

Legal Sessions  
December 03, 2008

Convene

1. [Time: 2:45 p.m.](#)

Public Comments

2. [None](#)

Attorney Client Sessions

3. [Attorney Client Session re: Oges Fadael](#)

Attachment: [Oges Fadael December 3, 08.pdf](#)

Minutes:

Our counsel has indicated a desire to obtain advice from the Board regarding settlement negotiations and strategies related to the case of Oges Fadael v. School Board of Palm Beach Count, et al, case number United States District Court Southern District of Florida, 06-81008 CIV-Marra/Seltzer.

In accordance with Florida Statute 286.011, a closed-door, attorney-client session has been scheduled for now and was properly noticed. This session will take approximately 15 minutes.

The following people will be in attendance:

Gerald A. Williams, Esq. – Chief Counsel for the School Board

Vicki L. Evans-Paré, Esq. – Associate Counsel for the Board

Board Members:

William Graham

Paulette Burdick

Frank Barbieri

Sandra Richmond

Debra Robinson

Monroe Benaim

Carrie Hill

Superintendent, Arthur C. Johnson, Ph.D.

4. [Attorney Client Session re: Corebridge](#)

Attachment: [Corebridge December 3, 08.pdf](#)

Minutes:

**Dr. Richmond, Vice-Chair:** Our counsel has indicated a desire to obtain advice from the Board regarding settlement negotiations and strategies related to the case of Corebridge Educational Academy Charter School, Inc. v. Boca Fed, LLC, case number 4D08-270. In accordance with Florida Statute 286.011, a closed-door, attorney-client session has been scheduled for now and was properly noticed. This session will take approximately 15 minutes.

The following people will be in attendance:

Gerald A. Williams, Esq. - Chief Counsel for the School Board

Bruce A. Harris, Esq. – Senior Counsel for the School Board

Board Members:

William Graham

Paulette Burdick

Frank Barbieri

Sandra Richmond

Debra Robinson

Monroe Benaim

Carrie Hill

Superintendent, Arthur C. Johnson, Ph.D.

A Court Reporter

**Gerald A. Williams, Chief Counsel:** Yes, we request your advice under the statute.

**Dr. Richmond:** This private meeting will now commence, and we will all immediately go to Conference Room B.

**Dr. Richmond:** The attorney-client session in the case of Corebridge Educational Academy Charter School, Inc. v. Boca Fed, LLC, case number 4D08-270 is now terminated. The public meeting has been reopened. We stand adjourned.

#### Exceptions Hearings

5. [None](#)

#### Special Meetings

6. [Special Meeting re: Corebridge](#)

Attachment: [Corebridge Order 11-24-08.pdf](#)

#### Minutes:

- In 2004, Corebridge operated a charter school under the auspices of the Palm Beach County School District and operated said school on properties leased from Boca Fed, L.L.C. Subsequent thereto, Boca Fed brought suit against Corebridge in order to obtain the termination of Corebridge's lease agreement in the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County, Florida, in an action styled BOCA FED, L.L.C. V. COREBRIDGE EDUCATIONAL ACADEMY SCHOOL, INC., Case 502004CA011762XXXXAF (the Trial Court Action). Corebridge ceased its operations.
- Boca Fed and Corebridge entered a settlement. Once Boca Fed tendered the settlement monies to the Court, an Order of Dismissal with prejudice was entered by the Court, and Boca Fed was, in effect, no longer a party to the trial court action.
- The School Board intervened in the above-styled action for, among other matters, delivery of financial documents to complete an audit, payment to the IRS on behalf of Corebridge, and determining whether the School Board was entitled to any unencumbered public funds from the settlement proceeds. Over \$100,000 was paid from the Boca Fed settlement funds to the US Department of Treasury for IRS liens. It was also noted that the Corebridge teachers were owed salary from Corebridge.
- Verne and Constance Tetreault were creditors of Corebridge and sought

compensation in the Trial Court Action for monies loaned to the school. The circuit court awarded the remaining settlement funds of \$28, 761.72 to the School Board.

