



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

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Administrative Procedures

SENATOR MIKE FASANO

11th District

September 30, 2011

The Honorable Mike Haridopoulos
409 The Capitol
404 South Monroe Street
Tallahassee, FL 32399

Dear President Haridopoulos:

Mike,

I am writing to ask for your assistance with an extremely important matter. As you no doubt are aware, I have requested information from the State Board of Administration regarding an investment decision that totaled \$125 million. The public dollars involved were invested with Starboard Value and Opportunity, a spinoff of Ramius LLC. Ramius's president is a former client of the SBA's executive director.

My request to the SBA was for information pertaining to the reasons why it chose to invest in this particular fund. In essence I was asking for documentation of the due diligence I assume was undertaken prior to making the decision to invest in this fund. Instead of the materials I requested I received an invoice totaling over \$10,000 for 360 hours of staff time to research and collect the information I was seeking (research time that I was told could take months to complete). I don't understand what research needs to be undertaken since the material I requested should already be in the SBA's possession.

As a state senator representing 500,000 constituents, and a chair of an appropriations committee, I am appalled that the SBA would throw this unbelievable hurdle in front of my access to public information. I am requesting your help to obtain this important information. I am officially requesting that the Florida Senate issue a subpoena for the requested information to be produced post-haste. In the alternative would it be possible to request the executive director to

REPLY TO:

- 8217 Massachusetts Avenue, New Port Richey, Florida 34653-3111 (727) 848-5885
- 406 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5062

Senate's Website: www.flsenate.gov

MIKE HARIDOPOLOS
President of the Senate

MICHAEL S. "MIKE" BENNETT
President Pro Tempore

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personally come before a Senate committee and present the material in a public forum?

The precedent the SBA's request sets is chilling to the concept of governmental transparency. It is a disgrace that the SBA could merely set a price tag on information that it does not want the public to see. Florida's Government in the Sunshine laws are a protection that prevent secret deals and other behaviors from being hidden from public view. Circumventing these laws by slapping a price label on the requested material must not be tolerated. Not only will it damage access to information for the legislature, the greater danger is that it will damage access to information for Floridians as a whole.

If you have any thoughts on my suggestions, or have other ideas to help secure this information without paying the outrageous fee the SBA is requesting, I would be most appreciative. I feel as though the SBA is thumbing its nose at the Senate as a whole when it pulls a stunt like this. May we work together to put an end to the executive director's arrogance and secure the information the public deserves to have?

Thank you in advance for anything that you can do to assist me, Mr. President. I look forward to working with you.

Yours truly,



Mike Fasano

State Senator, District 11

MF/gg