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Everglades Success in Sight
01/07/2010
Palm Beach Post

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Success in The Everglades' greatest champion, Marjory Stoneman Douglas, delivered the keynote address at the first Everglades Coalition meeting in January 1986. She urged then-Gov. Bob Graham, who brought the coalition together, to hurry the cleanup.

But in 1986, there was no Everglades cleanup. There was no federal commitment. There was no comprehensive plan to save what Ms. Douglas named the "River of Grass." There were just scattered projects, some only now reaching completion, and a growing acknowledgement that the old approach could not continue.

As the coalition opens its 25th annual conference today in Palm Beach Gardens, the change is startling. It started with Gov. Graham's decision to create a coalition, first including all parties but eventually dominated by environmental organizations. He aimed to make the federal government a full partner of his 1983 Save Our Everglades program.

The coalition delivered the lobbying might of national groups. It drew federal officials to an Everglades ecosystem that stretches from the Kissimmee River basin south of Orlando through Lake Okeechobee to Florida Bay. Nothing short of a national effort would work, Gov. Graham argued, because Florida didn't have the money, expertise or legal authority.

"We stopped using the phrase 'Florida's Everglades,'" Mr. Graham recalled Wednesday in an interview. "Instead, we used 'America's Everglades.' It was important to elevate it to the status of the Grand Canyon or Yellowstone. ... Anybody who thought the story in the Everglades was going to be a 100-yard dash is mistaken. It's been a super-marathon from the beginning and will continue to be."

By the 1990s, federal and state scientists were working together to undo the damage from nearly a century of flood control. The partnership led in 2000 to the Comprehensive Everglades Restoration Plan, which called for a 50-50 federal-state split of costs now projected at \$11 billion. Despite a 2002 pledge signed in the Oval Office by Gov. Jeb Bush and President George W. Bush, federal money didn't flow.

That finally changed with congressional approval in 2007, over a Bush veto, of the first water resources bill since 2000. Meanwhile, restoration of 22 miles of the Kissimmee River, just a demonstration project in 1986, is complete. After 20 years of debate, work to elevate a section of the Tamiami Trail and deliver water to Everglades National Park at the right time is under way. President Obama has appointed high-ranking officials familiar with and supportive of Everglades restoration, including Carol Browner, the energy "czar," and Terrence "Rock" Salt, the Army's deputy assistant secretary.

As Mr. Graham notes, the coalition's work is far from done. It must keep up the pressure on Washington. Gov. Crist's plan to buy 73,000 acres from U.S. Sugar for \$536 million is no reason for Congress to stall projects. Washington must deliver long-promised money to restore the Indian River Lagoon in the Treasure Coast.

In 1986, sugar growers had a sharp reaction to Gov. Graham's Everglades initiative. As he said, "They had taken a sort of 'Hell, no!' position early on." Now, Florida Crystals runs TV ads touting its environmental stewardship. Measured day-to-day, the effort to save the Everglades seems as slow as the movement of water Marjory Stoneman Douglas wrote about. Looking back to 1986, the progress is nothing short of amazing.

Florida undercut suit against U.S. Sugar

01/07/2010

Times of the Internet

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TALLAHASSEE, Fla., Jan. 5 (UPI) --

Florida undermined a lawsuit filed against U.S. Sugar Corp. by offering \$1.75 billion to buy 180,000 acres from the company, an attorney in the case said.

Lewis Eidson, who represented about 5,000 employees in the suit against the company, said, "our case was substantially undermined," when the state offered to buy the farmland it had planned to restore to natural Everglades habitat.

The suit alleged that U.S. Sugar kept a repeated offer to buy the company at \$293 per share from The Lawrence Group in 2005 and 2007 a secret to conceal the true value of the company.

The company was paying employees a cash out value of \$200 per share, claiming the sum was based on income flow, not the value of the company, the Palm Beach, Fla., Post reported Tuesday.

The company also claimed the offer from The Lawrence Group was too low to bother disclosing. The state's offer gave credence to that argument, the Post said.

Employees originally sued for \$150 million, but a federal judge awarded them \$15.9 million Monday.

"This was the most we were able to obtain," said Eidson, who called the judgment "fair, under all the circumstances."

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Judge approves settlement in US Sugar lawsuit

01/07/2010

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Las Vegas Sun - Online

A federal judge in South Florida has approved a settlement in a lawsuit filed against U.S. Sugar Corp. by its employee shareholders.

