the County Attorney to take whatever action she needed to compel payment of the illegal expenditure.

Jeff Bergosh's vote in favor of expending public dollars for an unlawful purpose and his further vote to compel that payment through legal action is a breach of the public trust and of section 129.08, Florida Statutes.

## Background

The illegal expenditure is a fine and cost of prosecution and investigation assessed against a former employee of Escambia County. The former employee is Matthew Selover, a paramedic for Escambia County.

The administrative agency with disciplinary authority over paramedics is the Florida Department of Health ("FDOH"). Escambia County's former Medical Director believed Mr. Selover had violated several provisions of Florida law and thus reported Mr. Selover to the FDOH. As a result of the Medical Director's reporting, the FDOH investigated, and a disciplinary proceeding was initiated against Mr. Selover. To resolve this disciplinary proceeding, Mr. Selover consented to assessment of a fine in the amount of \$4,000 and costs of investigation and prosecution in the amount of \$2,610.02. These punitive costs were ordered by the FDOH in August of 2021.

Later, in September of 2022, a law firm representing Mr. Selover sent correspondence to County Attorney Alison Rogers. [See Attached Exhibit A]. The correspondence requested payment of Mr. Selover's fine (\$4,000) and costs (\$2,610.02). In response to this request for payment of fines and costs the County Attorney wrote in an email:

Please be aware that there is no legal basis upon which I could possibly process this bill or the firm's previous request for payment of the FDOH fine and cost of prosecution paid by Mr. Selover. In 2021, Mr. Selover executed a release when he settled his case as a precondition to payment from our carrier. **That release covered and therefore waived any and all future payments on his behalf related to these events.** Additionally, the Board of County Commissioners' approval to cover your firm's services did not include authorization of payment for any fines or costs ordered by FDOH, nor any efforts on your firm's behalf to then collect those funds from the County. **Finally, in Florida law, there is no lawful public purpose for the payment of a fine and cost of prosecution, or your firm's bill for asking that we pay you for it.** He was not totally exonerated, as proven by the fine and assessed cost of prosecution. It was anticipated any reprimand resulting in a fine or other costs would be paid by Mr. Selover out of his settlement

[See Attached Exhibit B]

Most importantly, in this email County Attorney Alison Rogers explains that the expenditure is **unlawful** when she expresses it serves **no lawful public purpose**. County Attorney Alison Rogers also refers to a settlement between Mr. Selover and the County. This settlement is a payment of \$199,999 to Mr. Selover from the County to settle an employment lawsuit between the two parties. The County paid Mr. Selover \$199,999 (from insurance funds) to obtain a release that **waived any future payments to Mr. Selover**. It is important to note at this time that counsel representing the County (insurance counsel) in the employment lawsuit said that Jeff Bergosh became a "cheerleader" for Selover. [See Attached Exhibit C, Excerpt]

After the County Attorney said the payment was unlawful, Mr. Selover texted Jeff Bergosh to help secure payment of this unlawful expenditure. [See Attached Exhibit D, Page 1]. Jeff Bergosh then texted Mr. Selover back and told him that he "will cover that 6700 out of **my discretionary** you can count on it it'll be on the agenda **Thursday**." "Thursday" refers to the Escambia County Board of County Commissioners ("Board") meeting on Thursday, October 6, 2022. "My discretionary" refers to what the County Commissioner's have labeled, in the budget process, their "discretionary funds." Despite the name, discretionary funds are nothing more than general revenue dollars derived from the County's taxing authority. Commissioner Bergosh's "discretionary funds", being taxpayer dollars, must serve a public purpose to be expended.

At the Thursday, October 6, 2022, Board meeting Jeff Bergosh added the agenda item for payment and then voted in favor of paying Mr. Selover's fine and costs. The expenditure passed with Jeff Bergosh's urging. The Clerk's Office, as custodian of all county funds, was then

presented with a voucher for payment of the fine and costs. The Clerk's Office determined that it could not make payment of the expenditure as payment of public dollars to satisfy Mr. Selover's fine and costs were unlawful because payment did not serve a public purpose. At the time the Clerk's Office made this determination, it was not known by the Clerk's Office that County Attorney Alison Rogers had declined to process the payment citing to the payments' illegality due to lack of public purpose.