- Corebridge filed an interlocutory appeal of the Circuit Court's award to the School Board to the Fourth District Court of Appeal in COREBRIDGE EDUCATIONAL ACADEMY CHARTER SCHOOL, INC., ETC. V. SCHOOL BOARD OF PALM BEACH COUNTY, FLOIRDA, Case 4D08-270 (the Appellate Court Action).
- On July 30, 2008 the School Board approved a Settlement Agreement between Corebridge and the School Board of these two actions. Of the remaining \$28,761.72, Corebridge was paid \$16,000.00 in a cashier's check made payable to Verne & Constance Tetreault, as creditors of Corebridge, and the School Board was paid the remaining \$12,761.72
- Pursuant to the terms of the Settlement Agreement, the Fourth District Court of Appeal dismissed the Appellate Court Action and the Fifteenth Judicial Circuit Court dismissed the Trial Court Action. The parties exchanged releases.
- Subsequently, on November 4, 2008, Tracy Stone, a former Corebridge teacher, filed a motion with the Circuit Court to intervene and for the School District to disburse \$12,506.80 to her for unpaid salary and Corebridge's failure to pay insurance premium contributions. On November 24, 2008, the Court entered the attached Order granting the Motion and ordering disbursement to Ms. Stone of \$12,506.80.

#### Motions:

I recommend that the School Board decide whether it agrees with the Court's November 24, 2008 Order granting former Corebridge teacher Tracy Stone's Motion to receive compensation for salary and insurance payments, or if it seeks to oppose and/or modify this Order.

#### Vote Results

Motion: Debra Robinson

Second: Carrie Hill

Frank Barbieri	-
Monroe Benaim	-
Paulette Burdick	- Not Present
Bill Graham	- Not Present
Carrie Hill	-
Sandra Richmond	-
Debra Robinson	-

Motions:

Motion to Amend the Superintendent's recommendation to authorize the Chief Counsel to file a motion with the court requesting to set aside its previously issued court order and for the court to determine whether the proceeds would be provided to Ms. Stone at a prorated amount would cover all other teachers who were employed by Corebridge, or such amount as the court deems to be appropriate, based upon the outstanding salary and insurance owed to Ms. Stone. - PASS

Vote Results

Motion: Debra Robinson

Second: Carrie Hill

Frank Barbieri - Aye

Monroe Benaim - Aye

Paulette Burdick - Not Present

Bill Graham - Not Present

Carrie Hill - Aye

Sandra Richmond - Aye

Debra Robinson - Aye

Motions:

Main motion as amended. - PASS

Vote Results

Motion: Debra Robinson

Second: Carrie Hill

Frank Barbieri - Aye

Monroe Benaim - Aye

Paulette Burdick - Not Present

Bill Graham - Not Present

Carrie Hill	- Aye
Sandra Richmond	- Aye
Debra Robinson	- Aye

7. [Approval of Board Meeting Minutes](#)

Attachment: [12-3-08.Minutes.pdf](#)

Minutes: The following minutes were submitted for approval: 11/5/08 - Legal Sessions; 11/5/08 - Workshops and Special Meetings re: Academics; 11/12/08 - Legal Sessions; 11/12/08 - Workshops and Special Meetings re: Operations; 11/12/08 - Workshops and Special Meetings re: Academics; 11/18/08 - Reorganization Meeting; and 11/18/08 - School Board Meeting.

Motions:

I recommend the Board approve the minutes as submitted. - PASS

Vote Results

Motion: Debra Robinson

Second: Frank Barbieri

Frank Barbieri	- Aye
Monroe Benaim	- Aye
Paulette Burdick	- Not Present
Bill Graham	- Not Present
Carrie Hill	- Aye
Sandra Richmond	- Aye
Debra Robinson	- Aye

Adjourn

8. [Time: 3:45 p.m.](#)

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Secretary

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Chair