

Office of the Attorney General

Please return completed consumer contact form to:
Office of Attorney General Pam Bondi
State of Florida
PL-01, The Capitol
Tallahassee, Florida 32399-1050

The contact information **MUST** be provided as we correspond via U.S. mail. Incomplete forms cannot be processed. **PLEASE WRITE LEGIBLY.** Only one business per complaint form.

<u>Person Making Complaint:</u> Miss/Ms. Mrs./Mr. <u>Stephanie Kienzle</u> <u>Last Name, First Name, Middle Initial</u> <u>7535 SW 26 Court</u> <u>Mailing Address</u> <u>Davie, Broward County</u> <u>City, County</u> <u>Florida 33314</u> <u>State, Zip Code</u> <u>305-335-2093</u> <u>Home & Business Phone, including Area Code</u> <u>stephanie.kienzle@gmail.com</u> <u>Email Address</u>	<u>Complaint is Against:</u> <u>Michael A. Etienne, Esq.</u> <u>Name/Firm/Company</u> <u>111 EN !ST Street, Suite 324</u> <u>Mailing Address</u> <u>Miami, Miami-Dade County</u> <u>City, County</u> <u>Florida 33132</u> <u>State, Zip Code</u> <u>954-548-1511</u> <u>Business Phone, including Area Code</u> <u>metienne@northmiamifl.gov</u> <u>Business Email or Web Address</u>
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Product or Service involved: n/a Amount Paid: \$

Date of Transaction: I was contacted by: Telephone Mail Other

Have you retained an attorney? Yes No

Did you sign a contract or other papers, i.e. estimates, invoices, or other supporting documents? Yes No

If you filed complaints with any other governmental and/or consumer agencies about this matter, please list those agencies: The Florida Bar, The Florida Commission on Ethics

(ATTACH COPIES. DO NOT SEND ORIGINALS.)

Note:

1. All documents and attachments submitted with this complaint are subject to public inspection pursuant to Chapter 119, Florida Statutes.
2. Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s.775.083, or s.837.06 Florida Statutes.

Please indicate if you are over the age of 60. Penalties can be enhanced for victimizing senior citizens. Over 60 Yes No

(PLEASE USE OTHER SIDE OF THIS FORM TO DESCRIBE YOUR COMPLAINT & ATTACH YOUR SIGNATURE)

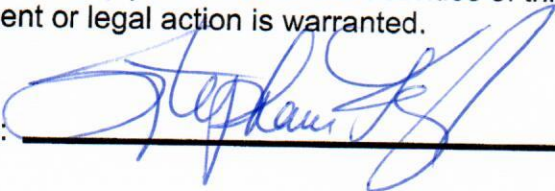
Please explain your complaint. Attach additional sheets, if necessary.

I filed the attached complaint with the Florida Bar today, which is self-explanatory.

Thank you for your consideration.

My signature authorizes the Attorney General's Office to take any action deemed necessary for purposes of investigation or enforcement. I understand that the Attorney General does not represent private citizens seeking the return of their money or other personal remedies. I am filing this complaint to notify your office of the activities of this company so that it may be determined if law enforcement or legal action is warranted.

Signature: _____



Date: _____

5/14/15

**The Florida Bar
Inquiry/Complaint Form**

PART ONE (See Page 1, PART ONE – Complainant Information.):

Your Name: Stephanie Kienzle

Organization: _____

Address: 7535 SW 26 Court

City, State, Zip Code: Davie, FL 33314

Telephone: 305-335-2093

E-mail: stephanie.kienzle@gmail.com

ACAP Reference No.: _____

Have you ever filed a complaint against a member of The Florida Bar: Yes No

If yes, how many complaints have you filed? 0

Does this complaint pertain to a matter currently in litigation? Yes No

PART TWO (See Page 1, PART TWO – Attorney Information.):

Attorney's Name: Michael A. Etienne, Esq.

Address: 111 NE 1st Street, Suite 324

City, State, Zip Code: Miami, FL 33132

Telephone: 954-548-1511

PART THREE (See Page 1, PART THREE – Facts/Allegations.): The specific thing or things I am complaining about are: (attach additional sheets as necessary)

Mr. Etienne is the elected city clerk for the City of North Miami. You can view his official web page here: http://northmiamifl.gov/northmiamifl/Departments/city_clerk/etienne.aspx

Unfortunately, due to the fact that he is one of the few City Clerks in the State of Florida who is elected and not appointed, he does not answer to either the City Manager or the Mayor and Council. As such, his continuous inappropriate behavior has gone unchecked for years.

Today, I was the target of two vicious emails from him when a Councilwoman attempted to find out about my public records request. Both emails were sent through the city server, and I was copied on both of them. I have attached them here as exhibits.

This is not the first time Mr. Etienne has behaved inappropriately through emails (including the one that I attempted to obtain via public record but have not yet been able to open), but this is the first time he has attacked me personally. I am not a public official, or even a resident of the City of North Miami, but I am a blogger and member of the media.

I respectfully request the Florida Bar to review this matter and take appropriate action against Mr. Etienne if you feel it is warranted.

Thank you,
Stephanie Kienzle

PART FOUR (See Page 1, PART FOUR – Witnesses.): The witnesses in support of my allegations are: [see attached sheet].

