

FILED  
CIVIL COURT RECORDS DEPARTMENT  
FEB 25 2025  
KEN BURKE  
CLERK CIRCUIT COUNTY COURT & COMPTROLLER

*Petitioner,*

V.

**MUSCARELLA,**

*Respondents.*

**Case No:** [ ]

**Case Nos.: 2D2025-0297**

**L.T. No: 24-003939-CI;**

**L.T. No.: 24-002994-CI**

**EMERGENCY PETITION FOR WRIT OF CERTIORARI, WRIT OF PROHIBITION, AND WRIT OF MANDAMUS**

**COMES NOW**, Petitioner, JOHN WILLIAM LICCIONE, pro se, and respectfully petitions this Honorable Court to issue a Writ of Certiorari, Writ of Prohibition, and Writ of Mandamus to disqualify Judges Thomas Ramsberger and Patricia Muscarella, vacate their prior orders, and prohibit the contempt hearing that is being directed by Judge Ramsberger to be moved back from April 10<sup>th</sup> (a month

*after* Petitioner's March 11<sup>th</sup> Gulfport mayoral election) to the week of February 24<sup>th</sup> (or other date prior to the mayoral election). In support of this petition, Petitioner states as follows:

## **I. JURISDICTION**

1. This Court has jurisdiction under Article V, Section 3(b)(7) of the Florida Constitution and Florida Rule of Appellate Procedure 9.030(a)(3), which grant the Florida Supreme Court authority to issue writs of certiorari, prohibition, and mandamus.

2. The Second District Court of Appeal has denied Petitioner's prior petition for writ of prohibition, necessitating this Court's intervention to prevent manifest injustice and irreparable harm.

## **II. BASIS FOR PETITION**

3. Petitioner has just discovered that 6<sup>th</sup> Circuit Court Judges Thomas Ramsberger and Patricia Muscarella both have personal conflicts of interest in the instant cases, as they are both necessary material witnesses, and are potentially implicated in the very election fraud allegations lying at the heart of Petitioner's claims.

4. This petition is based on newly discovered evidence of the two judges' conflict of interest. This new evidence was just reported to Petitioner on February



13, 2025, by a recent candidate for Pinellas Supervisor of Elections, Christopher Gleason who has brought his own election fraud lawsuits in , Case No. 24-003717 and Case No. 24-003995, cases based substantially on a similar set of facts and allegations.

5. Public records confirm that vote-by-mail (VBM) ballot requests under both Judge's names and voter ID's were recorded by the Pinellas County Supervisor of Elections' VR Systems ballot request processing system, per the Florida Division of Elections own published records, on Sunday, June 23, 2024. The judges VBM requests were among over 219,000 mail ballot requests that were recorded by the PSOE on Sunday, June 23, 2024. Of those, 97 percent which showed missing, mandatory Social Security (last 4) and/or Driver's License number entries in violation of Florida law. The State records show those fields as "N/N" in both columns instead of "Y/Y" for 97 percent of the over 219,000 VBM orders received on June 23, 2024. Judge Ramsberger and Judge Muscarella's ID fields are two of those 97 percent showing "N/N" for voter identification numbers within the State VBM request report.

6. As affected voters whose VBM ballot requests are in question, and as Judges who themselves could now potentially be implicated in this VBM ballot election fraud and on-going cover-up scheme, given that both have steadfastly refused to enforce the rules of discovery, and one (Judge Ramsberger) has now threatened

Petitioner with 6-months incarceration for arguing for clarification of his ambiguous Order, they cannot impartially preside over cases involving the legitimacy of the same June 23, 2024 VBM ballot request data collected from the PSOE, the State, and their elections systems contractor, VR Systems.

7. This data was sent to the State by the PSOE. The State created an aggregate VBM Ballot request text file covering the entire state's VBM ballot request data. Florida Division of Elections published that text file on their own web portal and made it available to active candidates for download in the August 2024 primary election as well as the general election.

8. Canon 3(E) of the Florida Code of Judicial Conduct requires recusal where a judge's impartiality "might reasonably be questioned." Here, the judges' participation as both adjudicators and affected parties violates judicial ethics and due process.

9. Attached as EXHIBITS M and N are the sworn affidavits of Christopher Gleason, a 2024 candidate for Pinellas County Supervisor of Elections. He lost his election to PSOE Julie Marcus and has brought two election fraud lawsuits alleging the same factual allegations regarding the over 219,000 VBM ballot requests recorded in Pinellas County on June 23, 2024.<sup>1</sup> Judge Patricia Muscarella

---

<sup>1</sup> 24-003717-CI CHRISTOPHER GLEASON Vs. JULIE MARCUS, et Al, APPEALED PATRICIA ANN MUSCARELLA  
24-003995-CI CHRISTOPHER GLEASON Vs. JULIE MARCUS, et al, APPEALED PATRICIA ANN MUSCARELLA

is presiding over both of these cases and significantly, she ordered that all his Exhibits be sealed, and she denied Mr. Gleason discovery. These are key indicators of intent to conceal her personal conflict of Interest Petitioner's and Mr. Gleason's election fraud cases. Both cases are currently under appeal in the 2<sup>nd</sup> DCA.<sup>2</sup>

