

WARRANT TYPE: ARREST WARRANT
AWPS#: 17000711
COURT CASE NUMBER:

CASE TYPE: FELONY
REFILE INDICATOR:
DIVISION:

TO ALL AND SINGULAR SHERIFFS OF THE STATE OF FLORIDA, GREETINGS:
YOU ARE HEREBY COMMANDED TO IMMEDIATELY ARREST THE DEFENDANT AND BRING HIM OR
HER BEFORE ME, A JUDGE IN THE 11TH JUDICIAL CIRCUIT OF FLORIDA, TO BE DEALT
WITH ACCORDING TO LAW:

DEFENDANT'S NAME: FERNANDEZ MARIANO V
LAST FIRST MIDDLE TTL

AKA(S):
STR/APT/CITY/ST/ZIP: 8600 SW 73RD ST / / MIAMI / FL/ 331433704
DOB: 08/31/1953 RACE: W SEX: M HEIGHT: 505 WEIGHT: HAIR: EYES:
SOC SEC #: XXX-XX-XXXX CIN #: SID #: FBI #: IDS #: 3175353
SCARS, MARKS, TATTOOS:
DRIVERS LICENSE #: STATE: FL
VEH TAG #: STATE: MAKE: MODEL: YEAR: COLOR:
COMMENTS: CO-AFFIANT MATTHEW AMBRE

PROBATION:

BEFORE ME PERSONALLY CAME ARIAS, RICARDO (AFFIANT) WHO, BEING DULY
SWORN, STATES THAT THE DEFENDANT ** FERNANDEZ, MARIANO V **, DID COMMIT THE
ACTS STATED IN THE ATTACHED STATEMENT OF FACTS. BASED UPON THIS SWORN STATEMENT
OF FACTS, I FIND PROBABLE CAUSE THAT ** FERNANDEZ, MARIANO V ** DID COMMIT
THE CRIME(S) OF:
F 2 838.016(1) COMPENSATION/REWARD FOR OFFICIAL BEHAVIOR/UNLAWFUL \$15,000
F 3 838.016 COMPENSATION/UNLAWFUL/CONSPIRACY TO COMMIT \$5,000

IN DADE COUNTY, FLORIDA, CONTRARY TO FLORIDA STATUTES AND AGAINST THE PEACE AND
DIGNITY OF THE STATE OF FLORIDA.
POLICE CASE #: AGENCY: MIAMI BEACH
ASSISTANT STATE ATTORNEY: REICHLING, TRENT UNIT: 064

EXTRADITE INFORMATION
EXTRADITION CODE: 1 - FELONY - FULL EXTRADITION UNLESS OTHERWISE NOTED IN MIS FIEL
EXTRADITION MAY BE CONFIRMED WITH THE METRO-DADE POLICE DEPARTMENT, DADE COUNTY
** IN ANY EVENT, DEFENDANT WILL BE ARRESTED IF FOUND IN THE STATE OF FLORIDA **

SWORN TO BY AFFIANT ARIAS, RICARDO COURT ID 002- 589
SO ORDERED THIS 6th DAY OF February, 2018.
Mindy S. Glazer *\$20,000*
Mindy S. Glazer BOND AMOUNT
Circuit Court Judge

JUDGE IN THE 11TH JUDICIAL CIRCUIT IN AND FOR DADE COUNTY FLA
() FIRST APPEARANCE JUDGE MAY NOT MODIFY CONDITION OF RELEASE
(RULE 3.131(D)(1)(D))

() TO ANSWER UNTO THE STATE OF FLORIDA ON AN INFORMATION OR INDICTMENT
FILED AGAINST HIM OR HER BY THE STATE ATTORNEY FOR THE CHARGE(S) OF:
() UPON ORDER OF A JUDGE IN THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA FOR
FAILURE TO APPEAR IN COURT TO ANSWER THE PENDING CHARGE(S) FOR THE
CHARGE(S) OF:
HARVEY RUVIN, CLERK OF THE COURT

BY _____ DEPUTY CLERK _____ DATE _____

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

AFFIDAVIT IN SUPPORT OF ARREST WARRANT

The Subjects

Mariano Fernandez (hereafter “FERNANDEZ”) is the Director of the Building Department for the City of Miami Beach (hereafter “Miami Beach”). As Director of the Building Department, FERNANDEZ has all of the statutory authorities of “Building Official” for Miami Beach, which include final say on permitting and inspections. FERNANDEZ joined the City in May 6, 2013, after five years as the Building Official for the City of Miami. FERNANDEZ is a licensed Professional Engineer. FERNANDEZ’s email is marianofernandez@miamibeachfl.gov.

Riutel Florida Inc. (hereafter “RIU” or “the RIU”) is a registered for-profit corporation in the State of Florida, with Tax ID Number [REDACTED] RIU’s registered agent is Gary Brown. RIU is the owner of Hotel Riu Plaza Miami Beach, a 284-room hotel located at 3101 Collins Ave., in Miami Beach, Florida (hereafter “Riu Miami Beach”). RIU is a wholly owned subsidiary of Riu Hotels and Resorts, which is a Spanish Corporation, headquartered in Mallorca. Riu Hotels and Resorts is among the largest hotel chains in the world, with over one hundred hotels in 19 countries. Riu Hotels and Resorts uses the designation “Plaza” to refer to its hotels located in cities.

Luis Riu Guell, Jr. (hereafter “LUIS RIU”) is part-owner of Riu Hotels and Resorts. He and his sister Carmen Riu inherited Riu Hotels and Resorts from their father. LUIS RIU’s email address is lriug@riu.com.

Ricardo Luque Ferrandez (hereafter “LUQUE”) is the Managing Director of Riu Plaza (City) Hotels. In addition to the Miami Beach location, Riu “Plaza” Hotels are in Guadalajara, Mexico; Manhattan, New York; Berlin, Germany; Panama City, Panama; and Dublin, Ireland.

Judge’s Initials: MSC

Affiants’ Initials [Signature]

LUQUE oversees sales and marketing; essentially his job is to bring customers to the Riu Plaza Hotels. LUQUE is listed as a subject in this Affidavit because Your Affiants have probable cause to believe that he conspired with the other subjects to unlawfully compensate FERNANDEZ; however, Your Affiants are not seeking LUQUE's arrest because LUQUE was provided use immunity for his testimony. LUQUE's email is rluquef@riu.com.

Alejandro Sanchez del Arco (hereafter "SANCHEZ") is the Regional Vice President of Riu Plaza Hotels in the Americas. SANCHEZ is responsible for the day-to-day operations of Riu Plaza Hotels, including the Riu Miami Beach. SANCHEZ's email is asanchez@riu.com.

Jose "Pepe" Moreno (hereafter "MORENO") is Chief Executive Officer (CEO) of Riu Hotels and Resorts. MORENO is LUQUE's supervisor. MORENO's email is pmoreno@riu.com.

Statutes Being Violated

Unlawful Compensation	F.S. § 838.016	Second Degree Felony
Unlawful Compensation; Conspiracy	F.S. § 838.016; 777.04	Third Degree Felony

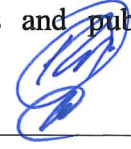
Summary of the Crime

Over the course of nineteen (19) months, Mariano FERNANDEZ solicited and accepted unlawful benefits, for himself and others, from the RIU. The unlawful benefits were at the direction of RIU managers Alejandro SANCHEZ and Ricardo LUQUE, and with the explicit permission of owner LUIS RIU and CEO Pepe MORENO. The unlawful benefits were offered as a reward for FERNANDEZ's official action as Building Director. Your Affiants are requesting the Court's permission to arrest FERNANDEZ, the RIU, SANCHEZ, and LUIS RIU for one (1) count of Unlawful Compensation and the RIU, FERNANDEZ, SANCHEZ, and LUIS RIU for one (1) count of Conspiracy to Commit Unlawful Compensation.

Your Affiants

Your Affiant, Detective Ricardo Arias, is a Detective with the Miami Beach Police Department. Detective Arias has been with the Miami Beach Police Department for 21 years. During that time, Detective Arias has been a Detective for 17 years. Detective Arias has experience conducting complex criminal investigations involving narcotics trafficking, money laundering, homicide, economic crimes, cyber-crimes, election-related crimes and public

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Affiants' Initials 

corruption. Your Affiant is also a computer forensic examiner and routinely conducts computer forensic examinations. Your Affiant is currently Secret Service, Miami Electric Crimes Task Force Task Force Officer and a Specially-Designated State Attorney's Office Investigator of the Miami-Dade State Attorney's Public Corruption Task Force (hereafter "SAPCTF").

Your Affiant, Matthew Ambre, court ID # 002-514, is a detective with the City of Miami Beach Police Department. Your Affiant has been employed as a Police Officer for approximately twenty-three (24) years and is currently assigned to the Internal Affairs Unit and detached to the SAPCTF. Your Affiant has received both general and specialized training in investigations. Your Affiant has been a detective for twenty years, and has been the lead detective or assisting detective in hundreds of investigations including public corruption, frauds, burglaries, robberies, homicides, and sexual batteries.

Background Information

This Affidavit is based upon information known personally to Your Affiants, Ricardo Arias and Matthew Ambre, both Detectives from the Miami Beach Police Department and the SAPCTF, and information obtained from others who have investigated this matter and/or have personal knowledge of the facts herein. Your Affiants have participated in this investigation, spoken with other law enforcement agents, and reviewed records and transcripts related to this investigation. Your Affiants have set forth those facts necessary to establish probable cause in support of this search warrant application, and not every detail known to Your Affiants and other law enforcement officers concerning this investigation is stated herein.

Summary of Investigation

Your Affiants have investigated benefits exchanged between Riutel Fla. Inc. ("RIU") and Mariano FERNANDEZ, the Director of the Miami Beach Building Department (hereafter referred to as "Building Director"), during and after RIU's renovations to their Miami Beach hotel. The titles "Building Director" and "Building Official," are used interchangeably in this Affidavit.

RIU owns a hotel located at 3101 Collins Avenue, in Miami Beach, Florida, which operates under the name Hotel Riu Plaza Miami Beach (hereafter the "Riu Miami Beach"). The

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Riu Miami Beach has 284 guestrooms. Between October 2013 and June 2016, the Riu Miami Beach underwent a major renovation and rebranding. During the renovation, RIU had difficulties with the permitting process with the Miami Beach Building Department and the Miami Beach Fire Department. FERNANDEZ, as Director of the Building Department, helped guide RIU through the permitting and inspection process, including taking official action to assist the RIU.

As a reward for his guidance and direction, RIU offered FERNANDEZ (and his associates) multiple complimentary and significantly discounted rooms at the Riu Miami Beach and other RIU properties. Also in reward for FERNANDEZ's assistance, RIU offered a significantly reduced rate for the entire Miami Beach Building Department to stay at an all-inclusive RIU resort in Punta Cana, Dominican Republic, in 2015, and in Playa del Carmen, Mexico, in 2016.


Miami Beach's Records Management Software

In 2014 and 2015, Miami Beach used a computerized permit managing software called Permits Plus. Among other things, the Permits Plus system recorded permits, inspections, permit fees, and permit payments. Screen shots from Permits Plus are pasted throughout this affidavit to illustrate actions taken by FERNANDEZ, his employees at the Building Department, and other Miami Beach employees. Your Affiants have learned that whenever someone inputs information on Permits Plus, it displays their username in a data field titled "Entered By:". Your Affiants learned that FERNANDEZ's username on Permits Plus is "BUILFERM" (Your Affiants learned that "BUIL" indicates that the user is from the Building Department, "FER" are the first three letters of the user's last name, and "M" is the first letter of the user's first name).

Summary of Unlawful Benefits

Your Affiants have discovered that the RIU offered a variety of unlawful benefits to Building Director FERNANDEZ and his employees at the Miami Beach Building Department as a reward for FERNANDEZ's action, guidance, and direction during the renovation process. Specifically, Your Affiants have discovered that RIU provided the following to FERNANDEZ, FERNANDEZ's family, FERNANDEZ's employees, and FERNANDEZ's colleagues:

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Affiants' Initials 


- Two (2) free nights for FERNANDEZ and his wife at the Riu Miami Beach;
- Four (4) free nights for FERNANDEZ and his wife in an upgraded Jacuzzi Suite at the Riu Palace Bavaro all-inclusive resort in Punta Cana, Dominican Republic;
- Four (4) free nights for FERNANDEZ and his wife in an upgraded Jacuzzi Suite at the Riu Palace Mexico all-inclusive resort in Playa Del Carmen, Mexico;
- Two (2) free nights at the Riu Miami Beach for Sandra Meyer, one of FERNANDEZ's employees at the Building Department;
- One (1) free night at the Riu Miami Beach for Beatriz Dooley, one of FERNANDEZ's employees at the Building Department;
- Two (2) discounted nights at the Riu Miami Beach for Karla Santana, one of FERNANDEZ's employees at the Building Department;
- Two (2) free nights at the Riu Miami Beach for Iliana Oliva, one of FERNANDEZ's colleagues from the City of Miami Building Department;
- Two (2) free nights at the Riu Miami Beach for Yeneris Orta, one of FERNANDEZ's employees at the Building Department;
- One (1) free night at the Riu Miami Beach for Adolf Rahmer, a relative of one of FERNANDEZ's colleagues;
- Four (4) free nights at Riu Palace Antillas, Aruba, for Gema Aranda, one of FERNANDEZ's employees at the Building Department;
- A heavily discounted rate on five (5) nights at the Riu Palace Bavaro all-inclusive resort in Punta Cana, Mexico, for Sonia Perez, one of FERNANDEZ's employees at the Building Department.
- A heavily discounted rate on one hundred ninety two (192) nights for Building Department employees (along with their family and friends) at the Riu Palace Bavaro all-inclusive resort in Punta Cana, Dominican Republic;
- A heavily discounted rate for Building Department employees (along with their family and friends) at the Riu Palace Mexico all-inclusive resort in Playa del Carmen, Mexico, (this benefit included forty-four rooms and most guests stayed for four nights).

Your Affiants discovered that the RIU provided all of the benefits outlined above either directly to FERNANDEZ or at FERNANDEZ's request. Your Affiants have set forth evidence of each of these unlawful benefits below, generally in chronological order.

Probable Cause and Specific Facts of the Investigation

Your Affiants began investigating the RIU's unlawful benefits to FERNANDEZ after an anonymous complaint was sent to the City of Miami Beach. Miami Beach immediately referred the complaint to the SAPCTF. SAPCTF investigators interviewed FERNANDEZ in his home at the beginning of the investigation; some of FERNANDEZ's statements are included in this Affidavit.

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Affiants' Initials 

Pursuant to the investigation, Your Affiants retrieved FERNANDEZ's official Miami Beach email records, under the email address marianofernandez@miamibeach.gov. Your Affiants have pasted select emails from FERNANDEZ's account throughout this Affidavit.

Pursuant to the investigation, Your Affiants also obtained a search warrant to seize and search official RIU emails for the following individuals:

- Ricardo LUQUE's official RIU emails, under the email address rluquef@riu.com.
- Don LUIS RIU's official RIU emails, under the email address lriug@riu.com.
- Jose "Pepe" MORENO's official RIU emails, under the email address pmoreno@riu.com.
- Alejandro SANCHEZ del Arco's official RIU emails, under the email address asanchez@riu.com.

Your Affiants have pasted select emails from LUQUE, RIU, and MORENO's account throughout this Affidavit.

Your Affiants have subpoenaed records from the RIU, the City of Miami Beach, and other private corporations. Your Affiants have included records in this Affidavit where they assist to illustrate Your Affiants' probable cause that crimes have been committed.

Timeline of Renovations to the Riu Miami Beach

Your Affiants learned that the upper management at the RIU decided in early 2013 to renovate guestrooms at the Riu Miami Beach. The RIU applied for a Master Permit for complete renovations of all 284 Riu Miami Beach guestrooms on October 28, 2013. The Master Permit application was signed by owner LUIS RIU. While the master permit application was still pending, and without approval from the City of Miami Beach, RIU began renovating the Riu Miami Beach. By May 16, 2014, more than one hundred of the guestrooms had been completely renovated. These renovations were completed without any safety inspections or verification that they complied with the applicable building codes. The RIU was assigning guests to rooms adjacent to unprotected construction areas.

On Friday, May 16, 2014, Miami Beach Fire Inspector Joseph Bacallao performed an unannounced annual inspection of the Riu Miami Beach. Mr. Bacallao discovered that the Riu

Miami Beach was undergoing unpermitted renovations. According to Mr. Bacallao, the Riu Miami Beach was unsafe for guests, yet it was at full capacity. As a result, the Miami Beach Fire Department ordered RIU to stop work and re-accommodate the guests within four days.

The RIU was facing a spectrum of repercussions from the Building Department for renovating the Riu Miami Beach without obtaining the proper permits. According to the Miami Beach Building Code, the RIU was required to pay a \$100 fine and twice the fees associated with the necessary permit:


Double fees. Any person who commences any work on a building, structure . . . before obtaining the building official's approval or the necessary permits shall be subject to a penalty of 100 percent of the required permit fee, in addition to the required permit fees, plus a penalty for the first, second and subsequent offenses as outlined in appendix A.

Miami Beach Code of Ordinances §14-61(b). In addition to the fines and double fees, Building Director FERNANDEZ could have required the RIU to tear down the already-completed work and start from scratch. The least-onerous outcome would be for the Building Department to permit the RIU to hire a private engineer to examine and certify that all of the construction was done to code.

On Tuesday, May 20, 2014, Building Director FERNANDEZ hosted a meeting to address the RIU's unpermitted renovation project, and to prescribe the RIU's conduct moving forward with the project. RIU Regional Vice President Alejandro SANCHEZ represented the RIU at the meeting. Miami Beach Fire Chief Virgilio Fernandez and Fire Marshal Juan Meizoso attended the meeting. The RIU's general contractor, Juan Velez, and project engineer, Rey Miranda, also attended. The meeting was held in FERNANDEZ's office. As a result of the meeting, Building Director FERNANDEZ permitted RIU to commission engineer Rey Miranda to inspect the completed guestrooms and certify that they comply with the building code.

After the meeting, project engineer Rey Miranda sent a memorandum to FERNANDEZ and the Fire Department, which memorialized what was discussed and decided in the meeting. A copy of Mr. Miranda's memorandum is pasted on the next two pages:

Judge's Initials: MSG

Affiants' Initials: 

uci

FILED OFFICE OF PERMITS

May 21st, 2014

Mr. Mariano Fernandez
Building Director
CITY OF MIAMI BEACH
1700 Convention Center Drive
Miami Beach, Florida 33139
Email: MarianoFernandez@miamibeachfl.gov

Mr. Virgil Fernandez
Fire Chief
City of Miami Beach
2300 Pine Tree Drive, 2nd. Floor
Miami Beach, Florida 33140
Email: VirgilioFernandez@miamibeachfl.gov

Ref.: RIU HOTEL FLORIDA BEACH
3101 Collins Avenue
Miami Beach, Florida 33140
OWNER/BUILDING DEPARTMENT/FIRE DEPARTMENT AGREEMENT

Dear Building Director Fernandez and Fire Chief Fernandez:

This letter is to memorialize the recent circumstances of this property and to formalize an agreement between the Owner, Building Department and the Fire Department.

CIRCUMSTANCES:

My firm has submitted construction documents for the guestroom renovation of the RIU Hotel Florida Beach. The plans are currently signed-off and waiting for Building permit.

An exploratory demolition permit BD140033 was approved on October 13, 2013 to inspect and determine the existing conditions so that upon receipt of the construction permit work could commence immediately.

The contractor under the pressure of the RIU Hotel proceeded with the complete demolition and full construction of 100+ guestrooms prior to having obtained the approved permit.


On Friday, May 16, 2014 Fire Inspector Joseph Bacalao performed his annual inspection of this hotel discovering vertical and horizontal demolition penetrations and contacted Fire Marshal Juan Meizoso, Fire Chief Virgilio Fernandez and Building Operations Manager Antonio "Tony" Gonzalez. Fire Marshal Juan Meizoso contacted me on the evening of Friday May 16, 2014 requesting for me to conduct an inspection at the hotel with him that night.

That same evening it was decided that all guests would vacate the hotel by checkout time Tuesday, May 20th, 2014. A Fire Watch was implemented with two firemen for the hotel and two security guards on each floor. The Fire Watch would remain in place until all guests would vacate. In a subsequent meeting yesterday with Fire Chief Virgilio Fernandez, Fire Marshal Juan Meizoso, Building Director Mariano Fernandez, Contractor Juan Velez, Owner's Representative Alejandro Sanchez and myself, it was further

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7428 SW 48 Street, Miami, Florida 33155
email: uci@ucieng.com

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determined that hotel staff, approximately twenty-five (25) employees, could remain working at the hotel during working hours under my responsibility and that of the RIU Hotel management. Two security guards would be allowed to remain in the hotel during over-night hours.

AGREEMENT:

Building Director Mariano Fernandez has permitted for me to perform the inspections for all built-out areas and will require my certification for adherence to Code. Prior to the Fire Department performing their inspection to fire sprinkler, fire alarm, and any other elements that are deemed necessary, I shall provide as built plans showing compliance with all codes prior to inspecting, including corridor wall ratings, demising walls, vertical opening and life safety systems. The futures build-outs after permit approval is obtained will be performed by The City of Miami Beach unless otherwise agreed to at a later date.

Reoccupation of the Hotel will occur on a floor by floor basis from the bottom up always leaving a floor above as a buffer floor from the floor of construction as detailed in the permit set.

Reymundo J. Miranda, P.E.
Engineer of Record
Private Provider Inspection
Owner's Representative

Approved:

Approved:

Mariano Fernandez,
Building Director

Virgilio Fernandez
Fire Chief

Date

Date

Juan Meizoso
Fire Marshal

Date

Co/ Luis Rio Guell

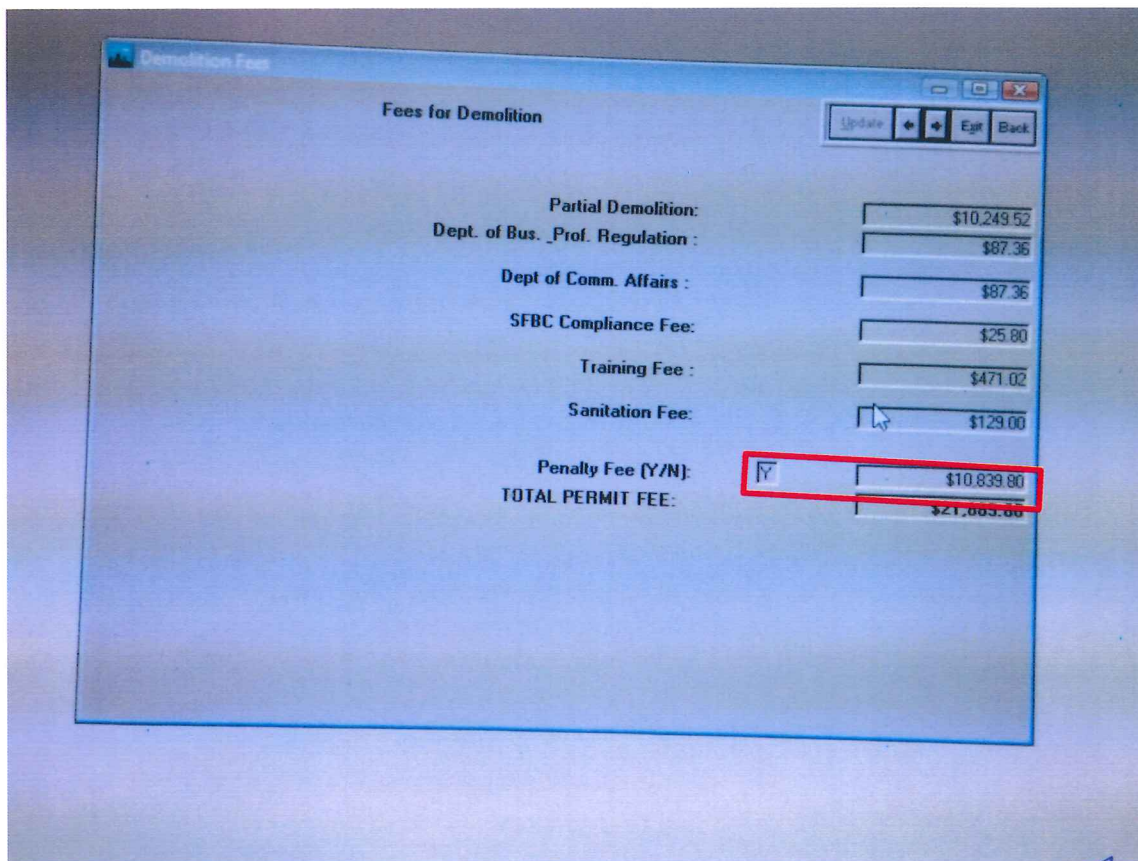
RJM/mg

plumario gdcouat/unceplione/propjetio/du mlaril beozn/ahazn/bicopolice/le sheldok

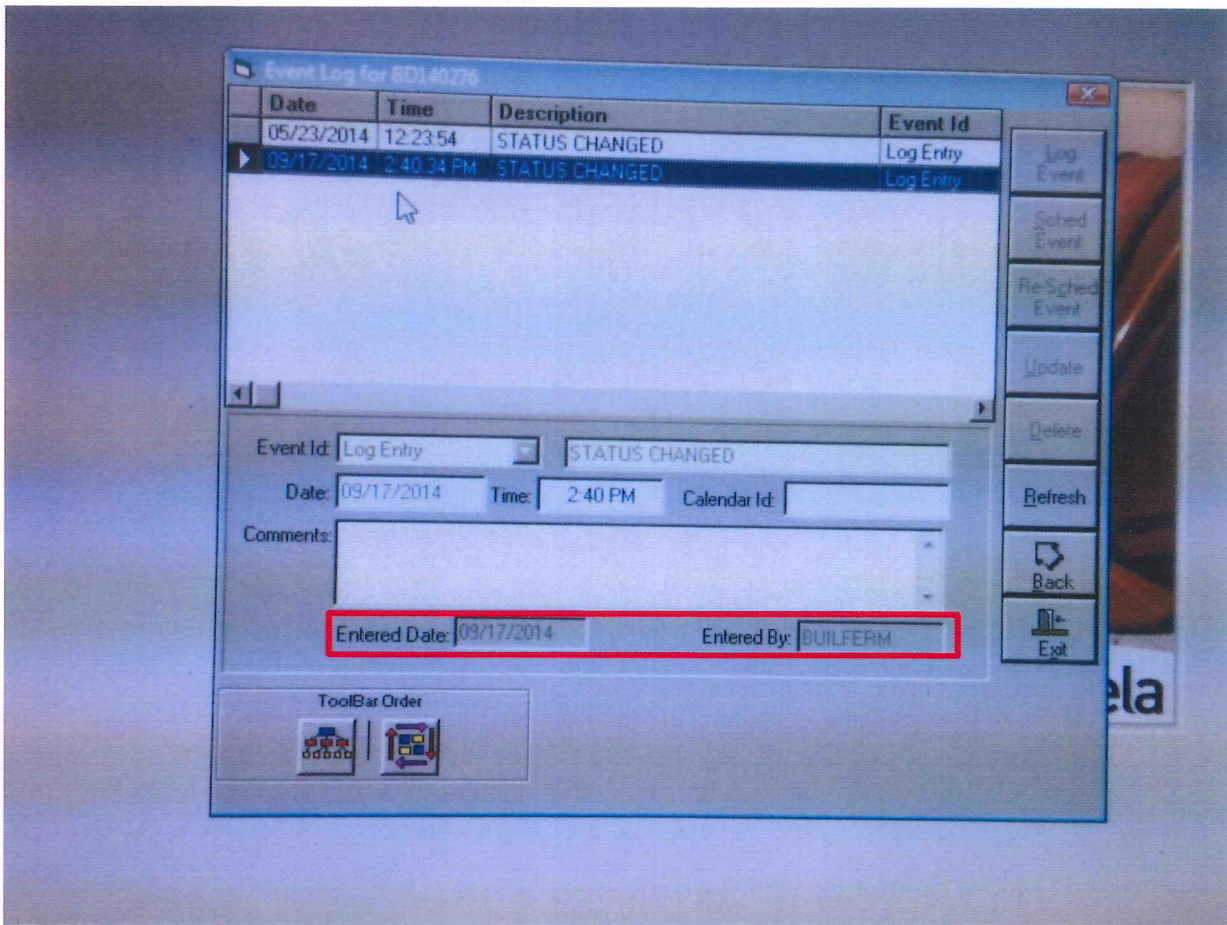
Although none of the other attendees to the meeting signed Mr. Miranda's memorandum, Mr. Miranda testified that it accurately reflected what was decided at the meeting.

