

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT, IN AND FOR
PALM BEACH COUNTY, FLORIDA

MAUREEN STAFFORD,

Plaintiff,

CASE NUMBER:

vs.

LAKERIDGE FALLS HOMEOWNERS
ASSOCIATION, INC, FRANK MARTINS
individually and member of the Board of
Directors, LEO EKNAIAN, individually
and as member of the Board of Directors, MELISSA
SALVATI, individually and as member of the
Board of Directors, ROBERT BONOMOLO,
individually and as member of the Board of
Directors, MICHAEL ERLICK, individually
and as member of the Board of Directors,
JOHN KOVENCZ, individually and as member
of the Board of Directors, and DOMINICK BIENZ.

Defendants.

COMPLAINT

Plaintiff, MAUREEN STAFFORD (“Plaintiff”) by and through her undersigned counsel,
hereby sues the Defendants, LAKERIDGE FALLS HOMEOWNERS ASSOCIATION, INC.
 (“Association”), FRANK MARTINS, individually and member of the Board of Directors
 (“Martins”), LEO EKNAIAN, individually and member of the Board of Directors (“Eknaian”),
 MELISSA SALVATI, individually and member of the Board of Directors (“Salvati”), ROBERT
 BONOMOLO, individually and member of the Board of Directors (“Bonomolo”), MICHAEL
 ERLICK, individually and member of the Board of Directors (“Erlick”), and JOHN KOVENCZ,
 individually and member of the Board of Directors (“Kovencz”) (collectively, Martins, Eknaian,
 Salvati, Bonomolo, Erlick and Kovencz will be also referred to as the “Board of Directors”), and
 DOMINIC BIENZ (“Bienz”), and states as follows:

JURISDICTION AND PARTIES

1. This is an action for defamation and damages which exceeds \$50,000.00, exclusive of attorney's fees and costs, and within the jurisdiction of this Court.

2. Plaintiff, MAUREEN STAFFORD, is a resident of Palm Beach County, Florida, over the age of eighteen, and is otherwise *sui juris*.

3. Defendant, LAKERIDGE FALLS HOMEOWNERS ASSOCIATION, INC., is a Florida not-for-profit homeowners association, whose principal place of business is located in Palm Beach County, Florida.

4. Defendant, FRANK MARTINS, is a resident of Palm Beach County, Florida.

5. Defendant, LEO EKNAIAN, is a resident of Palm Beach County, Florida.

6. Defendant, MELISSA SALVATI, is a resident of Palm Beach County, Florida.

7. Defendant, ROBERT BONOMOLO, is a resident of Palm Beach County, Florida.

8. Defendant, MICHAEL ERLICK, is a resident of Palm Beach County, Florida.

9. Defendant, JOHN KOVENICZ, is a resident of Palm Beach County, Florida.

10. Defendant, DOMINIC BIENZ, is a resident of Palm Beach County, Florida.

11. Venue in this action lies in Palm Beach County, Florida based upon the principal place of business of the parties, the residences of the parties and the commission of the acts and omissions relevant to the claims asserted below, all of which occurred in Palm Beach County, Florida.

GENERAL ALLEGATIONS COMMON TO ALL COUNTS

12. At all times material herein, The Association was created pursuant to the Declaration of Covenants and Restrictions of Lakeridge Falls Homeowners' Association, Inc (the "Declaration"), recorded in Official Records Book 9585, Page 1687, of the Official Records of

Palm Beach County. Pursuant to the Declaration, the Association is subject to all of the terms and provisions of the Declaration, the Articles of Incorporation of the Association (the “Articles of Incorporation”), the By-Laws of the Association (the “By-Laws”), the Rules and Regulations of the Association (the “Rules”) (collectively referred to as the “Governing Documents”), Chapter 720, Florida Statutes (known as the “Florida Homeowners Association Act” or the “Act”) and when applicable, according to the Act, Chapter 617, Florida Statutes (known as the “Florida Not-For-Profit Corporation Act”).