10. Mr Gleason, as shown in the attached Exhibit M, has in his possession the State of Florida's VBM ballot request counts that the Florida Division of Elections makes available for download in their normal course of business. It is in the form of a comma-delimited text (.txt) file. As attested to in his affidavit, Mr. Gleason downloaded the official state VBM data file, and he found the June 23, 2024 VBM ballot request irregularities cited in this petition. In particular, he cites the VBM requests recorded for that day under the names and voter ID's of Judges Thomas Ramsberger and Patricia Muscarella. Their records bear the letters "N/N" in the SSAN/Driver's license fields.

11. Attached as EXHIBIT is the sworn affidavit of John Siamas, a 2024 candidate for Florida State Senate District 61 who lost his primary to incumbent Edward Hooper. Mr. Siamas would file his own similar election fraud lawsuit in Leon County Siamas-vs- Hooper, et al - 2024-CA-001457). Like

---

<sup>2</sup>2D2024-2688 GLEASON V. MARCUS, ET AL

### **III. REQUEST TO BLOCK CONTEMPT HEARING AND VACATE**

#### **ORDERS**

10. Judge Ramsberger has improperly threatened Petitioner with up to six months of imprisonment during an active mayoral campaign (Gulfport election: March 11, 2025), violating First Amendment rights and retaliating for election fraud allegations and Petitioner's attempt to make oral argument at a January 28<sup>th</sup> telephonic hearing on his Motion for Clarification.

11. Judge Ramsberger signaled through his clerk on Thursday February 14<sup>th</sup> 2024 that the Judge is insisting that the contempt show cause hearing be moved way up from its currently scheduled date of April 10, 2025 (after Petitioner's Gulfport mayoral election), to February 17, 2025 (Presidents' day) or February 18<sup>th</sup>, three weeks *before* the election, further exacerbating the deliberate retaliatory harm to Petitioner. Now, just yesterday, Judge Ramsburger's assistant emailed the parties that the Judge would not hold the hearing next week, but no dates were proposed. As such, the April 10<sup>th</sup> hearing date scheduling order remains in effect.

#### **Judge Patricia Muscarella - Facts in Case 24-003939-CI**

12. Judge Patricia Muscarella sua sponte issued a stay order in the Clearwater case (24-003939-CI) on November 20, 2024, despite the case's direct relevance to urgent election-related proceedings.

13. Without any party's motion, Judges Muscarella and Ramsberger then coordinated behind the scenes to orchestrate the improper transfer of Defendant Jennifer Griffith's election fraud and election interference related counts in 24-003939-CI over to Judge Ramsberger's court in 24-002994-CI. Then, Judge Muscarella presented it as a *fait accompli* to Petitioner and the Defendants at a hearing on her *sua sponte* motion to stay proceedings (which she granted to herself) further demonstrating bias, and potential *ex parte* collusion.

14. It is noted that Case No.. 24-002994-CI was filed on July 3, 2024. It is now seven months old and to date, not a single answer to a single interrogatory, nor a single document been yet produced by any defendant, due to the judicial acts of commission and omission by Judge Ramsberger, who has even now refused to issue an order compelling discovery against any Defendant despite Petitioner having file a motion to compel discovery back in November 2024.

15. Finally, it is noted that Case No. 24-00393-CI was filed on September 3, 2024, is now in its sixth month and again, not a single interrogatory has been answered, nor has a single document been produced by any Defendant, due to the judicial acts of commission and omission by Judge Ramsberger.

16. The two Respondents' direct and personal involvement and possible implication in the VBM ballot request fraud evidence from June 23, 2024, and combined with their subsequent judicial acts to suppress discovery in these two

cases, and when one ties in Judge Muscarella's behavior in the Christopher Gleasons two cases, and Judge Ramsberger's threat of imprisonment; when taken as a whole and in a light least favorable to the two Respondents and all the reasonable inference that can be made therefrom, demonstrates an coordinated effort to violate Petitioner's right to propound discovery, to threaten bodily seizure in violation of the 4<sup>th</sup> Amendment, and to conceal evidence of their own VBM ballot requests with missing SSAN and Driver's license numbers..

17. These are serious due process violations which rise to the level of potential criminal abuse of process and intrinsic fraud, requires immediate appellate intervention by this Court, referral to the State's Attorney's Office and the FDLE, the Florida Judicial Ethics Advisory Committee, and reasonably requires the Court to direct the convening of special grand jury overseen by a Special Master and a Special Prosecutor due to Respondent's concurrently-running federal RICO election fraud lawsuit.<sup>3</sup>

---

<sup>3</sup> A Special Master is necessary because Respondent has also brought a federal election fraud RICO lawsuit in the US District of the Middle District of Florida, Tampa Division, against Florida's Chief of Election Crimes and Security, Andrew Darlington, Secretary of State Cord Byrd, VR Systems CEO Mindy Perkins, Julie Marcus, Matthew Smith, and Governor Ron DeSantis (Liccione-v-DeSantis, et al – Case No. 8:24-cv-02005-SDM-NHA)

## IV. LEGAL BASIS FOR RELIEF

### Disqualification

18. Rule 2.330(d) of the Florida Rules of General Practice and Judicial

Administration mandates disqualification where:

- A judge has personal knowledge of disputed facts,
- A judge's impartiality may reasonably be questioned, or
- A judge is a potential witness in the proceeding.