The County, in January 2023, was advised that payment could not be made by the Clerk. After advising the County that payment could not be made, the Board on February 2, 2023, voted for County Attorney Alison Rogers to take whatever action she needed to compel payment of this "lawful charge that we've voted." It was Jeff Bergosh who pushed to sue the Clerk for payment. [See Attached Exhibit D, Page 2]. Subsequently, the Alison Rogers, County Attorney, directed legal action against the Clerk through a writ of mandamus.

During the course of litigation discovery, the Clerk uncovered the County Attorney's email to the law firm representing Mr. Selover. Further, the Clerk's Office discovered that the County Attorney's legal opinion had been shared with Commissioner Jeff Bergosh **before** he voted in favor of the expenditure. In other words, Commissioner Jeff Bergosh knew the payment was unlawful before he urged his fellow Board members to vote favorably to pay this expenditure to which he voted in favor. Additional emails were discovered by the Clerk, including an email where a Senior Assistant County Attorney wrote County Attorney Alison Rogers setting forth six reasons why the County should not pay the expenditure. [See Attached Exhibit E, Email from Assistant County Attorney]. After these emails were discovered, the County dismissed the action against the Clerk *with prejudice* on June 21, 2024.

### **Statute Violated**

Florida Statute 129.08 states:

Each member of the board of county commissioners who **knowingly and willfully votes** to incur an indebtedness against the county in excess of the expenditure allowed by law or county ordinance, or **to pay an illegal charge against the county**, or **to pay any claim against the county not authorized by law or county ordinance shall be guilty of malfeasance in office and subject to suspension and removal from office as now provided by law**, and shall be guilty of a misdemeanor, and shall upon conviction be punished by a fine of not less than \$100 nor more than \$500 or by imprisonment in the county jail for not more than 6 months, for each offense.

### **Jurisdiction**

The Commission on Ethics has jurisdiction to enforce the provisions of section 129.08. As the Commission notes in its instructions to the ethics complaint form "Most of the ethics laws are contained in Article II, Section 8, Florida Constitution (the Sunshine Amendment) or Part III, Chapter 112, the Code of Ethics for Public Officers and Employees." Not all ethics laws are contained in chapter 112 and section 129.08 is one

such example. Section 129.08 provides that knowingly and willfully voting to pay for an illegal expenditure or an expenditure not authorized by law constitutes malfeasance in office subjecting the officer to removal. Malfeasance in office constitutes a breach of the public trust. The Commission, through article IV, section 8(f)(5), has authority to conduct investigations and make public reports on all complaints concerning a breach of the public trust by County Commissioners. This Commission has jurisdiction

### **Facts Supporting Violation**

Commissioner Jeff Bergosh knew payment of Mr. Selover's fine and costs with public dollars was unlawful. He knew the expenditure was unlawful at the time he voted in favor of the expenditure on October 6, 2022. Knowledge of this illegality can be proven because Jeff Bergosh had been advised that the County Attorney declined to process the expenditure because it did **not serve a lawful public purpose**. [See Attached Exhibit F, Page 2]. Thus, Commissioner Jeff Bergosh voted in favor of an illegal charge and/or a claim *not authorized by law* in direct violation of section 129.08, Florida Statutes.

Commissioner Jeff Bergosh covered up the payments illegality by using the words "public purpose" at the October 6, 2022, meeting. A county commissioner cannot vote in favor of an objectively illegal expenditure without punishment just because he or she says the payment serves a "public purpose." If that were the case, section 129.08, Florida Statutes, is rendered meaningless. The County Attorney said it best: "Finally, in Florida law, there is no lawful public purpose for the payment of a fine and cost of prosecution, or your firm's bill for asking that we pay you for it." Commissioner Jeff Bergosh knew the County Attorney had formed and conveyed in writing an opinion that the expenditure served no lawful public purpose, but he voted in favor anyway.

### **Request to the Commission**

Commissioner Jeff Bergosh knowingly violated section 129.08, Florida Statutes. He is guilty of malfeasance in office. This subjects him to suspension and removal from office. I request the Commission on Ethics to investigate and take all appropriate action. Please note many of these facts also apply to Commissioner Steven Barry.

