

# COFFEY | BURLINGTON

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**Re: Cease and Desist Broadcasting of False Political Advertising**

To Whom It May Concern:

We represent Philip Levine, a candidate for Florida Governor.

It has come to our attention that your broadcast station has been airing a political advertisement that falsely asserts that the City of Miami Beach pumped “millions of gallons of human waste” annually into Biscayne Bay during Mr. Levine’s tenure as Mayor of Miami Beach, and depicts misleading stock video images of sewage pouring from open pipes to create the false impression that the City dumps sewage directly into the Bay.

As you will see from the attached memorandum from Miami Beach’s City Manager, the City’s sewer system does not directly discharge into Biscayne Bay, as the advertisement falsely suggests. Moreover, the images of fouled water and open sewer pipes in the ad are not from Miami Beach, but are misleading stock images of sewers from Russia, China, Serbia and the Czech Republic. The links below confirm that the stock images used in the advertisement do not depict Miami Beach, Biscayne Bay or even Florida waters:

<https://www.pond5.com/stock-footage/91837317/sewer-pipes-shore-stain-oil-or-fuel-water-surface-nature-pol.html>

<https://www.istockphoto.com/video/wastewater-dirty-water-gm903375202-249138917>

<https://www.pond5.com/stock-footage/59961679/water-pollution-sewage-water-pumped-river.html>

<https://www.istockphoto.com/video/ditch-wastewater-gm496674954-78761817>

The misleading use of these stock images from overseas sewers is false and defamatory. And, as the City’s Memorandum makes clear, the advertisement’s suggestion that the City of Miami Beach pumped human waste into Biscayne Bay from open pipes also is false and defamatory.

We therefore respectfully insist that, by 5 p.m. today, your station cease and desist the broadcasting of this advertisement or any advertisements that state or imply that the City of Miami Beach discharged human waste into Biscayne Bay from its sewer system. At a minimum, these ads should be taken down pending a legal review.

Please govern yourself accordingly,

Regards,

*Kendall Coffey*

Kendall Coffey, Esq.