Your Affiants discovered that FERNANDEZ's Building Department never assessed double fees on the RIU's Master Permit. Rather, the RIU was allowed to apply for a (cheaper) "Partial Demolition Permit" on May 23, 2014, and double fees were reportedly assessed on that Partial Demolition Permit. As of May 2014, the Master Permit fees were over \$45,000. Had FERNANDEZ's Department assessed the proper fees, the RIU would have owed an additional \$45,000 in fees to Miami Beach. By contrast, the Partial Demolition Permit fees were only \$10,000, so the double fees assessed for the Partial Demolition Permit were \$10,839.80. By assessing double fees on the Partial Demolition Permit rather than the Master Permit, FERNANDEZ's department saved the RIU roughly \$35,000.

Pasted below is a Permits Plus screen shot from the partial demolition permit (BD140276) that was applied for on May 23, 2014 (indication of double fees highlighted in red):



Your Affiants, with the assistance of Miami Beach employees, have searched Permits Plus and determined that Partial Demolition Permit BD140276 was never approved. Rather, it sat in applied-for status until FERNANDEZ simply closed the permit on September 17, 2014. A screenshot memorializing FERNANDEZ closing BD140276 is pasted below (highlighted in red):



Renovations continued, and the Riu Miami Beach remained closed, through February 2015. Between May 2014 and February 2015, the RIU expanded the scope of the renovations. In addition to the guestrooms, they renovated the lobby area, and began renovations to the pool and pool bar. The RIU had difficulties with the permitting and inspection process, primarily with the fire department. On at least one occasion, the RIU was required to stop work and obtain a new permit. According to RIU employees and records, the RIU received assistance and guidance from Building Director FERNANDEZ throughout the renovation.

Your Affiants discovered the following email, sent from SANCHEZ (asanchez@riu.com) to LUIS RIU (lriug@riu.com) on August 20, 2014 at 6:38AM:

From:	Alejandro Sánchez del Arco <asanchez@riu.com>
Sent:	Wednesday, August 20, 2014 6:38 AM
Subject:	Re: Reunión con Miranda ZMB

Buenos días D. Luis, nosotros en ningún momento nos planteamos el no abrir en la fecha prevista, ayer en la reunión no se menciona para nada ningún cambio de fecha, hicimos bastante hincapié , en adelantar al máximo todo lo que podamos aún no teniendo permiso, para una vez lo tengamos, poder cumplir con la fecha.

Una vez terminada la reunión , hable con el Sr. Miranda a solas y le comenté , si existía alguna posibilidad, de tocar al responsable de estructura de la ciudad (Sr? Mariano), disculpe pero no recuerdo el Apellido, más tarde se lo envió, y quedo que el, por medio de una persona que lo conoce bastante bien, se iba a enterar y me dejaría saber.

Nosotros D. Luis, no tenga la menor duda, que somos conscientes de lo que usted nos comenta, y vamos hacer todo lo que esté en nuestras manos, para abrir en la fecha establecida.

Saludos

AS


(Unofficial translation: “Good morning D. Luis, we have never considered not to open on the date that was set, yesterday at the meeting nothing was mentioned about a change to the date, we did a lot of emphasis, to advance as much as we can even though we don’t have the permit, that way once we have it, we can meet the date.

Once the meeting was done, I spoke to Mr. Miranda in private and I made a comment, **if there was any possibility, to touch the person responsible of the structure in the city (Mr.? Mariano)**, I’m sorry but I don’t recall the last name, I will send it to you later on, and it was said that him, through a person that knows him really well, he will find out and he will let me know.

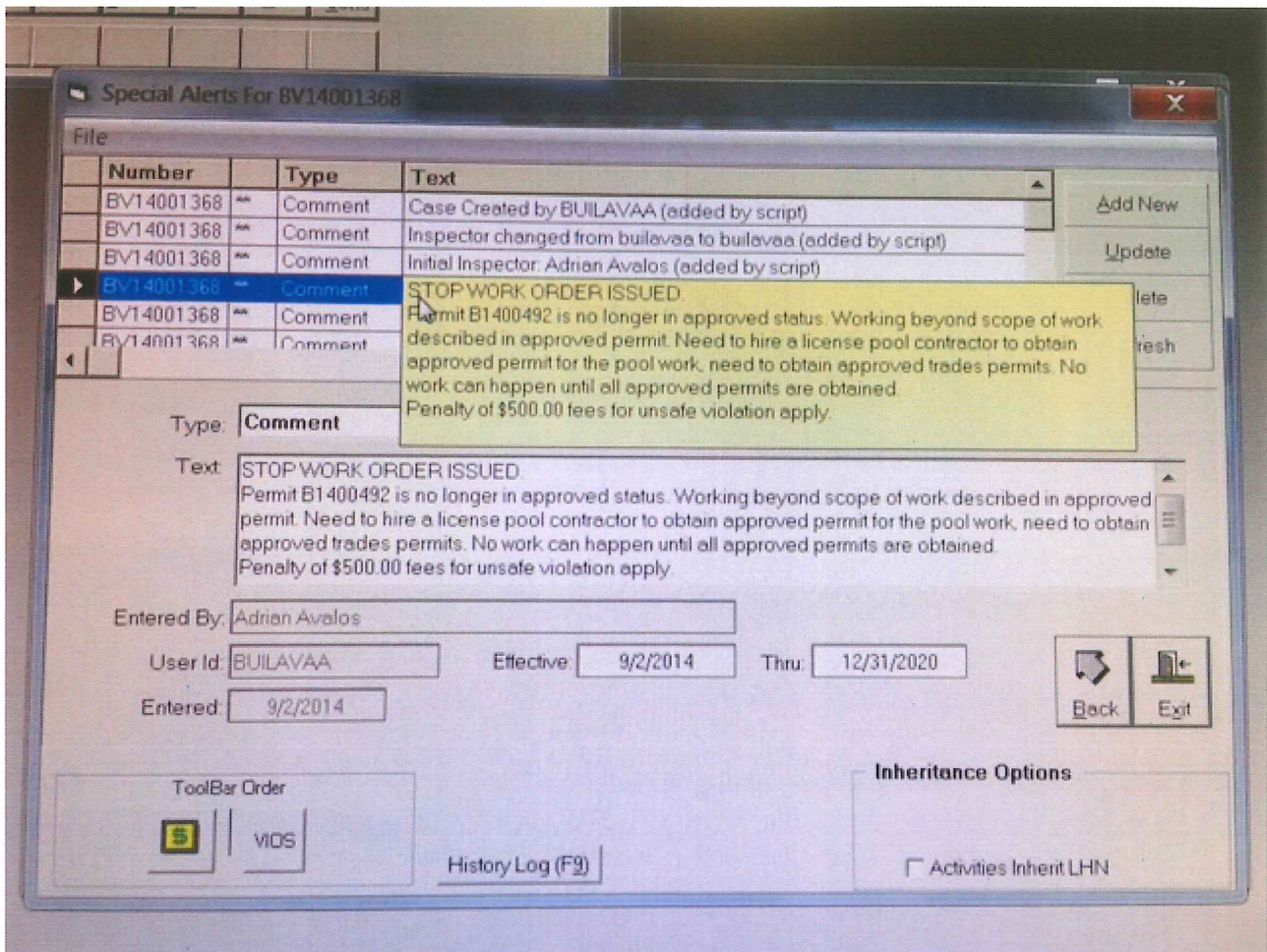
We D. Lius, have no doubt, that we are aware of what you are telling us, and we’re going to do everything that’s in our hands, to open on the date that’s set.
Greetings, AS”)

Your Affiants have probable cause to believe that SANCHEZ was reporting the results of a meeting that took place on the previous date, August 19, 2014, to LUIS RIU. At the end of this meeting, per the email above, SANCHEZ asked Rey Miranda “if there was any possibility to touch the person responsible of the structure in the city (Mr. Mariano).” Your Affiants have probable cause to believe that SANCHEZ was indicating a desire to influence FERNANDEZ so that the Riu Hotel could open to guests by a certain date.

Judge’s Initials: MSG

Affiants’ Initials 

On September 2, 2014, inspectors discovered that the RIU was again performing work outside the scope of its permit—this time on the pool (violation BV14001368). Mr. Adrian Avalos, the Chief of Unsafe Structures for the City of Miami Beach, issued a Stop Work Order and made a note that the RIU must acquire the proper permits, pay a fine, and retain a licensed pool contractor. A Permits Plus screenshot depicting Mr. Avalos’s orders is pasted below:



On September 9, 2014, SANCHEZ sent the following email to LUIS RIU:

From: Alejandro Sánchez del Arco <asanchez@riu.com>
Sent: Tuesday, September 9, 2014 2:31 PM
Subject: Re: ZMB

Buenas tardes D. Luis, acabamos de hablar con Tania, que es la persona que presenta los documentos a la ciudad, esta todo preparado a la espera de que el Sr. Miranda le pase el plano, le acabamos de llamar y nos ha dicho que lo esta terminando para mañana presentarlo.

Hable con Rey y me comento lo que podíamos hacer por Mariano, le comente que sin problema que me diga cuando y lo ponemos a trabajar, que cualquier cosa que necesite estoy a su orden.

A la 1,05 pm, nos visito el inspector de la ciudad, para dar seguimiento a la orden de paro de actividad, nos pusimos a correr y parar a la gente que teníamos trabajando por los pisos, unas 60 personas de Juan y los nuestros, subió hasta la 5 planta y vio a una persona haciendo unos parches en los techos, nos comento que no se podía trabajar, pero que el no iba a decir nada, de hecho llamo en nuestra presencia a la ciudad y dijo que todo estaba bien, nos comento, que puede venir otro inspector que no sea el , que solucionásemos el tema.

A las 3.00 pm , le volveremos a llamar para que vea que estamos encima como lo hemos hecho toda la mañana, cualquier novedad le dejo saber.

Saludos

AS

(Unofficial translation: "Good morning D. Luis, we just spoke with Tania, who is the person that presents the documents to the city, everything is ready and waiting for Mr. Miranda to provide the plans, we just called him and he said that he's finishing it to present it tomorrow.

I spoke with Rey and he told me what we could do for Mariano, I told him that there is no problem and to tell me when and we will make it work, that anything he needs I'm at his service.

At 1:05 PM, the city inspector visited us, to proceed with the stop order for activities, we started running and we stopped the people that we had working on the floors, about 60 people from Juan and ours, he (the inspector) went up to the 5th floor and he saw a person patching the ceiling, he told us that we could not continue with the work, but that he will not say anything, as a matter of fact he called the city in our presence and said that everything was ok, he said, that another inspector can come that is not him, that we will be able to fix the issue.

At 3:00PM, we will call him again so he knows that we are on top of it as we have done the whole morning, any updates I will let you know.
Greetings AS")

Your Affiants have probable cause to believe that SANCHEZ sent the above email communication to LUIS RIU for the purpose of updating him on the progress of removing the Stop Work Order. Additionally, SANCHEZ indicates Rey Miranda informed him (SANCHEZ) “what he could do” for Mariano (FERNANDEZ) and SANCHEZ replied “tell me when and we will make it work.” Your Affiants have probable cause to believe SANCHEZ is indicating a means to influence FERNANDEZ to lift or remove the Stop Work Order.

On the same date, September 9, 2014, an additional email communication was sent from SANCHEZ to LUIS RIU, see below:

From:	Alejandro Sánchez del Arco <asanchez@riu.com>
Sent:	Tuesday, September 9, 2014 5:50 PM
Subject:	Visita oficina Miranda

Buenas noches D. Luis, acabamos de salir de la oficina del Sr. Miranda, los planos de la piscina ya están terminados, mañana a primera hora, antes de entregarlos en la Ciudad, se tiene que reunir con el Sr. Mariano, para que le de la conformidad, para cambiar el nombre de la empresa actual, por otra de su socio, de esta manera, el podrá hacer las inspecciones.

Miranda nos ha reiterado que el al igual que nosotros está sumamente interesado en salir de este tema ya que es su licencia la que está en juego .

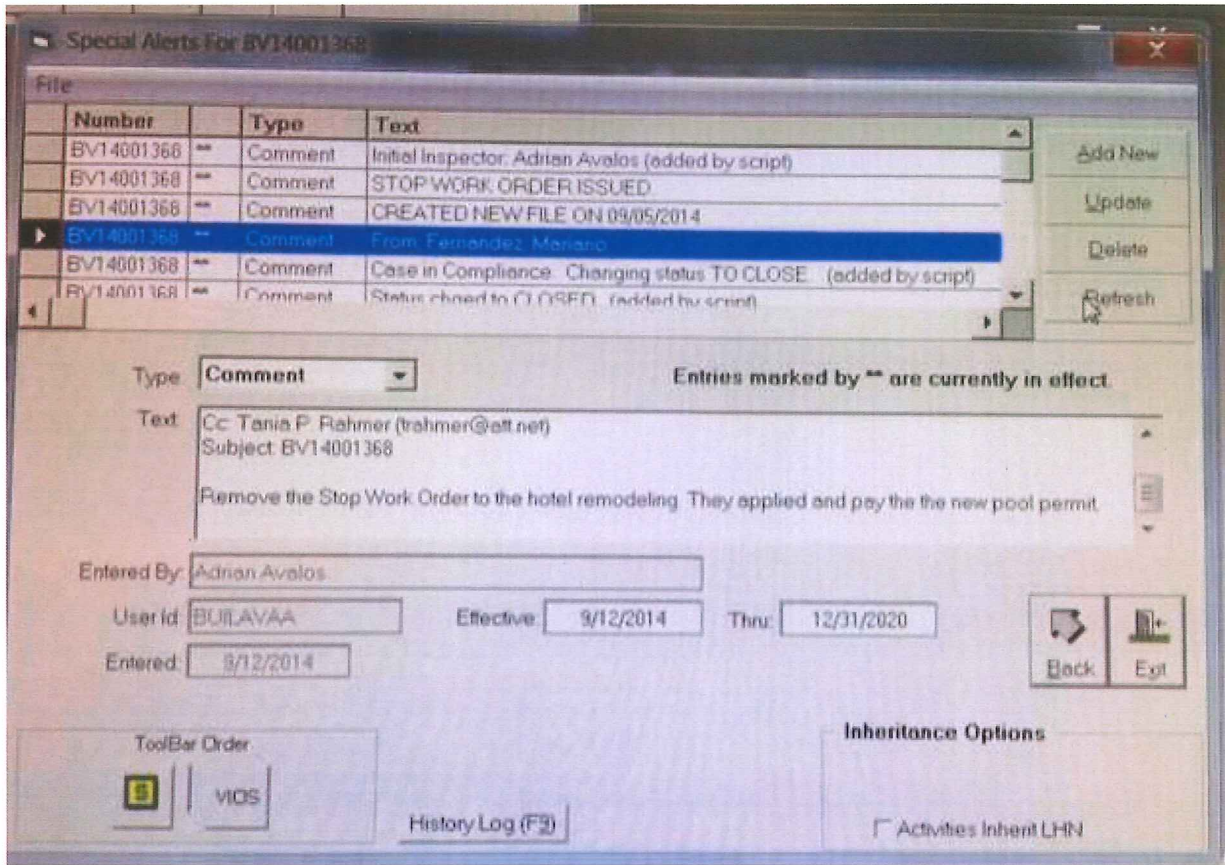
Saludos

AS

(Unofficial Translation: “Good evening D. Luis, we just left Mr. Miranda’s office. The plans of the pool have been completed, tomorrow first thing, before we submit it to the city, you have to meet with Mr. Mariano, to give you the authorization, to change the name of the current company, for another one of your partner’s, this way, he will be able to do the inspections.

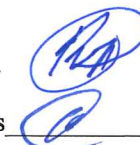
Miranda has re stated to us that him as well as us are very interested for this issue to be completed since it’s his license at risk.
Greetings AS”)

On September 11, 2014, FERNANDEZ ordered that the Stop Work Order be lifted and the RIU be allowed to complete the pool renovations. A screen shot memorializing FERNANDEZ’s orders is pasted below:

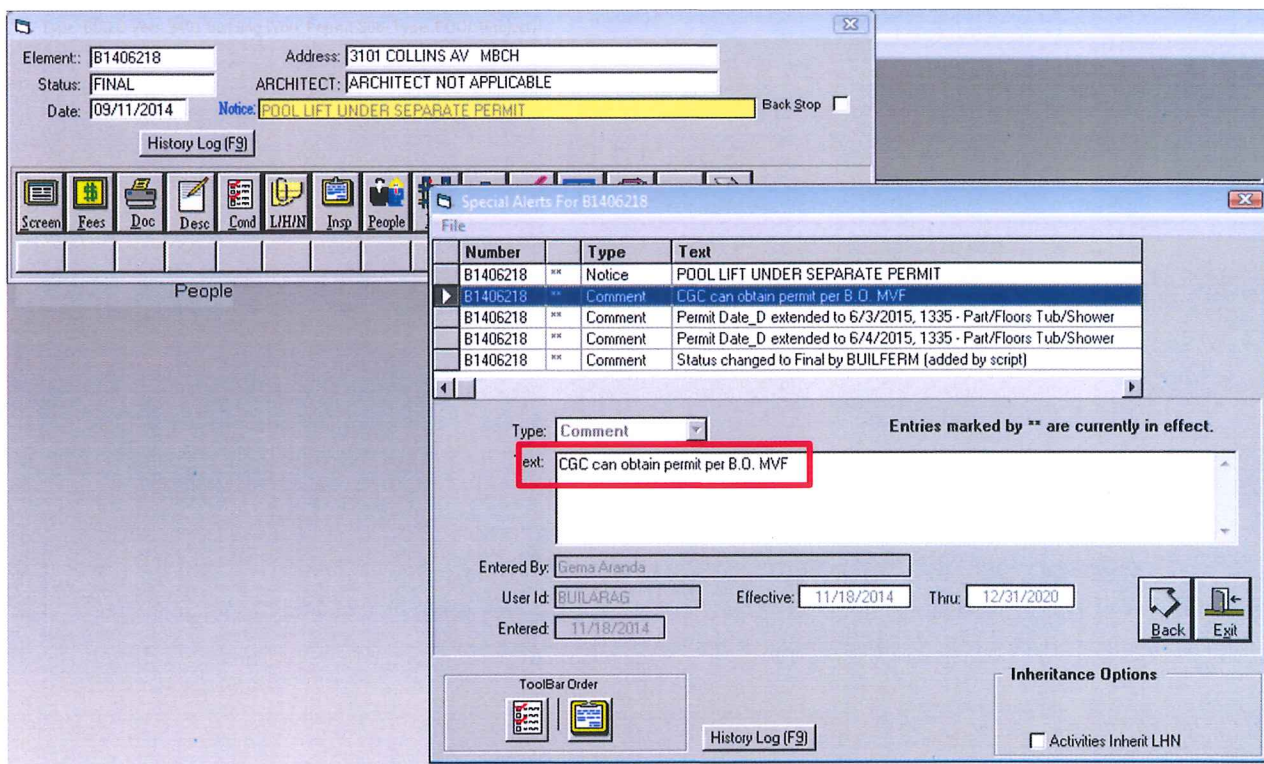


Your Affiants took a sworn statement from Mr. Avalos. Mr. Avalos testified that he searched in Permits Plus and could not find proof that the RIU ever paid the \$500 fine. Your Affiants have probable cause to believe that FERNANDEZ's Department never required the RIU to pay the \$500 fine.

Judge's Initials: MSG

Affiants' Initials: 

Your Affiants discovered that FERNANDEZ also ordered that the RIU be allowed to complete the pool renovations without hiring a licensed pool contractor, contrary to what Avalos had ordered. A screen shot from Permits Plus memorializing FERNANDEZ's orders is pasted below:



Your Affiants learned that User ID "BUILARAG" belongs to Gema Aranda. The text is "CGC can obtain permit per B.O. MVF." Mr. Avalos testified that "CGC" means construction general contractor, "B.O." means building official, and "MVF" means Mariano Victor FERNANDEZ.

The RIU continued to have complaints with the length of the permitting and inspection process. On October 22, 2014, the following email communication was sent from Jose Maria Sanchis (Construction Project Manager for all Riu Hotels) to LUIS RIU:

Judge's Initials: MSG

Affiants' Initials [Signature]

From: jose maria sanchis <pepesb66@hotmail.com>
Sent: Wednesday, October 22, 2014 2:08 PM
Subject: Re: ZMB

Acabamos la reunión y el señor mariano muy en su lugar le ha dicho a rey Miranda que sin planos no puede hacer nada mas que necesita los planos para poder ayudarnos que mañana sin falta tiene que tener los planos para el poder firmar un juego y que podamos continuar trabajando amparado en ese juego firmado por el y poder pedir inspecciones en definitiva mariano nos ha dicho que el esta para ayudarnos y lo hará pero que tenemos que ir con planos y con inspecciones y que mañana tiene que tener los planos

Enviado desde mi iPhone

(Unofficial translation: “We just finished the meeting and Mr. Mariano said to Rey Miranda that without the plans there is nothing he can do that he needs the plans to be able to help us that he has to have the plans tomorrow so he can sign the play (slang for make it happen) so we can continue to work on this signed play (slang) protected by him and to be able to ask for inspections and definitely Mariano has told us that he is there to help us and he will but we have to go with plans and with inspection and that tomorrow he has to have the plans.”)

