



The Twentieth Judicial Circuit of Florida
CERTIFIED PROCESS SERVER REVIEW BOARD
1700 MONROE STREET
FORT MYERS, FLORIDA 33901
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MINUTES OF MEETING

October 28, 2010
3:00 p.m.
2000 Main Street
Suite 402, Conf Room B
Fort Myers, Florida 33901

COMMENCEMENT OF MEETING

On October 28, 2010, Chairman Averill called the meeting of the Certified Process Server Review Board (Board) to order at approximately 3:08 p.m.

ATTENDANCE OF MEMBERS

Board Members Present: Mr. Ernest Averill, Jr., Chair
Mr. Robert Tardif, Vice Chair
Ms. Lynette Young, Secretary
Sgt. Chris Webb

Board Member Absent: Lt. Andy Lewis was unable to attend

Also present: Mr. Sam Orejobi
Ms. Patsy Coleman
Mr. Randy Scott
Mr. Frank Vetter
Mr. Nico Vitale
Mr. Maurice Diaz
Mr. Eric Fishbeck, Administrative Office of the Courts
Ms. Dolly Ballard, Administrative Office of the Courts

READING AND APPROVAL OF MINUTES

Mr. Averill asked if there were any corrections to the minutes. Discussion followed. Ms. Lynette Young moved to approve the minutes as corrected of the September 23, 2010 Board meeting. Sgt. Webb seconded the motion, which passed unanimously.

DISCIPLINARY HEARING REGARDING MR. SAMUEL SHOLA OREJOBI

Mr. Orejobi was present along with his counsel, Mr. Nico Vitale.

The Board subsequently reviewed the three prior received complaints, took comment from Mr. Vitale on behalf of Mr. Orejobi, and asked questions of them both. After reviewing all three complaints, the Board deliberated:

Complaint Number One-A; 09-cc-6929 (Lee Co.)

Mr. Robert Tardif moved that the Board not find sufficient, clear and convincing evidence to support a violation of the Administrative Order nor the Process Server Agreement. Mr. Averill seconded the motion, which passed unanimously.

Complaint Number One-B; Inspector General Investigation 2007-0011

A motion was made by Sgt. Webb, seconded by Mr. Tardif to not pursue One-B because of relevancy.

Roll call was taken; Mr. Averill and Ms. Young voted no.

Ayes – 2, Nays – 2

Mr. Averill moved that pursuant to the Board not being able to come to a majority decision on One-B, the Board recommends to Chief Judge Cary that he puts whatever weight on the Inspector General's Report that he feels necessary. Sgt. Webb seconded the motion, which passed unanimously.

Complaint Number Two; 10-ca-1300 (Lee Co.)

Mr. Tardif moved that the Board finds that Mr. Orejobi did violate Section 11.I. of the Administrative Order by breaching the terms of the Process Server Agreement. Specifically, paragraphs 20 and 21, that he provide incidents at the service site within a certain time frame and also the existence of illegal action. The Board recommends sanction, if Chief Judge Cary agrees with the recommendation of a violation, that Mr. Orejobi be required in order to be reinstated as a certified process server, to successfully complete the 40-hour education course. Sgt. Webb seconded the motion, which passed unanimously.

Complaint Number Three; 10-cc-1534 (Lee Co.)

Sgt. Webb moved that the Board finds sufficient evidence that Mr. Orejobi violated Sections 11.A, 11.H, and 11.J of the Administrative Order. Ms. Young seconded the motion, which passed unanimously.

Sgt. Webb moved that The Board recommends to Chief Judge Cary, sanction by revocation of the appointment. Mr. Averill seconded the motion, which passed unanimously.

STAFF REPORT

The Board reviewed the updated CPSRB documents as presented. The Complaint Form Cover Sheet – Mr. Tardif moved that the Board defer this document for further discussion and review at the next meeting. Sgt. Webb seconded the motion. The Oath of Office Form – A motion was made by Sgt. Webb, seconded by Mr. Tardif to accept the document as presented, which passed unanimously. The Public Comment Card – A motion was made by Mr. Tardif, seconded by Sgt. Webb to accept the document as presented, which passed unanimously.

BOARD MEMBER ITEMS

No Board Member Items were presented.

PUBLIC COMMENTS

The Chair opened the meeting to public comment, which included clarification regarding the timeline of application approval and education requirements being met.

NEXT MEETING

Next meeting set for the third Thursday of the month: November 18, 2010, beginning at 3:00 p.m. The meeting location will be, 2000 Main Street (SunTrust Bldg), Suite 402, Conference Room B.

ADJOURNMENT

There being no further business, Chairman Averill declared the meeting adjourned by unanimous consent. Meeting adjourned at 5:42 p.m.

Respectfully submitted by,

Dolly Ballard

Court Operations Manager