19. The presence of Judges Ramsberger and Muscarella on the disputed June 23, 2024 VBM request records the State of Florida has published, records that showed no proper voter ID information evidence ("N/N") when recorded on a Sunday when the PSOE and polls were closed, makes them *at least* material witnesses, if not possible judicial co-conspirators in the alleged election fraud scheme. This requires their mandatory disqualification.

20. Rule 2.330(f) provides that upon a motion for disqualification, the judge must "immediately enter an order granting disqualification" if legally sufficient grounds are presented.

21. In *Sutton v. State*, the Florida Supreme Court emphasized that orders on petitions for writs of prohibition are reviewable by certiorari, particularly when addressing issues of judicial recusal and conflicts of interest.

22. The Second District Court of Appeal issued its denial of Petitioner's February 10, 2025, Petition for Writ of Prohibition on February 12, 2025, without comment. The February 10th petition did not contain this new evidence of judicial conflicts of interest because Petitioner did not receive evidence their conflicts until February 13, 2025.

23. Since both Judges likely knew that they had requested their VBM ballots on June 23, 2024, they both should have immediately recused themselves from these cases. The June 23, 2024, VBM ballot request spike occurred on a Sunday, a day when the Pinellas Supervisor of Elections office was closed.

24. This indicates the requests had to have come in over the Internet, or, via some nefarious (or even innocent) mechanism that the Pinellas County Supervisor Elections is steadfastly refusing to disclose in these two cases. Meanwhile, Judges Ramsberger and Muscarella continue to enable the cover-up by refusing to enforce the rules of discovery. This potentially implicates the Judges themselves now as judicial co-conspirators.



## **V. RELIEF REQUESTED**

WHEREFORE, Petitioner respectfully requests this Honorable Court to:

- A.** Treat this petition as one for writ of certiorari to review the Second District Court of Appeal's denial of Petitioner's prior petition for writ of prohibition.
- B.** Alternatively, issue a Writ of Prohibition preventing Judge Ramsberger from proceeding with the contempt hearing against Petitioner in Case no. 24-002994-CI.
- C.** Issue a Writ of Mandamus ordering Judge Muscarella to vacate her sua sponte stay order in the Clearwater case in Case No. 24-003939-CI.
- D.** Enter an Order of Disqualification removing Judges Ramsberger and Muscarella from presiding over all related cases due to their personal conflict of interest and necessary witness status.
- E.** Vacate Judge Ramsberger's December 20, 2024 Order granting in part and denying in part Defendants' Motion to Dismiss in 24-002994-CI, as it was made under improper judicial influence and bias.
- F.** Vacate Judge Ramsberger's January 31, 2025 Order denying Petitioner's Motion for Clarification (24-002994-CI).

- G.** Order the Pinellas County State's Attorney's Office to appoint a special prosecutor and to convene a special grand jury overseen by a Special Magistrate.
- H.** Refer this matter to the Florida Department of Law Enforcement;
- I.** Refer this matter to the Florida Judicial Ethics Advisory Committee.
- J.** Grant any further relief deemed just and proper in the interest of justice.

Respectfully submitted,

**/s/ John W. Liccione**

John W. Liccione, Petitioner, Pro Se  
6800 Gulfport Blvd S., Ste 201-116  
South Pasadena, FL 33707  
443-698-8156  
jliccione@gmail.com

Table of Exhibits: Next Page

<b>Table of Exhibits</b>	
<b>Exhibit</b>	<b>Description</b>
A	Ramsberger Order Denying in Part and Granting in Part Motion to Dismiss
B	Liccione Motion for Clarification
C	Judge Ramsberger Order Denying Motion for Clarification, Motion for Extension to File 2nd Amended Complaint
D	Ramsberger Motion to Dismiss Hearing Transcript - 12/13/2024.
E	Ramsberger Motion for Clarification Hearing Transcript - 01/28/2025
F	Ramsberger Show Cause Hearing Order (set in for 2/11/25)
G	Ramsberger Show Cause Hearing Scheduling Order (set in for 4/10/25)
H	Ramsberger Judicial Assistant Emails declaring 4/10/25 Ramsberger scheduling conflict and demanding hearing reset back to week of 2/17/25.
I	Judge Muscarella's Sua Sponte Motion/Proposed Order to Stay Proceedings
J	Muscarella's Order Granting Court's Motion to Stay (11/20/24)
K	Muscarella order transferring Defendant Griffith to Ramsberger's court.
L	Affidavit of Christopher Gleason filed 10/1/24 in Case No. 24-003717-CI
M	Sworn Statement of Christopher Gleason Dated 2/14/2025
N	Affidavit of John Siamas dated 2/15/2025
O	2nd DCA Order Denying Writ of Prohibition

