

INTERVIEW OF:  
CHARLES LYDECKER

DATE TAKEN: MARCH 19, 2014

TIME: 2:06 P.M. - 2:47 P.M.

PLACE: BROWN & BROWN  
220 SOUTH RIDGEWOOD AVENUE  
DAYTONA BEACH, FLORIDA 32114

## 1 APPEARANCES:

2 JONATHAN KANEY, ESQUIRE  
3 Kaney & Olivari, P.L.  
4 55 Seton Trail  
Ormond Beach, Florida 32176

5  
6 THOMAS LEEK, ESQUIRE  
Cobb Cole  
7 149 South Ridgewood Avenue  
Suite 700  
8 Daytona Beach, Florida 32114  
9 On Behalf of Charles Lydecker

1 THEREUPON,

2 CHARLES LYDECKER

3 was called as a witness and, having first been  
4 duly sworn, testified as follows:

5 BY MR. KANEY:

6 Q. Good afternoon --

7 A. Good afternoon.

8 Q. -- Mr. Lydecker.

9 Can I call you Charlie?

10 A. Please.

11 Q. Thank you for responding to the subpoena.

12 We -- we have found that most of the people that we  
13 need to talk to are happy to provide their  
14 information. There are some who resisted, probably  
15 because they don't want to tell the whole truth under  
16 oath, but I'm glad you're here. Now, this is -- what  
17 I'm doing here is not a deposition, but an  
18 investigation. We're not necessarily developing  
19 evidence that would ever be looked at by a judge. As  
20 an investigator, I need to know what you think, as  
21 well as what you know. So even though you may not be  
22 an eyewitness to a fact, if you have credible  
23 information that you can relate, you should, and then  
24 it's my job to find out -- to verify it or refute it.

25 A. Now, this is public record, right? So

1 anybody can see it and/or read it?

2 Q. Yes. Yes. It will be public record when I  
3 finish the investigation. I don't think it is now,  
4 although that could be debated. No one has asked for  
5 it, and by the time they read me saying that, it will  
6 be.

7 Charlie, where are you employed today?

8 A. Brown & Brown.

9 Q. How long have you been at Brown & Brown?

10 A. Twenty-four years.

11 Q. And what are your duties, generally, here?

12 A. I am president of Brown & Brown retail,  
13 which oversees 127 offices scattered in 35 states,  
14 and our retail operation.

15 Q. And are you -- have you ever been active or  
16 interested in politics?

17 A. Yes.

18 Q. In local politics?

19 A. Yes.

20 Q. What, generally, have you done?

21 A. Been active over the years in varying  
22 campaigns on behalf of people who made themselves  
23 available to run for public office that Brown & Brown  
24 thought would be good if they were to win.

25 Q. Were you involved with any candidates in

1 the 2012 elections --

2 A. Yes.

3 Q. -- locally?

4 Did you support Doug Daniels, or did your  
5 company support Doug Daniels?

6 A. Brown & Brown supported Doug Daniels, yes.

7 Q. And you did personally?

8 A. Personally did as well.

9 Q. Were there other county council candidates  
10 in 2012 that you were supporting?

11 A. Yes.

12 Q. Who would that be?

13 A. I have to go back now. We obviously,  
14 because I know it was publicized involving the  
15 chairman's race, and we supported Carl Persis'  
16 efforts, failed efforts. We supported Deborah Denys.  
17 We supported Pat Patterson. We supported Doug  
18 Daniels. I -- and I think we -- and I can't think of  
19 what other races -- I don't -- I can't recall what  
20 other elections --

21 THE WITNESS: Are they all up at the same  
22 time?

23 MR. LEEK: He's only asking about county  
24 council.

25 A. We would have supported Josh Wagner's --

1       you know, we have supported Josh Wagner's efforts.

2       And we would have -- who else is on there? But,

3       anyway -- but we were involved in the elections.

4 BY MR. KANEY:

5           Q.    Are you -- you supported Carl Persis, and  
6       he was running for Chair?

7           A.    Chair.

8           Q.    Who were his opponents?

9           A.    Jason Davis, Ted Doran, that I can  
10       remember. There may have been somebody else in  
11       there.