The judge on Friday approved the agreement reached in October between plaintiffs and the nation's largest cane sugar producer. It calls for U.S. Sugar to pay \$8.4 million. If a planned \$536 million deal with Florida goes through to buy 73,000 acres of farmland from the company for Everglades restoration, U.S. Sugar then would pay plaintiffs an additional \$7.5 million.

The lawsuit was filed in 2008 on behalf of more than 4,000 employees who claimed U.S. Sugar's board didn't inform them of two buy-out offers before rejecting the deals. U.S. Sugar, which did not admit wrongdoing, is a privately held company owned largely by employees.

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UPI.com

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Judge OKs settlement between U.S. Sugar, shareholders

01/06/2010

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Naples Daily News - Online

A federal judge has approved a settlement between U.S. Sugar Corp. and its shareholders.

Shareholders filed a class-action lawsuit in the U.S. District Court's Southern Division in 2008. The lawsuit was brought on behalf of 4,000 employees, who claimed U.S. Sugar's board didn't inform them of two buy-out offers before rejecting the deals.

Under the settlement, U.S. Sugar will pay \$8.4 million. After plaintiffs' attorney's fees and expenses about \$5.5 million will be available to distribute to shareholders and participants in an employee stock ownership plan, or ESOP. The average ESOP participant has 175 shares and their average payment from the settlement is \$480, according to Judy Sanchez, a U.S. Sugar spokeswoman.

Payments will be made directly to shareholders and for ESOP participants payments will be deposited into a separate cash account. ESOP benefits are part of employees' retirement packages.

If the Clewiston-based grower's deal to sell 73,000 acres of farmland to the state for Everglades restoration goes through the company would pay plaintiffs an additional \$7.5 million.

U.S. Sugar admitted no wrongdoing. It's a private company largely owned by employees.

U.S. Sugar workers settle their lawsuit

01/06/2010

Sarasota Herald-Tribune - Online

PAUL QUINLAN Cox Newspapers

WEST PALM BEACH - If there was any doubt that others believed U.S. Sugar Corp. was worth what its brass claimed, those doubts dissolved in June 2008, when Florida Gov. Charlie Crist unveiled his extraordinary, \$1.75 billion bid to buy the company and its land to restore the Everglades.

The state's blockbuster buyout offer torpedoed the central argument of the lawsuit that about 5,000 employees had filed against the behemoth sugar producer five months earlier.

This week, two years after the suit was filed, a federal judge approved a \$15.9 million settlement in what amounts to a big victory for U.S. Sugar. The plaintiffs sought \$150 million.

The attorneys say they cannot discuss how they arrived at the settlement figure because of confidentiality agreements. But they did say the deciding factor was the size of the state's startling buyout offer, which Crist and two U.S. Sugar lobbyists were secretly negotiating around the time that the suit was filed.

The deal's announcement in June struck like "a bolt out of the blue," said Curt Miner, one of the shareholders' attorneys.

The employees, who invested in the company through an employee stock ownership plan, alleged in the lawsuit that U.S. Sugar robbed them by concealing a lucrative, \$293-per-share buyout offer made by The Lawrence Group in 2005 and renewed in 2007, while at the same time cashing retiring employees and others out of their shares for far less, about \$200 per share. Employees believed it was a scheme by company insiders, descendants of industrialist and company founder Charles Stewart Mott.

But U.S. Sugar countered that the Lawrences' offers were too small to be taken seriously and disclosed to employees. Among the company's assets: 180,000 acres of farmland, a new state-of-the-art sugar mill and a railroad.

U.S. Sugar defended the \$200 cash-out value, saying the figure was based on income flow.

More than six months of investigation led the shareholders' attorneys to conclude that the Lawrences' was a generous offer -- a once-in-a-lifetime bid made and renewed at the height of the real estate boom.

"It would have made sense to sell," said Lewis Eidson, who represented the shareholders. But the lawsuit's argument -- that they missed out on the best deal available -- "kind of became moot when the state came in and offered more than what the Lawrences had offered."

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"Our case was substantially undermined when the state came in and made an offer like that," Eidson said.

U.S. Sugar spokeswoman Judy Sanchez said it did not take a buyout offer from the state for executives to know that the company and its assets were worth more than what the Lawrences wanted to pay.

"Obviously we didn't believe that there was merit in the original suit anyway," said Sanchez. "The value of the company had been established much higher."