## **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been served on Respondents Judges Thomas Ramsberger and Patricia Muscarella, as well as on all Defendants, including Julie Marcus and Dustin Chase through their counsel Kirby Kreider; Jennifer Griffith, the Pinellas Democratic Executive Committee, and Michael Sherosky via their counsel George Thurlow; and Cathy Salustri Loper through her counsel James Lake, via the Florida E-Filing Portal and via email on this February 16, 2025.

/s/ John W. Liccione

# EXHIBIT A

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIVIL DIVISION**

JOHN WILLIAM LICCIONE,  
Plaintiff,

v.

Case No. 24-002994-CI

PINELLAS DEMOCRATIC EXECUTIVE  
COMMITTEE,  
MICHAEL JOHN SHEROSKY,  
JENNIFER W. GRIFFITH,  
Defendants.

COMPANION WITH:  
Case No. 24-003939-CI

**ORDER GRANTING DEFENDANTS' MOTIONS TO DISMISS PLAINTIFF'S  
AMENDED COMPLAINTS**

THIS CAUSE, having come before the Court upon Defendants Pinellas Democratic Executive Committee, Michael John Sherosky, and Jennifer Griffith's Motion to Dismiss Amended Complaint (Doc #34 in Case No. 24-002994-CI, filed November 14, 2024) and Defendant Jennifer Griffith's Motion to Dismiss Amended Complaint (Doc #40 in Case No. 24-003939-CI, filed on October 2, 2024, and re-filed as part of Doc #45 in Case No. 24-002994-CI, pg. 103-115, on November 20, 2024), and this Court, having reviewed the memoranda and materials filed by counsel and Plaintiff *pro se*, and having heard arguments from Plaintiff *pro se* and counsel for Defendants, this Court hereby **ORDERS AND ADJUDGES** as follows:

Case No. 24-002994-CI: Defendants Pinellas Democratic Executive Committee, Michael John Sherosky, and Jennifer Griffith's Motion to Dismiss Amended Complaint (Doc #34 in Case No. 24-002994-CI, filed November 14, 2024)

1. This Court **DENIES** Defendants' Motion to Dismiss on Counts I and II as they pertain to Defendant Michael Sherosky, but will require Plaintiff to re-plead Counts I and II in any amended pleading. In such an amended pleading, Plaintiff shall provide specific allegations pertaining to damages.
2. This Court **GRANTS** Defendants' Motion to Dismiss, without prejudice, with leave to amend, on Counts III and IV.

3. This Court **GRANTS** Defendants' Motion to Dismiss on Count V pursuant to Fla. Stat. § 768.295.
4. This Court **GRANTS** Defendants' Motion to Dismiss on Counts VI and VII, without prejudice, with leave to amend.
5. This Court **GRANTS** Defendants' Motion to Dismiss on Count VIII with prejudice, as damages do not exist as an independently-pled count.

Case No. 24-003939-CI: Defendant Jennifer Griffith's Motion to Dismiss Amended Complaint

6. This Court **GRANTS** Defendant's Motion to Dismiss on all counts, without prejudice, with leave to amend. If Plaintiff opts to file an Amended Complaint, the Amended Complaint must make specific allegations supporting that he has a private right of action against the Defendant with sufficient allegations.

Plaintiff shall have until December 30, 2024 to file a Second Amended Complaint, if he so desires.

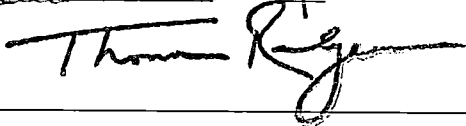
Counsel for the Defendants shall file their response to the Second Amended Complaint within twenty (20) days and make every effort to schedule a hearing on any Motion(s) either pending or filed in response to a Second Amended Complaint within 45-60 days of the Second Amended Complaint being filed. Should any or all of the Defendants move to dismiss a subsequently-filed Second Amended Complaint, the meet-and-confer requirement for such a Motion is waived.

[THIS SPACE IS INTENTIONALLY LEFT BLANK]

Nothing in this Order shall be construed as an adjudication of Defendants' legal or factual defenses, including the applicability of Fla. Stat. § 768.295, except as otherwise provided and Defendants' are permitted to raise these issues for adjudication by the Court in subsequent Motions.

Entered in Chambers, St. Petersburg, Pinellas County, Florida on this 20<sup>th</sup> day of

December, 2024.

A handwritten signature in black ink, appearing to read "Thomas Ramsberger", written over a horizontal line.