12          Q.    Are you acquainted with Manny Bornia?

13          A.    Yes.

14          Q.    How do you know him?

15          A.    I have been friendly with Manny over the  
16       years, and I knew him mostly in his capacity as the  
17       owner or publisher of Florida Magazine. Or Volusia  
18       Magazine.

19          Q.    And are you acquainted with Ramara Garrett?

20          A.    I'm acquainted with Ramara Garrett, yes.

21          Q.    Who is Ramara Garrett?

22          A.    I believe Ramara Garrett was an owner in --  
23       well, is an owner in Waverly Media. And I think  
24       Waverly -- it's my understanding that Waverly Media  
25       was the owner of the magazine that Manny Bornia was

1 involved with.

2 Q. Of course you know Waverly Media as a  
3 business.

4 A. I'm sorry?

5 Q. Are you familiar with Waverly Media, the  
6 business?

7 A. I mean, I read about it in the paper all  
8 the time. And I'm familiar that they -- they have a  
9 bunch of concerns, you know, business activities, but  
10 I'm not familiar with them as a business, per se.  
11 They're not a client of Brown & Brown's or anything.

12 Q. Did you -- do you ever discuss the 2012  
13 elections with Ramara Garrett?

14 A. One time. She discussed the elections with  
15 me, I think in the company of her -- with Jim  
16 Sotolongo. And they shared with me who they were  
17 intending on supporting in the 2012 election cycle.

18 Q. Who did they name?

19 A. I don't recall all of the specific  
20 candidates that they intended on supporting. It was  
21 a very -- as I recall, it was a varied group of  
22 individuals. I don't -- I don't remember -- I don't  
23 remember thinking that -- I don't even -- I don't  
24 even recall where we overlapped in terms of where --  
25 what our intention was. This was also early before

1 the election, so -- I don't recall the time period,  
2 but it was well before the -- the either rumored  
3 candidates had filed, or it was well before  
4 candidates that heretofore hadn't been mentioned,  
5 emerged in this election cycle.

6 Q. Did she discuss Ted Doran?

7 A. She did not discuss Ted Doran with me. I  
8 think this was before Ted Doran got into the race.

9 Q. Did she ever, after that time, talk to you  
10 about Ted after he got into the race?

11 A. No. Really that was the only time I met  
12 with her. I don't know if I saw her again.

13 Q. Did you ever talk to Manny Bornia about  
14 those 2012 elections?

15 A. Yes.

16 Q. What was the subject there?

17 A. Oh, I mean, you know, very varied. You  
18 know, in his capacity as a -- I don't remember. A  
19 owner/publisher. He had an opinion column, so I'm  
20 sure it was in his -- you know, asking me what I  
21 thought about certain elections, or certain  
22 candidates. Maybe what their chances might have  
23 been. That sort of thing.

24 Q. If I mention the subject of bus bench  
25 advertisements, are you familiar with that --



1 A. Yes.

2 Q. -- concept?

3 A. Yes.

4 Q. Did you ever discuss with many the subject  
5 of bus bench advertisements for political candidates  
6 during that period?

7 A. Yes.

8 Q. How did that come up?

9 A. I mean, just broadly, I guess, he shared  
10 with me that because he knew -- well, let me rephrase  
11 that. He thought the Persis campaign would have an  
12 interest in knowing that the Doran for County  
13 Chairman campaign had what he referred to as a -- and  
14 actually he might not have referred to it as a  
15 sweetheart deal, but the inference was a sweetheart  
16 deal from Waverly Media regarding the amount of money  
17 he was being charged for bus benches. He was getting  
18 a steep, steep discount.

19 Q. Did he mention how that discount was  
20 accounted for, was it a political contribution or  
21 not?

22 A. He -- I don't recall the numbers now, but  
23 he told me -- I think he said roughly that there were  
24 60 benches that Waverly Media dedicated to the Doran  
25 Campaign for Chairman, and that the market rate was

1 probably roughly three quarters to two thirds higher  
2 than what was evidenced in the financial reporting  
3 that the Doran campaign had paid for.

4 Q. Have you ever seen that?

5 MR. KANEY: Let's do this, let's mark that.

6 (Exhibit 1 was marked.)

7 BY MR. KANEY:

8 Q. Okay. This -- we're marking this as Number  
9 1, and it is a piece of paper with Waverly Media. It  
10 has a logo on it, and some handwritten notes on it.  
11 Have you ever seen that before, Charlie?