FERNANDEZ thereafter got involved; he ordered mechanical, electrical, and plumbing (MEP) inspections at the Riu Miami Beach. On October 23, 2014, after ordering the inspections, he forwarded his order to Alejandro SANCHEZ (RIU Regional Vice President), Pepe MORENO (RIU’s Chief Executive Officer), Tania Rahmer (Permit Expeditor hired by the RIU), Hector Paniagua (RIU’s in-house engineer, also known as Hector Pena), Rey Miranda (project engineer), and Juan Velez (RIU’s general contractor for the project). FERNANDEZ’s forwarded email to representatives of the RIU and its construction team is pasted below:

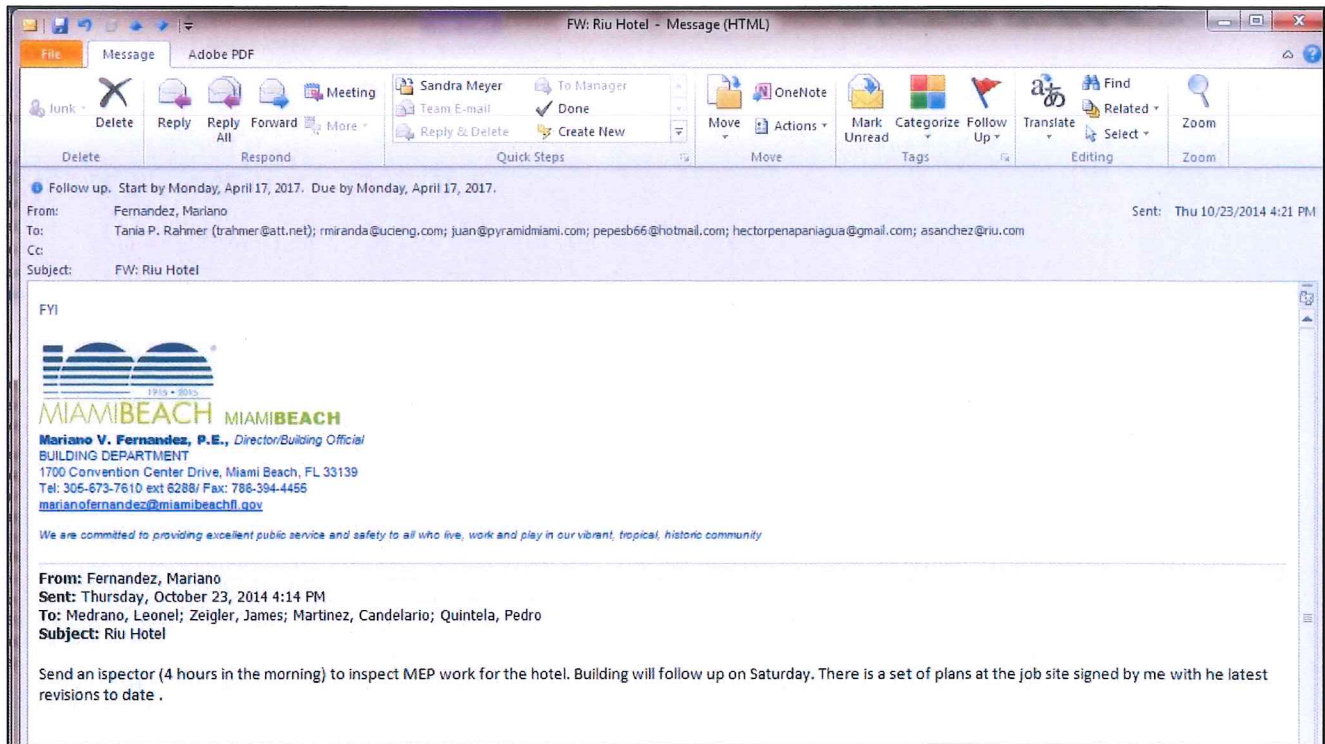
Judge’s Initials: _____

MSG

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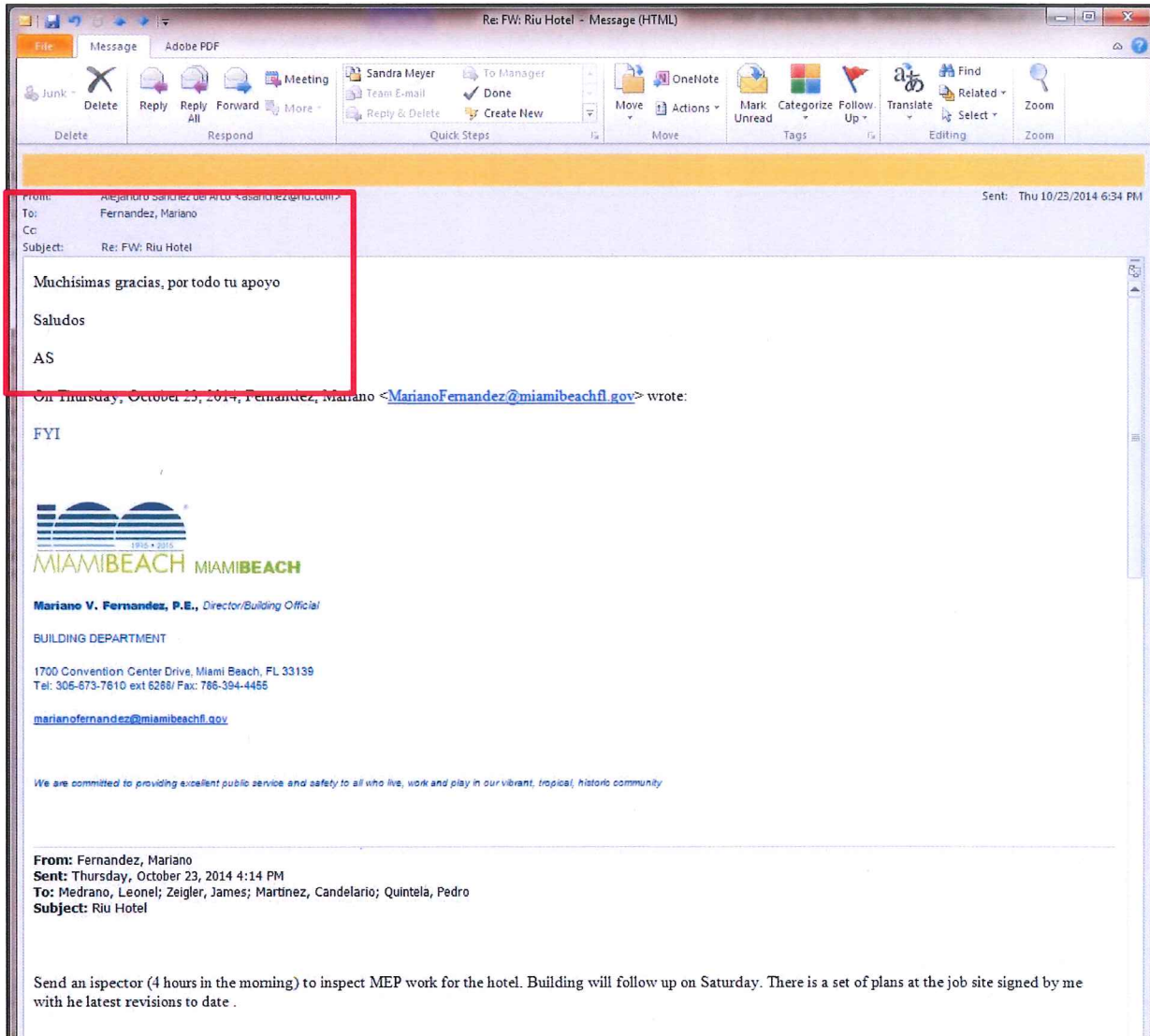
Affiants’ Initials _____





SANCHEZ responded immediately expressing his appreciation for FERNANDEZ's work.

SANCHEZ email to FERNANDEZ is pasted below (unofficially translated, SANCHEZ's email says "Thank you very much for all your support."):

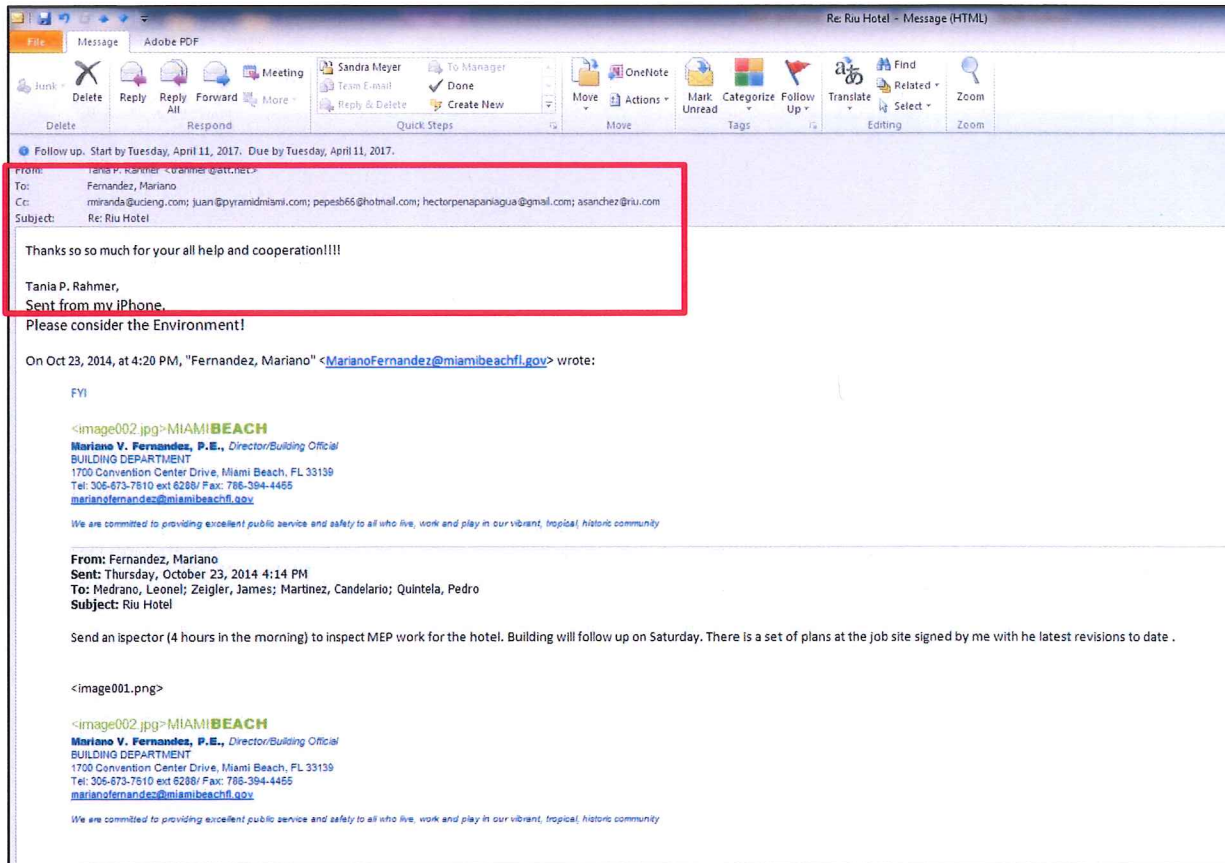


Judge's Initials: MSG

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Affiants' Initials PR

Permit Expeditor Tania Rahmer also expressed her appreciation to FERNANDEZ in an email, which is pasted below:



FERNANDEZ assisted the RIU even more in the final stretch of the process. As the hotel was getting close to reopening, Your Affiants have probable cause to believe that FERNANDEZ used his influence to convince inspectors to sign off on permits, as well as signed off on permits himself.

During the months of November and December of 2014 and January of 2015, the construction and renovation progress at the Riu Miami Beach was delayed due to the ongoing review of deficient plans submitted to the Miami Beach Fire Department ("Fire") by the RIU. The granting of the Riu Miami Beach's reopening depended on Fire's approval of the hotel's fire alarm system. The RIU was required to submit plans for the Riu Miami Beach's fire alarm system, which were included in the Riu Miami Beach's master renovation plans. The fire alarm system plans were first submitted to Fire on August 11, 2014. The fire alarm plan review process

by Fire lasted from August 11, 2014 through the end January 2015. Before inspections can be conducted of the fire alarm system by Fire, the fire alarm plans must be approved by a Fire plans reviewer.

Your Affiants have reviewed the Riu Miami Beach's permit and inspection history as it pertained to Fire. Email communications between LUIS RIU and his employees reveal an ongoing frustration with the Miami Beach Fire Department's inspection and approval of the Riu Miami Beach's fire alarm permit under permit FP1510104. Your Affiants believe the email communications pasted below between LUIS RIU and his contractors and engineers reveal LUIS RIU's continued reliance on FERNANDEZ's influence as Miami Beach Building Director.

On November 7, 2014, LUIS RIU received the following email communication from Hector Pena (RIU's in-house engineer)

From: Hector Peña <hectorpenapaniagua@gmail.com>
Sent: Friday, November 7, 2014 8:47 PM
Subject: Re: ZMB

Hola Don Luis:

Don Luis, tengo FE de que en la próxima semana conseguiremos los permisos, ya hay un pequeño atraso pero si logramos esto podemos terminar antes de finalizar el mes de diciembre , abrir ya dependerá de que tanto nos ayude nuestro amigo Mariano con los inspectores y estoy seguro que si nos va ayudar.

Saludos

(Unofficial translation: "Don Luis, I have FAITH that next week we will obtain the permits, there is a small delay but if we can accomplish this we will be able to finish before the end of the month of December, to open will depend on how much our friend Mariano is going to help us with the inspectors and I'm sure that he will help." NOTE: The email communication above contains only the portion of Pena's email that pertains to FERNANDEZ)

Following receipt of the above email, on November 8, 2014, LUIS RIU sent the following email communication to Sanchis:

Judge's Initials: MSG

Affiants' Initials



From: Luis Riu Guell <lriug@riu.com>
Sent: Saturday, November 8, 2014 1:49 AM
Subject: ZMB

Sanchis : no seria bueno que el lunes dieras un telefonazo a primerísima hora a Tania o a Mariano , tu sabrás , para activar todo lo de la visita de Vacallao y su inspección y también la del inspector eléctrico y el de plomería ? Ya la fecha era el 07-11-14 y ya se nos fue .
A ver si el lunes día 10-11-14 , lo pudiéramos conseguir .Yo creo que estamos casi, casi a punto de caramelo .Solo hace falta el empujoncito de MARIANO .
Dime cosas.L Riu

Luis Riu

(Unofficial translation: “Sanchis: You don’t think that it will be a good idea to give a phone call first hour on Monday to Tania or Mariano, you would know, to activate (get everything ready) about the visit of Vacallao and his inspection and also about the electrical inspector and the plumbing?

The date was 11/7/14 and that is already gone.

We will see if Monday 11/10/14, will be able to obtain it. We are like this, almost to the point of caramel (slang). We only need a little push from MARIANO.

Tell me things. L. Riu”)

Your Affiants believe the “Vacallao” referred to in LUIS RIU’s email is Joe Bacallao, Fire Inspector for the Miami Beach Fire Department. Your Affiants reviewed the status of the fire permit for the Riu Miami Beach during the month of November 2014. During this time, the plans for the fire permit had not passed due to continued review by Fire plans reviewers. LUIS RIU continued to receive status updates from Sanchis concerning Fire’s inspection of the Riu Miami Beach.

From: jose maria sanchis <pepesb66@hotmail.com>
Sent: Wednesday, November 12, 2014 2:20 PM
Subject: Re: ZMB

Luis hoy mariano tiene un día pesado , ha estado fuera de la ciudad desde el viernes por la mañana de la semana pasada y ha vuelto hoy. ya tiene los planos , me ha dicho que va a presionar a mes soso para ver si permite lo de cerrar , hoy no vino vacllado. Vino otro inspector y no tenía las instrucciones claras y se fue porque di que no tenemos el permiso de fire , he llamado a Tania por esto para ver si puede volver mañana vacallado

Enviado desde mi iPad

(Unofficial translation: “Luis today Mariano has a heavy day. He has been out of the office since Friday morning of last week and he just came back today. He already has the plans, he has told me that he will pressure mes soso to allow us to close, today vacllado did not come. Another

Judge’s Initials: MSG

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Affiants’ Initials [Signature]

inspector came and didn't have clear instructions and he left because he said we did not have the fire permit, I have called Tania about this to see if tomorrow Vacallado can return.”)

Your Affiants believe the “mes soso” referred to in the above email communication from Sanchis to LUIS RIU is Juan Meizoso, the Miami Beach Fire Marshal and Joe Bacallao’s supervisor. After receiving additional email communications from LUIS RIU in which LUIS RIU is stressing the completion of the project by a certain date, Sanchis sends the following:

From:	jose maria sanchis <pepesb66@hotmail.com>
Sent:	Wednesday, November 19, 2014 3:44 PM
Subject:	Re: ZMB
Luis estamos haciendo mas de lo que nadie hace en Miami , Luis estamos trabajando sin permisos Solo cuando Juan les llama pero cada semana tenemos minimo 3	
Enviado desde mi iPad	

(Unofficial translation: “Luis we are doing more than anyone does in Miami, Luis we are working without permits Only when Juan calls but every week we have a minimum of 3”)


Followed by an additional email from Sanchis to LUIS RIU, explaining Sanchis’s conversation with FERNANDEZ and what FERNANDEZ intends to do so that Fire completes their inspections:

From:	jose maria sanchis <pepesb66@hotmail.com>
Sent:	Wednesday, November 19, 2014 3:46 PM
Subject:	Re: ZMB
Luis he llamado a mariano y esta tratando de presionar un poco mas a fire , pero el me dice que poco puede hacer mas	
Enviado desde mi iPad	

(Unofficial translation: “Luis I called Mariano and he’s trying to pressure fire a little more, but he said he can only do so much”)

While the plans for Fire remained pending and had not been passed, additional email communications are sent from Sanchis to LUIS RIU:

Judge’s Initials: MSG

Affiants’ Initials 

From: jose maria sanchis <pepesb66@hotmail.com>
Sent: Thursday, December 4, 2014 4:10 PM

Hable con mariano , ya esta mas que harto de la situación el dice que esto ya le esta cansando no porque yo le llame o le insista si no porque los de fuego están jugando con nosotros , el hablara esta tarde con messoso , Y el el lunes vendrá al hotel para ver todo por sus ojos .le he dicho que sus inspectores viene sin problema cada vez que los llamo , pero fuego siempre tiene una vaina

Enviado desde mi iPad

(Unofficial translation: "I spoke to Mariano, he is more than annoyed about this situation he says that he is already tired not because I call him or because I insist but because fire is playing with us, he will speak with messoso this afternoon, and on Monday he will come to the hotel and see everything with his own eyes. I have told him his inspectors come without an issue every time I call, but fire always has an issue.")

In response to Sanchis's email, LUIS RIU sent the following email:

From: Luis Riu Guell <lriug@riu.com>
Sent: Friday, December 5, 2014 12:11 AM
Subject: ZMB

Sanchis:

- porque Tania no ingreso los documentos que faltaban para el FIRE hoy? Ahora dice que mañana . Vaya por Dios.Los podría haber ingresado hoy , como quedamos !!!!

- Que dice Miranda de todo esto ? No me dices nada de el .

- Mañana Vacallao dará el permiso para cerrar el PUTO tablaroca ? O para que viene ?

- Esto es desesperante !!!! Lunes viene Mariano a la obra .Ok , perfecto .Pero hemos perdido otra semana de tiempo !!!! Que no puede arreglar desde su despacho ???

- Por favor, no me contestes tres líneas.Tengo ansias de saber y me sabe a poco , tus explicaciones tan breves.

- Tomate tu tiempo y contéstame ampliando las explicaciones .Mucho mas no hay por hacer y yo lo necesito.De verdad que lo estoy pasando MUY MAL . MUY MAL !!!!

L Riu

Luis Riu

Judge's Initials: MSG

Affiants' Initials: RA

(Unofficial translation of highlighted portion above: "This is desperate (or crazy)!!!! Monday Mariano is coming to the project. OK, perfect. But we have already lost another week of time!!!! What can we fix from his office???)

LUIS RIU's continued frustration with Fire and the re-opening of the Riu Miami Beach continued in additional email communication from LUIS RIU to Sanchis.

From: Luis Riu Guell <lriug@riu.com>
Sent: Sunday, December 7, 2014 4:22 AM
Subject: ZMB

Sanchis:

- tu piensas que el inspector de FIRE nos hace el boicot por algún motivo ?
- hay que empezar a analizar esta situación porque no es normal lo que esta pasando . Da que pensar .
- querrán dinero por las visitas ?
- nos quieren castigar por algo ?
- por ser amigos de Mariano ?
- piensas que Miranda estaría metido en este boicot o venganza por ser amigos de Mariano o pedidera de dinero ?

Piénsalo un poco y dime cosas .Gracias.L Riu

Luis Riu

(Unofficial translation: "Sanchis:

- Do you think that the fire inspector is doing a boycott for any reason?
- We have to think about this situation because it's not normal that this is happening. It's making me think.
- Would they want money for the visits?
- Do they want to punish us for something?
- For being friends with Mariano?
- Do you think that Miranda is involved in this boycott or revenge for being friends with Mariano or would he ask for money? Think about it a little bit and tell me things. Thank you. L Riu.")

On December 19, 2014, Pena sent the following email updating LUIS RIU on the progress of the Riu Miami Beach, and answering questions LUIS RIU previously submitted to Pena via email (Note: only a portion of the email which contained FERNANDEZ's involvement was pasted below):

From: Hector Peña <hectorpenapaniagua@gmail.com>
Sent: Friday, December 19, 2014 12:34 PM
Subject: Re: XMB

Hola Don Luis:

- ¿Por qué no vacian la platea del chiringuito hoy mismo y pone el planing que hay que espera hasta el 22/12?

Aun ni se ha puesto el acero, primero había que pasar la inspección de plomería.

Hace un momento vino Mariano y nos firmó la plomería y ya inician con el acero.

Mariano nos advirtió que no pidamos ninguna inspección de eléctrica, plomería o mecánica, que solo lo llamemos a él y que nos hará la inspección.

(Unofficial translation of Pena's response:

“Just a moment ago Mariano came and signed the plumbing and steel will be initiated. Mariano advised us to not ask for any inspections of electricity, plumbing or mechanical, to only call him and he will do the inspection.”

In response to Pena's email, LUIS RIU sent the following email communication to Pena:

From: Luis Riu Guell <lriug@riu.com>
Sent: Friday, December 19, 2014 1:12 PM
Subject: ZMB

Peña :

- Es increíble lo que nos ha sucedido con el Sr Mariano. Ni en nuestros mejores sueños , hubiéramos imaginado , que el Jefe Supremo , el Mayimbe Total , viniera a hacernos las inspecciones a la obra , a domicilio .Aun no me lo puedo creer .Hacer caso a todo lo que nos diga .

Saludos.L Riu

Luis Riu

(Unofficial translation: “It’s incredible what has happened with Mr. Mariano. Not even in our best dreams, would have imagined, that the supreme boss, the leader/chief (slang), would come and do the project inspections, at the hotel. I still cannot believe this. Do everything that he asks.”)

A review of FERNANDEZ’s inspection and permit approval history in Permits Plus for permits and sub permits associated with the renovation of the Riu Miami Beach confirms FERNANDEZ’s approval of plumbing sub permit BP150016 on December 22, 2014 (the Monday following the date of the email above sent Friday December 19th). FERNANDEZ also approved the electrical final section for sub permit BE150274 on December 22, 2014.

Your Affiants conducted an interview of Julio Beltran, a Miami Beach Building Inspector. Beltran told Your Affiants that he originally conducted inspections of the Riu Miami Beach, until he was suddenly told by a supervisor to not go to the Riu Miami Beach anymore. Below is a screenshot from Permits Plus of the inspection history for sub permit BE150274:

BE150274: Entries for Item:1230 - 1230 - Rough

Action	Comments	By	Date	Unique_ Key
CO	need to provide access panels, provide a lv and f/a permit	BUILARDJ	11/06/2014	A002425 137
AP	Special Inspector on file	mvf	12/04/2014	A002451 380
CO	MEET WITH WALDO, CONTRACTOR MUST CALL ALL OF HIS INSPECTION AT THE SAME TIME REVIEW INSPECTION LOGS REQUIREMENTS. EJM	BUILMARE	12/05/2014	A002452 268
CO	cancelled by contractor	BUILARDJ	12/08/2014	A002454 268
PA	PA ceiling rough for main lobby only. Take away area not ready.....JB	BUILBELJ	12/09/2014	A002454 847
PA	PA FOR DOMES (TOTAL OF 4 IN RESTAURANT). SEE PLANS. EJM	BUILMARE	12/10/2014	A002457 006
PA	PA ceiling rough for the take away area only.....JB	BUILBELJ	12/11/2014	A002457 962
CO	1-AREA IDENTIFY BY CONTRACTOR FOR INSPECTION IS ALREADY COVER. EJM	BUILMARE	12/17/2014	A002465 439
CA	Cancelled as per C.A.M, No more inspections.....JB	BUILBELJ	12/18/2014	A002466 750

In reviewing the inspection history above, Your Affiants discovered Beltran conducted electrical inspections for this sub permit, under “BUILBELJ.” Notably, on December 18, 2014, Beltran indicates all inspections are cancelled. You Affiants have probable cause to believe that

the inspection history of BE150274 confirms Beltran was informed to no longer inspect the Riu Miami Beach.

LUIS RIU continued to send email communications to Sanchis and Pena. On January 7, 2015, Sanchis sends the following email response to questions posed by LUIS RIU in a previous email communication. (Note: only a portion of Sanchis's responses which are relevant to FERNANDEZ's involvement are translated following the pasted email below.)

From: jose maria sanchis <pepesb66@hotmail.com>
Sent: Wednesday, January 7, 2015 4:23 PM
Subject: Re: ZMB

Enviado desde mi iPad

> El 7/1/2015, a las 1:16, Luis Riu Guell <lrug@riu.com> escribió:
>
> Sanchis :
>
> - en que metió miedo Miranda ahora ? En que cosas ?
> El miedo que siempre usa del departamento de fuego , que ahora ya
> mariano no puede hacer nada y que es messoso el que tiene que firmar
> lo ultimo de inspección final ,
> - Don : resuelto , Ok.
>
> - Zoning : lo resuelve hoy Tania ?
> Ya esta cuadrado lo de la ciudad el señor victor trabaja para mariano hoy queda resuelto el tema , Tania esta en eso .
> - Ya me dirás como fue la reunión de las 10.00 con Jorge y Miranda .
> Hoy estuvo Jorge aquí en obra viendo todo lo faltante , los detectores
> de CO2 vendrán muy justos en tiempo por lo demás estará todo y
> estamos viendo con la fabrica como adelantar la entrega , mañana a
> las 9 hay una reunión de Miranda y Jorge para el cuadro famoso de
> detección de humos , Jorge tiene todas las líneas tiradas solo es
> configurar como tiene que marcar las señales , estaré pendiente mañana
> de Miranda y Jorge
> - Gracias.L Riu
>
>
> Luis Riu

(Unofficial translation of sections indicated above: “ The fear that he always uses is the fire department, since now Mariano cannot do anything and is Messoso who has to sign the last part of the final inspection,” Second part: “Everything else is agreed upon about the city Mr. Victor works for Mariano today the issues will be resolved, Tania is on that.”

Your Affiants have probable cause to believe that Sanchis is indicating to LUIS RIU that FERNANDEZ cannot use his official position to approve the Fire permit and inspections.

Judge's Initials: MSG

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Affiants' Initials: [Signature]

Moreover, that “Messoso” (Juan Meizoso, Fire Marshal) is the only one who can approve the Fire inspections and permit allowing the Riu Miami Beach to open.

A review of Permits Plus activity pertaining to the inspection history of FP150104 indicates Bacallao began conducting Fire Alarm inspections at the Riu Miami Beach on January 16, 2015. Bacallao did not give final approval of the “Rough Fire Alarm” inspection until February 13, 2015. Since, the pool deck area had not been completed, Bacallao’s inspection and “Rough Fire Alarm” approval only pertained to the hotel tower. In an email from LUIS RIU to Sanchis, sent January 26, 2015, LUIS RIU asks Sanchis to see if FERNANDEZ can control Bacallao.

From: Luis Riu Guell <lriug@riu.com>
Sent: Monday, January 26, 2015 12:41 AM
Subject: ZMB

Sanchis :

- A ver si Vacallao hoy nos pasa la inspección ?
- A ver si Miranda y Mariano lo pueden domar un poco .Pídeselo .

(Unofficial translation: “- Let’s see if today Vacallao passes the inspection?
- **Let’s see if Miranda and Mariano can control him a bit. Ask them.**”)

Upon being notified by Sanchis that Bacallao did not conduct an inspection of the Riu Miami Beach on Wednesday, January 28, 2015, LUIS RIU sent the following email to Sanchis:

From: Luis Riu Guell <lriug@riu.com>
Sent: Wednesday, January 28, 2015 12:25 AM
Subject: ZMB

Sanchis:

Explicame porque no viene el miércoles y sino puede hacer algo Mariano con su compañero Virgilio. Ahora es el momento de gastar un cartucho .
Dime cosas. Espero noticias ansiosamente. Gracias. L Riu

Luis Riu

(Unofficial translation: “Explain to me why he is not coming on Wednesday and if Mariano can do something with his partner Virgilio. Now is the moment to use one of our cards (slang).”)