13. At all times material herein, pursuant to Florida Statute §720.303, each member of the Association’s Board of Directors owes each unit owner a fiduciary duty to the members of the Association.

14. At all times material hereto, Plaintiff was an owner and member of the Association.

15. Plaintiff was on the Board of Directors for the Association between 2015 and 2022, and fulfilled her fiduciary duty as a board member.

16. The current Board consists of the Defendants, Martins, Eknaian, Salvati, Bonomolo, Erlick and Kovencz.

17. The Board, on behalf of the Association, has continuously made intentional misrepresentations to other owners within the Association about Plaintiff. This includes numerous misrepresentations presented at several open Board meetings about Plaintiff.

18. During the second week of October 2022, Bonomolo told another owner, Judy Danton, that “Plaintiff needs to move out of the community” and that if any homeowners supported the Plaintiff, they choose the “wrong side”.

19. Near the end of October 2022 or beginning of November 2022, Bienz communicated

to another owner, Judi Buckman, in the presence of other owners, that Plaintiff is a liar, has stolen funds and that she illegally made decisions while she was on the Board. Bienz communicated to Judi Buckman in the presence of other owners that the Sod project was the Plaintiff's fault and the reason why the Association lost funds. Also, Bienz communicated to other owners that Bonomolo has said he has proof that Plaintiff engaged in illegal activity.

20. During discussions with other homeowners, including but not limited to the party that occurred on November 6, 2022, hosted by Terry Natalie, Bonomolo told owners that Plaintiff lied and withheld information from the Board. He also told owners that he knew nothing that went on with the sod project, however, the official records show that he was involved with published articles and emails on the subject when he served as the Board communications liaison.

21. On November 6, 2022, at the same party, the Board told Debbie Sherwood that Plaintiff unilaterally authorized the removal of trees throughout the community. The Board knows this is false since there are official records for the Association, including prior Board meeting minutes/recordings, which show that the Plaintiff never unilaterally made decisions. The Plaintiff has copies of those official records confirming that every decision that was made while she served on the Board was always approved by the majority of the Board at open meetings held for the Association. The Plaintiff performed her fiduciary duties and exemplified transparency.

22. On September 27, 2023, the Board held an open meeting in front of other owners and presented a slide show that published false statements about the Plaintiff. The slide show was presented by Martins. These misrepresentations included but is not limited to statements that the Plaintiff a) Mismanaged the affairs of the Association while she was on the Board,

damaging the owners financially; b) Made unilateral illegal decisions such as hiring vendors or authorizing work to be done on the Association's property without Board approval; c) Concealed communications from other Board members or the owners; d) Illegally signed checks to approve payments never authorized. During the slideshow, Martins continued to communicate lies about the sod project within the community and that Plaintiff was solely responsible for the alleged mismanagement involving the prior landscapers and that she is the reason why the entire community is being damaged.

23. The Board communicated to other owners that Plaintiff stole funds from the Association, concealed information and lied to the community. This was reported on December 20, 2023, to Plaintiff in an email.

24. The Board intentionally mischaracterizes communications made by Plaintiff knowing that the official records of the Association contradict those misrepresentations. This shows that the Board is maliciously making these statements to hurt Plaintiff's reputation.

25. At open Board meeting on May 22, 2024, Eknaian communicated to other owners that Plaintiff was responsible for the Association incurring fines from the County and that she reported an illegal shed that was installed within the Association. Eknaian knew this statement was false since the copy of the Code Enforcement Report shows that it was someone else, not Plaintiff.

26. Kovence, Salvati and Erlick refused to speak out to correct the defamatory comments by the other Board members. Kovence, Salvati and Erlick were not only aware of the defamatory statements and actions by Martins, Bonomolo and Eknaian, they refused to take steps to stop the false spreading of rumors within the community so that the Plaintiff's reputation

could be restored. Additionally, they approved the publication of the defamatory statements made at the Board meetings, including the slide show that was shown on September 27, 2023.

