

# JURORS

FROM PAGE A1

Long federal drug case in Fort Lauderdale that ended in a mistrial when eight jurors admitted doing Internet research, including one who went online using a cell phone during trial breaks.

A criminal case in April before St. Lucie Circuit Judge James McCann raised questions of proper cell phone protocol after a concerned juror claimed the panel learned outside information about the defendant. He told McCann the information was volunteered by a female juror he believed was receiving text messages during deliberations.

That case ended in a mistrial after the same juror said he also witnessed a bailiff hold a conversation with jury members, which violated court rules.

"Do you all still have your cell phones back there?" McCann asked the juror.

"Yes we do," he replied.

Clearly troubled, McCann excused the man, then questioned why jurors had their cell phones at all.

"I never pay much attention to it because I've seen (bailiffs) hand their cell phones back to them at the end," McCann said. "But I don't see them when they're taken away."

Soon after, three jurors told McCann they used cell phones in the jury room.

"People were like texting and stuff," the jury forewoman told McCann. "But I mean, nobody was sitting there talking."

Maj. Stephen Reuther, director of the St. Lucie County Sheriff's Office department of administration, said it's up to the judge whether phones are collected from jurors, or if jurors are instructed not to use them.

"The judge rules the roost as far as etiquette in the courtroom," Reuther said.

Florida Atlantic University student Sivan J. Fraser contributed to this report.

# CASH

FROM PAGE A1

## FORT PIERCE

- Invested: \$28 million
- \$89,000, State Board of Administration
- \$14.6 million, National City (PNC) pooled money market
- \$5.5 million, National City (PNC) pooled money market
- \$285,000, State SBA pooled investments
- \$500,000, Florida Municipal Trust money market
- \$13,000, National City (PNC) money market
- \$7 million, National City (PNC) CDs

## INDIAN RIVER COUNTY

Invested: \$66.75 million

- \$8 million, Wachovia
- \$750,000, RBC Bank
- \$58 million, U.S. Treasury notes, money market accounts

## VERO BEACH

- Invested: \$52 million
- \$2 million, Wachovia
- \$35 million, U.S. Treasury notes
- \$15 million, Wachovia, mutual funds

## SEBASTIAN

- Invested: \$16.7 million
- \$7.3 million, Wachovia, interest-bearing checking account
- \$6 million, State Board SBA
- \$1.6 million, CDs with PNC Bank, originally National City
- \$1.8 million, U.S. government securities, two federal home loan banking bonds

## MARTIN COUNTY

- Invested: \$246,264,569
- \$13,512,918, Wachovia Super Now Account
- \$106,337,790, State Board of Administration
- \$3,700,047, State Board of Administration (Fund B)
- \$79,606,259, United States Obligations
- \$16,667,983, Florida Local Government Investment Trust
- \$18,421,185, Evergreen Mutual Investments
- \$5,014,470, Invesco Aim Investments
- \$3,003,917, Florida Local Government Investment Trust Day to Day Fund

## STUART

- Invested: \$29.4 million
- \$4.6 million, Seacoast National Bank Checking
- \$5.1 million, PFM Group, PFM Prime

- Institutional Class
- \$316,000, Florida League of Cities bond fund
- \$7 million, CDs with Seacoast National Bank
- \$6.4 million, CDs with SunTrust Bank
- \$6 million, CDs with Regions Bank

## SEWALL'S POINT

- Invested: \$3.515 million
- \$2.9 million, state Local Investors Pool
- \$350,000, Bank of America, money market account
- \$8,000, Bank of America, operations account
- \$7,000, Bank of America, payroll account
- \$250,000, CD, Bank of America

Numbers are based on the most recent accounting information available from each government.

# FORECLOSURE

FROM PAGE A1

Servicers and lenders each receive \$1,000 for every successful permanent modification from the agency. A one-time bonus incentive payment of \$1,500 is provided to lenders and investors and an additional \$500 is given the servicer while a borrower is still current on the modified mortgage payments. Servicers and lenders also each receive "Pay for Success" payments of up to \$1,000 each year for up to three years — as long as the borrower stays in the program.

It's unknown if Litton got any money from the Department of Treasury for Lehmann's original modification.

According to records from the Florida Office of Financial Regulation, which licenses Florida businesses, Lehmann successfully completed her trial modification with Litton on Oct. 8. But two weeks later, Litton sent Lehmann a letter stating that the company was revoking the modification because of "insufficient income."