Your Affiants have probable cause to believe LUIS RIU is asking Sanchis whether Mariano (FERNANDEZ) can influence “Virgilio,” (Virgilio Fernandez) the Miami Beach Fire Chief, to assist with the Fire inspection issues that are slowing the opening of the Riu Miami Beach. Sanchis sends the following emails to LUIS RIU on January 29, 2015, updating LUIS RIU on what FERNANDEZ has done for the RIU.

From: jose maria sanchis <josemariasanchis@hotmail.com>
Sent: Thursday, January 29, 2015 8:56 AM
Subject: Re:

Luis yo estoy recibiendo tus correos de que el día 1 entran clientes

Mariano ayer me dijo palabras textuales , que el hará todo para que habramos el hotel , que el y firmo ya ayer todos sus capítulos de cierre de obra , no tiene ni la menor duda, de que tenemos los huevos cuadrados y que somos tan locos o mas que el , pero que no cometamos el error de prepotentes y hacer una tontería de ese calibre , porque no podría ayudarnos en este tema si metemos gente sin el temporal ocupanci, el espera que vacallao junto con messoso firmen porque los tiene comidos por los huevos debido a los 286000 dólares que cobró Miranda y que el esta vigilante con este tema

Enviado desde mi iPad

(Unofficial translation: “Luis I am receiving your emails that on the first clients are coming in. Mariano yesterday he said textual words, that he will do everything so that we can open the hotel, that yesterday he signed all the chapters for the project to close, he has no doubts, that we have big balls (slang) that we are as crazy or more than he is, and to not make the mistake of being cocky and make a stupidity of that caliber, because he will not be able to help us with that if we put people without the temporary occupancy permit, he is hoping that vacallao together with mesosso will sign because he has them by the balls (slang) due to the 286000 dollars that Miranda charged and he is on top of that.”)

From: jose maria sanchis <josemariasanchis@hotmail.com>
Sent: Thursday, January 29, 2015 9:04 AM
Subject: Re:

Y cuando podamos hablar te contare porque mariano esta siendo así con nosotros , aunque me imagino que ya lo has pensado, mariano quiere salir de esta bronca y que nosotros tengamos abierto el hotel , para cepillarse a messoso , y vacallao , por lo que hizo Miranda

Enviado desde mi iPad

(Unofficial translation: “And whenever we speak I will tell you why Mariano is being like this with us, even though I imagine you already thought about it, Mariano wants to get out of this issue and for us to have the hotel open, so he can brush (slang) messoso, and vacallao, because of what Miranda did.”)

Judge's Initials: MSG

Affiants' Initials: MA

Your Affiants have reviewed the Permits Plus activity of FERNANDEZ on the date of January 28, 2015 under the Riu Miami Beach master permit B1400492. Your Affiants can confirm that FERNANDEZ approved the “Building Final” section under sub permit B1500960 on January 28, 2015. On the same date, FERNANDEZ also approved the “Structural section” of sub permit BREV150353 and “Elevator approval” section of sub permit BP150016. Your Affiants have probable cause to believe these sub permit approvals by FERNANDEZ are the final approvals which would allow the Riu Miami Beach to open, as indicated in Sanchis’s emails to LUIS RIU above, and are within FERNANDEZ’s control as Building Director. As of January 30, 2015, the Riu Miami Beach could not reopen until Fire approved the inspection of the fire alarm system.

On January 30, 2015, LUIS RIU sent the following email to Sanchis, indicating his continued frustration with Fire’s inspection and permit approval:

From: Luis Riu Guell <lriug@riu.com>
Sent: Friday, January 30, 2015 12:03 AM
Subject: ZMB

Sanchis:

Como es la relación de Vacallao con nosotros ?
Nos debe de odiar , no ?
O le debemos de importar una puta mierda ?
O esta disgustado con nosotros ,por ser amigos de Mariano ?
Sabe Mariano que tampoco vino ayer ? Que dijo ?

Saludos.L Riu

Luis Riu

(Unofficial translation: “Sanchis:
What is our relationship with Vacallao?
He must hate us, right?
Or should we import him a prostitute fuck?
Or is he upset with us, for being with Mariano?
Does Mariano know that he didn’t come yesterday either? What did he say?
Greetings. L Riu”)

Judge’s Initials: MSC

Affiants’ Initials RA

Sanchis responded to LUIS RIU with the following:

From: jose maria sanchis <pepesb66@hotmail.com>
Sent: Friday, January 30, 2015 3:49 PM

El señor vacallado se ha ido a las 1530 , con todas las habitaciones liberadas por parte de bomberos en lo que se refiere a temas que controlaba Miranda (286000) no ha visto nada de fire alarma. Nos dice que vuelve el lunes a la 0900 para hacer todo lo de fire alarms , esto Luis es una mafia total y absoluta ,estoy hablando con Tania y mariano , rey Miranda no aparece , cuando termine de hablar con mariano te informare que me dice

Enviado desde mi iPad

(Unofficial translation: “mr. vacallado left at 15:30, with all the rooms being free as far as the fireman is referred to the issues that Miranda controlled (286000) has not seen anything of the fire alarm. He’s telling us that he’ll be back on Monday at 9:00 to do everything of fire alarms, this Luis it’s a complete and absolute mafia, I am speaking with Tania and mariano, rey Miranda is nowhere to be found, when I finish speaking with Mariano I will keep you informed.”)

A review of the Riu Miami Beach fire alarm inspection history in Permits Plus under permit FP150105, indicates Bacallao conducted an inspection of the fire alarm system on February 2, 2015. A copy of Bacallao’s inspection activity from Permits Plus on February 2nd is pasted below:

PA	inspection from the 6th floor to the 10th floor units and common areas. pending items are 1. dialer 2. hood suppression system 3. music shut down 4. elevator recall and shunt trip 5. fire-sprinkler-water-flow-tamper, and fire pump. 6.generator 7. smoke pressurization, monitor pwr to fans and dampers. 8. smoke det in unit 919 did not activate. 9. smoke detector inconnection did not work when unit 740 inconnets to unit 738, 608 to 610, 606 to 610, and 610 to 606 and 608. Rollover inspection to continue for tomorrow 2/3/15	firebacj	02/02/2015	A002507 480
CA	ROLLOVER FOR THURSDAY, FEBRUARY 5TH.	FIRETAMO	02/04/2015	A002509 461

The “PA” indicates partial approval of the Fire permit by Bacallao on February 2nd, in addition to a list of pending items and comments that need to be addressed by the RIU before the fire alarm permit can be approved. The next entry, on February 4, 2015, indicates additional inspections of the fire alarm system are being rolled over (“ROLLOVER”) to February 5, 2015.

Judge’s Initials: MSG

Affiants’ Initials [Signature]

A “rollover” is inputted to indicate the completion of the inspections were not done and further inspections are “rolled over” and set for the next day or inspector’s next available time.

On February 3, 2015, LUIS RIU sends the following emails to Sanchis, again asking that Sanchis request FERNANDEZ’s assistance with Fire:

From: Luis Riu Guell <lriug@riu.com>
Sent: Tuesday, February 3, 2015 4:41 PM

Sanchis :

Si quieres y necesitas confiar en Mariano y si algún viene al hotel , pidele que hable con Virgilio y que nos arregle lo de las inspecciones de Vacallao (no creo que sea algo muy difícil de conseguir. Piensa que estará inspeccionando para alguien que los soborna , para ir delante de nosotros) . Es lo UNICO que se me ocurre hacer .
Sino , solo queda dejarnos llevar por el viento .
L Riu

Luis Riu

(Unofficial translation: “Sanchis: Yes you want and you need to have faith in Mariano and if he still comes to the hotel, ask him to speak with Virgilio and have him fix the inspections done by Vacallao (I don’t think that it would be too difficult to obtain. Think that he would be inspecting for someone who is bribing him, to go in front of us). It’s the ONLY thing that I can think of doing. If not, the only thing that’s left is to let the wind take us. L Riu”)

From: Luis Riu Guell <lriug@riu.com>
Sent: Tuesday, February 3, 2015 4:43 PM
Subject: ZMB

Sanchis:

Tendríamos que haber seguido sobornando a Miranda y su tropa .Hubiéramos tenido que pagar , pero tendríamos los privilegios de los bomberos .
Ahora somos sus enemigos y como tal , nos tratan .En el fondo son caribeños y como tales , quieren lo que todos quieren .Dinero fácil o sufrimiento .Y nos están dando de la ultimo .
Así es . L Riu

Luis Riu

(Unofficial translation: “Sanchis: We would have had to continue to bribe Miranda and his troop. We would have had to pay, but we would have had the privileges of the firemen. Now we are there enemies and as such, they treat us. Deep inside they’re islanders (slang) and just like them, they want what they all want. Easy money or suffering. And they are giving us at last.”)

Judge’s Initials: MSG

Affiants’ Initials [Signature]

Your Affiants have probable cause to believe the inspections LUIS RIU is indicating he wants FERNANDEZ to speak with “Virgilio” (Fire Chief Virgilio Fernandez) and fix the inspections conducted by Bacallao on February 2, 2015 and the pending Fire inspections. LUIS RIU also contemplates paying more or bribing Miranda to have the fire inspections completed. Although Miranda is a private engineer employed by the RIU, the above email communication indicates LUIS RIU is willing to do what he believes is necessary to reopen the Riu Miami Beach.

The Temporary Certificate of Occupancy (“TCO”), which would allow the Riu Miami Beach to reopen for guests, was issued on February 11, 2015. Your Affiants reviewed the inspection history for the Riu Miami Beach and found that in the month leading up to the TCO (January 15 – February 11), FERNANDEZ performed thirty-four inspections¹. For each of the inspections, which involved the master permit and eighteen sub-permits, FERNANDEZ gave his approval.

RIU employees discussed FERNANDEZ’s assistance and promises among themselves in emails, which are pasted below. Your Affiants discovered that on February 4, 2015, LUQUE optimistically told CEO Pepe MORENO that, according to FERNANDEZ, the inspection process should be almost over.

¹ In total, Your Affiants discovered that FERNANDEZ performed sixty-three inspections at the Riu Miami Beach. Your Affiants took sworn testimony from Mr. Narinder Singh, the Chief of Inspections for the Miami Beach Building Department. Mr. Singh testified that it is uncommon for the Building Official to perform inspections himself or herself.

Subject: Miami

From: Ricardo Luque Ferrández <rluquef@riu.com>

Date: 2/4/2015 12:22 PM

To: Pepe Moreno <pmoreno@riu.com>

Jefe, mañana sera un dia clave. Si vienen con ganas al parecer ya sera la ultima inspeccion segun ha podido averiguar Mariano.

Si nos vacilan seguiremos en la misma historia.

Si nos dan el OK podriamos abrir el sabado o lunes.

--

Ricardo Luque Ferrández

Managing Director

Riu Plaza Hotels

(+1) 786 3347394

www.riu.com / www.riuplaza.com

(Unofficial translation: "Boss, tomorrow will be a key day. If they come with the desire apparently it will be the last inspection, based on what Mariano was able to find out. If they play around with us, we will continue with the same story . If they give us the OK we could open on Saturday or Monday.").

Your Affiants believe the “last inspection” indicated in the email communication above by LUQUE refers to the fire alarm inspection. A review of the fire alarm inspection history under permit FP150104 indicates Bacallao returned to the Riu Miami Beach on February 5, 2015 and only granted partial approval of the fire alarm system. That activity is pasted below:

CA	ROLLOVER FOR THURSDAY, FEBRUARY 5TH.	FIRETAMO	02/04/2015	A002509 461
PA	Inspection from the 5th floor to the 3rd floor units , mezz. lobby, resturant, and common areas. pending items are 1. dialer 2. hood suppression system 3. music shut down 4. elevator recall and shunt trip 5. fire sprinkler water flow, tamper, and fire pump. 6. pool deck devloas, and basement 7. smoke pressurization, monitor pwr to fans and dampers. 8. smoke det in unit 919 did not activate. 9. smoke delector inconnetion did not work when unit 740 inconnets to unit 738, 608 to 610, 606 to 610, and 610 to 606 and 608.	firebacj	02/05/2015	A002512 491

Your Affiants discovered that two days later MORENO expressed that FERNANDEZ had given him the impression that the Riu Miami Beach could reopen on February 10, 2015. MORENO’s email is pasted below:

Subject: Miami
From: Pepe Moreno <pmoreno@riu.com>
Date: 2/6/2015 11:28 AM
To: rluquef@riu.com

Habla con Palmer y-o Alejandro y que te explique la llamada de hoy de Mariano. Parece que el martes por la tarde podrán entrar si o si los clientes

(Unofficial translation: “Talk to Palmer and/or Alejandro, so they can explain to you today’s call from Mariano. It seems that on Tuesday afternoon yes or yes Clients will be able to enter”).

Judge’s Initials: MSG

Affiants’ Initials 

MORENO's email refers to "Tuesday;" Your Affiants discovered that Tuesday was February 10, 2015.

LUQUE responded to MORENO that FERNANDEZ should be able to help the RIU with the final inspection:

Subject: Re: Miami
From: Ricardo Luque Ferrández <rluquef@riu.com>
Date: 2/6/2015 12:19 PM
To: Pepe Moreno <pmoreno@riu.com>

En teoria Mariano estara presente el lunes en la inspeccion, vera lo que falta, convencera al inspector de que firme, nos pondran un inspector fijo vigilando y el martes en la mañana tramitaran el permiso temporal de apertura.

Recomiendan no hacer ruido de la apertura. Solo alojar a los clientes que ya estan reservados. Buenas noticias.

(Unofficial translation: "In theory Mariano will be present on Monday at the inspection, will see what is missing, **will convince the inspector to sign**, we will have a fixed inspector watching and on Tuesday morning they will process the temporary permit of opening. They recommend not to make noise about the opening. Only accommodate customers who are already booked. Good news.").

Three days later, LUQUE followed up with MORENO with the disappointing news that the inspectors would not sign off on the work, but that FERNANDEZ was going to negotiate to get everything approved:

Subject: Miami
From: Ricardo Luque Ferrández <rluquef@riu.com>
Date: 2/9/2015 7:12 PM
To: Pepe Moreno <pmoreno@riu.com>

Jefe, se acaba de ir el inspector y por su parte no da el visto bueno (faltan cosas que el no puede pasar por alto).
 Ahora entra el Mariano para tratar de negociar que nos dejen abrir. A ver mañana si lo consigue negociar bien y al final del día nos dicen cosas.

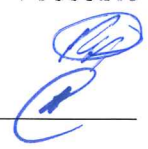
--
Ricardo Luque Ferrández
 Managing Director
 Riu Plaza Hotels
 (+1) 786 3347394
www.riu.com / www.riuplaza.com

(Unofficial translation: “Boss, the inspector just left and from his part he does not give the approval (things are missing that he cannot overlook). Now Mariano will come in to try to negotiate to let us open. We will see tomorrow if he manages to negotiate well and at the end of the day they tell us things.”).

Your Affiants have probable cause to believe the inspector that has not given approval, as indicated above in the email communication from LUQUE, is fire inspector Bacallao. A review of the fire alarm inspection history under permit FP150104 confirms Bacallao had continued to conduct fire alarm inspections on February 6th and 9th, but final approval of the fire alarm permit had not been issued. See the inspection history pasted below:

PA	1. hood suppression system 2. pool deck devices 3. smoke pressurization, monitor pwr to fans and dampers.	firebacj	02/06/2015	A002513 984
PA	1. pending runner service, ul placard and cert's 2. hood systems 3. smoke control 4. pool deck bar devices.	firebacj	02/09/2015	A002515 589

Judge's Initials: MSG

Affiants' Initials 

The next morning, LUQUE told MORENO that FERNANDEZ was making phone calls to make sure that the Riu Miami Beach could open on schedule:

Subject: Miami
From: Ricardo Luque Ferrández <rluquef@riu.com>
Date: 2/10/2015 9:52 AM
To: Pepe Moreno <pmoreno@riu.com>

Esta aqui Mariano desde primera hora. Ya visito el hotel y ahora esta haciendo llamadas... El ha repetido que hoy abrimos si o si. Eso significa que nos dan un permiso de operacion temporal. Te mantengo informado.


--

Ricardo Luque Ferrández
Managing Director
Riu Plaza Hotels
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www.riu.com / www.riuplaza.com

(Unofficial translation: “Mariano is here first thing. He already visited the hotel and now is making calls ... He has repeated that yes or yes we are going to open today. That means they give us a temporary operating permit. I will keep you informed.”)

Your Affiants learned that the RIU applied for the Temporary Certificate of Occupancy (TCO) on February 10, 2015. FERNANDEZ issued the TCO on February 11, 2015. The Riu Miami Beach reopened on February 11, 2015. Below is a copy of the TCO:

Judge's Initials: MSG

Affiants' Initials 

MIAMIBEACH

B1400492 BCO15125 CO

Building Department
1700 Convention Ctr Drive, 2nd Floor
Miami Beach, Florida 33139
(305) 673-7610 Ext. 6868

Temporary Certificate of Occupancy

02-17-2015 Certificate Number: BCO15125 Status: APPROVED

Site Address: 3101 COLLINS AV MBCH

Parcel #: 32260011320

Class Code: R1

Date Applied: 02/10/2015 Date Approved: 02/11/2015
Date To Expire: Extended:

Applicant: PYRAMID C SERVICES INC.
8440 NW 114 AVE
#422
DORAL, FL 33178

Owner: RIUTEL FLA INC
3101 COLLINS AVE
MIAMI BEACH FL
33140


Issued For: TCO/ Interior Remodeling of existing guestrooms bathrooms, Replacement of plumbing fixtures, New Light fixtures, new toilet, exhaust grille. Guestroom and Bathroom Doors to be Replaced. Interior Remodeling Restaurant with 344 Seats.

Building Permit #: B1400492

This is to certify that all work done in reference to the permit mentioned on this document has been completed according to the FLORIDA BUILDING CODE and has been given final approval.

Applicable for Temporary Certificates Only

1. This APPLICANT must do everything necessary to obtain a FINAL CERTIFICATE of OCCUPANCY before the Expiration Date of this document.
2. This Certificate may be revoked by the Building Official upon 24 hours notice.
3. Special condition(s) may be applicable.



 Building Official Signature and Date
 MARIANO V. FERNANDEZ, PE

2-11-15

The TCO and the reopening notwithstanding, renovations of the Riu Miami Beach continued until Building Director FERNANDEZ issued the final Certificate of Occupancy on July 5, 2016.

Your Affiants examined the Riu Miami Beach's inspection history and spoke to Fire Inspector Joseph Bacallao. Mr. Bacallao testified that he was involved in some of the final

Judge's Initials: MSG

Affiants' Initials 

inspections at the Riu Miami Beach to determine whether the hotel could reopen safely. Mr. Bacallao testified that on February 10, 2015, he inspected the Riu Miami Beach and determined that there were outstanding items that need to be completed before reopening. Your Affiants have pasted Bacallao's Permits Plus inspection entry on February 10, 2015 under permit FP150104 below:

PA	1. pending runner service, up placard and cart's 2. hood systems 3. smoke control 4. pool deck bar devices.	firebacj	02/10/2015	A002516 814
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Mr. Bacallao testified that he conducted an additional inspection on February 12th, and determined that one of items was still incomplete, the smoke control system. Mr. Bacallao also testified that he remembered FERNANDEZ acting as a go-between for the RIU and the Fire Department, advocating for inspection approval. On the date FERNANDEZ approved the TCO (February 11, 2015), Fire had not given final approval of the Fire Alarm system at the Riu Miami Beach.

Building Department Trip to Riu Resorts in Punta Cana and Playa del Carmen

Immediately after FERNANDEZ allowed for the Riu Miami Beach to reopen, the RIU offered FERNANDEZ a special rate for his entire department to stay at the Riu Palace Bavaro all-inclusive resort, in Punta Cana, Dominican Republic. Your Affiants have received differing accounts regarding who first suggested that the Building Department stay at a RIU hotel. According to LUQUE, FERNANDEZ reached out to one of the RIU's engineers to enquire about the Building Department employees going to a RIU resort in the Caribbean. LUQUE testified:

When we were reopen it again, one of the engineers told me, look, some days ago. Mr. Mariano Fernandez call me to ask me, hey, who is responsible for the resort in the Caribbean? We make every year a team building trip, and we want to receive a quotation from your resorts. Perhaps it's possible to go there, or something like that. And he told me could you contact him? And I contact Mariano Fernandez.

Conversely, according to FERNANDEZ, the RIU approached him with the idea. FERNANDEZ told SAPCTF investigators: **"the RIU came to us and said, 'Guys—even though we paid double fees, you guys were so great, and we finished on time what we were**

scheduled. We would like to give you a trip for anybody who wants to go to any one of our resorts.”

Your Affiants learned that before finalizing the offer to FERNANDEZ, RIU executives and employees discussed whether they should charge FERNANDEZ at all. Your Affiants discovered email communications between LUQUE, MORENO, LUIS RIU, SANCHEZ, and RIU employees in Punta Cana regarding the trip for FERNANDEZ and his department. These emails were sent on February 11th and 12th, 2015—the day of and the day after FERNANDEZ took action as Building Official and allowed the Riu Miami Beach to reopen. Some of these emails are pasted below.

In the first email to CEO MORENO, LUQUE asked whether the RIU should offer FERNANDEZ the rooms for free:

Subject: Habitaciones PUJ
From: Ricardo Luque Ferrández <rluquef@riu.com>
Date: 2/11/2015 10:13 AM
To: Pepe Moreno <pmoreno@riu.com>


Jefe, necesitaríamos reservar 50 hab. en PUJ para Mariano.
27/08 al 01/09
Precio o gratuidad? Alejandro solicita gratuidad ya que sin el aun estaríamos mucho tiempo a abrir.
Saludos.

--

Ricardo Luque Ferrández
Managing Director
Riu Plaza Hotels
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(Unofficial translation: “Boss, we would need to book 50 rooms in PUJ for Mariano. 8/27 to 9/1. Price or gratuity? Alejandro requests gratuity since without him we would still have much time to open. Greetings.”).

Judge’s Initials: MS6

Affiants’ Initials 

Your Affiants have probable cause to believe that LUQUE was asking whether the RIU should offer fifty (50) rooms to FERNANDEZ for free. LUQUE testified that “Alejandro” is Alejandro SANCHEZ. Your Affiants have probable cause to believe that SANCHEZ recommended offering the rooms to FERNANDEZ for free because without FERNANDEZ’s help as the Building Official, the Riu Miami Beach would still be closed. LUQUE’s testimony confirmed Your Affiants’ belief.

In response, MORENO then sent LUQUE’s email to owner LUIS RIU, with the following note:

El 11/2/2015, a las 16:26, Pepe Moreno <pmoreno@riu.com> escribió:
Las fechas no son malas. El año pasado para esta fechas tuvimos una media de 400 libres en el complejo.
Le invitamos o le hacemos un precio especial ??

(Unofficial translation: “The dates are not bad. Last year for these dates we had an average of 400 vacancies in the complex. Do we invite them or do we give them a special price??”)

Your Affiants have learned that at the RIU, when employees use the Spanish term “invitamos” or “invitacion,” they are referring to complimentary rooms.

LUIS RIU and MORENO had the following exchange


El 12 de febrero de 2015, 6:01, Luis Riu Guell <lriug@riu.com> escribió:
P Moreno : me tendrías que decir entonces , en que hotel meteríamos a las 50 habit . de Mariano.
Lo que ha hecho por nosotros , no ha sido chiquito .Dime en que hotel lo podríamos meter , que estuviera bien y tuviera sitio libre en las fechas indicadas .
Gracias.L Riu

(Unofficial translation: “P Moreno: you will have to tell me then, in which hotel we would enter the 50 rooms for Mariano. **What he has done for us, it has not been a small thing.** Tell me which hotel we could place them in, where it will be okay and where there will be free space for the dates indicated. Thank you. L Riu.”)

El 12/2/2015, a las 9:12, Pepe Moreno <pmoreno@riu.com> escribió:
En el Palace Punta Cana o en el Palace Bavaro

(Unofficial translation: “In the Palace Punta Cana or the Palace Bavaro.”)

Judge’s Initials: MSG

Affiants’ Initials 

De: Luis Riu Guell <lriug@riu.com>
Fecha: 12 de febrero de 2015, 14:16
Asunto: Re: Habitaciones PUJ
Para: Pepe Moreno <pmoreno@riu.com>

P Moreno : mejor entonces en el XBV .Coordinalo con A Sanchez. Me refiero a lo de Mariano .
Saludos.L Riu

(Unofficial translation: "P Moreno: It would be better then in XBV. Coordinate with A Sanchez. I am referring to Mariano's. Greetings. L Riu.")

Your Affiants learned that XBV means Riu Palace Bavaro, which is in Punta Cana, Dominican Republic.

MORENO forwarded his exchange with LUIS RIU to LUQUE and SANCHEZ, and included the following

Subject: Fwd: Habitaciones PUJ
From: Pepe Moreno <pmoreno@riu.com>
Date: 2/12/2015 10:06 AM
To: Ricardo Luque <rluquef@riu.com>, Alejandro Sánchez del Arco <asanchez@riu.com>

Ok de Luis a Riu a invitación.

Ricardo, cuando tengas todo listo lo coordinas con Oliver

(Unofficial translation: "Ok'd by Luis Riu to do an invitation. Ricardo, coordinate with Oliver when you have everything ready.")

Your Affiants learned that "Oliver" is Oliver Kluth, RIU's director of sales at the Riu Palace Bavaro in Punta Cana.

LUQUE forwarded the emails on February 12, 2015, to Mr. Kluth:

Subject: Fwd: Habitaciones PUJ
From: Ricardo Luque Ferrández <rluquef@riu.com>
Date: 2/12/2015 10:33 AM
To: Oliver Kluth <okluth@riu.com>, Alejandro Sánchez del Arco <asanchez@riu.com>

Hola Oliver, como va?
Serias tan amable de solicitar a tu equipo el bloqueo en Palace Bavaro de las 50 habitaciones dobles?
Despues veremos si finalmente son todas Free o pagan una minima tarifa.
Tambien mas adelante nos daran detalles de las ocupaciones y room list de los clientes.
Ahora puede estar a mi nombre o como veais vosotros.
Si necesitas mas detalles me avisas y te llamo.
Saludos.

(Unofficial translation: "Hello Oliver, how's it going? Would you be kind enough to ask your team to block the Palace Bavaro for 50 double rooms? Later we will see if they are all free or they will pay a minimum fee. Also later on they will give us details about the occupancies and room list of the clients. For now it can be in my name or as you see fit. If you need more details let me know and I'll call you. Greetings.")