Eidson called the settlement that U.S. District Judge Donald Middlebrooks approved Monday "fair, under all the circumstances."

"This was the most we were able to obtain," Eidson said.

About half of the settlement -- \$8.4 million -- is guaranteed to be divided among shareholders. The other half -- \$7.5 million -- will be paid only if the state deal closes.

Crist has twice downsized the original buyout, to what is now planned to be a \$536 million purchase of 73,000 acres, or about 40 percent of the company's farmland.

Everglades advocates gathering to push for restoration

progress

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01/06/2010

Sun Sentinel - Online

Flying low over the southern shore of Lake Okeechobee, Everglades advocates look out the and visualize the time before sugar cane fields and cities blocked the life-giving flow of lake water that once drifted slowly south.

Decades of draining, dike building and water pumping allowed agriculture and development to take over vast swaths of former Everglades land, choking off the flow of water to Florida's famed "River of Grass."

To protect and revive what remains, environmentalists and state water managers propose to buy sugar cane land and build a series of reservoirs and treatment areas that could artificially re-create water flows that once naturally cascaded to the Everglades.

On Wednesday, the Everglades Coalition led aerial tours of the land south of Lake Okeechobee targeted for restoration. The flights ? passing over a mix of suburbia, farmland, an unfinished reservoir and a sprawling wildlife refuge ? show the hurdles and possibilities of long-stalled Everglades restoration.

The flights came on the eve of the 25th annual Everglades Coalition Conference. Environmentalists and state and federal officials will gather in Palm Beach Gardens to discuss ways to make progress on long-debated, multibillion-dollar restoration plans.

Ten years after unveiling a coordinated state and federal Everglades restoration plan, "we weren't as far along as we would have hoped," said Sara Fain, national co-chairwoman for the Everglades Coalition.

Now, with plans for a \$500 million Everglades restoration land deal with U.S. Sugar Corp. moving along and President Barack Obama's administration helping to get more federal money flowing for construction, the Everglades Coalition hopes to use its conference to jump-start efforts.

"We have this of opportunity to show success," said Fain, of the National Parks Conservation Association. "We have a really good opportunity to protect Lake Okeechobee [and] get the Everglades back to a working ecosystem."

Critics counter that the Everglades Coalition and the proposed U.S. Sugar land deal put restoration on the wrong track.

The Miccosukee Tribe and sugar producer Florida Crystals are waging a legal battle to try to derail the proposed \$536 million deal to buy 73,000 acres from U.S. Sugar. They argue that the deal costs South Florida taxpayers too much and takes money from other long-delayed Everglades restoration efforts.

The coalition's annual gathering has become "all for show," said Dexter Lehtinen, Everglades advocate and attorney for the Miccosukee Tribe.

"It's a cover for destructive behavior," Lehtinen said. "Say good things, get an 'attaboy' and go out and do whatever you want."

The political heavyweights scheduled to speak at the Everglades Coalition conference include: Sen. Bill Nelson; Florida Chief Financial Officer Alex Sink, who is running for governor; the state's top environmental official, Mike Sole, who leads the Department of Environmental Protection; and U.S. Assistant Interior Secretary Thomas Strickland, a top Obama administration environmental official.

Environmental groups will be looking for state and federal officials to support more money for Everglades restoration projects.

Also, the spread of industrial development south of Lake Okeechobee ? including rock mines and Florida Crystals' proposed "inland port" industrial distribution center ? threatens to get in the way of restoration benefits that the U.S. Sugar deal could bring, Fain said.

The conference has long been "a place for federal and state leaders to come down and swear their allegiance to Everglades restoration," said Eric Draper, of Audubon of Florida.

"Anybody can say they love the Everglades. It's the dollars that really make the difference."

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U.S. Sugar Employees Settle for \$16 Million in Shareholder Suit

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01/05/2010

Florida Trend

Matt Nelson

Tuesday's Top Stories

What You Need to Know About Florida Today

CLEWISTON:

U.S. Sugar Employees Settle for \$16 Million in Shareholder Suit

LIFESTYLE

Stand Up Paddleboarding Is Catching On

"It opens up a whole new world for you," says Tim Ellis, aboard his Stand Up Paddleboard.

