

James E. Saunders III

ATTORNEY AT LAW

15757 PINES BOULEVARD, STE. 119
PEMBROKE PINES, FLORIDA 33027

TELEPHONE: (954) 459-1919
FACSIMILE: (954) 430-1126
EMAIL: JES@SAUNDERSLEGALSTRATEGIES.COM

LEGAL EXPERIENCE

Shareholder

Saunders Legal Strategies and Solutions, P.L.

January 2008 – Present

- ❖ Provide general counsel services to a multi-million dollar privately held corporation with commercial assets including three (3) multi-story office buildings, several industrial warehouses totaling over 150,000 sq. ft., a three-star hotel with a spa, restaurant, golf and country club, and catering and banquet facilities.
- ❖ Interact, consult, advise, and negotiate on behalf of, the President and other senior management and department personnel on matters involving policy, real estate development, hospitality management, labor and employment, procurement, governmental regulatory and statutory compliance, land use and zoning, risk management and property management.
- ❖ Draft, review and analyze leases, licenses, real estate and stock purchase and sale agreements, NDAs, construction agreements, employment and management agreements; financial instruments and agreements.
- ❖ Perform formal internal investigations involving allegations of misconduct by employees and vendors.
- ❖ Represent corporate interests in state and federal court and monitor all outside counsel and litigation costs.
- ❖ Service legal needs of individuals and small for-profit and nonprofit corporate entities by drafting, reviewing, analyzing, interpreting, litigating, negotiating, managing, and advising these clients on matters involving commercial transactions, corporate governance, construction, title review, landlord-tenant disputes, probate, transportation (vehicles for hire, intermodal and public/private partnerships), land use and zoning, regulatory and statutory compliance, state and local DBE certification, and real estate development and management.

Some examples include:

- ✓ Successfully recovered damages for NC corporation in federal litigation against logistics company for negligent delivery of goods from international manufacturer
 - ✓ Represented Orlando land developer in the sale and transfer of the development and homeowners association to a national company
 - ✓ Successfully litigated title insurance litigation involving multiple parties and a railroad company and mediation that resulted in my client, original landowner receiving \$200,000 in settlement, payment of outstanding property taxes and other title challenges and return of the subject land without any encumbrances
 - ✓ Represented Florida investor against NC corporation and its officers and vendor for fraudulent misrepresentation in use/occupancy of manufacturing plant
 - ✓ Represented Orlando sports karting company as a nonparty in California state litigation regarding enforcement of judgment against Florida corporate assets
 - ✓ Successfully represented private lender in multi-million dollar commercial foreclosure and appointment of receiver
 - ✓ Successfully defended license revocation action by the City of Hallandale Beach Commission due to allegation of prostitution and building code violations
 - ✓ Represented Section 8 housing property owner in federal false claims act litigation to settlement
 - ✓ Litigated and later settled multimillion dollar commercial foreclosure action involving 156,000 sq ft church building and school
 - ✓ Litigated state court action and appeal involving property owners' challenge to billboard company lease arrangement
 - ✓ Successfully defended wage and hour litigation against local restaurant from former employees
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- ❖ Served as Co-Bond Counsel along with Nabors Giblin, P.A. to Broward County and its enterprise funded agencies, providing objective legal opinions with respect to the validity of bonds and other subjects, particularly the tax treatment of interest on the bonds, preparing and supervising bond proceedings, and

assisting in structuring or evaluating the structure of a bond issue to ensure compliance with applicable law, where requested.

Senior Associate

September 2004 – December 2007

Williams Wilson & Sexton, P.A., Fort Lauderdale, Florida

- ❖ Provided professional legal services to local and state governments, and private corporations, with emphasis in the areas of land use, government procurement and contracting, civil litigation, transportation, public utilities, real estate development and construction.