"We had to go in front of Judge (Paul) Kanarek and they (Litton) apologized for making a mistake. He told them it's not me you should be apologizing to, it's the woman

in front of me," Lehmann said. "Within one week I got a letter saying I successfully got modified and they were reducing my principal to \$146,000 from writing down the \$188,000 on my mortgage. So I made the October and November payments and thought that was the end of it."

Just before Thanksgiving, Lehmann said Litton sent her another letter stating that her modification was being revoked again. This time Litton said she didn't fit the modification "guidelines provided by investor."

"I kept asking what those guidelines were but they wouldn't give me an explanation so I filed a complaint with the Attorney General's office and Sen. (Bill) Nelson put me in touch with the office of regulation," Lehmann said.

Citing privacy laws, Litton spokeswoman Donna Marie Jendritza declined to comment on Lehmann's case.

Mike Larson, real estate analyst at Jupiter-based Weiss Research Inc., isn't surprised at how Lehmann's modification has been handled.

"What this lady is going through is emblematic of an (loan and mortgage servicing) industry that's overwhelmed and confused because the government has come up with so many programs and guidelines that continually change

all the time," Larson said.

Eighty-three complaints against Litton have been registered with Florida Attorney General Bill McCollum's office since 2005, with six originating from the Treasure Coast. McCollum's economic crimes section is actively reviewing them.

Flora Beal, a spokeswoman for the Florida Office of Financial Regulation, said 299 complaints have been filed against Litton with her office since Litton began doing business in Florida in 1999. Nineteen originated from the Treasure Coast. Of those, 14 cases are currently being investigated by her office. Litton's licence with the agency to do business in Florida is current.

"While we do not have authority to compel a lender to agree to a loan modification, we do try to help the consumer however we can," Beal said. "In Florida alone, in any given year, (Litton) can have upwards of 350,000 loans which they manage. Given that they have such high volume, having 299 complaints over a period of 11 years is not alarming. It averages out to about 27 complaints per year."

Chris Schneider, a spokesman at the Texas Department of Savings and Mortgage Lending in Austin, said his agency has no jurisdiction over Lehmann's case

because it doesn't regulate loan modifications in Florida.

"Litton is a huge servicing company ... they do have a lot of complaints, but like other servicing companies, there's no violation of law or any regulatory violation," Schneider said. "It's a sign of the times right now. People can't always get what they want."

Meanwhile, the Department of Treasury was vague on whether Litton's business practices are acceptable under the guidelines.

"The answer is that it's possible that this was legal," said department spokeswoman Meg Reilly in an e-mail. "Participating servicers are required to consider all eligible loans under the program guidelines unless prohibited by the rules of the applicable servicing agreement and/or other investor servicing agreements."

With federal and state regulatory agencies shrugging their shoulders at Lehmann's situation, the Treasure Coast Homeless Services Council is her last hope for any assistance.

"This is one of the most egregious cases we've seen," said Louise Hubbard, executive director of the agency, which has documented and followed up on Lehmann's case with Litton. "But sometimes we win and sometimes we don't."

# CONGRATULATIONS

# Class of '10

## Show Your Graduate How Proud You Are!

Graduation Day is one of the most important events in a parent's lifetime ~ and what better way to tell your friends, relatives and a lot of other News Tribune readers about the big event than with a message on our Graduation Day page, appearing Sunday, June 6, 2010.

Submit your announcement by 3PM on Tuesday, June 1, 2010. Just fill out the coupon below and mail your payment of \$45 along with the graduate's photograph to:

News Tribune Attn: Sherri Cipriani,  
PO Box 1796, Stuart, FL 34995 (Allow at least 3 days for Mail)  
OR E-mail your name, address, phone number, ad and photo to:  
Sherri.Cipriani@scripps.com.



GRADUATE'S NAME \_\_\_\_\_  
HIGH SCHOOL NAME \_\_\_\_\_  
Good Luck at College. We hope all your dreams come true.  
Love, Mom, Dad, Sister, Brother, Grandma & Grandpa

SAMPLE OF AD

## GRADUATION DAY PAGE

Graduate's Name \_\_\_\_\_  
 Name of School \_\_\_\_\_  
 Your Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Home Phone: \_\_\_\_\_ Daytime Phone \_\_\_\_\_  
 Your Message (20 words or less, please print clearly or type): \_\_\_\_\_

\$45 includes (1) One laminated copy of the announcement. \$5 for each additional copy.