PART FIVE (See Page 1, PART FIVE – Signature.): Under penalties of perjury, I declare that the foregoing facts are true, correct and complete.

Stephanie Kienzle

Print Name

Signature

May 14, 2015

Date



Exhibit A

Stephanie Kienzle <stephanie.kienzle@gmail.com>

Public Records Request

Etienne, Michael <metienne@northmiamifl.gov>

Thu, May 14, 2015 at 3:59 PM

To: Carol Keys <keyslaw@keystitle.com>

Cc: "Castillo, Ricardo" <rcastillo@northmiamifl.gov>, "Ghany, Aleem" <aghany@northmiamifl.gov>, "Alexis, Valia Lia" <valexis@northmiamifl.gov>, "Thomas, Stephanie" <sthomas@northmiamifl.gov>, Stephanie <stephanie.kienzle@gmail.com>, "Pedron, Rafael" <rpedron@northmiamifl.gov>

Honorable Keys,

As you know better than all, the clerk's department has nothing to do with records that are not stored here in the clerk's office. We only store minutes, official city contracts, ordinances, resolutions, and election administration materials. With regards to public records request, you know better than most that the staff in the clerk's office divulge records that are given to us by other departments. Address your inquiry to the appropriate department, IT. By the way, stop referring to the person complaining as the "requestor", refer to her as your good old buddy Stephanie.

Michael A. Etienne

Sent from my iPad

On May 14, 2015, at 3:02 PM, Carol Keys <keyslaw@keystitle.com> wrote:

Ricardo and Honorable City Clerk Etienne

I have received an inquiry regarding the format received in a public records request.

The requestor received a cd with files having a .pst extension.

She has tried several programs, including Outlook and has been unable to open the files.

Please advise how to open these.

One shouldn't need to be a computer tech or need special software to open our files.

Thank you,

Carol Frances Keys, Esq.

Vice Mayor, North Miami Council, District 2

12700 Biscayne Boulevard, Suite 401

North Miami, Florida 33181

305-891-1600

The City of North Miami is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All E-mail sent and received is captured by our servers and kept as a public record.



Exhibit B

Stephanie Kienzle <stephanie.kienzle@gmail.com>

Public Records Request

Etienne, Michael <metienne@northmiamifl.gov>

Thu, May 14, 2015 at 4:44 PM

To: Carol Keys <keyslaw@keystitle.com>

Cc: "Castillo, Ricardo" <rcastillo@northmiamifl.gov>, "Ghany, Aleem" <aghany@northmiamifl.gov>, "Alexis, Valia Lia" <valexis@northmiamifl.gov>, "Thomas, Stephanie" <sthomas@northmiamifl.gov>, Stephanie <stephanie.kienzle@gmail.com>, "Pedron, Rafael" <rpedron@northmiamifl.gov>

Carol,

The public records request procedures are set by the City Manager's Office through the Administrative Regulations. Rafael, Stephanie, and I informed Aleem that there were too many steps the requested information has to go through before the information gets to the clerk's office; thus, we came up with ideas to stream line the process. To date, Aleem has approved the steps we recommended to eliminate (e.g.: City Attorney review and City Manager review steps) in order to stream line the process. Accessibility to public records have nothing to do with the website link, it has everything to do with the administration and execution of the process laid out in the Administrative Regulations. Although I have no jurisdiction over what gets put in or out of the Administrative Regulations, Aleem fortunately has agreed to change the process.

As you know, we wear a badge of honor when certain people have negative comments to say about us...it simple means that we are doing our job pissing off the RIGHT WING TEA PARTY BIGOTS. You and Scott are not like those people so please do not yoke together with the likes of them. As the saying goes, "birds of the same feather folks together." You and I have been improving our relationship lately, please do not let the likes of them ruin that.

Michael A. Etienne

From: Carol Keys [mailto:keyslaw@keystitle.com]**Sent:** Thursday, May 14, 2015 4:28 PM**To:** Etienne, Michael**Cc:** Castillo, Ricardo; Ghany, Aleem; Alexis, Valia Lia; Thomas, Stephanie; 'Stephanie'; Pedron, Rafael**Subject:** RE: Public Records Request

Michael

As a courtesy you were copied since this is a Public Records issue.

Yes, I do receive Stephanie's blog, which I just read and was not happy that someone requesting public records was having such a difficult obtaining. Yes, she is a "requestor" and my relationship with her is not relevant.

I had a similar discussion with someone else last week that had to run back and forth between various departments and cashier to get a public record, which was merely a copy of the Planning Commission package.

I would like to see our public records more accessible. Hopefully the new website link will help.

Carol Frances Keys, Esq.

Vice Mayor, North Miami Council, District 2

12700 Biscayne Boulevard, Suite 401

North Miami, Florida 33181

305-891-1600

From: Etienne, Michael [mailto:metienne@northmiamifl.gov]

Sent: Thursday, May 14, 2015 4:00 PM

To: Carol Keys

Cc: Castillo, Ricardo; Ghany, Aleem; Alexis, Valia Lia; Thomas, Stephanie; Stephanie; Pedron, Rafael

Subject: Re: Public Records Request

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