Mr. Kluth responded to LUQUE and SANCHEZ (and cc'd Lorena Martin, from Riu Recruitment and International Sales):

Subject: Re: Habitaciones PUJ
From: Oliver Kluth <okluth@riu.com>
Date: 2/12/2015 10:45 AM
To: Ricardo Luque Ferrández <rluquef@riu.com>
CC: Alejandro Sánchez del Arco <asanchez@riu.com>, Lorena Nalda Martin <lnalda@riu.com>

Hola Ricardo

Todo bien por aqui

@Lorena : Pf meter el bloqueo de 50 habs en XBV del 27/8 al 1/9 como invitación de L.Riu

Gracias y slds
Oliver

(Unofficial translation: "Hi Ricardo, Everything is good here. Lorena: Please put a block of rooms in XBV from 8/27 to 9/1 as an invitation from L.Riu. Thanks and slds. Oliver.")

Ms. Martin responded with a reservation confirmation for 50 rooms for 100 people at the Riu Palace Bavaro from August 28 through September 1, 2015. She indicated that the rooms were by invitation (free) and that the confirmation code was ADOOFU2F.

Judge's Initials: MSG

Affiants' Initials 

In additional emails sent February 16, 2015, RIU and SANCHEZ discuss whether FERNANDEZ wants to pay for is room or not.

From: Luis Riu Guell <lriug@riu.com>
Sent: Monday, February 16, 2015 4:23 PM
Subject: ZMB

A Sanchez: mañana martes es el día que tendría que decirnos algo Mariano , de cuando podemos abrir el Chiringuito .No te olvides de preguntarle y decirme cosas. Gracias.L Riu PD : ya te dijo si quiere pagar o no lo del XBV y si quiere pagar , cuanto pagaría ?

Luis Riu

(Unofficial translation: A Sanchez: tomorrow Tuesday is the day that Mariano will have to tell us something, of when we can open the Chiringuito. Don't forget to ask him and tell me things. Thank you. L Riu PS: did he tell you if he wants to pay or not about the XBV and if he wants to pay, how much?")

SANCHEZ responds to RIU's email with the following:

From: Alejandro Sánchez del Arco <asanchez@riu.com>
Sent: Monday, February 16, 2015 5:26 PM
Subject: Re: ZMB

Hola Luis, mañana le llamare, para ver si ya hablo con la persona de Zoning y te dejo saber.

Si, el quiere pagar, le dije que me dijese que precio quiere pagar y lo hacemos, hable con Ricardo y aproveche que estaba por el hall del hotel y le presente, le dijimos que le haríamos un precio de 160 Usd por persona por los 4 días, le pareció super barato, no paro de agradecerlo.

Mañana , le llamare como te digo y te dejo saber.

Saludos

AS

(Unofficial translation: "Hello Luis, I will call tomorrow, to see if he already spoke with the zoning person and I will let you know.

Yes, he wants to pay, I told him you said what price he wants to pay and we will do it, I spoke with Ricardo at the hotel hallways and I took advantage and I presented it to him, we told him that we would do 160 USD per person for 4 days, he thought it was super cheap, he couldn't stop thanking.

Tomorrow, I will call him and I will let you know.

Greetings AS")

Your Affiants have probable cause to believe that through these emails LUQUE, LUIS RIU, MORENO, and SANCHEZ used and conspired to use the RIU to reward FERNANDEZ for FERNANDEZ's official actions as Building Official.

FERNANDEZ told SAPCTF investigators that he refused the RIU's offer of a free trip for his department:

And I told him, "I'm sorry, I cannot accept that," you know, "What? You want to get me fired?" Or something like that, you know, that's unacceptable to me. So, he said, "Well, I'll give you a price of friends and family. . . . And you can take the whole crew, whatever you want."

LUQUE testified that the RIU eventually offered FERNANDEZ a rate of twenty-five dollars (\$25) per person, per night, for four (4) nights at the Riu Palace Bavaro. LUQUE testified that he assisted FERNANDEZ and the other people from the Building Department who FERNANDEZ had assigned to coordinate the trip to Punta Cana. LUQUE arranged for transportation and helped FERNANDEZ find a cheap airline for the flight to Punta Cana. LUQUE was able to arrange for round-trip tickets on Spirit Airline from Fort Lauderdale International Airport to Santo Domingo. LUQUE also arranged for a bus to drive everyone to and from the airport and the RIU resort. The total expense for the trip was advertised at \$449 per person. LUQUE designed a flyer for the Building Department to advertise the trip, which is pasted below on the following page:



**RIU PALACE PUNTA CANA
SEPTEMBER 3 – 7
4 NIGHTS**

**449 USD
PER PERSON**

ALL INCLUSIVE 24 HOURS – TAX INCLUDED – KIDS FREE SHARING ROOM



SEPTEMBER 3

DEPARTURE FORT LAUDERDALE – SANTO DOMINGO > NK 145 – 12.00 PM / 2.16 PM
TRANSFER SANTO DOMINGO – PUNTA CANA
WELCOME PARTY DINNER 8.30 PM

SEPTEMBER 4 – 6

FREE TIME TO ENJOY THE DESTINATION AND THE RESORT

SEPTEMBER 7

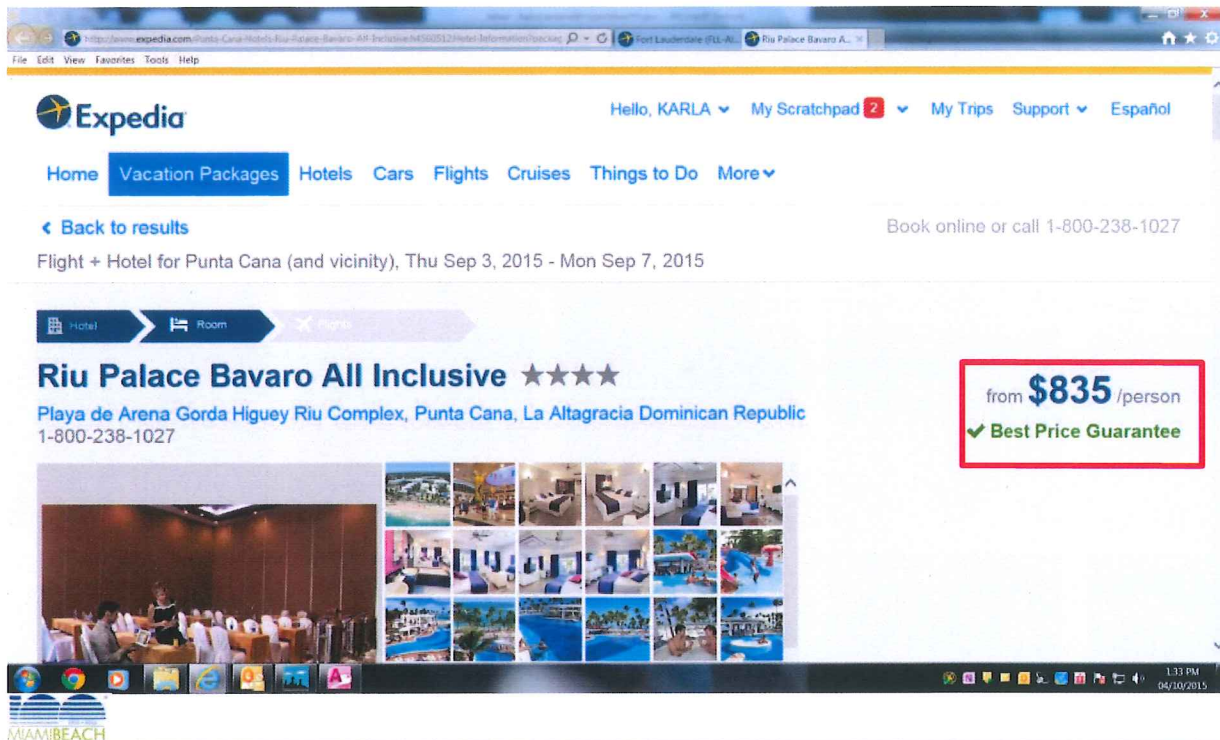
TRANSFER PUNTA CANA – SANTO DOMINGO > NK 142 – 3.03 PM / 5.30 PM
DEPARTURE SANTO DOMINGO – FORT LAUDERDALE

**FOR RESERVATIONS AND MORE INFORMATION CONTACT WITH SANDRA MEYER
SANDRAMEYER@MIAMIBEACHFL.GOV**



Your Affiants learned that FERNANDEZ assigned two office associates—Sandra Meyer and Karla Santana—the task of coordinating the Punta Cana trip. Your Affiants retrieved an email from Ms. Santana to Ms. Meyer, in which Ms. Santana had memorialized the publicly advertised price for four nights at the Riu Palace Bavaro (subject: “if you buy it on your own”):

From: Santana, Karla
Sent: Friday, April 10, 2015 1:35 PM
To: Meyer, Sandra
Subject: if you buy it on your own



This email from Ms. Santana to Ms. Meyer was sent on April 10, 2015, the same day that both of them stayed at the Riu Miami Beach—Ms. Meyer received two nights for free and Ms. Santana received two nights at a significantly reduced rate (discussed below).

According to records Your Affiants received from the RIU, 102 Building Department employees and their family members participated in the Building Department trip to the RIU resort in Punta Cana.

Your Affiants discovered that in 2016, the RIU offered the building department a similar deal for another team building trip to the Riu Palace Mexico all-inclusive resort in Playa del Carmen. According to RIU records, eighty-nine people participated in the trip. The cost was \$36 per person, per night. The Building Department’s trip to Riu Palace Mexico trip is detailed below (pages 90-99).

Judge’s Initials: MSG

Affiants’ Initials [Signature]

Reservation at the Riu Miami Beach for Sandra Meyer and Karla Santana

Your Affiants learned that FERNANDEZ was able to solicit one free room and one heavily reduced room at the Riu Miami Beach for two of his office associates—Sandra Meyer and Karla Santana. Your Affiants learned from the RIU's records that Ms. Meyer received one room for two nights for free. Ms. Santana received the other room for two nights for \$125/night, which was approximately a 70% discount over the standard rate.

According to LUQUE, FERNANDEZ approached him on April 9th or 10th, 2015, to ask about special rates for two of his employees for that weekend (April 10, 2015 was a Friday). LUQUE testified that he told FERNANDEZ he would check and get back to him. LUQUE testified that he called FERNANDEZ a short time later and said that he could give FERNANDEZ one complimentary room and one discounted room, which FERNANDEZ accepted.

Your Affiants learned that after speaking with FERNANDEZ, LUQUE emailed Manuel Donoso, the Director of Sales for the Riu Miami Beach. LUQUE is Mr. Donoso's direct supervisor. In the first email, LUQUE tells Mr. Donoso to make a reservation in the name of Sandy Meyer. The reservation should be for one free room with breakfast and one room with breakfast for \$125 + tax. That email is pasted below:

From Ricardo Luque Ferrández <rluquef@riu.com> ☆
Subject Reserva 4/10/2015 3:51 PM
To Manuel Donoso <mdonoso@riu.com> ☆

Hola Manuel,
Meter lo siguiente:

Sandy Meyer
1 hab free con desayuno
In: hoy dia 10 y saliendo domingo 12

1 hab a 125 usd mas tax con desayuno.

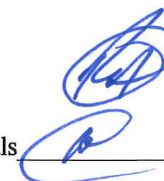
Saludos.

--

Ricardo Luque Ferrández
Managing Director
Riu Plaza Hotels
(+1) 786 3347394
www.riu.com / www.riuplaza.com

Mr. Donoso replied to LUQUE that the paid room has confirmation code ADOOG51H and the invitation (free) room has confirmation code ADOOG51L. Mr. Donoso also says that both rooms are in the name of Sandy Meyer, and they have been assigned “vista mar” (“Ocean View”) rooms. That email is pasted below:

Judge's Initials: MSC

Affiants' Initials 

From Manuel Donoso <mdonoso@riu.com> ☆

Subject **Re: Reserva**

4/10/2015 3:57 PM

To Ricardo Luque Ferrández <rluquef@riu.com> ☆

Hola Ricardo

PAgo Front - ADOOG5IH


Invitacion - ADOOG5IL

Las dos bajo el nombre de Sandy Meyer, les pudimos asignar habitaciones
vista mar

Slds

Manuel


Judge's Initials: MSG

Affiants' Initials 

Your Affiants discovered that LUQUE then forwarded the reservation information to FERNANDEZ, who responded “Gracias.” That email exchange is pasted below:

From Fernandez, Mariano <MarianoFernandez@miamibeachfl.gov> ☆
Subject RE: Reserva 4/10/2015 4:14 PM
To 'Ricardo Luque Ferrández' <rluquef@riu.com> ☆

gracias



Mariano V. Fernandez, P.E., Director/Building Official
BUILDING DEPARTMENT
1700 Convention Center Drive, Miami Beach, FL 33139
Tel: 305-673-7610 ext 6288/ Fax: 786-394-4455
marianofernandez@miamibeachfl.gov

We are committed to providing excellent public service and safety to all who live, work and play in our vibrant, tropical, historic community

From: Ricardo Luque Ferrández [mailto:rluquef@riu.com]
Sent: Friday, April 10, 2015 4:02 PM
To: Fernandez, Mariano
Subject: Fwd: Reserva

----- Mensaje reenviado -----
De: Manuel Donoso <mdonosos@riu.com>
Fecha: viernes, 10 de abril de 2015
Asunto: Reserva

Your Affiants learned from LUQUE and other RIU employees that the Riu Miami Beach has three classes of rooms: City, Vista Mar, and Mar Frontal. The City rooms are the cheapest; they face West towards Collins Ave. Vista Mar rooms are the middle-tier; they have at least a partial ocean view. Mar Frontal rooms are the most expensive; they face the ocean.

Your Affiants obtained records from the RIU that confirm these stays took place as planned. Your Affiants obtained invoices, which the RIU refers to as “folios.” The folios for these stays are pasted on the following two pages. Your Affiants have highlighted the portions of the folios related to room rates:

Judge's Initials: MSB

Affiants' Initials [Signature]



RIU PLAZA HOTELS

RIU Hotels & Resorts

-INVOICE-

Customer:
MEYER, SANDRA
ITZUMER HAUPTSTR., 1
31141 HILDESHEIM
Germany
FIC 15688999
Observations.

Bill No. 5724/0325705
Folio 5724/166129
Bill date 04/12/2015
Expiration date 04/12/2015

RIU PLAZA MIAMI BEACH
Tel.: +1 305 673 5333

Observations.

ROOM	OCCUPANT NAME	Arrival	Departure	RIU CLASS	POINTS
904	MEYER, SANDRA	04/10/15	04/12/15	00073735	1320
904	MEYER, SANDRA	04/10/15	04/12/15	00073735	1320
					PUNTOS RIU CLASS 1320

Emi. D.	Entry Date	Departure date	Room	Room	Price	Days	T. Days	TOTAL
Reserve	04/10/15	04/12/2015	DBLB	904	0,00	2	0,00	
Sup. TO					0,00	2	0,00	
					0,00	2	0,00	
								0,00
STAYS TOTAL								0,00

DATE	ROOM	CONCEPT	VOUCHER	AMOUNT	TOTALS
04/10/2015	904	Reception/valet Parking		29.96	
04/11/2015	904	Reception/valet Parking		29.96	
				CHARGES TOTAL	59.92
					-59.92
				TOTAL DELIVERIES	-59.92
				OUTSTANDING PAYMENT	0,00

BASE AMOUNT
59.92

QUOTA	AMOUNT
0.00	59.92
Bill Total	59.92
	us dollar. USD

Handwritten signature/initials

Printing date-Time: 04/12/2015 11:13:39 Page 1

RIUTEL FLORIDA INC. FIC: 05-0402019. RIU FLORIDA BEACH, COLLINS AVE. 3301, FL 33140 MIAMI BEACH, United States of America

Judge's Initials:

MSC

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Affiants' Initials

Handwritten signature/initials



RIU PLAZA HOTELS

RIU Hotels & Resorts

Customer:
GUEST

- INVOICE -

United States of America
FIC 6548974567897465798
observations.

bill no. 5724/0323505
folio 5724/166128
bill date 04/12/2015
Expiration date 04/12/2015

RIU PLAZA MIAMI BEACH
Tel.: +1 305 673 5333

Observations.

ROOM	OCCUPANT NAME	Arrival	Departure
908	MEYER, SANDY	04/10/15	04/12/15
908	MEYER, SANDY	04/10/15	04/12/15

Ent. D.
Reserve Sup. 70
04/10/15

Occupant	Voucher/Ref	Start	End	Age	Fax	Sy	Room	Room
MEYER, SANDY	AD00G53H	04/10/15	04/12/15				908	908
MEYER, SANDY	AD00G53H	04/10/15	04/12/15				AD	HD
MEYER, SANDY	AD00G53H	04/10/15	04/12/15				AD	HD

PRICE	days	T. Days	TOTAL
399,00	2	798,00	
-285,04	2	-570,09	
20,00	2	40,00	
-14,28	2	-28,57	
20,00	2	40,00	
-14,28	2	-28,57	
STAYS TOTAL			250,77

DATE	ROOM	CONCEPT	VOUCHER	AMOUNT	TOTAL \$
04/10/2015	908	Reception/Telephones		0,79	
04/10/2015	908	Reception/valet parking		29,96	
04/11/2015	908	Reception/valet parking		29,96	
CHARGES TOTAL					60,71
04/10/2015		Reception/visa 1		-141,23	
04/11/2015		Reception/visa 1		-141,23	
04/12/2015		Reception/visa 1		-60,77	
TOTAL DELIVERIES					-343,23
OUTSTANDING PAYMENT					-0,00
BASE AMOUNT				311,49	
QUOTA				31,74	343,23
bill total					343,23
us dollar, USD					

Karla dase
Paid visa yf

Printing Date-Time: 04/12/2015 09:36:13 Page 1

RIUHOTEL FLORIDA INC. FIC: 65-0402019, RIU FLORIDA BEACH, COLLINS AVE. 3101, FL33140 MIAMI BEACH, united States of America

Judge's Initials: MSG

Affiants' Initials *RA*

The first folio (page 34) indicates that Sandra Meyer stayed in room 904 from April 10, 2015, until April 12, 2015 (two nights). Mr. Donoso testified that room 904 is an Ocean Front room, which is the most expensive type of room at the Riu Miami Beach. Mr. Donoso testified that although the email he sent to LUQUE indicated that Sandra Meyer would receive an ocean view room, she was upgraded to an ocean front room. The "HD" indicates that breakfast is included in the reservation (Your Affiants have probable cause to believe that "HD" stands for "habitacion y desayuno," which means "room and breakfast"). The only item charged under this reservation is valet parking, which was \$59.92 for the entire stay. Ms. Meyer confirmed that she stayed at the RIU that weekend.

The second folio (page 35), indicates that two adults stayed in room 908 from April 10, 2015, until April 12, 2015 (two nights), with breakfast included. Mr. Donoso testified that room 908 is also an Ocean Front room, and that the same upgrade occurred for this reservation. The advertised rate for room 908 was \$399 per night, but the RIU only charged \$129, which was a 71.44% discount. Although this reservation was under the name Sandra Meyer, receipts provided by the RIU indicate that the reduced rate was paid by Karla Santana and Karla da Silva. Ms. Santana testified that she stayed in the room with her friend Karla da Silva.

LUQUE testified that he offered these rooms to FERNANDEZ on behalf of the RIU in appreciation for FERNANDEZ driving the RIU in the right direction during the renovation process. Your Affiants have probable cause to believe that the RIU and LUQUE offered these benefits as a reward for FERNANDEZ's official actions as the Miami Beach Building Director for the RIU. Based on FERNANDEZ's statement to SAPCTF investigators, Your Affiants have probable cause to believe that FERNANDEZ knew, when he accepted these unlawful benefits on behalf of Ms. Meyer and Ms. Santana, that the benefits were being offered because of the official actions FERNANDEZ had taken as the Miami Beach Building Director for the RIU.

Reopening Party for Riu Miami Beach

The Riu Miami Beach official reopening party happened on April 24, 2015. After some discussion, the RIU decided that the right thing to do was to invite FERNANDEZ to attend the party. On April 21, 2014, in an email with the subject “Mariano al evento,” LUQUE emailed Alejandro SANCHEZ and asked him (unofficially translated) “Hello Alejandro, Do you think we should invite him to the grand opening event?” Sanchez replied, (unofficially translated) “Ricardo, yes, I think it’s right.” The email exchange between LUQUE and SANCHEZ is pasted below:

From Alejandro Sánchez del Arco <asanchez@riu.com> ☆
Subject Re: Mariano al evento? 4/21/2015 1:20 PM
To Ricardo Luque Ferrández <rluquef@riu.com> ☆

Ricardo, si, me parece correcto

Saludos


AS

El 21 de abril de 2015, 12:14, Ricardo Luque Ferrández <rluquef@riu.com> escribió:
Hola Alejandro,
Crees que debemos invitarlo al avento de apertura?
Saludos.

—

Ricardo Luque Ferrández
Managing Director
Riu Plaza Hotels
[\(+1\) 786 3347394](tel:+17863347394)
www.riu.com / www.riuplaza.com

Judge's Initials: MSG

Affiants' Initials 

Shortly thereafter, the RIU sent FERNANDEZ an invitation to attend the party, which is pasted below:

From: Mitzi Adriana Torres Sierra [mailto:mtorres@riu.com]
Sent: Tuesday, April 21, 2015 1:23 PM
To: Fernandez, Mariano
Subject: Cocktail Reception at the new Riu Plaza Miami Beach Hotel - April, 24th


Dear Mr Fernandez,

Hoping this email finds you well I am writing on behalf of Riu Plaza Hotels to invite you to the official presentation of the new Riu Plaza Miami Beach Hotel on the 24th with a private cocktail in the pool area at 7pm.

We would be honoured to see you that day at the event so please confirm your assistance to this email address or to sales.mia@riu.com as soon as possible.

Thank you very much in advance.

Judge's Initials: MSG

Affiants' Initials 

The email sent to FERNANDEZ had a flyer attached, which is pasted below:



YOU ARE INVITED
TO THE OFFICIAL PRESENTATION OF
RIU PLAZA MIAMI BEACH HOTEL

RIU Hotels and Resorts has the pleasure of inviting you to a private cocktail reception introducing you to the new Riu Plaza Miami Beach Hotel, the latest hotel in our urban Riu Plaza line.

- Friday, April 24, 2015
- 7 pm - 10 pm in the pool bar area
- 3101 Collins Avenue, Miami Beach, Florida

Please RSVP by email at sales.mia@riu.com
Cocktail Attire


RIU PLAZA MIAMI BEACH
RIU Hotels & Resorts

FERNANDEZ quickly responded, "I will be glad to attend."

Judge's Initials:

MSG

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Affiants' Initials

FLA
18

Free room at the Riu Miami Beach for Beatriz Dooley

Your Affiants learned that FERNANDEZ was able to solicit a free room at the Riu Miami Beach for another of his office associates—Beatriz Dooley. Ms. Dooley testified that she had a friend coming from out of town and she wanted to stay at a hotel on Miami Beach. Ms. Dooley testified that she told FERNANDEZ that she was looking for a hotel, to which he responded “Oh, you should stay at Riu, I can get you over there.”

LUQUE did not remember the exact conversation he had with FERNANDEZ about a room for Ms. Dooley, but LUQUE testified that each time FERNANDEZ requested a room, FERNANDEZ would call either the same day or the day before. For Ms. Dooley, the reservation process was similar to the previous one for Ms. Meyer and Ms. Santana. On April 21, 2015, after speaking to FERNANDEZ, LUQUE sent an email to Mr. Donoso directing that Beatriz Dooley receive a free stay for the night of April 23, with breakfast included. LUQUE indicated that the reason for the free stay was “Building Department Miami Beach.” The email follows:

2015-04-21 16:05 GMT-04:00 Ricardo Luque Ferrández <rluquef@riu.com>:
Hola Manuel,
Please, meter una reserva como sigue:

Beatriz Dooley
23/04 al 24/04
1 double x 2 pax
Desayuno incluido

Free

OK. Building Department Miami Beach.

Saludos.

--

Ricardo Luque Ferrández
Managing Director
Riu Plaza Hotels
(+1) 786 3347394
www.riu.com / www.riuplaza.com

Your Affiants learned that “pax” means people or guests. Mr. Donoso responds to LUQUE by emailing the confirmation code, indicating that Ms. Dooley has an ocean front room, and that breakfast is included. That email is pasted below:

From: Manuel Donoso <mdonos@riu.com>
Date: 2015-04-21 15:28 GMT-05:00
Subject: Re: Reserva
To: Ricardo Luque Ferrández <rluquef@riu.com>

Buenas tardes Ricardo

Loc ADOOG7J5

Habitacion Vista mar Frontal, HD

Necesitarias carta de confirmacion?

Slds

Manuel

Judge's Initials: MSC

Affiants' Initials 

LUQUE forwards the whole email chain to FERNANDEZ on April 22, 2015. FERNANDEZ responds to LUQUE thirty minutes later, saying “gracias” (thank you). The email exchange is pasted below:

Subject: FW: Reserva
From: "Fernandez, Mariano" <MarianoFernandez@miamibeachfl.gov>
Date: 4/22/2015 7:55 AM
To: Ricardo Luque Ferrández (rluquef@riu.com) <rluquef@riu.com>

Gracias



Mariano V. Fernandez, P.E., Director/Building Official
BUILDING DEPARTMENT
1700 Convention Center Drive, Miami Beach, FL 33139
Tel: 305-673-7610 ext 6288/ Fax 786-394-4455
marianofernandez@miamibeachfl.gov


We are committed to providing excellent public service and safety to all who live, work and play in our vibrant, tropical, historic community

From: Ricardo Luque Ferrández [mailto:rluquef@riu.com]
Sent: Wednesday, April 22, 2015 7:25 AM
To: Fernandez, Mariano
Subject: Fwd: Reserva

----- Forwarded message -----
From: Manuel Donoso <mdonoso@riu.com>
Date: 2015-04-21 15:28 GMT-05:00
Subject: Re: Reserva
To: Ricardo Luque Ferrández <rluquef@riu.com>

Your Affiants discovered that on April 20, 2015—the day before requesting a reservation for Ms. Dooley—FERNANDEZ agreed to meet with the engineering team from the RIU (along with Tania Rahmer, the RIU’s permit expeditor). Based on emails exchanged between FERNANDEZ, Ms. Rahmer, and the RIU’s engineering firm, Your Affiants have probable cause to believe that the meeting was for FERNANDEZ to advise the RIU how to prevail before the Miami Beach Historic Preservation Board.