CIRCUIT COURT JUDGE

Thomas Ramsberger

Copies to:

-John William Liccione, Plaintiff *Pro Se*

-George A.D. Thurlow, Esquire, Counsel for Defendants



# **EXHIBIT B**

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA**

JOHN WILLIAM LICCIONE,

Plaintiff,

v.

**Case No.: 24-002994-CI**

PINELLAS DEMOCRATIC

EXECUTIVE COMMITTEE, et al.,

Defendants.

\_\_\_\_\_/

**MOTION FOR CLARIFICATION**

Plaintiff, **John William Liccione**, pro se, respectfully requests clarification of the Court's bench order and subsequent written order, which denied in part and granted in part Defendants' motion to dismiss the First Amended Complaint. Plaintiff seeks clarification to resolve ambiguities and inconsistencies that prejudice his ability to proceed with this case and meet Court-ordered deadlines. Specifically, Plaintiff requests that the Court clarify that while Defendants may raise the anti-SLAPP defense in a motion for summary judgment after discovery, assuming no material facts remain in dispute, they are barred from re-litigating the anti-SLAPP defense in a motion to dismiss under the doctrine of collateral estoppel. Plaintiff also seeks confirmation that, now that the Court has effectively ruled the anti-SLAPP statute does not apply to Counts I and II (battery and assault), Plaintiff is entitled to attorney's fees and costs if he prevails in this lawsuit, and that Defendant PDEC may be held liable for the wrongful acts of Defendant Sherosky when acting in his capacity as Secretary of PDEC. In support of this motion, Plaintiff states as follows:

## **I. CURRENT CASE POSTURE**

1. During the December 13, 2024, hearing on Defendants' motion to dismiss, this Court issued rulings from the bench as follows:

### **Rulings on Motion to Dismiss in Case No. 24-002994-CI**

- **Count I (Battery):** DENIED.
- **Count II (Assault):** DENIED.
- **Count III (Vicarious Liability):** GRANTED, without prejudice, with leave to amend.
- **Count IV (Conspiracy):** GRANTED, without prejudice, with leave to amend.
- **Count V (Violation of Election Laws):** GRANTED, with prejudice.
- **Count VI (Violation of Civil Rights):** GRANTED, without prejudice, with leave to amend.
- **Count VII (Defamation):** GRANTED, without prejudice, with leave to amend.
- **Count VIII (Damages):** GRANTED, with leave to amend, with instructions to incorporate damages pleadings into each count.

### **Rulings on Counts from Merged Case No. 24-002994-CI Pertaining to Defendant Griffith**

- **Count I (Violation of Fla. Stat. § 1104.041 – Fraud in Connection With Elections):** GRANTED, without prejudice, with leave to amend.
- **Count II (Conspiracy to Commit Election Fraud):** GRANTED, without prejudice, with leave to amend.

- **Count III (Violation of 52 U.S.C. § 120511 – Federal Election Fraud):**  
GRANTED, without prejudice, with leave to amend.
- **Count IV (Civil Rights Violations under 18 U.S.C. § 11030):** GRANTED,  
without prejudice, with leave to amend.
- **Count V (Computer Fraud and Abuse Act Violation under 18 U.S.C. § 1030):**  
GRANTED, without prejudice, with leave to amend.
- **Count VI (Intentional Interference With Prospective Economic Advantage):**  
GRANTED, without prejudice, with leave to amend.
- **Count VII (Voter Intimidation and Voter Suppression, Civil Rights  
Violations under Florida Section 104.0615, 104.061, the federal Voting  
Rights Act of 1965, the Civil Rights Act of 1957, and Title 18, Section 594):**  
GRANTED, without prejudice, with leave to amend.
- **Count VIII (Request for Injunctive Relief):** GRANTED, without prejudice,  
with leave to amend.
- **Count IX:** Not applicable to these Defendants and thus not merged into this case.
- **Count X (Damages):** DENIED, with instructions to incorporate damages  
pleadings into each count.

2. At the conclusion of the hearing, Defendants' counsel, George Thurlow, requested clarification on whether Defendants' defenses raised in the motion to dismiss could be repleaded in response to Plaintiff's anticipated Second Amended Complaint.
3. The Court's written order, entered on December 20, 2024, contained the following language, some of which Plaintiff objected to during his meet and confer conference on the Order with Defendant's Counsel George Thurlow:

- “This Court DENIES Defendant’s Motion to Dismiss on Counts I and II as they pertain to Defendant Michael Sherosky, but will require Plaintiff to re-plead Counts I and II in any amended pleading. In such an amended pleading, Plaintiff shall provide specific allegations pertaining to damages.”
- “Nothing in this Order shall be construed as an adjudication of Defendants’ legal or factual defenses, *including the applicability of Fla. Stat. § 768.295*, except as otherwise provided, and Defendants are permitted to raise these issues for adjudication by the Court in subsequent Motions.” (emphasis added)

Additionally, Plaintiff notes that Defendant Sherosky is being sued in both his official capacity as (now former) Secretary of the Pinellas Democratic Executive Committee (PDEC) and in his personal capacity. Therefore, the denial of the motion to dismiss on Counts I and II applies not only to Defendant Sherosky’s liability, but also to Defendant PDEC’s.

