

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 07-05

WHEREAS, the Honorable BARRY E. KRISCHER, State Attorney for the Fifteenth Judicial Circuit of Florida, has advised Governor CHARLIE CRIST that Benjamin Winikoff is under investigation for allegations of burglary and grand theft, violations of the criminal laws of the State of Florida; and

WHEREAS, the Honorable BARRY E. KRISCHER has also advised the Governor that Benjamin Winikoff is the son of a sitting circuit court judge in the Fifteenth Judicial Circuit with whom his office has a close working relationship; and

WHEREAS, the Honorable BARRY E. KRISCHER, to avoid any appearance of conflict of interest or impropriety, has voluntarily disqualified himself and has requested the executive assignment of another State Attorney with respect to the investigation and potential prosecution of this case and all connected matters; and

WHEREAS, the Honorable KATHERINE FERNANDEZ RUNDLE, State Attorney for the Eleventh Judicial Circuit of Florida, has agreed to accept an executive assignment in this matter; and

WHEREAS, it is in the best interest of the State of Florida and of the ends of justice that the Honorable KATHERINE FERNANDEZ RUNDLE be assigned to discharge the duties of the Honorable BARRY E. KRISCHER, pursuant to Section 27.14, Florida Statutes;

NOW, THEREFORE, I, CHARLIE CRIST, Governor of Florida, in obedience to my solemn constitutional duty to "take care that the laws be faithfully executed," and pursuant to the Constitution and laws of the State of Florida, issue the following Executive Order, effective immediately:

Section 1.

The Honorable KATHERINE FERNANDEZ RUNDLE, State Attorney for the Eleventh Judicial Circuit of Florida, referred to as the "Assigned State Attorney," is assigned to discharge the duties of the Honorable BARRY E. KRISCHER, State Attorney for the Fifteenth Judicial Circuit of Florida, as they relate to the investigation, potential prosecution and representation of the State of Florida in all matters pending or filed against Benjamin Winikoff.

Section 2.

The Assigned State Attorney, or one or more Assistant State Attorneys and Investigators designated by the Assigned State Attorney, shall proceed immediately to the Fifteenth Judicial Circuit of Florida, and are vested with the authority to perform the duties prescribed above.

Section 3.

All residents of the Fifteenth Judicial Circuit are requested, and all public officials are directed, to cooperate and render whatever assistance is necessary to the Assigned State Attorney, so that justice may be served.

Section 4.

The period of this Executive Assignment shall be for one (1) year, to and including January 24, 2008.

Section 5.

The Assigned State Attorney shall notify the Governor on or before December 24, 2007, if additional time is required.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 24th day of January, 2007.

GOVERNOR

ATTEST:

SECRETARY OF STATE