

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

MICHAEL CHRISTOPHER GRIECO,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2018-70,052(11J)

COMPLAINT

The Florida Bar, complainant, files this Complaint against Michael Christopher Grieco, respondent, pursuant to the Rules Regulating The Florida Bar and alleges:

1. Respondent is and was at all times mentioned herein a member of The Florida Bar admitted on April 28, 2000 and is subject to the jurisdiction of the Supreme Court of Florida.
2. Respondent resided and practiced law in Miami-Dade County, Florida, at all times material.
3. The Eleventh Judicial Circuit Grievance Committee “J” found probable cause to file this complaint pursuant to Rule 3-7.4, of the Rules Regulating The Florida Bar, and this complaint has been approved by the presiding member of that committee.

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4. In 2016 and 2017, the respondent was a City of Miami Beach Commissioner. He was actively campaigning for reelection to that position, until such time as he decided to enter the race for Mayor of Miami Beach.

5. Respondent engaged in misconduct in connection with his political campaigns, including violation of state campaign finance laws, and his misrepresentations in public statements to the press concerning a political action committee (PAC) known as “People for Better Leaders” (PBL).

6. Section (A)(2) of the Citizen’s Bill of Rights entitled, *Truth in Government*, prohibits officials from “knowingly furnish[ing] false information on any public matter.” In May 2018, the Miami-Dade Commission on Ethics and Public Trust found probable cause that respondent violated this provision by making false statements to the Miami Herald and other media concerning his connections to, and involvement in, a political action committee (PAC) known as “People for Better Leaders” (PBL).

7. Following an anonymous email blast accusing respondent of setting up a secret political action committee, the Miami Herald and other members of the press questioned the respondent about the allegations. Upon initial questioning, the respondent categorically denied any affiliation with PBL. Examples of such statements are described in the following paragraphs.

8. On January 24, 2017, Political Cortadito, a political blog, reported that respondent called the anonymous email blast “fake news and alternative facts.” Respondent told the blogger, Elaine de Valle, “that he had nothing to do with the PAC and did not know who was running it.”

9. On June 6, 2017, the Miami Herald reported in an article entitled “Someone Raised \$200K from Miami Beach Bigwigs, But No One Will Say Why,” that Grieco has publicly disavowed People for Better Leaders. The article quoted respondent, “I do not have a [political committee]. I did not set one up. I haven’t solicited for one.” In an interview with the reporter, respondent denied that he had ever discussed the PAC with its stated founder and leader, Mr. Brian Abraham.

10. On June 8, 2017, the Miami Herald reported in an article entitled “\$200K War Chest Isn’t Mine Beach Commissioner Says. But the Handwriting Is,” that respondent had insisted for months that he was not involved in a mysterious political group raising money from developers, lobbyists, and city vendors. The article quoted respondent, “It is absolutely untrue. You can look right into my soul.” The article reported that “Grieco said earlier this week he had nothing to do with the PAC, and that people who claim otherwise are lying.”

11. Respondent’s denials continued until such time as two separate and independent forensic handwriting examiners opined that the handwriting on the

documents used to create the PAC and to register same with the state was that of the respondent. Following such revelations, and the statements of some donors that they gave their donations to him directly, respondent stated that he was retained by the PAC to assist in filing the paperwork, suggesting that his only involvement was that of lawyer for the PAC.

12. The State Attorney's Office and the Miami-Dade Commission on Ethics and Public Trust conducted a joint investigation into the allegation that respondent misrepresented his connections to the PAC, amongst other violations. The investigation included sworn statements and depositions from the listed officers of the PAC and the donors who contributed to the PAC.

13. The investigation revealed that the PAC was created on or about October 2015. Brian Abraham, a friend and client of respondent, was listed as the registered agent and chairman. Brian George, another friend of respondent and the accountant that handles the accounting bookwork for respondent's law firm, was designated as treasurer for the PAC. These were the only named officers of the PAC.

14. Both Abraham and George acknowledged they performed very little actions or services on behalf of the PAC. George was approached by respondent and asked to serve as treasurer. George had no idea any monies were raised, did not know the method by which any funds were raised, was not aware a checking

account had been opened on behalf of the PAC, and had never met the chairman, Abraham. Whenever he received any letters from the state regarding compliance issues, he forwarded these to respondent, as it was his understanding that respondent would handle the paperwork.