4. This language creates ambiguity and confusion as to whether Defendants may reassert their anti-SLAPP defense in a motion to dismiss, and under what circumstances, despite the Court’s prior ruling denying dismissal of Counts I and II, and ambiguity about which of the three Defendants can be held liable under Counts I and II.

## **II. PREJUDICE TO PLAINTIFF**

5. Plaintiff must decide by December 30, 2024, whether to file a Second Amended Complaint or whether to proceed solely on Counts I and II, by Court-ordered filing deadline. The ambiguities and omissions in the Court’s order prejudices Plaintiff’s ability to make this decision, as it is unclear whether Defendants may re-litigate the anti-SLAPP defense in a motion to dismiss, and which Defendants are liable.

6. The Court's written order appears to reverse its bench ruling, which categorically denied Defendants' motion to dismiss Counts I and II. This reversal undermines the finality of the Court's initial ruling and creates uncertainty regarding the applicability of the anti-SLAPP statute.
7. Furthermore, now that the Court has effectively ruled that the anti-SLAPP statute does not apply to Counts I and II, Plaintiff is entitled to attorney's fees and costs if he prevails in this lawsuit under Fla. Stat. § 768.295(4): *A prevailing party in an action where the anti-SLAPP statute is invoked is entitled to recover reasonable attorney's fees and costs incurred.* Plaintiff requests confirmation that this entitlement applies to him as the prevailing party on the anti-SLAPP issue for Counts I and II.

### **III. MEMORANDUM OF LAW**

8. The Court has already expeditiously denied the Defendant's prior motion to dismiss the First Amended Complaint, which was predicated on the anti-SLAPP statute and other grounds. This denial constitutes a determination that the Defendant failed to meet the statutory burden required to invoke the protections of the anti-SLAPP statute at this stage of the proceedings.
9. Allowing the Defendant to re-litigate the anti-SLAPP defense in a subsequent motion to dismiss undermines the letter and spirit of the anti-SLAPP statute, which was enacted to ensure the prompt resolution of such defenses at the outset of litigation. The statute's purpose is to prevent the chilling effect of meritless lawsuits and to protect parties from the undue burden and expense of prolonged litigation.
10. The anti-SLAPP statute provides a procedural mechanism for the early dismissal of claims that improperly target constitutionally protected activities. Courts have

consistently recognized that the statute's protections are significantly eroded if defendants (and plaintiffs too) are forced to repeatedly litigate the same issues, as this perpetuates the very type of harm the statute seeks to prevent.

11. The doctrine of collateral estoppel (issue preclusion) further supports barring the Defendant from re-litigating the anti-SLAPP defense in a subsequent motion to dismiss. Under Florida law, collateral estoppel applies when: (1) the parties or their privies are the same; (2) the issue is identical to one previously litigated; and (3) the issue was fully litigated and decided by a court of competent jurisdiction. These elements are satisfied here, as the Court has already ruled on the inapplicability of the anti-SLAPP statute in the prior motion to dismiss under Counts I and II.

12. The legislative intent behind the anti-SLAPP statute, as well as its procedural framework, underscores the necessity of resolving anti-SLAPP defenses swiftly and definitively. Allowing the Defendant to reassert the same defense in a piecemeal fashion contravenes this intent and imposes unnecessary delays and costs on the Plaintiff, contrary to the statute's purpose.

13. Plaintiff respectfully requests that this Honorable Court clarify that the Defendant is precluded from re-litigating the anti-SLAPP defense in a subsequent motion to dismiss and that any further assertion of this defense must be raised, if at all, in a motion for summary judgment after all material facts are no longer in dispute.

**14. Anti-SLAPP Statute Has Been Found to Not Apply to Counts I and II:**

Florida's anti-SLAPP statute, codified in Fla. Stat. § 768.295, protects against meritless lawsuits aimed at chilling constitutional rights. However, claims of battery and assault as pleaded here, as already effectively found by this Court, are *not* acts of public

participation protected under the statute. By denying Defendants' motion to dismiss Counts I and II, the Court has already determined that the anti-SLAPP statute does not apply to these claims...and by extension... to all other claims dismissed without prejudice.

**15. Collateral Estoppel (Issue Preclusion):**

The doctrine of collateral estoppel bars Defendants from re-litigating the anti-SLAPP defense in a motion to dismiss. The Court's denial of the motion to dismiss on Counts I and II constitutes a substantive determination that the anti-SLAPP defense is inapplicable to this lawsuit in its entirety because the Court has found this lawsuit to be *meritorious* enough to have already survived a motion to dismiss on anti-SLAPP and all other grounds pleaded by Defendants. Allowing Defendants to reassert this defense, at all, in a subsequent motion to dismiss would violate principles of judicial economy, finality, and collateral estoppel (issue preclusion).