Including, but not limited to the following accomplishments:

- ❖ Advised the Broward County Charter Review Commission's Public Safety Subcommittee by providing legal reasoning and memoranda and preparing appropriate resolutions to support Broward County's residents' consideration, by referendum, of the creation of a Public Safety Council to coordinate county and municipal law enforcement, fire protection and emergency medical service communications, develop countywide minimum standards for fire protection and emergency medical services, and carry out other responsibilities as directed by the Broward County Commission.
- ❖ Advised the Broward County Management and Efficiency Committee's Transportation Subcommittee by providing legal framework and case study materials to support proposals for dedicated local funding source for capital improvements and services, establishment of a county transportation department, increased ridership, designation of transportation management leadership and enhanced accessibility and frequency of paratransit transportation services, and by assisting in drafting final recommendations for publication.
- ❖ Jointly served as counsel for the Tampa-Hillsborough Expressway Authority in its pursuit of damages against URS and its insurers for design defects resulting in collapse of portion of the Selmon Crosstown Expressway, particularly by providing analysis of the probability of recovery in a third party bad faith action against liability insurers, recovery of stigma damages above compensatory damages for design defect and mitigation of damages.
- ❖ Provides legal assistance to the Florida Department of Transportation (FDOT) in its development of the Miami Intermodal Center, a billion dollar intermodal transportation hub parallel and symbiotic to Miami International Airport, which will serve as a convergence of various transportation modes in Miami Dade County, such as light rail, high speed rail, bus, and other ground transportation, by handling matters involving real estate acquisition, development, leasing and financing; governmental restrictions and land use regulations; state and federal government financing; intergovernmental agency coordination, vertical and horizontal construction, and utilities.
- ❖ Co-authored practice guide to State Departments of Transportation and federal construction offices on how to protect transportation agencies against construction contract and disadvantaged business enterprise fraud, which examined the activities of highway departments and federal agencies in the false claims arena, specifically discussing federal and state actions, false claim liability, potential false claim abuses, individual false claim state statutes and the role of the United States Attorney in states that rely on the federal FCA (False Claims Act); identified various forms of disadvantaged business enterprise (DBE) fraud and related scope of remedies used by state and federal governments to strengthen efforts to prevent and detect DBE fraud; and identified and evaluated how state and federal governments handle indicted, investigated or convicted contractors (i.e., legal devices, tactics and techniques) at the responsibility phase of their procurement and the impact on public integrity.
- ❖ Defended a local government's authority to install, place or require the installation or placement of traffic control devices onto roads within its territorial boundaries, thereby substantiating FDOT's decision to maintain corresponding traffic control devices, despite enactment of a charter county ordinance claiming exclusive jurisdiction.
- ❖ Represented local contractor and company in a five (5) day county debarment proceeding involving more than ten witnesses, numerous exhibits and several hundred pages of transcript, and later in a companion declaratory and injunctive relief action.

Assistant County Attorney

October 1999- August 2004

Office of the County Attorney, Broward County, Florida.

- ❖ Negotiated and prepared multimillion dollar procurement, real property, finance, construction and professional service agreements on behalf of Broward County agencies such as the Office of Environmental Services (Broward County's Public Utility), Construction Management Division, Office of Project and Construction Management, Telecommunications Division, Consumer Affairs Division, Community Development Division, and the Office of Housing Finance;
- ❖ Advised department and division level personnel on legal matters, which involve financial or legal exposure or which involve broad policy implications;
- ❖ Prepare ordinances, resolutions, administrative regulations, and other legal instruments;
- ❖ Litigate procurement bid protests, injunction complaints and administrative appeals, and specially assigned commercial lawsuits in state court;
- ❖ Attended selection and negotiation committee meetings and advised committee members on procurement and legal standards and
- ❖ Advised the Consumer Protection Board, in its quasi-judicial capacity, the Enterprise Zone Development Agency, and the Public Safety Communications Technical Committee.