Judge’s Initials: MSG

Affiants’ Initials 

Shortly after receiving the email from LUQUE about Ms. Dooley's free room, FERNANDEZ forwarded it to Tania Rahmer. According to Ms. Rahmer, she and Ms. Dooley are close friends. Ms. Rahmer could not precisely explain why FERNANDEZ had forwarded the email regarding Ms. Dooley's reservation at the Riu Miami Beach, but she assumed that FERNANDEZ wanted her to inform Ms. Dooley. Before forwarding the email chain, FERNANDEZ deleted "Building Department Miami Beach" from LUQUE's initial email to Mr. Donoso. When FERNANDEZ responded to LUQUE, the email had "OK. Building Department Miami Beach." When FERNANDEZ emailed Ms. Rahmer, the email only had "OK." FERNANDEZ's email to Ms. Rahmer is pasted on the following page (location of deleted "Building Department Miami Beach" highlighted):

From: [Fernandez, Mariano](#)
To: ["Ricardo Luque"](#)
Subject: FW: Reserva
Date: Wednesday, April 22, 2015 7:57:44 AM

FYI



Mariano V. Fernandez, P.E., Director/Building Official
BUILDING DEPARTMENT
1700 Convention Center Drive, Miami Beach, FL 33139
Tel: 305-673-7610 ext 6285/ Fax: 786-394-4455
marianofernandez@miamibeachfl.gov

We are committed to providing excellent public service and safety to all who live, work and play in our vibrant, tropical, historic community

From: Ricardo Luque Ferrández [mailto:rluquef@riu.com]
Sent: Wednesday, April 22, 2015 7:25 AM
To: Fernandez, Mariano
Subject: Fwd: Reserva

----- Forwarded message -----

From: Manuel Donoso <mdonoso@riu.com>
Date: 2015-04-21 15:28 GMT-05:00
Subject: Re: Reserva
To: Ricardo Luque Ferrández <rluquef@riu.com>

Buenas tardes Ricardo

Loc ADOOG7J5

Habitacion Vista mar Frontal, HD

Necesitarías carta de confirmación?

Slids

Manuel

2015-04-21 16:05 GMT-04:00 Ricardo Luque Ferrández <rluquef@riu.com>:

Hola Manuel,
Please, meter una reserva como sigue:

Beatriz Dooley
23/04 al 24/04
1 double x 2 pax
Desayuno incluido


Free

OK.

Saludos.

Ricardo Luque Ferrández
Managing Director
Riu Plaza Hotels
(+1) 786 3347394
www.riu.com / www.riuplaza.com

Your Affiants retrieved the folio memorializing Ms. Dooley's free stay at the Riu Miami Beach. The folio is pasted below (room rate information highlighted):



RIU PLAZA HOTELS
RIU Hotels & Resorts

Inv. Data: DOOLEY, BEATRIZ -Invoice-

United States of America Invoice no. 5724/038205
FIC 7510257 Folio 5724/167414
Observations Invoice Date 04/24/2015
Expiration Date 04/24/2015

RIU PLAZA MIAMI BEACH
Tel. : +1 305 673 5333

Observations

Room	Guest Name	Arrival	Departure
502	DOOLEY, BEATRIZ <i>AD006735</i>	04/23/15	04/24/15
502	DOOLEY, GREG	04/23/15	04/24/15

Booking Date	To. Dttm	Guest Name	Arrival date	Departure date	Age	Pax PA	Room	Room	Pax	PRICE	Days	T. Days	TOTAL
04/21/15		DOOLEY, BEATRIZ	04/23/2015	04/24/2015			BMR	502		0.00	1	0.00	
		DOOLEY, BEATRIZ	04/23/15	04/24/15		AD HO				0.00	1	0.00	
		DOOLEY, GREG	04/23/15	04/24/15		AD HO				0.00	1	0.00	
												0.00	
												TOTAL STAYS	0.00

Abbreviations	AD	ADULT			
BMR HD	Double Room Ocean Front (BMR)	Bed & breakfast			
Date	Room	Concept	VOUCHER	AMOUNT	TOTALS
04/23/2015	502	Reception/valet parking		29.96	
				TOTAL CHARGES	29.96
04/24/2015		Reception/Visa 1		-29.96	
				TOTAL PAYMENTS	-29.96
				OUTSTANDING PAYMENT	0.00
				Tax	AMOUNT
				0.00	29.96
				TOTAL FOLIO	0.00
				TOTAL INVOICE	29.96
				us dollar. USD	

Printing Date-Time: 04/06/2017 17:52:14 Page 1

RIUTEL FLORIDA INC. FIC: 65-0402019. RIU FLORIDA BEACH, COLLINS AVE. 3101, FL33140 MIAMI BEACH, United States of America

The folio confirms that Ms. Dooley received one free night in an Ocean Front room, with breakfast included. Similar to Ms. Meyer, the only charge for the stay was \$29.96 for valet

Judge's Initials: *MSC*


Page 66 of 116

Affiants' Initials *[Signature]*

parking. Ms. Dooley confirmed that she stayed at the RIU Miami Beach on April 23, 2015, with her friend.

Based on FERNANDEZ's deletion of the words "Building Department Miami Beach," as well as his statement to investigators about the RIU's motivation, Your Affiants have probable cause to believe that FERNANDEZ knew, when he accepted this benefit on behalf of Ms. Dooley, it was being offered as a reward for his actions as Director of the Miami Beach Building Department for the RIU. Your Affiants also have probable cause to believe that the RIU and LUQUE offered these benefits as a reward for FERNANDEZ's official actions as the Miami Beach Building Official for the RIU.

Judge's Initials: MSG

Affiants' Initials 

Free room at the Riu Miami Beach for Iliana Oliva

Your Affiants learned that FERNANDEZ solicited a free weekend at the RIU Miami Beach for Iliana Oliva, FERNANDEZ's former coworker who works for the City of Miami Building Department. Your Affiants learned that Iliana Oliva stayed with her family at the Riu Miami Beach from July 31, 2015, until August 2, 2015.

Ms. Oliva provided your affiants with sworn testimony. Ms. Oliva testified that she reached out to FERNANDEZ for advice because she was looking to spend a weekend with her family at a hotel in Miami Beach. At the time, Ms. Oliva's family was dealing with a serious medical hardship. Ms. Oliva testified that FERNANDEZ told her that she should stay at the Riu Miami Beach. FERNANDEZ told Ms. Oliva that he had stayed at the hotel before, that it was nice, and that it had a good breakfast buffet. Ms. Oliva testified that she tried to book a room using Expedia.com for five people, but could not because the official maximum occupancy for a room at the Riu Miami Beach is four. When she told this to FERNANDEZ, he responded, "that shouldn't be a problem," and that he would handle it. Ms. Oliva testified that FERNANDEZ later assured her that he had made the reservation and that they would let her have five people in the room. Ms. Oliva testified that she spent a weekend at the Riu Miami Beach with her husband, her two children, and her mother. Ms. Oliva testified that when she went to check out, the front desk told her that she did not owe anything. Ms. Oliva and her husband tried to pay for their stay, but the person at the front desk said that the room was paid off. Ms. Oliva testified that she believed FERNANDEZ had paid for her stay.

Ms. Oliva testified that after she left the Riu Miami Beach, she called FERNANDEZ. She asked why he had paid for their room and told him that she did not want him (FERNANDEZ) to pay for their room. Ms. Oliva provided the following summary of FERNANDEZ's responses to her:

"The reason I did that for you is because I feel so bad for what's happening to your family... and I wanted to do something nice for you and your family because your family is beautiful." Ms. Oliva testified that she offered to pay FERNANDEZ back, to which he replied, "No. No, you are a very nice person. You are having a very hard time. I want to do something for your family."

Ms. Oliva testified that based on FERNANDEZ's words, she believed that FERNANDEZ had paid for her room. FERNANDEZ did not correct her. Ms. Oliva testified that up until she met with Your Affiants, she believed that FERNANDEZ had paid for her stay. When she learned that the stay was free, she asked Your Affiants if there was any way she could pay.

Your Affiants recovered the emails that discussed setting up Ms. Oliva's free stay. Although LUQUE did not independently recall the conversation with FERNANDEZ about Ms. Oliva's stay, the circumstances give Your Affiants probable cause to believe that FERNANDEZ and LUQUE spoke about reserving a room for Ms. Oliva. LUQUE sent an email to Mr. Donoso telling him to make a reservation for Iliana Oliva from July 31st to August 2nd, for two adults and two kids, and with breakfast included. At the end of the email, LUQUE wrote "Solicitud Building Departmen" (unofficial translation: "request building department"). Mr. Donoso responded to LUQUE with a confirmation code, and LUQUE forwarded the exchange to FERNANDEZ. The email exchange between Mr. Donoso and LUQUE is pasted below:

Subject: Reserva
From: Ricardo Luque Ferrández <rluquef@riu.com>
Date: 7/21/2015 6:28 PM
To: Manuel Donoso <mndonoso@riu.com>

Hola Manuel,
Mete con calzador esta reserva:

Iliana Oliva
2 ad + 2 ni
In: 31 julio
Out: 2 agosto
Invitacion en HD

Solicitud Building Departmen

Saludos.

Subject: Re: Reserva
From: Manuel Donoso <mdonoso@riu.com>
Date: 7/21/2015 6:35 PM
To: Ricardo Luque Ferrández <rluquef@riu.com>

Hola Ricardo

Confirmada, ADOOGUD9

Slds

Manuel

FERNANDEZ then forwarded the email exchange to Oliva with a smiley-face emoji:

From: [Fernandez, Mariano](#)
To: ["lvollva73@gmail.com"](mailto:lvollva73@gmail.com)
Subject: FW: Reserva
Date: Wednesday, July 22, 2015 9:33:10 AM



Mariano V. Fernandez, P.E., Director/Building Official
BUILDING DEPARTMENT
1700 Convention Center Drive, Miami Beach, FL 33139
Tel: 305-673-7610 ext 6288/ Fax: 786-394-4455
marianofernandez@miamibeachfl.gov

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From: Ricardo Luque Ferrández [mailto:rluquef@riu.com]
Sent: Tuesday, July 21, 2015 6:40 PM
To: Fernandez, Mariano
Subject: Fwd: Reserva

Judge's Initials: MSG

Affiants' Initials 

Your Affiants discovered that the day after FERNANDEZ made the request on behalf of Ms. Oliva, Tania Rahmer emailed FERNANDEZ to request an extension on the Riu Miami Beach's fire alarm permit. FERNANDEZ immediately responded to Ms. Rahmer to tell her that he had fixed the issue. The email exchange is pasted below:

Re: Permiso Fire Alarm a punto de expirar

Tania P. Rahmer <trahmer@att.net>

Follow up. Start by Thursday, April 13, 2017. Due by Thursday, April 13, 2017.

Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Sent: Thu 7/23/2015 10:54 AM

To: Fernandez, Mariano

Thanks :)

Tania P. Rahmer,
Sent from my iPhone.
Please consider the Environment!

On Jul 23, 2015, at 10:01 AM, Fernandez, Mariano <MarianoFernandez@miamibeachfl.gov> wrote:

Fixed, waiting on Chief

<image001.jpg>MIAMIBEACH

Mariano V. Fernandez, P.E., Director/Building Official
BUILDING DEPARTMENT
1700 Convention Center Drive, Miami Beach, FL 33139
Tel: 305-673-7610 ext 6288/ Fax: 786-394-4455
marianofernandez@miamibeachfl.gov

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From: Tania P. Rahmer [<mailto:trahmer@att.net>]
Sent: Thursday, July 23, 2015 9:55 AM
To: Fernandez, Mariano
Subject: Fwd: Permiso Fire Alarm a punto de expirar


Good Morning Please see attachés from RIU.
Any news from Fire?

Tania P. Rahmer,
Sent from my iPhone.
Please consider the Environment!

Begin forwarded message:

From: Lily Alvarez <lilyaq1077@gmail.com>
Date: July 22, 2015 at 5:24:26 PM EDT
To: Tania Expeditor <trahmer@att.net>
Subject: Fwd: Permiso Fire Alarm a punto de expirar

The Folio from Ms. Oliva's stay at the Riu Miami Beach is pasted below:



RIU PLAZA HOTELS
RIU Hotels & Resorts

EXHIBIT
7

Inv. Data:
OLIVA, LILIANA

United States of America
PIC 8212532
observations

-PROFORMA-
Folio 5724/180921
Prof.Date. 07/31/2015

RIU PLAZA MIAMI BEACH
Tel: +1 305 673 5333

Observations

Room	Guest Name	Arrival	Departure
524	OLIVA, LILIANA	07/31/15	08/02/15
524	D,	07/31/15	08/02/15
524	CRUZ, IRIAN	07/31/15	08/02/15
524	GARCIA JOFRA, PAULA C	07/31/15	08/02/15

Booking		Arrival date	07/31/2015	Departure date	08/02/2015	Price	Days	T.Days	TOTAL
Date	To. Offer	Guest Name	Voucher/Rwf	Arrival	Depart.	Age	Pax	PA	Room
07/21/15		OLIVA, LILIANA	A000G09	07/31/15	08/02/15				DBLR 524
		OLIVA, LILIANA	A000G09	07/31/15	08/02/15		Ad	HD	
		GARCIA JOFRA, PAULA	A000G09	07/31/15	08/02/15		Ad	HD	
		CRUZ, IRIAN	A000G09	07/31/15	08/02/15	5	NI	HD	
		D,	A000G09	07/31/15	08/02/15	5	NI	HD	
									0.00
TOTAL STAYS									0.00

Abbreviations

DBLB	Double Room Ocean View (DBLB)	NI	CHILD
AO	ADULT	HD	Bed & breakfast

Date	Room	Concept	VOUCHER	AMOUNT	TOTALS
07/11/2015	524	Florida restaurant/beverages Res		16.00	
07/11/2015	524	Florida restaurant/food		116.00	
07/31/2015	524	Reception/valet Parking		79.96	
07/31/2015	524	Suplem.Habitacion/Upgrading		80.00	
08/01/2015	524	reception/valet Parking		79.96	
TOTAL CHARGES					271.92
1100/				-271.92	
TOTAL OTTO. EXTRA					-271.92
OUTSTANDING PAYMENT					0.00

Your Affiants have probable cause to believe that the RIU and LUQUE offered these benefits as a reward for FERNANDEZ's official actions as the Miami Beach Building Director for the RIU. Based on FERNANDEZ's statement to SAPCTF investigators, Your Affiants have probable cause to believe that FERNANDEZ knew, when he accepted these unlawful benefits on

Judge's Initials: MSG

Affiants' Initials [Signature]

behalf of Ms. Oliva, that they were being offered because of the officials actions FERNANDEZ had taken as the Building Director for the RIU.

Free accommodations for FERNANDEZ and his wife from RIU

Your Affiants discovered that FERNANDEZ and his wife, Maria Ortiz, received complimentary stays at the Riu Miami Beach; a Riu Palace Bavaro in Punta Cana, Dominican Republic; and the Riu Yucatan resort in Playa del Carmen, Mexico.

Riu Miami Beach, August 7-9, 2015

Your Affiants discovered that the RIU offered, and FERNANDEZ accepted, two free nights at the Riu Miami Beach for himself and his wife from August 7, 2015, through August 9, 2015. LUQUE testified that FERNANDEZ called him on August 6 and said “hey, do you have any special deal for me for this weekend? Me and my wife are not having a good week . . .” LUQUE testified that he told FERNANDEZ that he would check and let him know.

Your Affiants recovered the emails that discussed setting up FERNANDEZ’s free stay with his wife at the Riu Miami Beach. The first is an email from LUQUE to Mr. Donoso and Alejandro SANCHEZ, requesting the reservation. It is pasted below:

Subject: Reserva Mariano Fernandez
From: Ricardo Luque Ferrández <rluquef@riu.com>
Date: 8/7/2015 11:12 AM
To: Manuel Donoso <mndonoso@riu.com>, Manager Hotel Riu Florida Beach <hotel.plazamiamibeach@riu.com>, Alejandro Sánchez del Arco <asanchez@riu.com>

Hola Manuel,
Please, mete una reserva con entrada hoy y salida el domingo en HD.
Mariano Fernandez x 2
Invitacion.
Saludos.

--

Ricardo Luque Ferrández
Managing Director
Riu Plaza Hotels
(+1) 786 3347394
www.riu.com / www.riuplaza.com

(Unofficial translation: “Hello Manuel, Please, put a reservation in with entry today and departure on Sunday with breakfast included. Mariano Fernandez for two people. Free. Greetings.”).

Mr. Donoso responded seven minutes later that he had made the reservation for an Ocean Front room with breakfast included, and that FERNANDEZ should be treated like a “Super Vip.” Mr. Donoso copied SANCHEZ and the Riu Miami Beach general manager. Mr. Donoso’s email is pasted below:

Subject: Re: Reserva Mariano Fernandez
From: Manuel Donoso <mndonoso@riu.com>
Date: 8/7/2015 11:19 AM
To: Ricardo Luque Ferrández <rluquef@riu.com>
CC: Manager Hotel Riu Florida Beach <hotel.plazamiamicbeach@riu.com>, Alejandro Sánchez del Arco <asanchez@riu.com>

Que tal Ricardo

Localizador ADOOGY9I, habitacion vista mar frontal en HD y trato Super Vip

Slds

Manuel

(Unofficial translation: “How is it going Ricardo, ADOOGY9I locator, ocean front view room with breakfast and Super Vip treatment. Slds. Manuel”).

Your Affiants learned that the Riu Miami Beach general manager at the time was Joana Tormo. Ms. Tormo responded that FERNANDEZ’s valet would be complimentary, amenities would be sent, and that he had been given room 808. Your Affiants have learned that amenities were likely a fruit basket and/or a bottle of champagne. FERNANDEZ’s wife confirmed that they received those amenities.

LUQUE forwarded his exchange with Mr. Donoso to FERNANDEZ. In response to LUQUE’s email, with confirmation that the stay was by “invitacion” (free), and that he would be treated like a “Super Vip,” FERNANDEZ wrote, “No te pases.” Your Affiants have learned that “no te pases” is a Spanish colloquialism that has different meanings in different contexts. Your Affiants have learned that the direct translation is “do not pass.” In context, Your Affiants have probable cause to believe that FERNANDEZ meant “you shouldn’t have.”

FERNANDEZ's response is pasted below:

Subject: RE: Reserva Mariano Fernandez
From: "Fernandez, Mariano" <MarianoFernandez@miamibeachfl.gov>
Date: 8/7/2015 11:22 AM
To: 'Ricardo Luque Ferrández' <rluquef@riu.com>

No te pases...



Mariano V. Fernandez, P.E., *Director/Building Official*
BUILDING DEPARTMENT
1700 Convention Center Drive, Miami Beach, FL 33139
Tel: 305-673-7610 ext 6288/ Fax 786-394-4455
marianofernandez@miamibeachfl.gov

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From: Ricardo Luque Ferrández [mailto:rluquef@riu.com]
Sent: Friday, August 07, 2015 11:22 AM
To: Fernandez, Mariano
Subject: Fwd: Reserva Mariano Fernandez

----- Mensaje reenviado -----
De: Manuel Donoso <mtonoso@riu.com>

Your Affiants discovered, from reviewing FERNANDEZ's emails, that the next email FERNANDEZ wrote was to UCI, the RIU's engineering firm, providing them with a screen shot to update them on the inspection process at the Riu Miami Beach.

Judge's Initials: MSG

Affiants' Initials 

FERNANDEZ's email to UCI is pasted below:

From: Fernandez, Mariano
 To: 'Lily Alva' (alvarez@ucieng.com)
 Cc:
 Subject: Please see the comments

Sent: Fri 8/7/2015 11:39 AM

Approvals for BREV151148

Sec	Item Id	Description	Approved	Rec	Items	Ac
1	1	Zoning Section	No	R	5	
*	2	Building/Accessibility Section	Yes	R	5	A
*	3	Electrical Section	Yes	R	4	A
*	72	Permit Intake	No	R	0	
*	68	Roofing	No	O	0	
*	4	Plumbing Section	Yes	R	3	A
*	5	Mechanical Section	Yes	R	3	A
*	6	Fire Section	Yes	R	4	A

Security allows access. Display Updateable items Only

Entries for Item:1 - Zoning Section


Action	Comments	By	Date
DN	Previous comments were NOT addressed.	LC	04/22/2015
DN	SAME COMMENTS APPLY. THE	LC	06/08/2015
DN	1- Previous comments pending.	CA	07/09/2015
DN	1- Previous comments pending.	CA	08/06/2015

Action: By: Date:

Comments: **3- Provided revised life safety OCCLOAD of 299 handwritten on sheet A-000. What we are requiring is the actual calculation of this 299. Not handwritten.**

Entered Date: Entered By:

ToolBar Order: Select Multiple



MIAMI BEACH MIAMI BEACH
 1915 • 2015
 Mariano V. Fernandez, P.E., Director/Building Official


Judge's Initials: MSG

Affiants' Initials 

FERNANDEZ and his wife checked in to the Riu Miami Beach on August 7, 2015. On August 8, 2015, while FERNANDEZ was enjoying a free stay courtesy of the RIU, Ms. Rahmer sent FERNANDEZ the following email asking for FERNANDEZ's help with the RIU's permits:

FP150104

Tania P. Rahmer <trahmer@att.net>

 Follow up. Start by Monday, April 17, 2017. Due by Monday, April 17, 2017.

Sent: Sat 8/8/2015 10:00 AM

To: Fernandez, Mariano

Need an extension for RIU from Joanna
Permit Number FP150104
Dejame saber please ASAP.
Thanks,

Tania P. Rahmer,
Sent from my iPhone.
Please consider the Environment!

Your Affiants have probable cause to believe that the "Joanna" Ms. Rahmer refers to is Joana Tormo, the general manager of the Riu Miami Beach. FERNANDEZ responded to Ms. Rahmer Monday at 7:20 am, with a screen shot from Permits Plus informing Ms. Rahmer that the RIU's permit was extended.

FERNANDEZ's response to Ms. Rahmer's inquiry is pasted below:

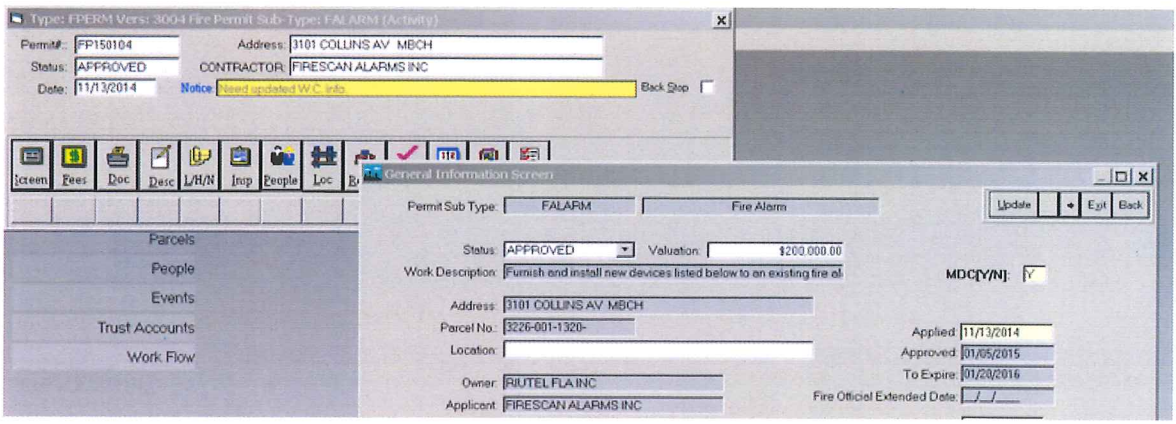
RE: FP150104

Fernandez, Mariano

Follow up. Start by Thursday, April 13, 2017. Due by Thursday, April 13, 2017.

Sent: Mon 8/10/2015 7:20 AM

To: Tania P. Rahmer



MIAMI BEACH MIAMI BEACH

Mariano V. Fernandez, P.E., Director/Building Official
BUILDING DEPARTMENT
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Tel: 305-673-7610 ext 6288/ Fax: 786-394-4455
marianofernandez@miamibeachfl.gov

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Less than two hours later, FERNANDEZ had his assistant purchase flowers for Joana Tormo from Trias Flowers, with a note saying “Muchas Gracias! Maria y Mariano Fernandez.”

Riu Palace Bavaro All-Inclusive Resort, September 3-7, 2015

Your Affiants discovered that during the Building Department's heavily discounted trip to Riu Palace Bavaro in Punta Cana, FERNANDEZ and his wife received an upgraded suite and were not charged at all for their stay.

In addition to the free suite, the RIU provided FERNANDEZ with other special treatment. LUQUE emailed the Director of Sales at the Riu Palace Bavaro to specifically request that a bottle of Johnny Walker Black Scotch Whiskey be placed in FERNANDEZ's room. Additionally, the RIU organized a special trip for FERNANDEZ and a few other select “VIP” guests to go to Coco-Bongo, a local nightclub.

Judge's Initials: MSG

Affiants' Initials: [Signature]

Leading up to FERNANDEZ's trip and stay at the Riu Palace Bavaro, SANCHEZ sent the following email to LUIS RIU on August 25, 2015:

From: Alejandro Sánchez del Arco <asanchez@riu.com>
Sent: Tuesday, August 25, 2015 7:20 PM

Buenas tardes Luis,

Para tu información, esta tarde, he estado, con Mariano Fernandez, le he puesto en contacto con Javier Fernandez, y, ya quedaron de acuerdo para verse en Punta Cana.

El lunes es su cumpleaños, le voy a regalar una botella de whisky del que el bebe (Blue Label), que te parece?