12 A. Yes.

13 Q. When -- when and where did you see that?

14 A. During the campaign it was given to me.  
15 Probably -- and it was given to me in the middle of a  
16 chairman's race for Volusia County.

17 Q. Do you remember who gave it to you?

18 A. I believe Manny Bornia gave it to me.

19 Q. Can you read the text there?

20 A. Please order materials or invoiced Doran  
21 benches, dash, total 60, double exclamation point.  
22 Separate paragraph, big order. Process ASAP. Need  
23 to be -- need to be up in a few days, exclamation  
24 point. Separate paragraph, or separate sentence,  
25 keep off books, double exclamation point. Only bill

1 10 K, rest in trade.

2 Q. Now, this -- this is -- this is sort of a  
3 memo form. Can you make out who it's addressed to?

4 A. It's made out to Jim. It looks like a Jim.

5 Q. And do you see that there is a signature,  
6 of sorts, at the bottom?

7 A. Yes.

8 Q. Did you ever see that before?

9 A. No.

10 Q. Obviously you can't read it?

11 A. I can't. I don't know who it is.

12 Q. Yeah. Do you know Jim Brown?

13 A. No. I've read about him in the paper, but  
14 I don't know him.

15 Q. What we read in the paper is that he was  
16 the manager of Waverly Media, and so that could be  
17 Jim Brown.

18 A. Yeah.

19 Q. Or it could not.

20 A. Could be.

21 Q. Well, this document appears to indicate  
22 something less than full and complete and honest  
23 reporting of campaign contributions. Do you know if  
24 anything was done with this? Did the Persis  
25 campaign, or did you, show it to anyone?

1           A.    It -- we did not.  The -- the -- and I  
2   don't recall exactly what, if anything, that we did  
3   with it.  The likely place would be to go to the  
4   Daytona Beach News-Journal, and, you know, whether it  
5   was me or whether it was somebody else working on the  
6   campaign may have brought it over to the Daytona  
7   Beach News-Journal.

8           Q.    Was -- do you know if the News-Journal  
9   followed up with any --

10          A.    I don't think so.

11          Q.    Okay.

12          A.    But I think the sense was that we would use  
13   it in a -- in the campaign in something larger like a  
14   direct mailing or something like that, and I know  
15   the -- the -- the -- from a campaign perspective, the  
16   decision was not to use it in that respect.

17          Q.    Do you know if the question of this memo  
18   ever was brought up to Ted Doran?

19          A.    I do not know.

20          Q.    If I asked you this before, I apologize.

21          A.    Sure.

22          Q.    Did Ramara Garrett come back to you after  
23   Ted Doran made the runoff to solicit your support?

24          A.    I don't recall her doing that.  I don't  
25   think so.  There was really no line of communication

1       there. My -- my meeting with her was a first and  
2       only, and that would have been probably five or six  
3       months earlier.

4           Q.     In your role as trusted adviser to the  
5       political candidates, which you definitely are, did  
6       you counsel any of the candidates you were working  
7       with regarding the Waverly Media bus bench  
8       advertisement product that they had?

9           A.     Yeah, I -- I -- anybody who had asked me,  
10      or if it came up during the campaign, knowing some of  
11      this, you know, that -- I would tell them they should  
12      be very cautious in terms of how they deal with  
13      Waverly Media because I had several candidates tell  
14      me that they were -- you know, had a meeting  
15      scheduled, or something would raise the issue, and it  
16      was our understanding that they were offering free  
17      media support, the inference being the magazine, the  
18      inference being the bus benches to those  
19      candidates -- to those candidates of their liking.

20                  And what little I knew about, and what  
21      little I saw, and this memo being an example, I knew  
22      that that ran afoul of campaign finance laws, and  
23      that you are not permitted to give unlimited in-kind  
24      contributions. So, you know, just knowing that, or  
25      thinking that, was enough to me -- for me to feel

1 comfortable to some of the candidates that I know and  
2 whisper in their ear and say, if I were you, I  
3 recommend that you stay away from Waverly Media.