Including, but not limited to the following accomplishments:

- ❖ Secured corporate and personal guarantee and, ultimately, payment of over \$96K in HOME Investment Partnerships Program (HUD funding) misappropriated by a building contractor after more than two years of evasion;
- ❖ Assisted in the development of Broward County's HOME Consortium involving Broward County and participating cities that resulted in doubling the original \$2.5 million HOME allocation to Broward County;
- ❖ Assisted in the application for HUD Brownsfield Economic Development Initiative grant funding and related loan to develop two film studios and/or an entertainment park in the City of Lauderdale Lakes totaling \$8 million in financing;
- ❖ Prepared the standardized construction agreements and security instruments currently used for commercial and single family and multifamily housing developments involving various HUD funds (SHIP, CDBG, HOME and ESG);
- ❖ Participated in the settlement negotiations regarding wastewater treatment system located in Hollywood, Florida;
- ❖ Provided legal representation to County agency in its promotion for businesses to use reclaimed water;
- ❖ Successfully negotiated closeout of the Broward County African American Research Library and Cultural Center after the Architect of Record filed bankruptcy;
- ❖ Assisted in the multimillion dollar phased renovation of Government Center West handling issues of construction defect and delay and involving multiple guaranteed price maximums under a construction manager at risk methodology;
- ❖ Assisted in the multimillion dollar 1999 Library Bond Program to construct and renovate 23 libraries within Broward County including the joint venture with JM Family and the Broward County Library Foundation to expand the Collier City Library;
- ❖ Assisted in the successful negotiation of the Hollywood City Library expansion to accommodate additional floors for City occupancy;
- ❖ Assisted in the preparation of the Broward County Small Business Development Ordinance redefining Broward County's small disadvantaged business enterprise program and successfully obtained a limited

exemption for design build and construction manager at risk construction methods;

- ❖ Assisted in the coordination and local participation of Broward County and municipalities in Broward County's public safety regional communications system;
- ❖ Successfully litigated up to summary judgment the County's ability to regulate local towing rates, which was later affirmed on appeal;
- ❖ Drafted Consumer Protection ordinances that created reciprocity for motor vehicle for hire permits within the South Florida area, increased the number of years required to participate as a taxicab driver in the certificate lottery, redefined limousines distinguishing sedans from luxury stretched limousines; developed a Moving Consumer Bill of Rights and Disclosure Statement for unwary consumers unfamiliar with moving regulations; and restricted title loan companies and their marketing of payday advance loans; and
- ❖ Successfully litigated the County's ability to impose a moratorium against commercial signage near the Ft. Lauderdale-Hollywood International Airport.

Assistant City Attorney

February 1997 – October 1999

Office of the City Attorney, City of North Miami, Florida.

- ❖ Negotiated and prepared procurement, construction, utility and professional service agreements;
- ❖ Advised municipal officers and employees on labor and employment matters;
- ❖ Prepared ordinances, resolutions, and other legal instruments; and
- ❖ Rendered opinions and/or reports on legal matters affecting the City as the City Council or City management as directed.
- ❖ Successfully prosecuted the termination of the City's first nonprobationary police officer before the City's Personnel Board;
- ❖ Developed an effective and efficient methodology for prosecuting and substantiating valid code enforcement violations before the City's Code Enforcement Board and Special Master;
- ❖ Prosecuted or defended lawsuits and other controversies in which the City was a party, in state and federal bankruptcy courts and before the City of North Miami Code Enforcement Board and Special Master and the City of North Miami Personnel Board;
- ❖ Advised City Civil Service subcommittee on the year long revision of the Civil Service Personnel Rules;

Assistant General Counsel

March 1992 – January 1997

Administrative Office of the 11th Judicial Circuit, Miami, Florida.

- ❖ Prepared and submitted procurement and professional service agreements, resolutions, and ordinances for approval or enactment by the Miami-Dade County Board of County Commissioners on behalf of the Eleventh Judicial Circuit of Florida;
- ❖ Advised the Chief Judge, Court Administrator and other divisional personnel of new federal, state or local legislation and its impact;
- ❖ Advised and assisted Court personnel in the development and implementation of key personnel and operational policies and procedures, including pay grades;
- ❖ Reviewed all legally sensitive correspondence received by Chief Judge and Court Administration, and recommended appropriate responses, including investigation of sexual harassment complaints;
- ❖ Assisted in the management of Litigation initiated against the Administrative Office of the Court personnel;
- ❖ Drafted recommended administrative orders for consideration and issuance by the Chief Judge of the Circuit;
- ❖ Acted as liaison between the Eleventh Judicial Circuit and other local government agencies;

- ❖ Assisted in the coordination of the training and internship programs for summer law clerks and high school students; and
- ❖ Performed special projects and assignments as designated by the Chief Judge or the Court Administrator.