27. As a result of the Board's deliberate lies, other owners have turned against the Plaintiff and have openly called her a criminal or stopped talking to her. Homeowners have told Plaintiff that she should go to jail.

28. Additionally, Plaintiff submitted a valid official records request which resulted in retaliatory cease and desist letter from the Association's attorney. The Board has resorted to harassment and bullying tactics against the Plaintiff in an attempt to stop her from speaking out.

29. The Board is aware of the published false statements but has refused to take steps to stop the false spreading of rumors within the community so that the Plaintiff's reputation could be restored.

30. The constant defamatory statements and harassment of Plaintiff has caused severe emotional distress for her and her friends.

31. The Board on behalf of the Association continues to spread false allegations about Plaintiff, severely impacting her reputation and livelihood, causing damages.

32. Also, as a result of the destruction of Plaintiff's character, the Plaintiff has suffered severe medical issues and anxiety because of the ongoing stress caused by the Board's behavior on behalf of the Association.

33. The Board's dissemination of intentional false statements interfered with the rights, comforts and convenience of Plaintiff. The Board's false statements were all published and said in the presence of third parties.

COUNT I
DEFAMATION AGAINST ASSOCIATION

34. The Plaintiff re-alleges and incorporates by reference the allegations asserted in

paragraphs one (1) through thirty-three (33), as fully set forth herein.

35. Plaintiff is a person of good name, credit and reputation.

36. Association knew of the good name, credit and reputation of Plaintiff and that Association was aware that any false allegations could jeopardize Plaintiff's standing within the community.

37. Association maliciously spread false allegations about Plaintiff throughout the community.

38. Association published statements falsely conveying that Plaintiff engaged in illegal actions, including committing criminal offenses amounting to a felony.

39. Association published statements falsely convey Plaintiff has committed conduct, characteristics, or a condition incompatible with the proper exercise of her lawful business, trade, profession, or office.

40. Association published false statements with knowledge the statements were false and/or with reckless disregard as to their truth or falsity.

41. Association published the false statements with malice and intent to injure Plaintiff.

42. Association published the false statements with intent to degrade Plaintiff, bring Plaintiff into ill repute, destroy confidence in the integrity of Plaintiff and cause Plaintiff other like injury.

43. Association's primary motive in making the statements was the intent to injure the reputation of Plaintiff.

44. Association's published statements, when considered alone without innuendo, subjects Plaintiff to hatred, distrust, ridicule, contempt, or disgrace, or tends to injure Plaintiff in the community.

45. As a result of Association's published false statements, Plaintiff has been damaged. Plaintiff will continue to suffer irreparable injury and damages in the future, including, but not limited to: loss of the ability to enjoy life, damage to reputation; stress, anxiety and emotional distress; significant past and future mental pain and suffering; and other financial and non-financial losses.

46. Association's aforesaid acts and/or omissions justify the imposition of punitive damages under Florida Statute 768.79. Plaintiff reserves its right to amend the Complaint to state a claim against Association for punitive damages upon submission of the proof required.

WHEREFORE, the Plaintiff demands that a judgment be entered against the Defendant, LAKERIDGE FALLS HOMEOWNERS ASSOCIATION, INC., for damages, pre-judgment interest, costs, punitive damages (upon the proper production of record evidence as required in Florida Statute §768.72) and further relief as the Court deems just and proper.

COUNT II
DEFAMATION AGAINST MARTINS

47. The Plaintiff re-alleges and incorporates by reference the allegations asserted in paragraphs one (1) through thirty-three (33), as fully set forth herein.

48. Plaintiff is a person of good name, credit, and reputation.

49. Martins knew of the good name, credit and reputation of Plaintiff and that Martins was aware that any false allegations could jeopardize Plaintiff's standing within the community.

50. Martins maliciously spread false allegations about Plaintiff throughout the community.

51. Martins published statements falsely conveying that Plaintiff engaged in illegal actions, including committing criminal offenses amounting to a felony.

52. Martins published statements falsely convey Plaintiff has committed conduct, characteristics, or a condition incompatible with the proper exercise of her lawful business, trade, profession, or office.