Sincerely,

*Pam Childers*

Pam Childers  
Escambia Clerk of Court & Comptroller

# Delegal & Poindexter P.A.

**Thomas A. "Tad" Delegal, III**

Florida Bar Board Certified:

- Labor & Employment Law
- State and Federal Gov't. Administrative Law

Email: [tad@delegal.net](mailto:tad@delegal.net)

**James C. Poindexter**

Also Licensed to Practice in Georgia

Email: [james@delegal.net](mailto:james@delegal.net)

**Alexandra E. Underkofler**

Email: [alex@delegal.net](mailto:alex@delegal.net)

August 16, 2022

VIA EMAIL ONLY

Ms. Alison A. Rogers  
County Attorney  
Board of County Commissioners  
Escambia County, Florida  
Email: [aarogers@co.escambia.fl.us](mailto:aarogers@co.escambia.fl.us)

Re: *Department of Health v. Matthew Selover (Case No.: 2019-18711)*

Dear Ms. Rogers:

As you know, my office represented former County EMS employee, Matthew Selover regarding the above-captioned case brought against him by the Florida Department of Health. The complaint that initiated the underlying investigation was filed by former Escambia County EMS Medical Director Rayme M. Edler, M.D. That complaint was filed after Mr. Selover filed a complaint of harassment against Dr. Edler with the human resources office of Escambia County. The County ultimately agreed to a financial settlement with Mr. Selover regarding his claims of retaliation.

While Mr. Selover's claims of retaliation against the County were resolved, the Florida Department of Health's investigation continued and resulted in an administrative complaint being filed against Mr. Selover's certification. The Board of County Commissioners agreed to pay for my firm to represent Mr. Selover pursuant to Escambia County Board of County Commissioners policy titled "Legal Representation for Commissioners and County Employees."

While Mr. Selover had a number of legal and factual defenses to the allegations against him, he agreed to resolve the complaint to avoid the time and costs associated with a formal hearing. That settlement resulted in significant savings for the County as the cost to litigate such claims through a final administrative hearing can cost tens of thousands of dollars. Despite these savings for the County, the agreement imposes on Mr. Selover a requirement that he pay the Department investigative costs in the amount of \$2,610.02 and a fine of \$4,000 for a total financial settlement of \$6,610.02.

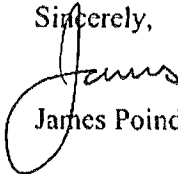
Ms. Alison A. Rogers  
August 16, 2022  
Page 2 of 2

---

At this time, Mr. Selover is asking that the County reimburse him for the fine and cost he will be required to pay to the Florida Department of Health. Based on the fact that the investigation stemmed from a retaliatory complaint by a representative of the County, and the resulting settlement agreement saved the County tens of thousands of dollars in attorneys' fees and costs he would have inevitably incurred had he been forced to disprove the allegations at a formal hearing, Mr. Selover's request is reasonable and in the interest of justice.

Please take whatever action is necessary to put the foregoing request before the next meeting of the Board of County Commissioners for consideration. Should you need any other information or action from me in order to accomplish this request, please do not hesitate to let me know.

Sincerely,

  
James Poindexter

7

Exhibit A.2

## Beth Haley

---

**From:** Alison A. Rogers  
**Sent:** Friday, September 30, 2022 3:01 PM  
**To:** Ethan Tejedor  
**Cc:** Paige Calhoun; Beth Haley; Beth Haley  
**Subject:** RE: [EXTERNAL]Selover, Mathew - D&P STATEMENT

Dear Mr. Tejedor,

We are now in receipt of invoice #25706 from Delegal & Poindexter, P.A., for \$70 and also related to the same items addressed in my September 22 email. Please be aware there is no legal basis upon which to process this invoice, as explained below.