Lay Guardian Ad Litem and Guardian Ad Litem Attorney
Guardian Ad Litem Program, Miami, Florida.

October 1991 – March 1992

- ❖ Advocated the general rights of children in dependency cases;
- ❖ Handled all pleadings and motions necessary for the disposition of termination of parental rights cases;
- ❖ Assessed and recommended needed services for dysfunctional families; and
- ❖ Investigated and reported client rehabilitation to court officials.

Special Assistant Public Defender

January 1992 – March 1992

Office of the Public Defender, Miami, Florida.

- ❖ Handled all pleadings, motions, and oral arguments regarding two juvenile appeals before the Florida Third District Court of Appeal reported in the Southern Reporter as follows: T.G. v. State, 597 So.2d 971 (Fla. 3rd DCA 1992) and Cherubini v. State, 603 So.2d 34 (Fla. 3rd DCA 1992).

TEACHING EXPERIENCE

Adjunct Professor

August 2010 – May 2013

Broward College

- ❖ Instruct college students in course material involving State and Local Government and National Government.

Adjunct Professor

July 2008 – May 2009

Keiser University

- ❖ Instruct college students in the Law Office Management and Technology, Health Law and Business Law courses covering such topics as ethics, professional conduct, billing, contract formation, UCC, real estate, insurance, professional and corporate liability, risk management, governmental regulatory compliance and other commercial transactions.

Adjunct Professor

August 2000 – May 2004

Nova Southeastern University Shephard Broad Law Center

- ❖ Instructed second and third year law students in the Lawyering Skills and Values course covering such topics as contract formation and negotiations.

PUBLISHED WRITINGS

- ❖ "ENIE, MENIE, MINEY, MO....WHO'S TO REGULATE THIS TOW?", 79 Florida Bar Journal, 30 (January, 2005).
- ❖ "A Survey of State Practices for Protecting Transportation Agencies Against Construction and Disadvantaged Business Enterprise Fraud Including Use of Contractor Suspension and Debarment Procedures", <http://onlinepubs.trb.org/onlinepubs> (Web Only) (October 2005)

EDUCATION

University of Miami School of Law, Coral Gables, Florida., J.D., May 1991

Honors James Weldon Johnson Academic Scholarship (3 year full tuition merit)

Earl Warren Academic Scholarship

Activities University of Miami Business Law Journal

Clerk, Burger King Corporation

Law Intern, Judge Wilkie Ferguson, Florida 3rd District Court of Appeal

Certified Legal Intern, Dade County State Attorney's Office-Felony Division

NAACP Law Clerk

Miami-Dade County School Board Law Clerk

Research Assistant, UM Summer Honors Program

University of Miami, Coral Gables, Florida, B.B.A., Politics/Public Affairs, Economics, May 1988.

PROFESSIONAL ASSOCIATIONS AND CERTIFICATIONS

United States District Court, Southern District of Florida (Trial and Bankruptcy Bar)
Florida Bar
Broward County Bar Association
T.J. Reddick Voluntary Bar Association

COMMUNITY INTERESTS

Former Commissioner, Broward County Educational Facilities Authority
Former Board Member and General Counsel, Mt. Bethel Human Services Corporation
Former Committee Member, Florida Bar Law Related Education Committee
Certified Participant, Florida Supreme Court Justice Teaching Program
Former Legal Counsel, New Visions Community Development Corporation
Past Chair, Advisory Board, Bethel Family Enrichment Center
Former Board Member, City of Pembroke Pines Economic Development Board
Founding Board Member, North Dade Community Development Federal Credit Union
Member, Phi Beta Sigma Fraternity, Inc.