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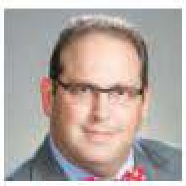
Lewis

COMMENTARY: APPLE ORDER
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With the stock market down so far this year, a survey by the Daily Business Review's ALM-affiliates shows lawyers' financial strategy is to keep working through 2016. **A3**

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The federal government hopes to close a longstanding security gap by using biometric technology for the first time to verify the identities of foreigners leaving the United States on foot. **A5**

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The broadcast of a secretly shot video in which a prominent politician discusses sexual encounters with other men is prompting a fierce debate about homophobia and journalistic ethics in conservative Colombia. **A5**

COMMERCIAL REAL ESTATE

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Two industrial buildings totaling nearly 50,000 square feet were acquired for $3.6 million. The warehouses in Hialeah were last bought in 2014 for $2.8 million. **A6**

APARTMENT BUILDING ACQUIRED
A two-story, 16-unit apartment building in Miami Beach was obtained for $2.2 million. The building, built in 1957, was sold in 2003 for $1.25 million. **A6**

ONE FLAGLER UNIT BOUGHT
An office unit at the 13-story One Flagler building in downtown Miami was purchased for more than $936,000. **A6**

PUBLIC NOTICES & THE COURTS

Public notices, court information and business leads, including foreclosures, bid notices and court calendars. **B1**

Public notices from Miami-Dade, Broward and Palm Beach also available at **DailyBusinessReview.com/public_notices.jsp**. Public notices published in newspapers statewide available at **FloridaPublicNotices.com**.

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Millionaire Beats French Lender for Control of Fisher Island Condo

by Samantha Joseph
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After years of litigation, Miami investor Manuel Medina won the right to foreclose on a plush Fisher Island condo at the center of a fraud scheme run by father-and-son developers. But more legal wrangling could be ahead.

The luxury condo has been vacant for about two years, caught in litigation between lenders claiming ownership. Medina could gain control after Miami-Dade Circuit Judge Robert Luck on Tuesday upheld his claim to the property. But another stakeholder, France's CDR Creances SAS, is weighing an appeal.

The founder and managing partner of Coral Gables-based Medina Capital spent years staving off lenders and CDR, which claims an interest in the Spanish-style condo once owned by convicted father-and-son real estate fraudsters Leon Cohen Levy and Mauricio Cohen Assor.


A.M. HOLT

Jeffrey C. Schneider of Levine Kellogg Lehman Schneider + Grossman teamed with Melanie Damien of Damian & Valori on the litigation.

"It was not an easy foreclosure action — not at all the standard," said Medina's attorney, Melanie Damian of Damian & Valori in Miami, who teamed with Jeffrey Schneider of Levine Kellogg Lehman Schneider + Grossman on the litigation.

Medina, founder of tech company Terremark Worldwide Inc., succeeded the original lender, Union Planters Bank N.A., which used the oceanfront condo at 7213 Fisher Island Drive on the exclusive island south of South Beach as collateral on a $5.25 million loan to the Cohens and their company, American Leisure Resorts Inc., in 2002.

In 2003, CDR began pursuing the pair's South Florida holdings, claiming the investors stole about $187 million and hid the funds through a complex corporate web. It also claimed the Cohens stole loan proceeds intended to purchase and renovate Manhattan's Flatotel hotel, sold the hotel and sent the proceeds to Swiss bank accounts without repaying the CDR loan.

"The scheme was without equal and involved a fraud in both the theft of funds and in the continuing effort to conceal the fruits of their crimes," CDR attorney Scott Cosgrove of Leon Cosgrove in Coral Gables wrote in court documents.

In 2010, the Cohens, once wealthy

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Judge Dismisses Broker's Claims Against FINRA

by Celia Ampel
campel@alm.com

A former Lakeland stockbroker disciplined for securities fraud failed to make a case that the Financial Industry Regulatory Authority defamed him or conspired against him, a judge ruled.

The decision was a victory for Miami attorney David Mandel of Mandel & Mandel, who defended FINRA against the allegations in federal court.

Antony Turbeville defrauded unsophisticated, elderly clients by recommending they invest in high-risk collateralized mortgage obligations, FINRA ruled in 2012. He then sued the clients who testified against him, and the regulator launched an investigation into whether the lawsuit was a violation of FINRA rules.

FINRA also made its investigation notice public through its free online tool BrokerCheck, which allows the public to research the professional backgrounds of brokers and investment advisers.

Turbeville sued FINRA on Oct. 2, alleging the self-regulating body published the notice maliciously to keep him from clearing his name and reputation. He had already dismissed his lawsuit against former clients after a state court judge ordered him to arbitrate his claims. Seven clients claimed $1.6 million in losses.

The former Brookstone Securities Inc. owner also argued FINRA had no authority to regulate his actions after he was permanently barred from the securities industry. Turbeville's company was ordered to pay $2.6 million in fines and restitution, of which Turbeville was jointly and severally liable for $440,000.

U.S. District Judge James Moody in Tampa dismissed Turbeville's claims against FINRA on Feb. 9, finding the agency has absolute immunity for its regulatory actions because it's a self-regulatory organization.

FINRA's decision to investigate whether Turbeville's lawsuit violated its rules and its decision to publish the notice fell "squarely within FINRA's regulatory duties" even though Turbeville wasn't a FINRA member at the time, Moody concluded.

The judge also ruled there is no private right of action against FINRA for violating its own rules. Turbeville


J. ALBERT DIAZ

David Mandel of Mandel & Mandel successfully defended the Financial Industry Regulatory Authority against defamation and conspiracy claims filed by a disciplined stockbroker.

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FINRA

alleged FINRA broke internal rules requiring nonpublic investigations.

"Mr. Turbeville's attempt to sue the regulator that caught him defrauding elderly investors was a spectacular failure, and rightly so," said Mandel, whom FINRA originally retained to represent the group of defrauded clients sued by Turbeville. "Needless to say, we are extremely pleased with the result."

Mandel said lawsuits against FINRA usually involve brokers trying to expunge a past transgression, with little success.

"In all candor, I've never heard of a broker suing the regulator for defamation before, which is pretty brazen," he said. "But Turbeville is a brazen character."

Moody sent claims against the son of one of Turbeville's former clients to Polk Circuit Court. Turbeville alleges the son asked FINRA to investigate whether the lawsuit against the broker's former clients violated regulations.

Turbeville's lawyer, Thomas Saunders of Saunders Law Group in Bartow, did not respond to a request for comment by deadline.

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