53. Martins published false statements with knowledge the statements were false and/or with reckless disregard as to their truth or falsity.

54. Martins published the false statements with malice and intent to injure Plaintiff.

55. Martins published the false statements with intent to degrade Plaintiff, bring Plaintiff into ill repute, destroy confidence in the integrity of Plaintiff and cause Plaintiff other like injury.

56. Martins' primary motive in making the statements was the intent to injure the reputation of Plaintiff and to prevent the sale from going forward.

57. Martins' published statements, when considered alone without innuendo, subjects Plaintiff to hatred, distrust, ridicule, contempt, or disgrace, or tends to injure Plaintiff in the community.

58. As a result of Martins' published false statements, Plaintiff has been damaged. Plaintiff will continue to suffer irreparable injury and damages in the future, including, but not limited to: loss of the ability to enjoy life, damage to reputation; stress, anxiety and emotional distress; significant past and future mental pain and suffering; and other financial and non-financial losses.

59. Martins' aforesaid acts and/or omissions justify the imposition of punitive damages under Florida Statute §768.79. Plaintiff reserves its right to amend the Complaint to state a claim against Martins for punitive damages upon submission of the proof required.

WHEREFORE, the Plaintiff demands that a judgment be entered against the Defendant, FRANK MARTINS., for damages, pre-judgment interest, costs, punitive damages (upon the proper production of record evidence as required in Florida Statute §768.72) and further relief as the Court deems just and proper.

COUNT III
DEFAMATION AGAINST EKNALAN

60. The Plaintiff re-alleges and incorporates by reference the allegations asserted in paragraphs one (1) through thirty-three (33), as fully set forth herein.

61. Plaintiff is a person of good name, credit, and reputation.

62. Eknalan knew of the good name, credit and reputation of Plaintiff and that Eknalan was aware that any false allegations could jeopardize Plaintiff's standing within the community.

63. Eknalan maliciously spread false allegations about Plaintiff throughout the community.

64. Eknalan published statements falsely conveying that Plaintiff engaged in illegal actions, including committing criminal offenses amounting to a felony.

65. Eknalan published statements falsely convey Plaintiff has committed conduct, characteristics, or a condition incompatible with the proper exercise of her lawful business, trade, profession, or office.

66. Eknalan published false statements with knowledge the statements were false and/or with reckless disregard as to their truth or falsity.

67. Eknalan published the false statements with malice and intent to injure Plaintiff.

68. Eknalan published the false statements with intent to degrade Plaintiff, bring

Plaintiff into ill repute, destroy confidence in the integrity of Plaintiff and cause Plaintiff other like injury.

69. Eknalan's primary motive in making the statements was the intent to injure the reputation of Plaintiff and to prevent the sale from going forward.

70. Eknalan's published statements, when considered alone without innuendo, subjects Plaintiff to hatred, distrust, ridicule, contempt, or disgrace, or tends to injure Plaintiff in the community.

71. As a result of Eknalan's published false statements, Plaintiff has been damaged. Plaintiff will continue to suffer irreparable injury and damages in the future, including, but not limited to: loss of the ability to enjoy life, damage to reputation; stress, anxiety and emotional distress; significant past and future mental pain and suffering; and other financial and non-financial losses.

72. Eknalan aforesaid acts and/or omissions justify the imposition of punitive damages under Florida Statute §768.79. Plaintiff reserves its right to amend the Complaint to state a claim against Eknalan for punitive damages upon submission of the proof required.

WHEREFORE, the Plaintiff demands that a judgment be entered against the Defendant, LEO EKNALAN, for damages, pre-judgment interest, costs, punitive damages (upon the proper production of record evidence as required in Florida Statute §768.72) and further relief as the Court deems just and proper.

COUNT IV
DEFAMATION AGAINST SALVATI

73. The Plaintiff re-alleges and incorporates by reference the allegations asserted in paragraphs one (1) through thirty-three (33), as fully set forth herein.

