
From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, October 23, 2014 9:22 AM
To: Sanchez, Rodzandra (COE)
Subject: Martin Lipman, Vice President and General Counsel, Instrumentation Laboratory (Lobbyist Contingency Fees) INq 14-253

INQ 14-253

From: Centorino, Joseph (COE)
Sent: Wednesday, October 22, 2014 5:41 PM
To: Diaz-Greco, Gilma M. (COE)
Subject: FW: INQ - Martin Lipman, Vice President and General Counsel, Instrumentation Laboratory (Lobbyist Contingency Fees)

From: Centorino, Joseph (COE)
Sent: Wednesday, October 22, 2014 5:40 PM
To: 'mlipman@ilww.com'
Subject: INQ - Martin Lipman, Vice President and General Counsel, Instrumentation Laboratory (Lobbyist Contingency Fees)

Mr. Lipman,

You have inquired on behalf of your company regarding whether sales representatives selling your company's products to Jackson Health Systems (JHS) are considered lobbyists under the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, and, if so, whether they are subject to the prohibition on acceptance of contingency fees under Section 2-11.1(s)(7) of the Code.

The Miami-Dade Commission on Ethics and Public Trust has opined that vendors who appear before JHS staff to seek approval for clinical trial of or sale of products and services must register as lobbyists. (RQO 06-63, RQO 10-28). All lobbyists, including sales representatives are required to complete the Lobbyist Ethics Course that is usually presented monthly by this agency.

The Commission has also ruled that sales commission payments received by sales representatives of JHS vendors are not prohibited by the ban on lobbyist contingency fees as provided in Section 2-11.1(s)(7) of the Code. (RQO 10-28).

Please feel free to call me at any time should you have any further questions.

Sincerely,

Joseph M. Centorino
Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust
305-579-2594

From: mlipman@ilww.com [<mailto:mlipman@ilww.com>]

Sent: Wednesday, October 22, 2014 5:18 PM

To: Centorino, Joseph (COE)

Subject: Joint Contingency Fee Affidavit

Dear Mr. Centorino,

We just spoke on the telephone regarding the above referenced document which an employee of Jackson Hospital has asked our company to sign. Apparently, and you have confirmed, our sales representative is a "Lobbyist" under your code. Accordingly, our company needs to certify that the sales representative is not "offered a contingency fee..." as part of him calling on the hospital to sell our equipment. You just indicated to me during our conversation that, under these circumstances, we can sign this document. You also indicated that you would send to me a legal opinion or some other assurance to this effect.

Thank you so much for your assistance in this matter!

Sincerely,

Marty

Martin Lipman
Vice President and General Counsel
Instrumentation Laboratory
office: 781-861-4189
cell:781-325-5670