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## Gov. Scott may suspend arrested Delray developer from panel that selects judges

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By Daphne Duret

Palm Beach Post Staff Writer

Florida Gov. Rick Scott's office is looking into whether to suspend Anthony Pugliese from an influential local panel that helps select judges in light of the Delray Beach developer's arrest last week on money laundering, fraud conspiracy and grand theft charges.

Pugliese, a Palm Beach County power broker and a hefty political campaign donor, and his business manager, Joseph Reamer, were arrested Friday. It is alleged they conned Subway founder Fred DeLuca out of more than \$1.2 million by submitting fake invoices for work never performed on a 41,000-acre development planned in Yeehaw Junction, south of Orlando.

Florida's constitution requires someone acting as either a county or a state officer such as Pugliese — whom former Gov. Charlie Crist appointed to the 15th Circuit's powerful Judicial Nominating Commission — may be suspended upon the commission of felonies. Often, appointees are suspended at or around the time of their arrests.

Scott this year has suspended at least four state-appointed officers after their arrests for crimes ranging from grand theft to battery. A spokeswoman, Jackie Schutz, said Monday the office was aware of the allegations. On Tuesday, she added: "The Governor's office is looking into the matter at this time."

### Probe led to charges

The charges against Pugliese, 65, come at the end of a State Attorney's Office investigation into claims arising from a \$5 billion lawsuit Pugliese filed against DeLuca in 2009. In it, Pugliese accuses the sandwich mogul of freezing him out of the \$140 million Destiny project.

Among other things, investigators say Pugliese submitted fake invoices from several companies he created in order to get DeLuca to pay up for work on the project. He then either funneled the money into his business accounts or paid personal bills directly from bank accounts for the fake corporations — which Reamer, 54, allegedly set up.

In a 2010 marathon deposition in the civil case, Pugliese admitted to creating the fake companies and invoices — but he said he did so to create a reserve fund to carry the project through in case DeLuca tried to back out.

Interim Palm Beach County State Attorney Peter Antonacci this week referred calls about Pugliese and Reamer to Chief Assistant State Attorney Paul Zacks, who said he could not comment on the specifics of the case except that the prosecution had been assigned to Assistant State Attorney Daniel Funk within the office's Public Integrity Unit.

Arrest reports don't say how long investigators had been looking into the alleged scheme before they arrested Pugliese and Reamer. Zacks said he wasn't sure when the investigation began but knew it started before former Palm Beach State Attorney Michael McAuliffe left office in March.

When reached for comment this week, neither Pugliese's attorney, Doug Duncan, nor Reamer's attorney, Guy Fronstin, addressed the facts alleged in the case. They said they were confident the men would be vindicated.

"Mr. Pugliese and Mr. Reamer maintain their innocence and will enter pleas of not guilty," Duncan and Fronstin wrote in a joint statement. "Mr. Pugliese and Mr. Reamer are looking forward to their day in court and are certain that when a jury hears the facts in this matter that they will be acquitted."

Even during the time prosecutors allege Pugliese was swindling DeLuca, he remained a presence on the local, state and national political scenes — donating tens of thousands of dollars to national parties and local candidates alike

Campaign finance records show Pugliese donated to \$500 McAuliffe's campaign in 2008 and gave the same in March to Dave Aronberg, the Democratic state attorney candidate.

Also in 2008, Pugliese donated \$10,000 in soft money to Florida's Republican Party and made \$15,400 in contributions to the Republican National Committee. Others receiving money from either Pugliese or his companies in 2008 included state Chief Financial Officer Jeff Atwater and state House member Adam Hasner, according to campaign finance records.

#### **Powerful friends**

The extent of Pugliese's influence was great enough that when investigators started looking into the case against him, they encountered heavy hitters who came out to stand beside him. DeLuca's attorneys in a September filing in the lawsuit accused Pugliese of trying to intimidate DeLuca by sending a cadre of 12 lawyers to DeLuca's deposition in the case.

On the list was former state Attorney General Bob Butterworth — who was Antonacci's boss when he was a state prosecutor — and former Palm Beach State Attorney Barry Krischer.

Reached by phone Tuesday, Krischer responded the same way each time when asked whether he was ever an attorney for Pugliese, what his involvement was in the case and what his connection was with Pugliese.

"Talk to Jack Goldberger," Krischer repeated several times, referring to another attorney listed in DeLuca's September filing. Goldberger did not return a call for comment at his office late Tuesday. Neither did Butterworth, who is listed as "Of Counsel" for the Fort Lauderdale firm Fowler White Boggs P.A.

Krischer is also in private practice, but works as a volunteer for the Palm Beach County Sheriff's Office. Sheriff's spokeswoman Teri Barbera said Tuesday that Sheriff Ric Bradshaw has no knowledge of any dealings Krischer may have had with Pugliese.

Richard Hutchinson, one of DeLuca's attorneys in the civil case, declined to comment on the criminal case, referring all questions to prosecutors.

"We have filed pleadings with the court and stand by those pleadings," Hutchinson said in an email. "We have no additional information to add at this time."

If Scott suspends Pugliese from the Judicial Nominating Commission, he will join at least one other high-profile Crist appointee later removed from a similar office. Scott Rothstein, the Fort Lauderdale attorney now serving 50 years in prison for running a \$1.2 billion Ponzi scheme, was removed from his spot on a similar panel for the 4th District Court of Appeal — even before his arrest. Rothstein, whom Crist appointed to the JNC in 2008, was removed after he surrendered his license to practice law in light of the accusations of wrongdoing.

The JNC in each of the state's 20 judicial circuits and six appellate districts is responsible for interviewing candidates for judge vacancies that require an appointment from the governor's office. Of the candidates they interview, the committee then sends a short list to the governor's office. The governor then chooses and appoints a judge from the list.

In Palm Beach County's 15th Judicial Circuit, six of the nine members of the JNC are attorneys. Pugliese is one of three non-attorney members.