Saludos

AS

Alejandro Sánchez del Arco
Operaciones América
(+1) 3056735333
www.riu.com / www.riuplaza.com

(Unofficial Translation: "Good afternoon Luis, For your information, this afternoon, I've been, with Mariano Fernandez, I have put him in contact with Javier Fernandez, and, they have agreed to meet in punta cana.
On Monday is his birthday, I am going to fix him a bottle of whisky of the one he drinks (blue label) what do you think? Greetings AS")

Shortly thereafter, LUIS RIU responded to SANCHEZ with the following email:

From: Luis Riu Guell <lriug@riu.com>
Sent: Wednesday, August 26, 2015 12:59 AM
To: Alejandro Sánchez del Arco
Subject: Re:

A Sanchez:
Fantástico. Dale el Feliz Cumpleaños de mi parte también .
Que J Fernandez me escriba un correo , después de contactarlo en PUJ .
Gracias.L Riu

Luis Riu

Judge's Initials: MSG

Affiants' Initials RA

(Unofficial translation: “A Sanchez:
Fantastic. Wish him happy birthday for me as well.
For J Fernandez to write me an email, after he contacts him in PUJ.
Thank you. L Riu”)

On September 1, 2015, LUIS RIU sent the following email to Javier Fernandez Lopez
(sales director and individual mentioned in the email communication with SANCHEZ and LUIS
RIU):

From:	Luis Riu Guell <lriug@riu.com>
Sent:	Tuesday, September 1, 2015 12:51 PM
To:	Javier Fernandez Lopez

J Fernandez: ya me dirás como ira con el Sr Mariano ,el jueves , en PUJ. Gracias.L Riu

Luis Riu

(Unofficial translation: “Fernandez: you will let me know how it goes with Mr. Mariano, on
Thursday, in PUJ. Thank you. L Riu”)

In addition to the email communication above the following emails were exchanged
between LUQUE and Javier Fernandez Lopez in anticipation of FERNANDEZ’s trip to Punta
Cana, under the subject “Viaje Miami Building Departmen,”:

Subject: Viaje Miami Building Departmen
From: Ricardo Luque Ferrández <rluquef@riu.com>
Date: 9/2/2015 2:42 PM
To: Javier Fernández López <jfernandez@riu.com>

Hola Javier, como estas?

Se pudo conseguir la botella de Johnnie Walker etiqueta black para poner en la habitacion de Mariano?

Llegan ya mañana.


Saludos.

--

Ricardo Luque Ferrández
Managing Director
Riu Plaza Hotels
(+1) 786 3347394
www.riu.com / www.riuplaza.com

(Unofficial translation: "Hi Javier, how are you? Were you able to get the bottle of Johnnie Walker Black label to put in Mariano's room? They are arriving tomorrow. Greetings.")

Judge's Initials: MSG

Affiants' Initials 

El 2 de septiembre de 2015, 16:26, Javier Fernández López <jfernandez@riu.com> escribió:

Hola Ricardo,

Tengo la botella en mi mano.

Mariano me ha pedido una sala para 25 personas el viernes a las 9:30 am y se la he gestionado también (esta tarde he quedado con Rani, el director).

Además, yo le he reservado una mesa para 6 pax para el Krystal del XMC para el viernes y de ahí les vamos a transportar a la zona vip del Coco-Bongo (Oscar, de Compras, los va a llevar hasta dentro y va a gestionar el regreso al xpc). Ya Mariano lo sabe y está encantado con el tema (obviamente le he dicho que elija a los 6 porque más no puedo meter en este programa: por eso los llevo a cenar al xmc de forma que el resto no los vean cuando salen en el transporte del Coco-Bongo. También la pastelería me ha preparado unas atenciones vip.

Saludos,

Javier Fernández López

www.riu.com / www.riuplaza.com

(Unofficial translation: Hello Ricardo, I have the bottle in my hand. Mariano asked me for a room for 25 people on Friday at 9:30 am and I managed to get it as well (I arranged with Rani for this afternoon, the director). In addition, I have reserved a table for 6 people for the Krystal of the Riu Palace Mexico for Friday, and from there we are going to transport them to the vip zone of Coco-Bongo (Oscar, from sSales, will bring them inside and will arrange their return to Riu Palace Mexico). Mariano already knows and is delighted with the idea (obviously I have told him to choose 6 people because I cannot get more people in this program: that's why I'm taking them to dine at the xmc so that the rest do not see them when they leave in the transportation to Coco-Bongo. Also the cake shop has prepared me some vip attentions. Regards)

The next evening (the first day that FERNANDEZ and his department were in Punta Cana), Mr. Fernandez Lopez confirmed with LUQUE that FERNANDEZ would receive a complimentary suite, and that FERNANDEZ's benefit was approved by LUIS RIU. Mr. Fernandez Lopez's email is pasted below:

Subject: info
From: Javier Fernández López <jfernandez@riu.com>
Date: 9/3/2015 7:58 PM
To: Ricardo Luque Ferrández <rluquef@riu.com>
CC: Larissa Morias <lmorias@riu.com>

Hola Ricardo,

Todo perfecto con Mariano, salvo que he tenido que pedir a Roberto Miller y a Larissa que los niños que compartan habitación con los padres no paguen nada porque ha habido revuelo en el check-in y Mariano decía que tú así se lo habías informado. Ya le he dicho a D. Luis que lo he dejado gratis para que no se haya problemas.

Copio a Larissa para que esté tranquila.

Buenas noches,

Javier Fernández López
www.riu.com / www.riuplaza.com

(Unofficial translation: "Hi Ricardo, All perfect with Mariano, except I had to ask Roberto Miller and Larissa that the children sharing a room with the parents do not pay anything because there was a commotion at the check-in and Mariano said that you had informed him that way already . I have already told Don Luis that I have left it for free so that there are no problems.")

The following day, Mr. Fernandez Lopez and LUQUE exchanged emails (pasted below) about FERNANDEZ's appreciation of the special treatment he was receiving from the RIU. The email exchange is pasted below:

Subject: M
From: Javier Fernández López <jfernandez@riu.com>
Date: 9/4/2015 9:57 PM
To: Ricardo Luque Ferrández <rluquef@riu.com>

Mariano está en este momento cenando en el Krystal con su mujer y otras 4 elegidas. De ahí lo llevamos a la zona vip del Coco-Bongo.

Está encantado.

Por cierto, ha dicho que él no paga su habitación. Se la hemos dejado gratis para no entrar en conflicto.

Saludos,

(Unofficial translation: "Mariano is currently dining at the Krystal with his wife and four other chosen women. From there we are taking him to the vip area of Coco Bongo. He is delighted. By the way, he has said that he is not paying for his room. We left it free so there wouldn't be any issues. Regards").

Your Affiants learned that the Krystal is a special dining area at a different resort in the Punta Cana Riu complex.

Subject: Re: M

From: Ricardo Luque Ferrández <rluquef@riu.com>

Date: 9/4/2015 10:54 PM

To: Javier Fernandez Lopez <jfernandez@riu.com>

He hablado con el esta tarde y estaba borrachito jejejeje. Dice que eres el mejor!


Si, su habitacion ya esta puesta gratis.

Van a Coco Bongo? Que lo vigilen. Dice que luego me manda una foto del jacuzzi con su mujer y 4 chicas.

(Unofficial translation: "I talked to him this afternoon and he was drunk hehehehe. He says you're the best! Yes, his room is already set for free. Are you going to Coco Bongo? Watch him. He told me that he will send me a photo from the jacuzzi with his wife and 4 girls.")

Judge's Initials: MSG

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Affiants' Initials 

Your Affiants retrieved the folio memorializing FERNANDEZ's free stay at the Riu Palace Bavaro. It is pasted below (price information highlighted):

		España				Folio		707/137700	
		RNC	11484023			Ene. Prof.		03/09/2015	
		RCP:							
RIU PALACE BAVARO									
Tlf: -									
Observaciones					PAGA HABITACIONES DE SUS HIJOS				
NAR	NOMBRE OCURANTE			LLEGADA			SALIDA		
5411	ORTIZ, MARIA			03/09/15			07/09/15		
5411	FERNANDEZ, MARIANO			03/09/15			07/09/15		
F. Int.	Fecha Entrada 03/09/2015			Fecha Salida 07/09/2015			Pag 2		
Reserva	Ofe.TO	Ocupante	Bono/Ref	Inicio	Fin	Edad Pax	Rg	THab.	NAR
03/09/15		FERNANDEZ, MARIANO	POUNOC07	03/09/15	07/09/15	AD	AT	SUSZ	5411
		ORTIZ, MARIA	POUNOC07	03/09/15	07/09/15	AD	AT	SUSZ	5411
		TOTAL ESTANCIAS		0,00 USD DOLAR AMERICANO					
Se aplica tipo de cambio oficial del Banco del destino									
Abreviaturas									
SUSZ	Suite Standard Jacuzzi			AD	ADULTO				
AT	Todo Incluido								
BASE IMPONIBLE				%	TOTAL FINITO				
PENDIENTE DE PAGAR 0,00									
				CUOTA	IMPORTE				
TOTAL FACTURA 0,00									
Derecho Dominicano - DOR									
Fecha-Hora impresion: 05/04/2017 11:38:27 Pág. 1									
MACAO CARIBE BEACH SRL. RNC: 1-01-51014-5. Arena Corda, Bavaro Higüey, República Dominicana									

Judge's Initials: MSG

Affiants' Initials [Signature]

A week after FERNANDEZ returned from his free stay at the Riu Palace Bavaro, Ms. Rahmer sent him another request for an extension on one of the RIU's permits. Ms. Rahmer's email to FERNANDEZ is pasted below:

From: Tania P. Rahmer [mailto:trahmer@att.net]
Sent: Tuesday, September 15, 2015 12:16 PM
To: Fernandez, Mariano
Subject: Fwd: PERMIT # B1400492-B1500960-B1502181-BM150691

Here u go... For RIU

Tania P. Rahmer,
TR Permitting & Consulting, Inc.
305.303.0029
Sent from my iPhone.
Please consider the Environment!

Begin forwarded message:

From: Hector Peña <hectorpenapaniagua@gmail.com>
Date: September 14, 2015 at 12:22:11 PM EDT
To: Lily Alvarez <lilyaq1077@gmail.com>, "Tania P. Rahmer" <trahmer@att.net>
Subject: FW: PERMIT # B1400492-B1500960-B1502181-BM150691

The email Ms. Rahmer forwarded explained that the RIU just received notice from Miami Beach that the permits were going to expire in October. FERNANDEZ quickly responded to Ms. Rahmer that the permits have been extended to December:

On Sep 16, 2015, at 8:34 AM, Fernandez, Mariano <MarianoFernandez@miamibeachfl.gov> wrote:

Done to december

<image001.jpg>MIAMIBEACH
Mariano V. Fernandez, P.E., Director/Building Official
BUILDING DEPARTMENT
1700 Convention Center Drive, Miami Beach, FL 33139
Tel: 305-673-7610 ext 6288/ Fax: 786-394-4455
marianofernandez@miamibeachfl.gov


On September 17, 2015, FERNANDEZ sent LUIS RIU a thank you email for the RIU's hospitality at Riu Palace Bavaro. FERNANDEZ attached a photograph of the Building Department at the resort. The photograph is pasted below:

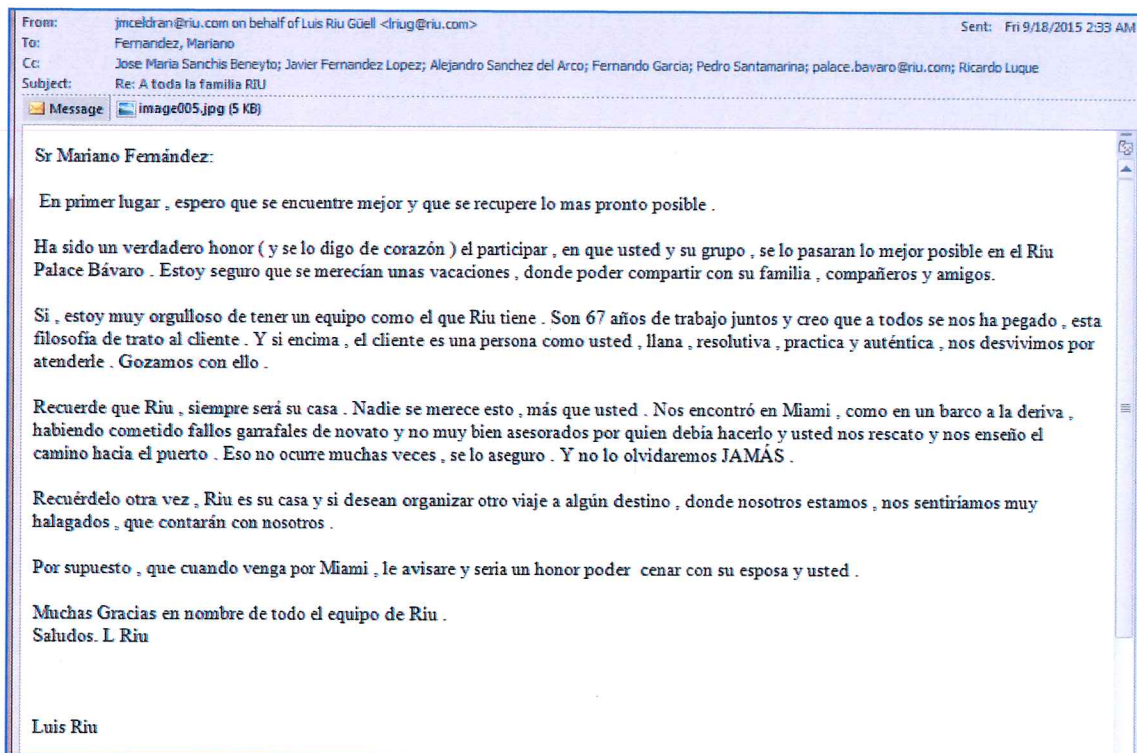


Your Affiants can identify FERNANDEZ as the bald white male in the middle front, wearing a white shirt. Your Affiants have probable cause to believe that Ms. Karla Santana is directly to FERNANDEZ's right, and Ms. Gema Aranda is directly to FERNANDEZ's left.

LUIS RIU responded to FERNANDEZ's thank you letter the following day. LUIS RIU's letter is pasted on the following page:

Judge's Initials: MSC

Affiants' Initials 



(Unofficial translation: Mr. Mariano Fernández: First of all, I hope you feel better and recover as soon as possible.

It has been a real honor (and I tell you from the heart) to participate, for you and your group, to have had the best possible experience at the Riu Palace Bávaro. I'm sure you deserved a vacation, where you can share with your family, friends and colleagues.

Yes, I'm very proud to have a team like the one Riu has. We have 67 years of experience and I think we have all been embedded with this customer service philosophy. And on top of that, if the client is a person like you, placid, decisive, practical and authentic, we are anxious to serve you. We enjoy it.

Remember that Riu will always be your home. Nobody deserves this, more than you. **You found us in Miami, as in a boat adrift, having made blunders like novice and not very well advised by who should have done it and you rescued us and showed us the way to the port. That does not happen often, I assure you. And we will never forget it.**

Remember it again, Riu is your home and if you want to organize another trip to any destination, where we are, we would feel very flattered, that you all will count on us.

Of course, when I come to Miami, I will let you know and it would be an honor to have dinner with you and your wife.

Thank you very much on behalf of the entire Riu team. Greetings. L Riu")

Judge's Initials: MSG

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Affiants' Initials 

Riu Palace Mexico All-Inclusive Resort, September 1-5, 2016

Your Affiants discovered that during the Building Department's heavily discounted trip to the Riu Palace Mexico the following year, FERNANDEZ and his wife again received an upgraded suite and were not charged for their stay.

Your Affiants learned that FERNANDEZ discussed the plans for this trip with RIU decision makers in March 2016. LUQUE sent an email to LUIS RIU saying that FERNANDEZ had asked if the Building Department could go to a new RIU resort in Playa del Carmen, Mexico, for the same rate as the previous year in Punta Cana. LUQUE and LUIS RIU went back and forth regarding what rate the RIU should extend to FERNANDEZ's department. In the end, LUIS RIU approved charging \$36 per person, per night. The email exchange between LUQUE and LUIS RIU, with the subject "Viaje Building Department Miami – Mariano" is pasted below:

Subject: Viaje Building Department Miami - Mariano

From: Ricardo Luque Ferrández <rluquef@riu.com>

Date: 3/4/2016 11:02 AM

To: Luis Riu Guell <lriug@riu.com>

Jefe, me acaba de llamar Mariano para ver si les podemos respetar las mismas tarifas para su viaje anual del departamento. Este año irian a Playa del Carmen.

Espero su confirmacion para apoyar a Mariano en la gestion.

Saludos.

--

Ricardo Luque Ferrández

Managing Director

Director Ejecutivo

Riu Plaza Hotels

(+1) 786 3347394

www.riu.com / www.riuplaza.com

(Unofficial translation: "Boss, Mariano just called me to see if we can respect the same rates for their annual department trip. This year they would go to Playa del Carmen. I hope your confirmation to assist Mariano with this arrangement. Greetings.")

Subject: Re: Viaje Building Department Miami - Mariano

From: Luis Riu Guell <lriug@riu.com>

Date: 3/4/2016 11:56 AM

To: Ricardo Luque Ferrández <rluquef@riu.com>

R Luque : ok , con lo de Mariano en Playa de Carmen . Darne fechas , hotel y número de habit o pax .
Gracias.L Riu

Luis Riu

(Unofficial translation: "R Luque: ok, with Mariano in Playa de Carmen. Give me dates, hotel and room amounts or pax. Thanks. L Riu")

Subject: Re: Viaje Building Department Miami - Mariano

From: Ricardo Luque Ferrández <rluquef@riu.com>

Date: 3/4/2016 12:03 PM

To: Luis Riu Guell <lriug@riu.com>

Fechas:

IN: Jueves 1 de septiembre

OUT: Lunes 5 de septiembre

Hotel:

Riu Palace Mexico

50 habitaciones

100-120 pax (depende de Niños)

Cuando me confirme usted pido el bloqueo de las habitaciones a Ventas.

Saludos.

(Unofficial translation: "Dates:

IN: Thursday, September 1

OUT: Monday, September 5

Hotel: Riu Palace Mexico

Judge's Initials: MSG

Affiants' Initials 

50 rooms in total
100-120 pax (depends on Children)

When you confirm to me I will ask Sales to block the rooms.
Greetings.”)

Subject: Re: Viaje Building Department Miami - Mariano
From: Luis Riu Guell <lriug@riu.com>
Date: 3/4/2016 3:16 PM
To: Ricardo Luque Ferrández <rluquef@riu.com>

R Luque : que precio le haríamos por pax x día ?
Saludos.L Riu

Luis Riu

(Unofficial translation: “R Luque: what price would we do per person per day? Regards. L Riu”)

Subject: Re: Viaje Building Department Miami - Mariano
From: Ricardo Luque Ferrández <rluquef@riu.com>
Date: 3/4/2016 3:25 PM
To: Luis Riu Guell <lriug@riu.com>

El año pasado les hicimos 25 por persona y noche. Tal vez este año podemos darles 30. Los costes y de milagro.

(Unofficial translation: “Last year we did 25 for them per person per night. Maybe this year we can give them 30. Costs and miracle.”)


Subject: Re: Viaje Building Department Miami - Mariano
From: Luis Riu Guell <lriug@riu.com>
Date: 3/4/2016 4:03 PM
To: Ricardo Luque Ferrández <rluquef@riu.com>

R Luque : yo te diré el precio a Mariano. Las fechas son buenas . Saludos.L Riu

Luis Riu

(Unofficial translation: “R Luque: I'll tell you the price for Mariano. The dates are good. Regards. L Riu”)

Judge's Initials: MSC

Affiants' Initials 

Subject: Re: Viaje Building Department Miami - Mariano

From: Ricardo Luque Ferrández <rluquef@riu.com>

Date: 3/4/2016 4:45 PM

To: Luis Riu Guell <lriug@riu.com>

Perfecto.

Las fechas son las mismas del año pasado. Tuve que hacer encaje de bolillos para el de Punta Cana por que hay gente de bajos recursos y me pidieron que el precio final del paquete no sobrepasase los 450 usd.

Vuelo: 328,58 usd con Spirit Airlines Fort Lauderdale-Punta Cana-Fort Lauderdale

Hotel: 100 usd por persona las 4 noches

Traslado: 6,50 usd por persona Santo Domingo-Punta Cana-Santo Domingo (Hotelbeds se porto super bien asumiendo casi todo el coste...).

TOTAL: 435 usd

Hoy ya me han dicho que quieren volar con Interjet para que sea el vuelo menos de 250 usd...

Saludos.

(Unofficial translation: "Perfect. The dates are the same as last year. It was a mission to make this one for Punta Cana happen because there are people of low resources and they asked me that the final price of the package did not exceed 450 usd.

Flight: 328.58 usd with Spirit Airlines Fort Lauderdale-Punta Cana-Fort Lauderdale

Hotel: 100 usd per person 4 nights

Transfer: 6.50 usd per person Santo Domingo-Punta Cana-Santo Domingo (Hotelbeds performed really good assuming almost the entire cost ...).

TOTAL: 435 USD

Today I have already been told that they want to fly with Interjet so that the flight is less than 250 usd ...

Greetings.")

Judge's Initials: MSG

Affiants' Initials 

Subject: Re: Viaje Building Department Miami - Mariano

From: Luis Riu Guell <lriug@riu.com>

Date: 3/5/2016 5:23 AM

To: Ricardo Luque Ferrández <rluquef@riu.com>

R Luque : el precio de coste del XMX , en Septiembre , es de 36 \$, por persona , día .
Saludos.L Riu

Luis Riu

(Unofficial translation: "R Luque: The cost price of XMX, in September, is 36 \$, per person, day. Regards. Liu").

LUQUE testified that he reached out to LUIS RIU before booking the Playa del Carmen trip for FERNANDEZ and his department because he was unsure whether FERNANDEZ deserved additional benefits from the RIU. LUQUE testified that it is appropriate to say "thank you" once, but he was not sure if the RIU needed to say "thank you" again.

Leading up to FERNANDEZ and his department's trip to the Riu Palace Mexico resort, LUQUE sent an email to the resort management emphasizing how important FERNANDEZ was. That email is pasted below:

Subject: Llegada del Grupo Building Department de Miami a Playa del Carmen
From: Ricardo Luque Ferrández <rлуquef@riu.com>
Date: 8/30/2016 4:00 AM
To: mrincon@riu.com, Rafael Exposito <rexposito@riu.com>, Javier Monje <jmonje@riu.com>, Juventino Ramos González <Jramosg@riu.com>, Joachim Schoenfeldt <jschoenfeldt@riu.com>
CC: Javier Fernández López <jfernandez@riu.com>

Muy buenas jefes,
Os informo que el proximo jueves dia 1 de septiembre llega al Riu Palace Mexico el grupo del building department de Miami.
El lider del grupo es Mariano Fernandez, director del departamento, y gran amigo ya de la casa. Ventas ha puesto su habitacion como VIP en Suite Jacuzzi pero seria muy buen detalle ponerle unas buenas atenciones y saludarle personalmente.
Este grupo esta autorizado por Don Luis a unos precios muy especiales.
Copio a Javier ya que el en ausencia de Pedro Santamarina recibio al Sr. Fernandez en Punta Cana en su viaje del año pasado. Javier, le encanto Coco Bongo de Dominicana por si le puedes entrar en el de Playa alguna noche.
Cualquier duda Juventino y su equipo tienen todos los detalles.
Os mando un abrazo y quedo a vuestras ordenes.

--

Ricardo Luque Ferrández
Managing Director
Director Ejecutivo
Riu Plaza Hotels
(+1) 786 3347394
www.riu.com / www.riuplaza.com

(Unofficial translation: "Very good bosses, I inform you that next Thursday, September 1st, the group of the Miami building department arrives at the Riu Palace Mexico. The leader of the group is Mariano Fernandez, director of the department, and great friend of the house already. Sales has put his room as VIP in a Jacuzzi Suite but it would be a very good gesture to put politeness and greet him personally. This group is authorized by Don Luis at very special prices. I cc'd Javier since in the absence of Pedro Santamarina he hosted Mr. Fernandez in Punta Cana on his trip last year. Javier, he loved the Coco Bongo in Dominican in case you can put him on

the Beach any night. Any doubts Juventino and his team have all the details. I send you a hug and I remain at your orders.”)

LUIS RIU also sent the following email to Maria Jose Rincon (employee at Riu Palace Bavaro) in anticipation of FERNANDEZ’s trip and stay at the Riu Palace Bavaro:

From: Luis Riu Guell <lriug@riu.com>
Sent: Tuesday, August 30, 2016 7:14 AM

Maria José Rincón : estar atentos al grupo del XMX , de D Mariano Fernández . Nos ayudo mucho en MIAMI . Habla con el y mira que todo les funcione bien . Muchas Gracias . L Riu

Luis Riu

(Unofficial translation: “Maria Jose Rincon: Pay attention to the XMX group, of D Mariano Fernandez. He helped us a lot in MIAMI. Speak to him and make sure that everything works out fine. Thank you very much. L Riu”)

Additionally, on August 30, 2016, LUIS RIU responded to an email from Rafael Exposito (employee at Riu Palace Bavaro) thanking him for agreeing to provide FERNANDEZ with proper treatment during his visit/stay at the Riu Palace Bavaro, pasted below:

From: Luis Riu Guell <lriug@riu.com>
Sent: Tuesday, August 30, 2016 7:21 AM
Subject: Re:

R Exposito : gracias . Nos ayudo un huevo , en la obra de MIA . Saludos y buenas vacaciones . L Riu

Luis Riu

(Unofficial translation: R Exposito: thank you. He helped us a whole lot (slang), in the project of MIA. Greetings and great vacations. L Riu”)

On September 1, 2016, Maria Jose Rincon sent the following email to LUIS RIU updating LUIS RIU on FERNANDEZ’s arrival at the Riu Palace Bavaro:

Judge’s Initials: MSG

Affiants’ Initials 

From: María José Rincón García <mjrincon@riu.com>
Sent: Thursday, September 1, 2016 11:47 AM
Subject: Sr .Mariano Fernandez

Ya llego .
Le transmiti el saludo de Usted ,Sanchis y Palmer.

Esta muy contento.

Para mañana noche tienen cocobongo y el domingo noche tienen la cena privada.

Un Saludo

Mj

(Unofficial Translation:

“He just arrived.

I forwarded your regards, Sanchis and Palmer.

He is very happy.

For tomorrow night they have cocobongo and for Sunday night they have the private dinner.