15. Abraham acknowledged that the paperwork to form the PAC was completed at respondent's office. He stated that respondent suggested George be appointed the treasurer. He stated that respondent's office was responsible for compliance matters and payments of fines for late filings and other compliance issues. Except for a \$250.00 donation that he himself solicited from a donor at a Grieco campaign fundraiser, he had no knowledge of who solicited the remaining \$200,000.00 in donations, and did not know the method by which such donations were made. He testified that everyone was referred to Grieco's office.

16. Similarly, most of the donors who were interviewed indicated that they were solicited directly by respondent to donate to the PAC. Several believed they were donating for the purpose of assisting his mayoral campaign, and even notated same on their check. Most provided the donation directly to respondent, or to an individual respondent arranged for them to meet.

17. Although the PAC was dissolved before making any expenditures towards any campaign, respondent himself told several individuals interviewed by

the investigators that their contributions would serve to advance his campaign for Miami Beach Mayor.

18. Accordingly, the investigation demonstrated that, contrary to his public statements on the issue, respondent had been involved with every aspect of creating, operating, and funding the People For Better Leaders PAC.

19. Respondent admitted to the investigating member of the Florida Bar Grievance Committee that his handwriting appears on the documents submitted to form the PAC. He also admitted that he made the statements quoted in the articles, but claimed that his statements were taken out of context, and/or that he had misunderstood the questions.

20. Moreover, on or about December 23, 2017, the Miami Dade State Attorney's Office filed a criminal Information charging Respondent with accepting a campaign donation from an individual in the name of another, in violation of Section 106.08(7)(A), a first degree misdemeanor.

21. The Information was based on a \$25,000.00 donation made by Petter Hagland, a foreign national who had business interests in Miami Beach. As Mr. Hagland was not a United States citizen, he was not permitted to make a donation to a political campaign. Accordingly, he provided the funds to Mr. Tony Rodriguez, a person with mutual connections to both Mr. Hagland and the respondent. Mr. Rodriguez in turn provided the funds to the respondent. Both Mr.

Hagland and Mr. Rodriguez informed law enforcement officials that it was respondent's idea to make the donation in this manner, and that the respondent was aware of the true source of the donation provided to him by Mr. Rodriguez.

22. In accordance with a plea agreement, Respondent pled no contest to the criminal offense, and adjudication was withheld thereon. Respondent was placed on misdemeanor probation (the Advocate Program) for twelve months, was required to pay investigative costs in the amount of \$6,000.00, and agreed to not seek elected office during the period of probation.

23. On the same day that he entered into the no contest plea, respondent resigned from his position as a Miami Beach Commissioner.

24. By reason of the foregoing, respondent has violated the following Rules Regulating The Florida Bar: Rules 3-4.3 (Misconduct and Minor Misconduct), 4-8.4(b) (A lawyer shall not commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects) and 4-8.4(c) (A lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation) of the Rules Regulating The Florida Bar.

WHEREFORE, The Florida Bar prays respondent will be appropriately disciplined in accordance with the provisions of the Rules Regulating The Florida Bar as amended.



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CERTIFICATE OF SERVICE

I certify that this document has been efiled with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida; with a copy provided via email to Benedict P. Kuehne and Michael T. Davis, Attorneys for Respondent, at ben.kuehne@kuehnelaw.com and mdavis@kuehnelaw.com; and that a copy has been furnished by United States Mail via certified mail No. 7017 1070 0000 4774 2838, return receipt requested to Benedict P. Kuehne, Attorney for Respondent, whose record bar address is 100 SE 2nd Street, Suite 3550, Miami, FL 33131 and via certified mail No. 7017 1070 0000 4774 2845, return receipt requested to Michael T. Davis, Attorney for Respondent, whose record bar address is 100 SE 2nd Street, Suite 3550, Miami, FL 33131; and via email to Jennifer R. Falcone, Bar Counsel, jfalcone@floridabar.org, on this 30th day of July, 2020.



Patricia Ann Toro Savitz
Staff Counsel

**NOTICE OF TRIAL COUNSEL AND DESIGNATION OF PRIMARY
EMAIL ADDRESS**

PLEASE TAKE NOTICE that the trial counsel in this matter is Jennifer R Falcone, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Miami Branch Office, 444 Brickell Avenue, Rivergate Plaza, Suite M-100Miami, Florida 33131-2404, (305) 377-4445 and jfalcone@floridabar.org. Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than trial counsel and to Staff Counsel, The Florida Bar, 651 E Jefferson Street, Tallahassee, Florida 32399-2300, psavitz@floridabar.org.

MANDATORY ANSWER NOTICE

RULE 3-7.6(h)(2), RULES REGULATING THE FLORIDA BAR,
PROVIDES THAT A RESPONDENT SHALL ANSWER A COMPLAINT.