

Frigo, Victoria (COE)

From: Centorino, Joseph (COE)
Sent: Wednesday, August 15, 2012 4:03 PM
To: Frigo, Victoria (COE)
Subject: INQ - Jackson Memorial Hospital

I received a phone call from Assistant County Attorney Eugene Shy in connection with an ethical question at from the Public Health Trust at Jackson Memorial Hospital.

The PHT is currently negotiating a settlement agreement with one of its tenants, Transplant House Foundation, Inc., non-profit organization that rents space at Jackson Towers. The organization, which provides accommodations for transplant patients, is resolving a dispute with PHT, its leaseholder.

Transplant House Foundation is being represented in the negotiations by Attorney Ivan Gomez, who is also a board member and director of the non-profit. Mr. Gomez is providing his legal services to Transplant on a pro bono basis.

Mr. Gomez has disclosed that he is the cousin of the CEO at the PHT, Carlos Migoya. Because of this, Mr. Migoya has delegated authority for the negotiation and execution of the settlement to the number two person at PHT, the Chief Operating Officer, and Migoya will not be participating in the discussion or decision to approve the settlement.

I informed Mr. Shy that the situation did not create a conflict under the Miami-Dade Code of Ordinances insofar as Mr. Gomez is neither an immediate family member of Mr. Migoya, nor is he in a position to personally profit from the negotiations. However, I also advised that Mr. Migoya's decision to delegate the authority to negotiate the settlement to his second-in-command was appropriate under the circumstances in order to avoid an appearance of impropriety or possible conflict.

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