Greetings,

MJ”)

On the same date, LUIS RIU responded to Maria Jose Rincon’s email with the following:

From: jmceldran@riu.com on behalf of Luis Riu Güell <lriug@riu.com>
Sent: Thursday, September 1, 2016 11:48 AM
Subject: Re: Sr .Mariano Fernandez

M José : muchas gracias y sigue dándole seguimiento . Verás que es un personaje . Gracias . L a Riu

(Unofficial translation: “M Jose: Thank you very much and continue to follow up. You will see he is a personality. Thank you. L a Riu”)

Your Affiants retrieved the folio memorializing FERNANDEZ’s free stay at the Riu Palace Bavaro in an Ocean Jacuzzi Suite. It is pasted on the following page (price and upgrade highlighted):

Cliente: FERNANDEZ, MARIANO -PROGRAMA- DIRECTOS FRONT OFFICE

Canadá RFC: xxxxxxxxxxxxxxxx Fecha: 27/08/2016 Fec.Prof: 31/08/2016

RIV PALACE MEXICO
TIF: +52 984 87 74200

Observaciones: PAGA HABITACIONES DE SUS HIJOS

NOM	NOMBRE OCUPANTE	LLGADA	SALIDA
2044	ORTIZ, MARIA	01/09/16	05/09/16
2044	FERNANDEZ, MARIANO	01/09/16	05/09/16

F. Emi.	Reserva	afe.to	Fecha Entrada	Fecha salida	05/09/2016	PRECIO	Días	T.Días	TOTAL
07/03/16			01/09/2016	05/09/2016	AD TI SUMZ 2044	4.651,93	4	18.607,71	
			DESCUENTO ESPECIAL 100%			-4.651,93	4	-18.607,71	
			01/09/16	05/09/16	AD TI SUMZ 2044	4.651,93	4	18.607,71	
			DESCUENTO ESPECIAL 100%			-4.651,93	4	-18.607,71	
TOTAL ESTANCIAS									0,00
Se aplica tipo de cambio oficial del banco del destino									TOTAL ESTANCIAS 0,00

DESGLSSE ESTANCIAS: ALOJAMIENTO 0,00 PENSION Y OTROS 0,00 NETO ESTANCIAS 0,00

Abreviaturas		
SUMZ	Suite Standard Mar Jakuzel	AD ADULTO
TI	Todo incluido	

REINTEGRO DE DADO	0,00
CUOTA	IMPORTE
TOTAL FACTURA	0,00
Pesos Mexicanos, MMX	

Fecha hora impresión: 05/04/2017 17:52:57 Pág 1

SOBRE CHARGA SA DE CV - RFC: xcm061000038
Domicilio Fiscal: Blvd. BUNAJUAN s/n - 8.51076 5 MPA. QZ - Tuxtla Gutierrez HOTEL RIV CANCUN
CANA HOTELERA CANCUN, C.A. - 77500 - ZONILLA TURISTICA, QUINTANA ROO
Este documento es una representación impresa de un CFDI.

Judge's Initials: MSG

Affiants' Initials [Signature]

FERNANDEZ's wife, Maria Ortiz, provided a sworn statement. She confirmed all of the accommodations and amenities—the hotel room at Riu Miami Beach, the Jacuzzi Suite at Riu Palace Bavaro, and the Jacuzzi Suite at Riu Palace Mexico—but she testified that she did not know that any of it was free.

Your Affiants have probable cause to believe that the RIU, LUQUE, SANCHEZ, and LUIS RIU offered these benefits (the free weekend stay for FERNANDEZ and his wife at the Riu Miami Beach, the free Jacuzzi Suite for FERNANDEZ and his wife at the Riu Palace Bavaro, and the free Jacuzzi Suite for FERNANDEZ and his wife at the Riu Palace Mexico) as a reward for FERNANDEZ's official actions he had taken as the Miami Beach Building Director for the RIU. Based on FERNANDEZ's statement to SAPCTF investigators, Your Affiants have probable cause to believe that FERNANDEZ knew, when he accepted these unlawful benefits, that they were being offered because the official actions FERNANDEZ had taken as the Miami Beach Building Director for the benefit of the RIU.

Free Room at the Riu Miami Beach for Adolf Rahmer

Your Affiants discovered that FERNANDEZ was able to solicit a free room at the Riu Miami Beach for Adolf Rahmer, Tania Rahmer's father, for October 10, 2015. Your Affiants discovered during their investigation that FERNANDEZ and Ms. Rahmer have become close friends. LUQUE testified that FERNANDEZ reached out to him for a room on behalf of Ms. Rahmer. LUQUE instructed Mr. Donoso to set the reservation at a special price of \$100, with a note that the reason for the special rate was "Building Department." LUQUE's email is pasted below:

2015-10-10 8:56 GMT-04:00 Ricardo Luque Ferrández <rluquef@riu.com>:
Hola Cintya,
Please, meter una reserva para la noche de hoy:
Nombre: Adolf Rahmer x 4 pax
Precio especial: 100 usd + tax con desayuno incluido (HD).
Observaciones: Building Department

Katarina, si llegan antes los clientes o Cintya no puede meter la reserva, ingresarla desde recepcion, please.

Saludos y muchas gracias.

(Unofficial translation: "Hi Cintya, please enter a reservation for tonight:
Name: Adolf Rahmer x 4 people. Special Price: \$100 + tax with breakfast included.
Observations: Building Department. Katarina, if the guests arrive early, or Cyntia cannot enter the reservation, please enter it from reception.")

Your Affiants learned that Katharina was a manager at the Riu Miami Beach.

Your Affiants discovered that shortly thereafter, Alejandro SANCHEZ instructed LUQUE to make the room free, saying that he had promised FERNANDEZ that he would not charge Ms. Rahmer for the room. Katharina sent an email correcting the price, which is pasted below:

De: Manager Hotel Riu Plaza Miami Beach <hotel.plazamiamicibeach@riu.com>
Fecha: sábado, 10 de octubre de 2015
Asunto: Reserva Urgente para hoy
Para: Ricardo Luque Ferrández <rluquef@riu.com>
Cc: Cintya Gómez Narváz <reservations.mia@riu.com>, Reception Hotel Riu Florida Beach <reception.floridabeach@riu.com>, "Fernandez, Mariano" <marianofernandez@miamibeachfl.gov>

Hola Cintya,
por orden de Alejandro... for free/ complementary.
Slds
Katharina

Manager Hotel Riu Plaza Miami Beach

(Unofficial translation: Hi Cintya, per Alejandro's orders... for free/ complimentary."

LUQUE testified that he did not want to give a free room to Ms. Rahmer because he was tired of giving her free and discounted rooms. LUQUE testified that Ms. Rahmer had repeatedly asked for complimentary rooms for herself and her family. According to LUQUE, Ms. Rahmer had worn out her welcome. LUQUE's testimony is corroborated by his emails. Your Affiants discovered emails exchanged between SANCHEZ and LUQUE, in which SANCHEZ explains why he overrode LUQUE. The emails are pasted below, starting with LUQUE's email complaining to SANCHEZ:

El 10 de octubre de 2015, 11:56, Ricardo Luque Ferrández <rluquef@riu.com> escribió:
Tio, no! Ya se ha pasado mil pueblos esta mujer.
Y ya no son para ella las reservas sino para primos y demas.
Si aun no ha llegado dejarlo a 100 Usd.
Up to you.
Saludos.

During his testimony to Your Affiants, LUQUE interpreted his email as, “Dude, this woman has overpass 1,000 times asking things, and now, the reservations are not for her only but for cousins and others. . If she has not arrived leave it at \$100. Up to you.”

Subject: Re: Reserva Urgente para hoy
From: Alejandro Sánchez del Arco <asanchez@riu.com>
Date: 10/10/2015 12:30 PM
To: Ricardo Luque Ferrández <rluquef@riu.com>

Opsss tarde, estuve hablando con Mariano, por otro tema y ya le dije que se la daría gratis..... la próxima.

Saludos


AS

(Unofficial translation: “Oops, too late. I was talking to Mariano about something else and I told him it would be free... next time.”)

Your Affiants have probable cause to believe that the only reason Adolf Rahmer received a free room at the Riu Miami Beach is because FERNANDEZ requested it from SANCHEZ.

Your Affiants have probable cause to believe that the RIU, SANCHEZ, and LUQUE conspired to offer and offered these benefits as a reward to FERNANDEZ for the official actions he had taken as the Miami Beach Building Director for the RIU. Based on FERNANDEZ’s statement to SAPCTF investigators, Your Affiants have probable cause to believe that FERNANDEZ knew, when he solicited and accepted these unlawful benefits on behalf of Ms. Rahmer, that the benefits were being offered because of the official actions FERNANDEZ had taken as the Miami Beach Building Director for the RIU.

Judge’s Initials: MSC

Affiants’ Initials 

Free stay at Riu Palace Antillas for Gema Aranda

Your Affiants discovered that FERNANDEZ was able to solicit a free stay at the all-inclusive Riu Palace Antillas for his Office Associate Gema Aranda. Ms. Aranda stayed at the Riu Palace Antillas from March 24, 2016, to March 28, 2016, along with her boyfriend, her cousin, and her cousin's boyfriend. Your Affiants discovered that FERNANDEZ was able to solicit a special rate for Ms. Aranda's companions.

Your Affiants discovered correspondence between LUQUE and RIU management in Aruba, some of which is pasted below:

Subject: Solicitud Especial
From: Ricardo Luque Ferrández <rluquef@riu.com>
Date: 3/16/2016 11:50 AM
To: Armin Kaestner <akaestner@riu.com>

Hola Armin,
Tenemos una solicitud del Building Department nuevamente...
Esta vez solo son dos cuartos y seria 1 en cortesia y otro con precio muy especial.

In: 24/03
Out: 27/03

Gema Aranda x 2
Denise Fernandez x 2

Saludos.

--

Ricardo Luque Ferrández
Managing Director
Director Ejecutivo
Riu Plaza Hotels
(+1) 786 3347394
www.riu.com / www.riuplaza.com

(Unofficial translation: "Hello Armin, We have a request from the Building Department again ... This time they are only two rooms and would be 1 for free and another at a very special rate. Regards.")

Your Affiants learned that Armin Kaestner is the RIU's Vice President of Sales and Contracting for the Americas and the Caribbean.

Shortly after he sent the first email, LUQUE realized he forgot to say where the newest request from the Building Department was for:

Subject: Re: Solicitud Especial
From: Ricardo Luque Ferrández <rluquef@riu.com>
Date: 3/16/2016 4:13 PM
To: Armin Kaestner <akaestner@riu.com>

Coño, no te he dicho ni el hotel... Palace Antillas.
Ya me dices cosas, señor.
Abrazo.

(Unofficial translation: "I did not even tell the hotel ... Palace Antillas. You tell me things, sir. Hug.")

Mr. Kaestner replied the next day:

Subject: Re: Solicitud Especial
From: Armin Kaestner <akaestner@riu.com>
Date: 3/17/2016 10:01 AM
To: Ricardo Luque Ferrández <rluquef@riu.com>

Hola,

ahora me encargo.

saludos,

Armin Kaestner
VP Sales & Contracting USA & CA
Caribbean, Mexico, Costa Rica & Panama
(+1809) 7316816
www.riu.com / www.riuplaza.com

(Unofficial translation: "Now I take care of it. Regards,")

Your Affiants discovered that LUQUE responded a few hours later bemoaning this newest request from the Building Department:

Subject: Re: Solicitud Especial
From: Ricardo Luque Ferrández <rluquef@riu.com>
Date: 3/17/2016 1:31 PM
To: Armin Kaestner <akaestner@riu.com>

Puede comprar los vuelos? Me estan presionando.

(Unofficial translation: “Can you buy the flights? They are pressuring me.”)

Your Affiants discovered that when LUQUE had not heard from Mr. Kaestner for four days, he reached out to Shari Sield, RIU’s Sales Manager in Aruba. That email is pasted below:

Subject: Fwd: Solicitud Especial
From: Ricardo Luque Ferrández <rluquef@riu.com>
Date: 3/21/2016 11:08 AM
To: Shari Sield <ssield@riu.com>, Armin Kaestner <akaestner@riu.com>

Estimada Shari,
Imagino que Armin esta muy liado.
Estos VIP ya han comprado los billetes y se solicito una habitacion en cortesia y otra a 100 usd por persona y noche, please.
Diganme cosas por favor.
Saludos.

(Unofficial translation: “Dear Shari, I imagine that Armin is very involved. These VIPs have already purchased the tickets and requested a room in courtesy and another 100 USD per person per night, please. Tell me things, please. Regards.”)



Ms. Sield responded to LUQUE that night:

Subject: Re: Solicitud Especial
From: Shari Sield <ssield@riu.com>
Date: 3/21/2016 8:06 PM
To: Ricardo Luque Ferrández <rluquef@riu.com>
CC: Armin Kaestner <akaestner@riu.com>

Dear Ricardo Luque,

So sorry that I have not replied to you yet. The reservation is made for the guests 1 room complementary and the other with \$ 100.00 per person per day.

Hotel	Llegada	Hora	Salida	Hora	Agencia	Localiz.	THC	Hab.	Pax	Estado
RIU	24/03/16		27/03/16		09910043	ARU002YG SJMB		1	2	CNF
FERNANDEZ, DENISE										
ARU002YG **VIP** SPECIAL RATE										
RIU	24/03/16		27/03/16		09910043	ARU002YG SJMB		1	2	CNF
BRAND, GEMA										
ARU002YG **VIP** GUESTS										

Let me know if you need anything else.

With kind regards/ Saludos cordiales,

Shari Sield
Sales Manager Aruba
RIU Hotels & Resorts
J.E. Irausquin Boulevard 77, Palm Beach - Aruba
Tel: +297 526 4100 / Email: ssield@riu.com

www.riu.com - www.niuplaza.com

Judge's Initials: MSG

Affiants' Initials 

Your Affiants discovered that LUQUE emailed Ms. Sield the following day, thanking her and asking for her to add an additional day to the reservation. Ms. Sield quickly confirmed the change and emailed LUQUE the new reservation, which LUQUE forwarded to FERNANDEZ. LUQUE email to FERNANDEZ is pasted below:

Subject: Fwd: Solicitud Especial
From: Ricardo Luque Ferrández <rluquief@riu.com>
Date: 3/22/2016 3:15 PM
To: "Fernandez, Mariano" <marianofernandez@miamibeachfl.gov>

----- Mensaje reenviado -----

De: Shari Sield <ssield@riu.com>
Fecha: 22 de marzo de 2016, 14:57
Asunto: Re: Solicitud Especial
Para: Ricardo Luque Ferrández <rluquief@riu.com>
Cc: Armin Kaestner <akaestner@riu.com>

Hola Ricardo,

Claro que si: ahora los dos reservas para salida 28 de Marzo 2016.

STAY	240316	280316	05STN03	ARIUNGYF	SJMB	1	2	CNF
BOOKING	GEMA		ARIUNGYE					**VIP** GUESTS
STAY	240316	280316	05STN03	ARIUNGYG	SJMB	1	2	CNF
BOOKING	FERNANDEZ, DENISE		ARIUNGYG					**VIP** SPECIAL RATE


Feliz dia!

With kind regards/ Saludos cordiales,

Shari Sield
 Sales Manager Aruba
 RIU Hotels & Resorts
 J.E. Irausquin Boulevard 77, Palm Beach - Aruba
 Tel: +297 526 4100 / Email: ssield@riu.com

www.riu.com - www.riuplaza.com

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Affiants' Initials 

In contrast to the special deal the RIU provided for Ms. Aranda at FERNANDEZ's request, LUQUE testified that when he arranged for a reservation for his best friends to go to the Riu Palace Antilles, the best rate he could get for them was \$136 per person, per night.

Your Affiants have probable cause to believe that the RIU and LUQUE offered these benefits as a reward for FERNANDEZ's official actions as the Miami Beach Building Director. Based on FERNANDEZ's statement to SAPCTF investigators, Your Affiants have probable cause to believe that FERNANDEZ knew, when he accepted these unlawful benefits on behalf of Ms. Aranda, that the benefits were being offered because of the official actions FERNANDEZ had taken as the Miami Beach Building Director for the RIU.

Free Weekend at the Riu Miami Beach for Yeneris Orta

Your Affiants discovered that FERNANDEZ was able to solicit a free weekend stay at the Riu Miami Beach for his permit clerk Yeneris Orta. Your Affiants discovered that Ms. Orta stayed at the Riu Miami Beach from July 15, 2016, until July 17, 2016. Your Affiants discovered that the planning of Ms. Orta's stay followed the same formula as the other benefits to FERNANDEZ—FERNANDEZ reached out to LUQUE, LUQUE told DONOSO to make the reservation, and then LUQUE forwarded the reservation information to FERNANDEZ. The salient emails from the chain are pasted below:

Subject: Reserva
From: Ricardo Luque Ferrández <rluquef@riu.com>
Date: 7/12/2016 3:19 PM
To: Manuel Donoso <mndonoso@riu.com>

Yeneris Orta
In: 15-07
Out: 17-07
Invitacion
Building Department

Saludos.

--

Ricardo Luque Ferrández
Managing Director
Director Ejecutivo
Riu Plaza Hotels
(+1) 786 3347394
www.riu.com / www.riuplaza.com

Subject: Re: Reserva
From: Manuel Donoso <mdonoso@riu.com>
Date: 7/12/2016 4:48 PM
To: Ricardo Luque Ferrández <rluquef@riu.com>

El localizador es FLDD0IRR

Se ha creado en ocupacion doble y MP, te llegara el documento en algunos minutos

Slds

Manuel

(Unofficial translation: The locator is FLDD0IRR. It has been created in double occupancy and MP, you will get the document in a few minutes. Slds, Manuel”).

Your Affiants learned that the RIU uses “MP” to mean that dinner is included with the reservation. LUQUE’s email forwarding the reservation to FERNANDEZ is pasted below:

Subject: Fwd: Reserva
From: Ricardo Luque Ferrández <rluquef@riu.com>
Date: 7/13/2016 5:40 PM
To: "Fernandez, Mariano" <marianofernandez@miamibeachfl.gov>

----- Mensaje reenviado -----

De: Manuel Donoso <mdonoso@riu.com>
Fecha: 12 de julio de 2016, 16:48
Asunto: Re: Reserva
Para: Ricardo Luque Ferrández <rluquef@riu.com>

Ms. Orta provided Your Affiants with a sworn statement. Ms. Orta testified that she was able to get the hotel stay through her sister, Sonia Perez, who requested the benefit from FERNANDEZ. According to Ms. Orta, FERNANDEZ is very close to Ms. Perez. Ms. Orta testified that breakfast and dinner were included with the room, and that room service provided

her with a complimentary bottle of champagne. Ms. Orta testified that she did not know that the room was free; she thought FERNANDEZ had paid for it.

Your Affiants have probable cause to believe that the RIU and LUQUE offered these benefits as a reward for the official actions FERNANDEZ took as the Miami Beach Building Director for the RIU. Based on FERNANDEZ's statement to SAPCTF investigators, Your Affiants have probable cause to believe that FERNANDEZ knew, when he accepted these unlawful benefits on behalf of Ms. Orta, that the benefits were being offered because of the official actions FERNANDEZ had taken as the Miami Beach Building Director for the RIU.

Certificate of Occupancy

Your Affiants learned that the final step in completing a renovation project in Miami Beach is to obtain a Certificate of Occupancy. The Certificate of Occupancy is an official document that certifies that a building complies with the Miami Beach building codes, and it must be signed by the Director of the Building Department. RIU applied for a final Certificate of Occupancy for the Riu Miami Beach on June 30, 2016. FERNANDEZ signed the Certificate of Occupancy on July 5, 2016. Your Affiants learned that June 30, 2016 was a Thursday. The following Monday was July 4th, so there was only one business day between when the RIU applied for the Certificate of Occupancy and when FERNANDEZ signed it. The Certificate of Occupancy is pasted on the following page:

MIAMIBEACH

Building Department
City of Miami Beach

1700 Convention Center Drive, 2nd floor, Miami Beach, Florida 33139, (305) 673-7610, www.miamibeachfl.gov

CERTIFICATE OF OCCUPANCY

Certificate Number: CO16-0069

Status: Issued

Applied Date: 06/30/2016

Issued Date: 07/05/2016

Site Address: 3101 COLLINS AVE

Unit Number:

Parcel Number: 0232260011320

Tenant:

Property Owner: RIUTEL FLA INC

Occupancy Classification Code: R1

Number of Building Floor:

Total Number of Units of the Building:

Residential/Commercial/Mixed Use (select one from drop down format): Commercial

New or Substantial Improvement (Y/N):

Base Flood Elevation:

Florida Building Code Edition:

Occupant Load:

Certificate description and specific conditions:

CO/ BC0516-0343/ Modification and reconfiguration of existing outdoor pool bar.

General terms and conditions of this certificate:

1. This is to certify that the above noted structure or portion of the structure has been inspected for compliance of Florida Building Code and the provision of the zoning ordinance 89-2665 of City of Miami Beach for the proposed occupancy and use.
2. As-built elevation certificate shall be provided by the applicant for new construction, addition or substantial improvement, and is retained in the records of the Building Department. If the structure is designed for dry-flood proofing, the tenant shall comply with procedures and guidelines of the Flood Emergency Operation Plan and install watertight shields over openings prior to a flood warning.
3. Any unauthorized additions, alterations or change in use of this property will void Certificate of Occupancy.

A Certificate of Occupancy is hereby granted to use said building for the purpose described above, subject to any condition(s) detailed in this document.



7/5/2016

Mariano V. Fernandez
Building Official

Date

This Certificate of Completion is valid only if there is an APPROVED status and a Building Official Signature.

Judge's Initials: MSG

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Affiants' Initials

Special Rate at Riu Palace Bavaro for Sonia Perez

Your Affiants discovered that three days after signing the Certificate of Occupancy for the Riu Miami Beach, FERNANDEZ was able to solicit a special rate at the all-inclusive Riu Palace Antillas for Sonia Perez, an Office Associate in the Building Department. On July 8, 2016, FERNANDEZ emailed LUQUE with his newest request. FERNANDEZ's email is pasted below:

2016-07-08 11:40 GMT-04:00 Fernandez, Mariano <MarianoFernandez@miamibeachfl.gov>:

Ricardo:

Me podrias conseguir dos habitaciones en Playa Carmen para Agosto 10 al 15? Dos adultos tres niños.

MIAMIBEACH

Mariano V. Fernandez, P.E., *Director/Building Official*

BUILDING DEPARTMENT

1700 Convention Center Drive, Miami Beach, FL 33139
Tel: 305-673-7610 ext 6288/ Fax: 786-394-4455

MarianoFernandez@miamibeachfl.gov

We are committed to providing excellent public service and safety to all who live, work and play in our vibrant, tropical, historic community

(Unofficial translation: "Could you get me two rooms in Playa Carmen for August 10 to 15? Two adults three children.").

LUQUE responded to FERNANDEZ with two questions (unofficial translation: "Hello Mariano, Two adults in 1 room and 3 children in the other? What name? Greetings.") Your Affiants did not find an email from FERNANDEZ in response to LUQUE's questions. However, because LUQUE knew the guests' names and sent detailed instructions a few days later, the evidence suggests that FERNANDEZ and LUQUE had a conversation in person or

Judge's Initials: MSG

Affiants' Initials MS

over the phone to arrange the reservation. LUQUE's email instructing Playa del Carmen staff about Ms. Perez's reservation is pasted below:

Subject: Reserva
From: Ricardo Luque Ferrández <rluquef@riu.com>
Date: 7/12/2016 3:16 PM
To: Juventino Ramos González <Jramosg@riu.com>

Hola de nuevo,
Te paso otra reserva:

Sonia Perez
In: 10-08
Out: 15-08
Riu Yucatan
2 adultos y 3 niños
55 usd por adulto y niños gratis
Observaciones: Building Department Miami Beach

Saludos.

--

Ricardo Luque Ferrández
Managing Director
Director Ejecutivo
Riu Plaza Hotels
(+1) 786 3347394
www.riu.com / www.riuplaza.com


LUQUE received confirmation of Ms. Perez's reservation and forwarded it to FERNANDEZ. The email that LUQUE forwarded to FERNANDEZ explicitly stated that the reason for the special price for Ms. Perez was "Building Department Miami Beach;" therefore, Your Affiants have probable cause to believe that FERNANDEZ knew that this benefit was meant as a reward for his official action as Director of the Miami Beach Building Department.

FERNANDEZ's Relationship with the Beneficiaries


During the investigation, Your Affiants spoke to numerous office associates and permit clerks from the Building Department who testified that FERNANDEZ regularly took them out for lunch. These employees, include the recipients of free and reduced-rate stays at RIU properties (Sonia Perez, Gema Aranda, Sandra Meyer, Beatriz Dooley, and Karla Santana). FERNANDEZ told SAPCTF investigators that he refers to these employees as "my angels." Your Affiants have probable cause to believe that each of the Miami Beach Building employees for whom FERNANDEZ solicited and accepted accommodations from the RIU are people whose welfare FERNANDEZ has an interest, as required by Florida Statute § 838.014(1).

Based on the foregoing, Your Affiants have probable cause to believe that the RIU, LUIS RIU, Ricardo LUQUE, and Alejandro SANCHEZ conspired to offer unlawful benefits to Mariano FERNANDEZ, and FERNANDEZ conspired with them to receive unlawful benefits, all in reward for FERNANDEZ's official actions as Director of the Miami Beach Building Department, in violation of Florida Statutes §§838.016; 777.04. Based on the foregoing, Your Affiants have probable cause to believe that the RIU, LUIS RIU, LUQUE, and SANCHEZ offered unlawful benefits to FERNANDEZ in reward for his official actions as Director of the Miami Beach Building Department, in violation of Florida Statute §838.016. Your Affiants have probable cause to believe that FERNANDEZ solicited and accepted unlawful benefits from the RIU, LUIS RIU, LUQUE, and SANCHEZ, which were offered and given in reward for his official actions as Director of the Miami Beach Building Department, in violation of Florida Statute §838.016.

WHEREFORE, Your Affiants seek permission to arrest Mariano Fernandez, Riutel Florida Inc., Luis Riu Guell, and Alejandro Sanchez for Conspiracy to Commit Unlawful Compensation, in violation of Florida Statutes §§838.016; 777.04. Your Affiants seek permission to arrest Mariano Fernandez, Riutel Florida Inc., Luis Riu Guell, and Alejandro Sanchez for Unlawful Compensation, in violation of Florida Statute §838.016.




Co-AFFIANT
Detective Ricardo Arias, ID #02-589
Miami Beach Police Department
SAPCTF



Co-AFFIANT
Detective Matthew Ambre, ID #02-514
Miami Beach Police Department
SAPCTF

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 6th DAY OF FEBRUARY, 2018.



JUDGE OF THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA
Mindy S. Glazer
Circuit Court Judge

Judge's Initials: MSG

Affiants' Initials 