74. Plaintiff is a person of good name, credit, and reputation.

75. Salvati knew of the good name, credit and reputation of Plaintiff and that Salvati was aware that any false allegations could jeopardize Plaintiff's standing within the community.

76. Salvati maliciously spread false allegations about Plaintiff throughout the community.

77. Salvati published statements falsely conveying that Plaintiff engaged in illegal actions, including committing criminal offenses amounting to a felony.

78. Salvati published statements falsely convey Plaintiff has committed conduct, characteristics, or a condition incompatible with the proper exercise of her lawful business, trade, profession, or office.

79. Salvati published false statements with knowledge the statements were false and/or with reckless disregard as to their truth or falsity.

80. Salvati published the false statements with malice and intent to injure Plaintiff.

81. Salvati published the false statements with intent to degrade Plaintiff, bring Plaintiff into ill repute, destroy confidence in the integrity of Plaintiff and cause Plaintiff other like injury.

82. Salvati's primary motive in making the statements was the intent to injure the reputation of Plaintiff and to prevent the sale from going forward.

83. Salvati's published statements, when considered alone without innuendo, subjects Plaintiff to hatred, distrust, ridicule, contempt, or disgrace, or tends to injure Plaintiff in the community.

84. As a result of Salvati's published false statements, Plaintiff has been damaged.

Plaintiff will continue to suffer irreparable injury and damages in the future, including, but not limited to: loss of the ability to enjoy life, damage to reputation; stress, anxiety and emotional distress; significant past and future mental pain and suffering; and other financial and non-financial losses.

85. Salvati's aforesaid acts and/or omissions justify the imposition of punitive damages under Florida Statute §768.79. Plaintiff reserves its right to amend the Complaint to state a claim against Salvati for punitive damages upon submission of the proof required.

WHEREFORE, the Plaintiff demands that a judgment be entered against the Defendant, MELISSA SALVATI, for damages, pre-judgment interest, costs, punitive damages (upon the proper production of record evidence as required in Florida Statute §768.72) and further relief as the Court deems just and proper.

COUNT V
DEFAMATION AGAINST BONOMOLO

86. The Plaintiff re-alleges and incorporates by reference the allegations asserted in paragraphs one (1) through thirty-three (33), as fully set forth herein.

87. Plaintiff is a person of good name, credit, and reputation.

88. Bonomolo knew of the good name, credit and reputation of Plaintiff and that Bonomolo was aware that any false allegations could jeopardize Plaintiff's standing within the community.

89. Bonomolo maliciously spread false allegations about Plaintiff throughout the community.

90. Bonomolo published statements falsely conveying that Plaintiff engaged in illegal actions, including committing criminal offenses amounting to a felony.

91. Bonomolo published statements falsely convey Plaintiff has committed conduct,

characteristics, or a condition incompatible with the proper exercise of her lawful business, trade, profession, or office.

92. Bonomolo published false statements with knowledge the statements were false and/or with reckless disregard as to their truth or falsity.

93. Bonomolo published the false statements with malice and intent to injure Plaintiff.

94. Bonomolo published the false statements with intent to degrade Plaintiff, bring Plaintiff into ill repute, destroy confidence in the integrity of Plaintiff and cause Plaintiff other like injury.

95. Bonomolo's primary motive in making the statements was the intent to injure the reputation of Plaintiff and to prevent the sale from going forward.

96. Bonomolo's published statements, when considered alone without innuendo, subjects Plaintiff to hatred, distrust, ridicule, contempt, or disgrace, or tends to injure Plaintiff in the community.

97. As a result of Bonomolo's published false statements, Plaintiff has been damaged. Plaintiff will continue to suffer irreparable injury and damages in the future, including, but not limited to: loss of the ability to enjoy life, damage to reputation; stress, anxiety and emotional distress; significant past and future mental pain and suffering; and other financial and non-financial losses.