Alison Rogers

**From:** Alison A. Rogers  
**Sent:** Thursday, September 22, 2022 4:29 PM  
**To:** Ethan Tejedor <etejedor@delegal.net>  
**Cc:** Paige Calhoun <pcalhoun@delegal.net>; Beth Haley <MEHALEY@myescambia.com>  
**Subject:** RE: [EXTERNAL]Selover, Mathew - D&P STATEMENT

Dear Mr. Tejedor,

Please be aware that there is no legal basis upon which I could possibly process this bill or the firm's previous request for payment of the FDOH fine and cost of prosecution paid by Mr. Selover. In 2021, Mr. Selover executed a release when he settled his case as a precondition to payment from our carrier. That release covered and therefore waived any and all future payments on his behalf related to these events. Additionally, the Board of County Commissioners' approval to cover your firm's services did not include authorization of payment for any fines or costs ordered by FDOH, nor any efforts on your firm's behalf to then collect those funds from the County. Finally, in Florida law, there is no lawful public purpose for the payment of a fine and cost of prosecution, or your firm's bill for asking that we pay you for it. He was not totally exonerated, as proven by the fine and assessed cost of prosecution. It was anticipated any reprimand resulting in a fine or other costs would be paid by Mr. Selover out of his settlement.

I apologize, but I will be unable to process your request.

Alison Rogers

**From:** Ethan Tejedor <etejedor@delegal.net>  
**Sent:** Thursday, September 22, 2022 1:19 PM  
**To:** Alison A. Rogers <aarogers@co.escambia.fl.us>  
**Cc:** Paige Calhoun <pcalhoun@delegal.net>  
**Subject:** [EXTERNAL]Selover, Mathew - D&P STATEMENT



**WARNING! This email originated from an outside network. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.**

Dear Ms. Rogers,

Please find the attached invoice that was initially issued on September 1<sup>st</sup>, 2022. You can call our office between 9:30am and 5:00pm and either Paige or I can process the payment on the account over the phone, or you can send a check to our office and remit it to Delegal & Poindexter, PA. If you have already received the attached invoice from our office, I am retransmitting the document out of an abundance of caution. Let me know if you have any issues opening or viewing the attached invoice.

Kindest regards,  
Ethan



Ethan Tejedor

Administrative Clerk, Delegal & Poindexter, P.A.

T: (904) 633-5000 | F: (904) 358-2850 | [etejedor@delegal.net](mailto:etejedor@delegal.net)

[www.protectingcareers.com](http://www.protectingcareers.com)

424 East Monroe Street, Jacksonville, FL 32202



---

IMPORTANT: The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email by mistake, please notify the sender immediately and do not disclose the contents to anyone or make copies thereof.

Since the statement was written after he prepared his initial statement and after Selover's complaint was filed, it could appear to a jury that it is not as credible.<sup>9</sup>

Notably, he testified that Dr. Edler told him that Matt filed a complaint against her, but **that he believes she had told him that Matt's privileges were going to be restricted prior to the filing complaint.** He recalled Dr. Edler saying that she wanted Selover terminated, but he is not sure when.

Hopkins admitted he had PTSD and tried to commit suicide in November 2019. When asked if it was because he heard Dr. Edler may be fired, he said he did not know. On the day he tried to commit suicide, he blacked out most of the day. Hopkins also stated that Maddrey had relationships with his subordinates.

#### F. Commissioner Bergosh's Deposition Testimony

On January 18, 2021, Plaintiff's counsel took the deposition of Commissioner Bergosh. **Notably, the testimony solicited was very harmful and did not help the County.** It should be noted that in approximately November 2019, Bergosh took an interest in Selover's case. He explained that he found out about the case through Melissa Pino, a citizen of Escambia County who had also taken an interest in Selover's case. Critically, Bergosh became like a "cheerleader" for Selover. **In fact, he wrote several blogs outlining his opinion on the investigation of Selover's harassment complaint.**<sup>10</sup> During our pre-deposition conference with him, he advised he did not want to hurt the County, but that he was vocal with his opinions concerning the alleged mistreatment of Selover (which we already knew). Therefore, we advised him on how to answer certain questions, but we also informed him that we would more than likely have to cross examine him. We also told him not to talk a lot during his deposition and to keep his answers short; however, he did the exact opposite as outlined below.