**16. Anti-SLAPP Defense in Summary Judgment:**

Defendants may raise the anti-SLAPP defense in a motion for summary judgment after discovery, provided no material facts remain in dispute. This approach aligns with the purpose of the anti-SLAPP statute, which is to resolve meritless claims expeditiously (and by inference also allowing *meritorious* claims to proceed expeditiously), while preserving the right to litigate legitimate disputes.

**17. Entitlement to Attorney's Fees and Costs:**

Under Fla. Stat. § 768.295(4), a *prevailing party* in an action involving the anti-SLAPP statute is entitled to recover reasonable attorney's fees and costs. Now that the Court has



ruled the anti-SLAPP statute does not apply to Counts I and II (battery and assault)

Plaintiff is entitled to recover his fees and costs if he prevails in this lawsuit.

#### **IV. RELIEF REQUESTED**

WHEREFORE, Plaintiff respectfully requests that this Court clarify its order and definitively find that:

- A. Battery and assault are not protected acts of public participation eligible for protection under Fla. Stat. § 768.295.
- B. Plaintiff has already pleaded sufficient facts and allegations of battery and assault and damages in Counts I and II in his First Amended Complaint sufficient for the Court to reaffirm its denial of the Motion to Dismiss on Counts I and II.
- C. Defendants are barred under the doctrine of collateral estoppel from re-litigating the anti-SLAPP defense in a motion to dismiss.
- D. The Motion to Dismiss is denied on Counts I and II as to Defendants Michael Sherosky in both his capacity as Secretary of Defendant PDEC, and in his personal capacity, and that PDEC may be held liable for Sherosky's tortious acts as alleged under Counts I and II;
- E. Plaintiff, if he prevails in this lawsuit, is entitled to recover reasonable attorney's fees and costs under Fla. Stat. § 768.295(4).

Respectfully submitted,

/s/ John W. Liccione  
John W Liccione, Plaintiff, pro se  
6800 Gulfport Blvd S.  
Ste 201-116  
South Pasadena, FL 33707  
443-698-8156  
[Jliccione@gmail.com](mailto:Jliccione@gmail.com)

### **CERTIFICATION OF COMPLIANCE WITH MEET AND CONFER ORDER**

Pursuant to the applicable rules and administrative orders of the Sixth Judicial Circuit, I hereby certify that I and Defendants' counsel George Thurlow made a good faith effort to meet and confer on this motion and did in fact meet and confer on this day. We were unable to come to any agreement on this motion.

/s/ John W. Liccione

### **CERTIFICATION OF SERVICE**

I, John William Liccione, Plaintiff, on this 21<sup>st</sup> day of December 2024, hereby certify that the forgoing Plaintiff's Motion for Clarification was e-served on all defendants through their attorney George Thurlow via the Court's e-file and e-serve system and via email.

/s/ John W. Liccione

# **EXHIBIT C**

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIVIL DIVISION**

JOHN WILLIAM LICCIONE,  
Plaintiff,

v.

Case No. 24-002994-CI


PINELLAS DEMOCRATIC EXECUTIVE  
COMMITTEE,  
MICHAEL JOHN SHEROSKY,  
JENNIFER W. GRIFFITH,  
Defendants.

**ORDER ON PLAINTIFF'S MOTION FOR CLARIFICATION AND MOTION FOR  
EXTENSION OF TIME TO FILE SECOND AMENDED COMPLAINT**

THIS CAUSE, having come before the Court at a telephonic hearing on January 28, 2025 upon Plaintiff's Motion for Clarification (Doc # 64, filed December 21, 2024) and Plaintiff's Motion for Extension of Time of Filing Deadline for Second Amended Complaint (Doc # 65, filed December 30, 2024), and the Court, having reviewed Plaintiff's Motions and heard Plaintiff's oral argument, and being otherwise fully and duly advised in its premises, hereby **ORDERS AND ADJUDGES** as follows:

1. Plaintiff's Motion for Clarification (Doc # 64, filed December 21, 2024) is **DENIED**. The Court finds that the Order on Defendant's Motion to Dismiss entered on December 20, 2024 (Doc # 62) speaks for itself, and is sufficiently clear.
2. Plaintiff's Motion for Extension of Time of Filing Deadline for Second Amended Complaint (Doc # 65, filed December 30, 2024) is **DENIED**. The Court notes that as the Order on Defendant's Motion to Dismiss provided for a deadline of December 30, 2024 to file a Second Amended Complaint, and Plaintiff has still not filed such, Plaintiff has already received an extension of nearly a month in filing such. If Plaintiff desires to file a Second Amended Complaint, it must be filed by February 4, 2025 at 4:00pm local time.

Ordered in Chambers, St. Petersburg, Pinellas County, Florida on this \_\_\_\_ day of January, 2025

  
24-002994-CI 1/31/2025 12:55:45 PM  
Circuit Judge Thomas M. Ramsberger  
24-002994-CI 1/31/2025 12:55:45 PM

The Honorable Thomas M. Ramsberger  
Circuit Court Judge

Copies to: John William Liccione (Plaintiff *Pro Se*) and George A.D. Thurlow, Esq.