98. Bonomolo's aforesaid acts and/or omissions justify the imposition of punitive damages under Florida Statute §768.79. Plaintiff reserves its right to amend the Complaint to state a claim against Bonomolo for punitive damages upon submission of the proof required.

WHEREFORE, the Plaintiff demands that a judgment be entered against the Defendant, ROBERT BONOMOLO., for damages, pre-judgment interest, costs, punitive damages (upon the

proper production of record evidence as required in Florida Statute §768.72) and further relief as the Court deems just and proper.

COUNT VI
DEFAMATION AGAINST ERLICK

99. The Plaintiff re-alleges and incorporates by reference the allegations asserted in paragraphs one (1) through thirty-three (33), as fully set forth herein.

100. Plaintiff is a person of good name, credit, and reputation.

101. Erlick knew of the good name, credit and reputation of Plaintiff and that Erlick was aware that any false allegations could jeopardize Plaintiff's standing within the community.

102. Erlick maliciously spread false allegations about Plaintiff throughout the community.

103. Erlick published statements falsely conveying that Plaintiff engaged in illegal actions, including committing criminal offenses amounting to a felony.

104. Erlick published statements falsely convey Plaintiff has committed conduct, characteristics, or a condition incompatible with the proper exercise of her lawful business, trade, profession, or office.

105. Erlick published false statements with knowledge the statements were false and/or with reckless disregard as to their truth or falsity.

106. Erlick published the false statements with malice and intent to injure Plaintiff.

107. Erlick published the false statements with intent to degrade Plaintiff, bring Plaintiff into ill repute, destroy confidence in the integrity of Plaintiff and cause Plaintiff other like injury.

108. Erlick's primary motive in making the statements was the intent to injure the

reputation of Plaintiff and to prevent the sale from going forward.

109. Erlick's published statements, when considered alone without innuendo, subjects Plaintiff to hatred, distrust, ridicule, contempt, or disgrace, or tends to injure Plaintiff in the community.

110. As a result of Erlick's published false statements, Plaintiff has been damaged. Plaintiff will continue to suffer irreparable injury and damages in the future, including, but not limited to: loss of the ability to enjoy life, damage to reputation; stress, anxiety and emotional distress; significant past and future mental pain and suffering; and other financial and non-financial losses.

111. Erlick's aforesaid acts and/or omissions justify the imposition of punitive damages under Florida Statute §768.79. Plaintiff reserves its right to amend the Complaint to state a claim against Erlick for punitive damages upon submission of the proof required.

WHEREFORE, the Plaintiff demands that a judgment be entered against the Defendant, MICHAEL ERLICK., for damages, pre-judgment interest, costs, punitive damages (upon the proper production of record evidence as required in Florida Statute §768.72) and further relief as the Court deems just and proper.

COUNT VII
DEFAMATION AGAINST KOVENCZ

112. The Plaintiff re-alleges and incorporates by reference the allegations asserted in paragraphs one (1) through twenty-three (23), as fully set forth herein.

113. Plaintiff is a person of good name, credit, and reputation.

114. Kovencz knew of the good name, credit and reputation of Plaintiff and that Kovencz was aware that any false allegations could jeopardize Plaintiff's standing within the community.

115. Kovencz maliciously spread false allegations about Plaintiff throughout the community.

116. Kovencz published statements falsely conveying that Plaintiff engaged in illegal actions, including committing criminal offenses amounting to a felony.

117. Kovencz published statements falsely convey Plaintiff has committed conduct, characteristics, or a condition incompatible with the proper exercise of her lawful business, trade, profession, or office.

118. Kovencz published false statements with knowledge the statements were false and/or with reckless disregard as to their truth or falsity.

119. Kovencz published the false statements with malice and intent to injure Plaintiff.

120. Kovencz published the false statements with intent to degrade Plaintiff, bring Plaintiff into ill repute, destroy confidence in the integrity of Plaintiff and cause Plaintiff other like injury.

121. Kovencz's primary motive in making the statements was the intent to injure the reputation of Plaintiff and to prevent the sale from going forward.