**PAYMENT METHOD**  
1- Announcement \$45  
Additional Laminated Copies @ \$5 each  
Total: \$ \_\_\_\_\_

**CHECK OR CREDIT CARD VISA • MASTERCARD • DISCOVER • AMEX**

Card # \_\_\_\_\_  
 Exp. Date: \_\_\_\_\_  
 Signature: \_\_\_\_\_

**CHECK BY PHONE**

You Will Need Routing # \_\_\_\_\_  
 Account #, Check # \_\_\_\_\_  
 And Name On Account \_\_\_\_\_

# ST. LUCIE COUNTY BOARD OF COUNTY COMMISSIONERS PUBLIC HEARING AGENDA MAY 18, 2010

NOTICE OF PROPOSED PRELIMINARY PLANNED TOWN OR VILLAGE  
The St. Lucie County Board of County Commissioners proposes to consider the adoption of the following by resolution:

**RESOLUTION NO. 10-028**  
A RESOLUTION GRANTING PRELIMINARY PLANNED TOWN OR VILLAGE SITE PLAN APPROVAL AND CHANGE IN ZONING APPROVAL FOR A 134.6 ACRE (MORE OR LESS) PARCEL OF LAND LOCATED ON THE NORTHWEST CORNER OF JOHNSTON ROAD AND SFVMD CANAL NO. 25, WHICH WOULD PERMIT 396 SINGLE FAMILY DWELLING UNITS, 304 MULTI-FAMILY DWELLING UNITS AND 2000 SQUARE FEET OF RETAIL FOR THE PROJECT KNOWN AS VILLAGE OF SUNSET LAKES, MAKING FINDINGS OF FACT AND DETERMINING CONCLUSIONS OF LAW.

APPLICANT: Sunset Lakes of St. Lucie, LLC  
FILE NUMBER: PTV 820094001

**PURPOSE:** The purpose of this hearing is to consider an application of Sunset Lakes of St. Lucie, LLC for Preliminary Planned Town or Village (PTV) Site Plan approval and change in zoning from AG-1 (Agricultural-1, 1 duacre) to PTV (at 5.3 duacre) for a mixed-use village on 134.6 acres (more or less) for a project known as Village of Sunset Lakes.

**LOCATION:** Northwest corner of Johnston Road and SFVMD Canal No. 25.

**LEGAL DESCRIPTION:** All that part of the following described lands lying East of Florida Interstate 95 right of way: The Southwest Quarter (SW ¼) and the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) of the South Half (S ½) of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) all in section 34, Township 34 South, Range 39 East, said lands situate, lying and being in St. Lucie County, Florida.

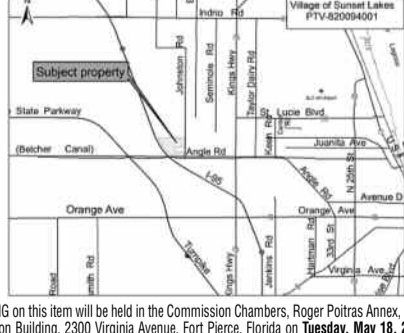
Subject to easements and rights of South Florida Water Management District and Fort Pierce Farms Drainage District for the maintenance and support of a canal system over and across the north 80 feet (designated as Canal No. 20) and approximately the South 200 feet (designated as Canal No. C-25), and subject to gas easements to Houston Gas and Oil Company.

Excepting therefrom the East 40 feet thereof and also excepting therefrom:  
A tract or parcel of land lying in Section 34, Township 34 South, Range 39 East, St. Lucie County, Florida, being more particularly described as follows:

