

**ITEM #18**  
(REPLACEMENT – EXHIBIT 1)

**ADDITIONAL MATERIAL**  
**10:00 A.M. REGULAR MEETING**

**JANUARY 9, 2018**

**SUBMITTED AT THE REQUEST OF**  
**OFFICE OF THE COUNTY ATTORNEY**

**Claim No. 6380073068**

**RELEASE AND ASSIGNMENT OF CLAIM**

The BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS, hereinafter referred to as "the Insured," hereby acknowledges that, having received a payment of \$63,876.05, and upon receipt of the additional sum of \$2,348,431.62 (Two Million Three Hundred Forty-Eight Thousand Four Hundred Thirty-One and 62/100 Dollars) (collectively referred to as the "Payment") paid by FIDELITY AND DEPOSIT COMPANY OF MARYLAND, hereinafter referred to as "Fidelity," and in consideration of said Payment, the Insured releases and discharges Fidelity from any and all liability with regard to all losses identified to date, as set forth on Exhibit A attached hereto and incorporated herein, relating to an alleged scheme perpetrated by the Insured's former RTT Specialist, Roberto Martinez, and several cohorts, to steal surplus tax deed funds held by the Insured. The Insured's execution of this document is not a release or waiver by the Insured of its right to hereafter supplement its claim to include later-discovered losses.

In further consideration of said Payment, the Insured hereby assigns to Fidelity, its agents, its successors, and its assigns all rights, actions and causes of action which it now has or may have against any person, firm or corporation, including but not limited to Roberto Martinez, arising or resulting from the matters and things herein mentioned and related solely to the losses identified to date and reimbursed by Fidelity, and hereby constitutes and appoints Fidelity, its successors, and its assigns its true and lawful attorney, for it and in its name to ask, demand, sue for, collect, receive and give acquittance for the rights hereby transferred or any part thereof; this assignment is specifically limited to the total Payment amount reflected herein. Recoveries shall be applied, net of the expense of such recovery, first to reimbursement of the \$2,412,307.67 Payment by Fidelity, and thereafter to the Insured in satisfaction of its deductible amount of \$10,000. This assignment by the Insured to Fidelity does not include an assignment of any claims or defenses in connection with employment-related litigation initiated by Roberto Martinez, any cohorts, or the Insured.

In further consideration of Fidelity's Payment, the Insured agrees to cooperate fully with Fidelity with respect to any claim or suit hereafter filed by Fidelity to recover said Payment. Such cooperation shall include, but not be limited to, providing witnesses and documents as reasonably requested by Fidelity's counsel.

IN WITNESS WHEREOF, the Parties hereto have made and executed this Agreement: BROWARD COUNTY, through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, and Second Party, signing by and through its \_\_\_\_\_, duly authorized to execute same.

COUNTY

BROWARD COUNTY, by and through Board of County Commissioners

ATTEST:

By: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
Broward County Administrator, as  
Ex-officio Clerk of the Broward County  
Board of County Commissioners

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

State of Florida, County of Broward.

On the \_\_\_\_\_ day of \_\_\_\_\_, 2017, before me personally came Beam Furr, Mayor and being duly sworn by me stated that he is duly authorized to execute the foregoing Release and Assignment of Claim which he did for the purposes therein mentioned.

NOTARY PUBLIC \_\_\_\_\_

### Exhibit A – List of Claims

Losses Identified to Date	
Tax Deed	Payment Amount
29657	\$83,306.06
29326	\$61,211.26
29793	\$48,008.81
28005	\$20,058.62
27956	\$33,784.87
26265	\$39,696.87
26711	\$27,085.13
29173	\$111,300.42
28000	\$5,383.31
30905	\$7,083.07
28685	\$24,822.89
31142	\$161,686.48
31121	\$151,757.98
28943	\$75,092.80
30907	\$21,227.85
24227	\$21,174.48
28123	\$24,630.01
27989	\$34,435.22
28026	\$15,645.56
28045	\$16,777.29
29272	\$179,472.23
26391	\$73,876.05
32335	\$274,068.39
26894	\$36,687.06
31381	\$32,372.93
31690	\$2,847.92
31705	\$19,439.84
32034	\$4,479.36
31922	\$43,218.71
27749	\$33,840.00
31438	\$63,981.07
27974	\$22,689.57
25632	\$25,006.79
27180	\$18,342.91
27549	\$20,146.56
27384	\$10,986.82
27619	\$21,006.52
27890	\$20,007.97
27778	\$17,511.95
29038	\$45,220.11
28276	\$47,070.67

**Exhibit A - List of Claims (Continued)**

30487	\$24,609.51
30501	\$20,631.41
31910	\$75,766.93
32046	\$29,182.31
32103	\$19,519.22
26108	\$64,001.62
24512	\$70,217.16
30022	\$31,505.22
30085	\$90,431.86