122. Kovencz's published statements, when considered alone without innuendo, subjects Plaintiff to hatred, distrust, ridicule, contempt, or disgrace, or tends to injure Plaintiff in the community.

123. As a result of Kovencz's published false statements, Plaintiff has been damaged. Plaintiff will continue to suffer irreparable injury and damages in the future, including, but not limited to: loss of the ability to enjoy life, damage to reputation; stress, anxiety and emotional distress; significant past and future mental pain and suffering; and other financial and non-financial losses.

124. Kovencz's aforesaid acts and/or omissions justify the imposition of punitive damages under Florida Statute §768.79. Plaintiff reserves its right to amend the Complaint to state a claim against Martins for punitive damages upon submission of the proof required.

WHEREFORE, the Plaintiff demands that a judgment be entered against the Defendant, JOHN KOVENCZ., for damages, pre-judgment interest, costs, punitive damages (upon the proper production of record evidence as required in Florida Statute §768.72) and further relief as the Court deems just and proper.

COUNT VIII
DEFAMATION AGAINST BIENZ

125. The Plaintiff re-alleges and incorporates by reference the allegations asserted in paragraphs one (1) through thirty-three (33), as fully set forth herein.

126. Plaintiff is a person of good name, credit, and reputation.

127. Bienz knew of the good name, credit and reputation of Plaintiff and that Martins was aware that any false allegations could jeopardize Plaintiff's standing within the community.

128. Bienz maliciously spread false allegations about Plaintiff throughout the community.

129. Bienz published statements falsely conveying that Plaintiff engaged in illegal actions, including committing criminal offenses amounting to a felony.

130. Bienz published statements falsely convey Plaintiff has committed conduct, characteristics, or a condition incompatible with the proper exercise of her lawful business, trade, profession, or office.

131. Bienz published false statements with knowledge the statements were false and/or with reckless disregard as to their truth or falsity.

132. Bienz published the false statements with malice and intent to injure Plaintiff.

133. Bienz published the false statements with intent to degrade Plaintiff, bring Plaintiff into ill repute, destroy confidence in the integrity of Plaintiff and cause Plaintiff other like injury.

134. Bienz's primary motive in making the statements was the intent to injure the reputation of Plaintiff and to prevent the sale from going forward.

135. Bienz's published statements, when considered alone without innuendo, subjects Plaintiff to hatred, distrust, ridicule, contempt, or disgrace, or tends to injure Plaintiff in the community.

136. As a result of Bienz's published false statements, Plaintiff has been damaged. Plaintiff will continue to suffer irreparable injury and damages in the future, including, but not limited to: loss of the ability to enjoy life, damage to reputation; stress, anxiety and emotional distress; significant past and future mental pain and suffering; and other financial and non-financial losses.

137. Bienz's aforesaid acts and/or omissions justify the imposition of punitive damages under Florida Statute §768.79. Plaintiff reserves its right to amend the Complaint to state a claim against Martins for punitive damages upon submission of the proof required.

WHEREFORE, the Plaintiff demands that a judgment be entered against the Defendant, DOMINIC BIENZ, for damages, pre-judgment interest, costs, punitive damages (upon the proper production of record evidence as required in Florida Statute §768.72) and further relief as the Court deems just and proper.

**COUNT IX- INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS AGAINST
MARTINS**

138. Plaintiff re-alleges and re-avers the same allegations set forth in paragraphs

set forth in paragraphs 1-33 above.

139. Martin's conduct was intentional or reckless, that is, he intended his behavior when he knew or should have known that emotional distress to Plaintiff would likely result.

140. The conduct was outrageous, that is, it went beyond all bounds of decency, and should be regarded as odious and utterly intolerable in a civilized community.

141. The conduct of Martin caused emotional distress to Plaintiff.

142. The emotional distress caused by Martin was severe.

143. Plaintiff suffered damages as a result of Martin's wrongful conduct.

144. As a direct and proximate result of Martin's unlawful actions, Plaintiff suffered damages and will continue to suffer irreparable injury and damages in the future, including, but not limited to: loss of the ability to enjoy life, damage to reputation; stress, anxiety and emotional distress; significant past and future mental pain and suffering; and other financial and non-financial losses.

