

**HEARING OF THE  
PALM BEACH COUNTY COMMISSION ON ETHICS  
PALM BEACH COUNTY, FLORIDA**

**MAY 20, 2021**

**THURSDAY  
11:42 A.M.**

**WEBEX  
WEISMAN GOVERNMENTAL CENTER**

**I. CALL TO ORDER**

**II. ROLL CALL**

MEMBERS:

Thomas H. Dougherty, Esquire, Hearing Officer;  
Gwendolyn S. Tuggle, Esquire, Attorney for Respondent;  
Flynn P. Bertisch, Esquire, COE Advocate

STAFF:

Mark E. Bannon, Commission on Ethics (COE) Executive Director  
Christie E. Kelley, Esq., COE General Counsel  
Gina A. Levesque, COE Intake and Compliance Manager

ADMINISTRATIVE STAFF:

Yadzia Roa, Deputy Clerk, Clerk of the Circuit Court & Comptroller's Office

**III. HEARING REGARDING THE RESPONDENT'S MOTION IN LIMINE**

Gina Levesque said that today's hearing regarded case complaint C18-008 against respondent Lynn Hubbard.

Gwendolyn Tuggle said that:

- She discovered after speaking with her witness, Clarence Williams, that he was a client of Thomas Dougherty.
- Although Mr. Williams had discussed this with Mr. Dougherty, he was told that the Commission was aware of it and that there was no conflict.
- Her client was not informed that Mr. Williams was a client of Mr. Dougherty's and Mr. Dougherty was required to disclose that information.

- There was a request for a new hearing officer.

Flynn P. Bertisch said that there was no objection to Mr. Dougherty remaining as the hearing officer, but the decision was ultimately between Mr. Dougherty and Ms. Tuggle.

Mr. Dougherty said that as soon as he was aware Mr. Williams was on the witness list, he made the commission aware and assumed both parties were informed. He added that if there was any appearance of impartiality, then he would recuse himself and dismiss continuation of today's hearing.

Ms. Levesque said that the June 2, 2021 and June 3, 2021 hearings were canceled and would be scheduled once a qualified hearing officer could proceed with the case.

Mr. Dougherty ended the hearing and would issue an order for granting a motion for recusal.

#### **IV. ADJOURNMENT**

**At 11:48 a.m., the hearing officer declared the meeting adjourned.**

APPROVED:

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Chair/Vice Chair