Bergosh was asked questions concerning his background, his education, employment history, and experience with the County. Bergosh testified he is in his second term as Commissioner for District 1. He will be Commissioner chairman next year. He explained that as Commissioner, he handles Fire, EMS, Public Safety, roads, railway, quality of life, parks and recreation, and other areas. He also testified that he implements policies, makes sure statutes are followed, and manages the operations. He also receives citizen complaints and identifies which department to send it to so that they can be investigated through the chain of command. Prior to working on the Board of County Commissioners, he was on the Escambia County School Board for ten (10) years. It should be noted that throughout his deposition, Bergosh gave long winded answers and actually answered questions that had not even been asked yet. As a result, on a break, we called him and told him to keep his answers short. However,

<sup>9</sup> His testimony was confusing at times. He testified she told him she wanted to report Selover after the QA/QI. He testified it was **never** a discussion with the four of them at the meeting, but he believes she discussed it with him and Cpt. Ammons afterwards. He was not sure if she asked Shawn Hoopaugh about it.

<sup>10</sup> <http://jeffbergoshblog.blogspot.com/2019/12/countys-final-harassment-complaint.html>

New iMessage

Cancel

To: Matt Selover

Hey Jeff. Got this email back from my attorney today. Are you in the know on this? I was under the impression that we were able to make this happen or use discretionary.

Who's case?

This is the fine I had to pay back to the state for taking my settlement with them and not fighting it and spending 100k county tax dollars.

We put this request in almost a month ago and just heard back now.

So it's your case?

Yes

Okay how much? 6K?

Yah 6,610.02

I'm on it

Thank you. It's due to them by October 12th. That's why it's so

+ iMessage

11  
Exhibit D.1



New iMessage

Cancel

To: Matt Selover

I just talked to Allison about it apparently there was a breakdown of communication between her and I and I'll just go ahead and take ownership for it but here's the bottom line it's gonna be added to this Thursday's agenda and we will discuss it and if I can get two votes which I believe I will be able to I will cover that 6700 out of my discretionary you can count on it it'll be on the agenda Thursday

Thank you! I'd hate to fight all this time and then get my license suspended and lose my livelihood now at this point

After everything that has happened

That's not gonna happen! If it's legal for me to do so I will pay that out of my discretionary I just have to get two votes to go along with me and I think I'll be able to do that given everything they put you through

TY

+

iMessage

12  
Exhibit D.2

To: Matt Selover

Sent

It's the receipt from DOH

Right on, thanks im working this rn

Lemme guess. The clerk doesn't agree with it so she doesn't want to pay it lol

I hope it's not that but we do not have a great relationship with her so who knows

Jan 9, 2023 at 11:57 AM

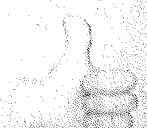
I had a feeling

Yep

Bullshit

I'm all over it now

She needs to be removed from office



13  
Exhibit D.3

## Rebecca L. Szuch

---

**From:** Will L. Nelson  
**Sent:** Monday, August 22, 2022 2:32 PM  
**To:** Alison A. Rogers  
**Cc:** Kimberly C. Chappell  
**Subject:** RE: Matthew Selover Administrative Final Order  
**Attachments:** Administrative Complaint - Dept of Health v. Selover.pdf

There is only one "Discipline and Administrative Action" listed for Matthew Selover. I have attached the complaint, which has the same case number as the final order.

**From:** Alison A. Rogers <aarogers@co.escambia.fl.us>  
**Sent:** Monday, August 22, 2022 2:21 PM  
**To:** Will L. Nelson <wlnelson@myescambia.com>  
**Cc:** Kimberly C. Chappell <KCCHAPPELL@myescambia.com>; Beth Haley <MEHALEY@myescambia.com>  
**Subject:** RE: Matthew Selover Administrative Final Order

I wonder if you can discern which complaint this is related to. I believe that Dr. Edler filed more than one against him. One included everything but the kitchen sink, like an 8-count complaint and then there was a subsequent one about misuse of a drug.