145. Martin's aforesaid acts and/or omissions justify the imposition of punitive damages under Florida Statute §768.79. Plaintiff reserves its right to amend the Complaint to state a claim against Martin for punitive damages upon submission of the proof required.

WHEREFORE, the Plaintiff demands that a judgment be entered against the Defendant, FRANK MARTINS., for damages, pre-judgment interest, costs, punitive damages (upon the proper production of record evidence as required in Florida Statute §768.72) and further relief as the Court deems just and proper.

**COUNT X- INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS AGAINST
BONOMOLO**

146. Plaintiff re-alleges and re-avers the same allegations set forth in paragraphs

set forth in paragraphs 1-33 above.

147. Bonomolo's conduct was intentional or reckless, that is, he intended his behavior when he knew or should have known that emotional distress to Plaintiff would likely result.

148. The conduct was outrageous, that is, it went beyond all bounds of decency, and should be regarded as odious and utterly intolerable in a civilized community.

149. The conduct of Bonomolo caused emotional distress to Plaintiff.

150. The emotional distress caused by Bonomolo was severe.

151. Plaintiff suffered damages as a result of Bonomolo's wrongful conduct.

152. As a direct and proximate result of Bonomolo's unlawful actions, Plaintiff suffered damages and will continue to suffer irreparable injury and damages in the future, including, but not limited to: loss of the ability to enjoy life, damage to reputation; stress, anxiety and emotional distress; significant past and future mental pain and suffering; and other financial and non-financial losses.

153. Bonomolo's aforesaid acts and/or omissions justify the imposition of punitive damages under Florida Statute §768.79. Plaintiff reserves its right to amend the Complaint to state a claim against Bonomolo for punitive damages upon submission of the proof required.

WHEREFORE, the Plaintiff demands that a judgment be entered against the Defendant, ROBERT BONOMOLO., for damages, pre-judgment interest, costs, punitive damages (upon the proper production of record evidence as required in Florida Statute §768.72) and further relief as the Court deems just and proper.

**COUNT XI- INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS AGAINST
BIENZ**

154. Plaintiff re-alleges and re-avers the same allegations set forth in paragraphs

set forth in paragraphs 1-33 above.

155. Bienz's conduct was intentional or reckless, that is, he intended his behavior when he knew or should have known that emotional distress to Plaintiff would likely result.

156. The conduct was outrageous, that is, it went beyond all bounds of decency, and should be regarded as odious and utterly intolerable in a civilized community.

157. The conduct of Bienz caused emotional distress to Plaintiff.

158. The emotional distress caused by Bienz was severe.

159. Plaintiff suffered damages as a result of Bienz's wrongful conduct.

160. As a direct and proximate result of Bienz's unlawful actions, Plaintiff suffered damages and will continue to suffer irreparable injury and damages in the future, including, but not limited to: loss of the ability to enjoy life, damage to reputation; stress, anxiety and emotional distress; significant past and future mental pain and suffering; and other financial and non-financial losses.

161. Bienz's aforesaid acts and/or omissions justify the imposition of punitive damages under Florida Statute §768.79. Plaintiff reserves its right to amend the Complaint to state a claim against Bonomolo for punitive damages upon submission of the proof required.

WHEREFORE, the Plaintiff demands that a judgment be entered against the Defendant, DOMINIC BIENZ., for damages, pre-judgment interest, costs, punitive damages (upon the proper production of record evidence as required in Florida Statute §768.72) and further relief as the Court deems just and proper.

DEMAND FOR TRIAL BY JURY

The Plaintiff demands a trial by jury for all claims so triable.

DATED this 15 day of July, 2024.

Respectfully Submitted,

Law Offices of Shaun M. Zaciewski, P.A.

Attorney for Plaintiff

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By: /s/ Shaun M. Zaciewski

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