If there was any doubt that U.S. Sugar Corp. was worth what its brass claimed, those doubts dissolved in June 2008, when Gov. Charlie Crist unveiled his extraordinary, \$1.75 billion bid to buy the company and its land to restore the Everglades. Besides thrilling environmentalists and gusting Crist's political sails, the state's blockbuster buyout offer also torpedoed the central argument of the lawsuit that about 5,000 employees had filed against the behemoth sugar producer five months earlier. Monday, two years after the suit was filed, a federal judge approved a \$15.9 million settlement in what amounts to a big victory for U.S. Sugar. The suit sought \$150 million. []

From Trend:

Timeline: U.S. Sugar company

SOUTH FLORIDA:

Women Take Charge of Business Groups

For the first time, women simultaneously are leading the major economic development agencies in Miami-Dade and Broward counties as well as the area's most prestigious business groups. Woman stand at the helm of the Orange

Bowl Committee, the Beacon Council, the Greater Fort Lauderdale Broward Alliance, the Greater Miami Chamber of Commerce, the Latin Builders Association, the World Trade Center board and the Coral Gables Chamber of Commerce. [Source: Miami Herald]

Also:

Women on board [Trend]

Sue Cobb named to BankUnited board [Herald]

TALLAHASSEE:

Under Fire, Emergency Management Director Resigns

The man in charge of disaster preparedness for the state abruptly resigned Monday amid allegations from his own employees that he discriminated against female staffers, overstated department travel savings and made improper purchases with his state taxpayer-funded credit card. Ruben Almaguer is accused in a whistleblower complaint of allowing men but not women in his division to stay overnight at the state's logistics response center in Orlando — a move he insists he made "for the privacy and safety of female senior staff." [Source: Times/Herald]

STATEWIDE:

75% Recycling Goal Is Reachable, Says DEP

Florida can increase its recycling rate to 75% within 10 years by requiring more recycling at construction-waste landfills, implementing innovative new programs to reduce waste disposal and by counting waste-burning as recycling, according to a state report issued Monday. The Legislature in 2008 established a statewide recycling goal of 75% by 2020. Florida now recycles 28% of its waste statewide. [Source: Bruce Ritchie]

ALSO AROUND FLORIDA:

> Steep Rise in Jobless Tax Hitting Florida Businesses [Herald-Tribune]

Businesses began receiving notices last month about the increase in the tax used to pay benefits to unemployed workers. At a minimum, the annual tax for each employee would increase from \$8.40 to \$100.30. Business groups say the increases, which come due April 30, are a blow to companies fighting for their survival as well as an obstacle for those considering hiring back workers. Also: Unemployment question shifts from how high to how long

> Prosecutor Plans Revamped Sansom Criminal Case [Times/Herald]

A state prosecutor said Monday that he is convinced Rep. Ray Sansom misused tax dollars and will continue to press the criminal case against him.

> Listen to Your Customers [Florida Trend]

There are three types of input that entrepreneurs receive from their customers. Negative comments are golden opportunities that you cannot afford to ignore.

> Collier County Lays Off 13 Planners [Naples Daily News]

> North Florida Strawberry Farmers Take Measures to Protect Crops [T-U]

> Miami Finance Inquiry Widens [Herald]

> As Pressure Builds, Greer Says GOP Raised \$4.5 Million [Times/Herald]

That's the GOP's strongest fundraising quarter for the year and may give the embattled chairman some ammunition against the growing chorus of critics calling for his ouster. Also: The man behind RedState.com shakes up the Republican Party

> Regulators Tell Boca Bank to Find Buyer [Sun Sentinel]

Federal regulators say Sun American Bank of Boca Raton is "significantly undercapitalized" and want the bank to find a buyer or merge with another institution. Also: Orlando, Melbourne banks to consolidate> L-3 Communications Gets

\$165M Contract for Body Scanners [SP Times]

A defense contractor that builds body-imaging scanners at a St. Petersburg plant is positioned to sell Uncle Sam hundreds of machines for U.S. airports after the Christmas bomb scare on a Northwest Airlines flight approaching Detroit.

commentary> Curb Smoking at Florida Colleges [Sun Sentinel editorial]

The surprising thing isn't that two-thirds of students at a couple of Florida universities support a smoking ban on campus. No, the truly surprising thing is that one-third of the students polled would actually oppose such a ban.

Judge OKs settlement between U.S. Sugar, shareholders

01/05/2010

Marco Island Eagle - Online

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Judge Approves Settlement In U.S. Sugar Lawsuit

01/05/2010

WPBF-TV - Online

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Largest Sugar Cane Producer To Pay Shareholders \$8.4 Million

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