4 Q. Did you ever say that you thought that  
5 those bus bench ads and Waverly Media support was  
6 dirty?

7 A. I don't think I used the term -- word,  
8 dirty. But I did think, and therefore may have said,  
9 that my understanding of campaign election laws was  
10 that you had to charge full rate, full market rate,  
11 for -- that they would have to charge full market  
12 rate for advertising. The law does not permit them  
13 to use their discretionary -- their discretionary  
14 judgment on who will pay full and who won't.

15 Q. Do you -- do you recall that -- that Josh  
16 Wagner was a candidate in 2012?

17 A. Yes. Oh, I don't know. Was he? I know we  
18 supported his campaign, but was that 2012 or 2010? I  
19 don't remember if he had a re-election or not, but we  
20 would have.

21 MR. KANEY: I don't know if it was '10 or  
22 '12. Do you know?

23 MR. LEEK: I don't know but I'm going to  
24 find out.

25 THE WITNESS: I don't know if all county

1 council comes up at the same time.

2 MR. LEEK: Are you waiting for me?

3 MR. KANEY: Yeah.

4 THE WITNESS: Well, subject to that  
5 clarification, his last election, we supported  
6 Josh Wagner.

7 BY MR. KANEY:

8 Q. Do you know if he had the support of  
9 Waverly Media with their bus bench signs?

10 MR. LEEK: It's 2012. He ran against Ken  
11 Ali and Nancy Epps. It's out of the Orlando  
12 Sentinel, had elections 2012.

13 BY MR. KANEY:

14 Q. In discussing these 2012 elections with the  
15 candidates that you're familiar with and supporting,  
16 was the subject -- and the subject of the bus bench  
17 advertisements came up, did any of them ever suggest  
18 to you that Josh Wagner was the person who determined  
19 who did or did not get Waverly support in that way?

20 A. I -- I don't think so. I am not aware of  
21 where a candidate told me that Josh was directing  
22 Waverly Media's campaign support. Josh, I believe,  
23 was the chairman of some kind of re-election  
24 committee for the local democratic party. And, you  
25 know, he has a lot of clout, and he was -- and he's

1 also very active, and has been active in other  
2 campaigns. So it wasn't unusual in a county council  
3 race to hear about Josh's role in -- or feelings  
4 about certain campaigns.

5 Q. But you never heard anyone say that he was  
6 the gatekeeper of the bus bench --

7 A. No.

8 Q. -- support?

9 A. No.

10 Q. Did you ever discuss with anyone from the  
11 News-Journal, such as Andrew Gant who has that beat,  
12 this issue of Ted Doran's -- the memo here concerning  
13 Ted's signs?

14 A. Yes, I did talk to Andrew Gant.

15 Q. And what was the nature of that  
16 conversation?

17 A. Similar to the nature of this conversation.  
18 He would have asked me about -- well, I spoke to  
19 Andrew Gant periodically on various council related  
20 issues. As it relates to Waverly Media, he -- if I'm  
21 recalling correctly, he would have asked me about the  
22 benches and, you know -- and I guess maybe either  
23 that memo, or what the Persis campaign's take was on  
24 it. And at that point, the Persis campaign did not  
25 purchase any benches. And to my surprise, in the



1 general election, we were only -- I was only actively  
2 involved really up until the first -- until the  
3 primarily concluded. But in the general election,  
4 the one or two months in the general election, I was  
5 uninvolved, but do recall specifically talking with  
6 Carl recommending he not take a meeting with Waverly  
7 Media.

8 And not hearing from Carl again, but  
9 knowing this in retrospect, he did take a media -- he  
10 did purchase benches. But he was -- when he told me  
11 about it, he was quick to tell me he also paid full  
12 market value for those bench -- benches. Which of  
13 course then I told him that he just flushed his money  
14 down the toilet because no one votes based on what  
15 they see on the side of a bench, but those were  
16 Carl's decisions.

17 Q. Did he mention who he had the meeting with  
18 from Waverly?

19 A. He told me he met with Ramara Garrett.

20 Q. Did Carl -- Carl Persis ever talk to you  
21 about his conversation with Ramara Garrett after --  
22 after he had had it?

23 A. He did tell me about his conversation after  
24 he had it because he told me -- he told me -- because  
25 he told me he did the bus benches despite my warning.

1 Q. Did he tell you anything else about her --  
2 her conversation with him?

3 A. He -- he was very emphatic to make sure  
4 that I knew that he had paid full market rate for the  
5 bus benches that he secured. He knew I would be  
6 disappointed after I had warned him to -- that  
7 something wasn't right.