**From:** Will L. Nelson <wlnelson@myescambia.com>  
**Sent:** Monday, August 22, 2022 12:04 PM  
**To:** Alison A. Rogers <aarogers@co.escambia.fl.us>  
**Cc:** Kimberly C. Chappell <KCCHAPPELL@myescambia.com>  
**Subject:** Matthew Selover Administrative Final Order

Alison:

I have reviewed the Final Order for the Matthew Selover Department of Health administrative complaint. The following are significant points against the County paying his fine and attorney's fees:

1. This is a negotiated settlement between Mr. Selover and the DOH with no participation from the County.
2. Mr. Selover received a reprimand against his paramedic certification.
3. Mr. Selover has been directed to pay an administrative fine in the amount of \$4,000.00
4. Mr. Selover is required to pay the Department's costs incurred in the investigation and prosecution of the case in the amount of \$2,610.02 (essentially a cost of prosecution)
5. Mr. Selover is directed to complete continuing education courses (12 hours including 3 for ethics)
6. Mr. Selover specifically waived the right to seek attorney's fees and costs from the Department

Any argument that Mr. Selover avoided additional fees and costs, as a benefit to the County, by foregoing a hearing, does not take into consideration the specific allegations raised regarding conduct related to patient care. The County has already extended a significant benefit to Mr. Selover by paying fees related to his defense in this matter. Payment of the costs of a third party (the Department) is problematic.



IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA

ESCAMBIA COUNTY,

Plaintiff,

v.

CASE NO.: 2023 CA 000380  
DIVISION: Okaloosa Div. II

PAM CHILDERS, CLERK OF THE  
CIRCUIT COURT AND COMPTROLLER  
FOR ESCAMBIA COUNTY,

Defendant.  
\_\_\_\_\_ /

**PLAINTIFF, ESCAMBIA COUNTY'S REPOSSES TO DEFENDANT CLERK OF  
COURT'S REQUEST FOR ADMISSIONS**

1. Admit that documents disclosed by the County in response to the Clerk's First Request for Production of Documents are true and authentic copies of public records of the County.

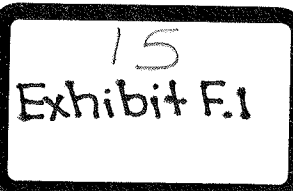
RESPONSE: *Admitted documents provided to the Clerk of Court in response to a First Request to Produce are accurate copies of records of Escambia County.*

2. Admit that the transcript filed on July 5, 2023 (DIN # 16) in the above captioned action is an accurate transcription of the Board discussion regarding agenda item (II)(2) on the County Attorney's Report at the October 6, 2022 regular meeting of the Board.

RESPONSE: *Admitted.*

3. Admit that a true and accurate copy of correspondence dated August 16, 2022 received by the County from the law firm of DeLegal and Poindexter is attached to this Request for Admissions as Exhibit A.

RESPONSE: *Admitted.*





19. Admit that District 1 discretionary funds are derived from the County's taxing authority.

RESPONSE: *Admitted.*

20. Admit that on or before October 6, 2022 Commissioner Bergosh was informed by an employee or agent of the County that County Attorney Alison A. Rogers declined to process payment of Matthew Selover's fine and cost of prosecution and investigation because payment by the County did not serve a lawful public purpose.

RESPONSE: *Admitted as to Alison P. Rogers.*

21. Admit that on or before October 6, 2022 Commissioner Bender was informed by an agent or employee of the County that County Attorney Alison A. Rogers declined to process payment of Matthew Selover's fine and cost of prosecution and investigation because payment by the County did not serve a lawful public purpose.

RESPONSE: *Admitted as to Alison P. Rogers.*

22. Admit that on or before October 6, 2022 Commissioner May was informed by an agent or employee of the County that County Attorney Alison A. Rogers declined to process payment of Matthew Selover's fine and cost of prosecution and investigation because payment by the County did not serve a lawful public purpose.

RESPONSE: *Denied as to Alison P. Rogers.*

23. Admit that on or before October 6, 2022 Commissioner Barry was informed by an agent or employee of the County that County Attorney Alison A. Rogers declined to process payment of Matthew Selover's fine and cost of prosecution and investigation because payment by the County did not serve a lawful public purpose.

RESPONSE: *Admitted as to Alison P. Rogers.*