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MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

In re: Ludwig, Alonso and
Daring

Case No: 06-58

PUBLIC REPORT AND ORDER DISMISSING COMPLAINT

Maria Wimberly filed the above-captioned complaint against Chief John Ludwig, Lt. David Alonso and Captain Al Daring ("Respondents") of the Miami-Dade Department of Fire Rescue. The complaint alleged the Respondents used their official position to harass and retaliate against Wimberly after she filed a discrimination complaint.

Wimberly filed a complaint with the E.E.O.C. against the Miami-Dade Fire Rescue Department in 2002. The complaint alleged the Respondents used their official position to have Wimberly arrested and terminated. Further, although a settlement agreement was reached regarding the discrimination complaint, the Respondents retaliated against Wimberly by filing false disciplinary action reports against her. Finally, the Respondent with the

assistance of GSA, filed a report alleging the Respondent had filed a false Worker's Compensation claim.

On January 30, 2007, the Ethics Commission found the complaint legally sufficient. Due to the on-going criminal proceedings against Wimberly, the Ethics Commission stayed the matter pending the outcome of the criminal case. Wimberly was acquitted of the felony charge and her conviction on a related misdemeanor charge was vacated.

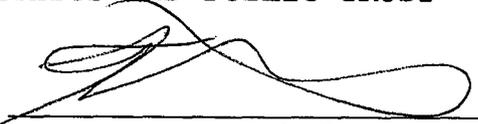
On September 30, 2009, the Advocate made a No Probable Cause recommendation on the grounds that the preliminary investigation did not substantiate the allegations that the Respondents had falsified evidence regarding the false Worker's Compensation claim. Upon review of the pleadings, the No Probable Cause memorandum and hearing the argument of the Advocate, the Ethics Commission found no probable cause and ordered the case dismissed.

Therefore it is:

ORDERED AND ADJUDGED THAT the Complaint is
DISMISSED for lack of probable cause.

DONE AND ORDERED by the Miami-Dade Commission on
Ethics and Public Trust in public session on September 30,
2009.

**MIAMI-DADE COUNTY COMMISSION
ON ETHICS AND PUBLIC TRUST**

By: 

Kerry Rosenthal
Chairperson

cc: Chief John Ludwig
Lieutenant David Alonso
Captain Al Darling
Maria Wimberly