For a point of reference commence at the Southeast corner of Section 34; thence run West along the South line of said section a distance of 1325.70 feet to a point being the Southeast corner of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of said section; thence North a distance of 2,364.55 feet to a point on the said East Quarter (E ¼) line of said section; thence West at an angle of 89 degrees 58 minutes 20 seconds to the left from said East Quarter (E ¼) line a distance of 663.01 feet to a point of an orange plastic hub stamped F7-C-1L driven flush with the ground and tacked; said point being the Point of Beginning. From said point of beginning; thence run North 89 degrees 06 minutes 26 seconds West, a distance of 208.69 feet to a point of an orange plastic hub stamped F7-C-1M driven flush with the ground and tacked, thence North 01 degree 46 minutes 42 seconds East, a distance of 208.72 feet to a point of an orange plastic hub stamped F7-C-1N driven flush with the ground and tacked, said point also being the intersection with the South right-of-way line of Canal No. 20; thence South 89 degrees 05 minutes 50 seconds East along said South right-of-way line a distance of 206.89 feet to a concrete monument marked R/W L205.2-FCD; thence South 01 degree 16 minutes 59 seconds West a distance of 208.64 feet to the point of beginning. Said parcel designated as Tract 102 of Eastern Test Range Reconfiguration.

And Subject to an easement over and across that parcel of land described herein, more particularly described as:  
A tract or parcel of land lying in Section 34, Township 34 South, Range 39 East, St. Lucie County, Florida, being more particularly described as follows:

For a point of reference commence at the Southeast corner of Section 34; thence run West along the South line of said section a distance of 1325.70 feet to a point being the Southeast corner of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of said section; thence North a distance of 2,364.55 feet to a point on the said East Quarter (E ¼) line of said section; thence West at an angle of 89 degrees 58 minutes 20 seconds to the left from said East Quarter (E ¼) line a distance of 663.01 feet to a point of an orange plastic hub stamped F7-C-1L driven flush with the ground and tacked; thence North 01 degree 16 minutes 59 seconds East a distance of 208.64 feet to a concrete monument marked R/W L205.2-FCD, which on the South right-of-way of Canal No. 20, said monument being the Point of Beginning. From the point of beginning run thence South 89 degrees 05 minutes 50 seconds East along the South right-of-way of said Canal No. 20 a distance of 620 feet, more or less, to a point on the Western right-of-way of Johnston Road; thence Southerly along the Western right-of-way of said Johnston Road, a distance of 50.0 feet to a point; thence North 89 degrees 05 minutes 50 seconds West a distance of 620 feet, more or less, to a point on a line which bears South 01 degree 16 minutes 59 seconds West from the Point of Beginning; thence North 01 degree 16 minutes 59 seconds East a distance of 50.0 feet, more or less, to the Point of Beginning. Said easement is designated as Tract 102E of the Eastern Test Range Reconfiguration.



The PUBLIC HEARING on this item will be held in the Commission Chambers, Roger Poltras Annex, 3rd Floor, St. Lucie County Administration Building, 2300 Virginia Avenue, Fort Pierce, Florida on **Tuesday, May 18, 2010**, beginning at **6:00 PM** or as soon thereafter as possible.

All interested persons will be given an opportunity to be heard. Written comments received in advance of the public hearing will also be considered. Written comments to the Board of County Commissioners should be received by the Planning and Development Services Department - Planning Division at least 3 days prior to the scheduled hearing. The petition file is available for review at the Planning and Development Services Department offices located at 2300 Virginia Avenue, 2nd Floor, Fort Pierce, Florida, during regular business hours. Please call 772-462-2822 or TDD 772-462-1428 if you have any questions or require additional information.

The St. Lucie County Board of County Commissioners has the power to review and grant any applications within their area of responsibility.

The proceedings of the Board of County Commissioners are electronically recorded. **PURSUANT TO SECTION 286.0105, Florida Statutes**, if a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings. For such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Upon the request of any party to the proceeding, individuals testifying during a hearing will be sworn in. Any party to the proceeding will be granted an opportunity to cross-examine any individual testifying during a hearing upon request. If it becomes necessary, a public hearing may be continued from time to time as may be necessary to a date-certain.

Anyone with a disability requiring accommodation to attend this meeting should contact the St. Lucie County Community Risk Manager at least forty-eight (48) hours prior to the meeting at (772)462-1546 or T.D.D. (772)462-1428. Any questions about this agenda may be referred to St. Lucie County Planning Division at (772) 462-2822.

**BOARD OF COUNTY COMMISSIONERS**  
ST. LUCIE COUNTY, FLORIDA  
/S/ CHARLES GRANDE, CHAIRMAN  
PUBLISH DATE: May 3, 2010

**WHERE BUSINESS GOES FOR AN EDGE.**

**TREASURE COAST BUSINESS JOURNAL**