8 Q. Did he mention where he met with her?

9 A. Jon, he did, but I don't remember what he  
10 told me because we talked about it for a little  
11 while, but I don't recall what he told me.

12 Q. Did he say that she made a pitch to him  
13 that would include what he would get from Waverly if  
14 they teamed up with him?

15 A. I think the answer is, yes, because that  
16 was my general understanding of what the pitch from  
17 Ramara Garrett was, which is that: If you have our  
18 support, that comes with advertising support. I  
19 think it was generally understood that it came with  
20 advertising support, financial support, and, you  
21 know, frankly some strategic support, you know. They  
22 were very -- they were very involved, as I understood  
23 it.

24 Q. You know, at some point later in the  
25 campaign, Ted Doran paid \$10,000 to Waverly for, I

1 guess, bus benches. Maybe some -- more than a few.

2 Do you recall noticing that as --

3 A. Yes.

4 Q. When did that occur?

5 A. I assume it occurred after the News-Journal  
6 made an inquiry.

7 Q. Which would be following up on --

8 A. Yes.

9 Q. -- the memo, Number 1 here.

10 A. Which would have been after I spoke to  
11 Andrew Gant in Number 1.

12 Q. Did Andrew Gant ever come back to you with  
13 a report of Ted's reaction when he asked you about  
14 the memo?

15 A. I don't recall.

16 Q. Do you know Joyce Cusack?

17 A. Yes.

18 Q. Did you ever discuss Waverly advertising  
19 signs with her?

20 A. No. That's an easy one because I don't  
21 think we ever supported Joyce.

22 Q. Did you ever hear -- did anybody ever tell  
23 you that Joyce would tell -- had told people she got  
24 free benches, free bench ads, from Waverly?

25 A. Not familiar with -- no, I don't know.

1 MR. KANEY: Let's go off the record. I  
2 think I'm done.

3 (WHEREUPON, the interview was concluded.)  
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CERTIFICATE OF REPORTER OATH

STATE OF FLORIDA )

COUNTY OF VOLUSIA )

I, Shannon Green, Registered Professional  
Reporter, the undersigned authority certify that  
Charles Lydecker named herein personally appeared  
before me and was duly sworn on the 19th day of  
March, 2014.

WITNESS my hand and official seal this  
30th day of March, 2014.

---

Shannon Green  
Registered Professional Reporter  
Notary Public - State of Florida  
My Commission No. EE852120  
My Commission Expires 1-8-2017

## 1 CERTIFICATE OF REPORTER

2  
3 STATE OF FLORIDA )4 COUNTY OF VOLUSIA )  
5

6 I, Shannon Green, Registered Professional  
7 Reporter, certify that I was authorized to and did  
8 stenographically report the foregoing proceedings;  
9 that a review of the transcript was requested, and  
10 that the transcript is a true and complete record of  
11 my stenographic notes.

12 I FURTHER CERTIFY that I am not a  
13 relative, employee, attorney or counsel of any of  
14 the parties, nor am I a relative or employee of any  
15 of the parties' attorney or counsel connected with  
16 the action, nor am I financially interested in this  
17 action.

18 Dated this 30th day of March, 2014.  
19  
20  
21

22 \_\_\_\_\_  
23 Shannon Green  
24 Registered Professional Reporter  
25

## ERRATA SHEET

INTERVIEW OF: CHARLES LYDECKER

## ERRATA

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Under penalties of perjury, I declare that I have  
read the foregoing document and that the facts  
in it are true.

_____	_____
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**WINTER**  
**URGENT**

To: Jim From: \_\_\_\_\_  
Date: 7-7-12 Number of Pages: 1  
Fax Number: \_\_\_\_\_ Phone Number: 760 4641  
Regarding: DREW BEACHES

Message: PLEASE ORDER MATERIALS FOR INVOICE #1  
DREW BEACHES - total 60!!

REORDER BEACHES ASAP Need to be @ villa  
any day

KEEP OFF BOOKS!! Only Bill for RESTORATION

UJ

Office: 386-322-3600 Fax: 386-322-3900 Toll Free: 877 322 3602

3624 S Atlantic Ave Daytona Beach Shores, FL 32116