# EXHIBIT D



1 IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
2 IN AND FOR PINELLAS COUNTY, FLORIDA  
3 CIVIL DIVISION  
4 CASE NO. 24-002994-CI  
5 CASE NO. 24-003939-CI

**ORIGINAL**

6  
7 JOHN WILLIAM LICCIONE,  
8 Plaintiff

9  
10 V.

11  
12 PINELLAS DEMOCRATIC EXECUTIVE COMPANION WITH:  
13 COMMITTEE,  
14 MICHAEL JOHN SHEROSKY,  
15 JENNIFER W. GRIFFITH,  
16 Defendants

17  
18 HEARING

19  
20  
21

22 DATE: DECEMBER 13, 2024

23 REPORTER: VANESSA MCCORMICK

24  
25

## 1 APPEARANCES

2

3 PRO SE:

4 JOHN WILLIAM LICCIONE

5 6800 Gulfport Boulevard South

6 Suite 201-116

7 South Pasadena, Florida 33707

8 jliccione@gmail.com

9 (Appeared via teleconference)

10

11 ON BEHALF OF THE DEFENDANT, PINELLAS DEMOCRATIC

12 EXECUTIVE COMPANION WITH: COMMITTEE, MICHAEL JOHN

13 SHEROSKY, JENNIFER W. GRIFFITH:

14 George A.D. Thurlow, Esquire

15 Rahdert &amp; Mortimer, PLLC

16 535 Central Avenue

17 Suite 200

18 St. Petersburg, Florida 33701

19 Telephone No.: (727) 823-6189

20 E-mail: gthurlow@rahdertlaw.com

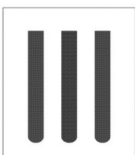
21 (Appeared via teleconference)

22

23 Also Present: Thomas Ramsberger, Judge

24

25



MILESTONE | REPORTING COMPANY

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

www.MILESTONEREPORTING.com

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

## INDEX

Page

PROCEEDINGS

5



407.423.9900

**MILESTONE | REPORTING COMPANY**  
TOMORROW'S TECHNOLOGY TODAY

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS



## STIPULATION

The hearing was taken at MILESTONE REPORTING COMPANY,  
315 EAST ROBINSON STREET, SUITE 510, ORLANDO, FLORIDA  
32801, via teleconference in which all participants  
attended remotely, on FRIDAY the 13th day of DECEMBER  
2024 at 10:31 p.m. (ET); said hearing was taken pursuant  
to the FLORIDA Rules of Civil Procedure.



407.423.9900

**MILESTONE | REPORTING COMPANY**  
TOMORROW'S TECHNOLOGY TODAY

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE **ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602**

Toll Free 855-MYDEPOS

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

## PROCEEDINGS

THE COURT: Good morning. This is Judge Ramsberger for case number 24-2994. Do we have the plaintiff on?

MR. LICCIONE: Yes, sir. This is John Liccione.

THE COURT: All right. And you're still representing yourself? You're pro se, correct?

MR. LICCIONE: Yes, sir.

THE COURT: The three defendants that I have listed here are the Pinellas Democratic Executive Committee, Michael Sherosky, and Jennifer Griffith. Do we have counsel for those three defendants?

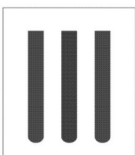
MR. THURLOW: Yes. George Thurlow, Your Honor, on behalf of all three defendants.

THE COURT: All right. Thank you. And for the plaintiff: originally, I believe the Democratic -- for the Democratic Party was part of the lawsuit. It looks like they're not part of it. Did you withdraw your -- did you dismiss them from the Complaint?

MR. LICCIONE: Yes, sir, I had. I did that.

THE COURT: Okay. And do we have a court reporter today?

THE REPORTER: Yes, Your Honor. Vanessa



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 McCormick, court reporter with Milestone Reporting  
2 Company.

3 THE COURT: All right. Good morning, Vanessa.  
4 And is there anybody else on the call that we  
5 haven't identified yet?

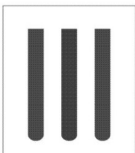
6 MR. LICCIONE: Your Honor, this is Mark  
7 Herring. I'm counsel for a Democratic Party, and  
8 I'm just an interested listener.

9 THE COURT: Very good. Good morning to you.  
10 And is there anybody else on the call today?

11 All right. Counsels, we were -- folks, we were  
12 here on November 21. We've -- we accomplished a  
13 couple of things on that date. One thing that we  
14 did not accomplish is addressing the defendants'  
15 Motion to Dismiss. And I believe that Motion to  
16 Dismiss, Mr. Thurlow, was filed on August 12 on  
17 behalf of the three defendants; is that accurate?

18 MR. THURLOW: That is correct. That was a  
19 Motion to Dismiss the original Complaint. Plaintiff  
20 subsequently filed an Amended Complaint in early  
21 November, so we filed a very similar Motion to  
22 Dismiss Amended Complaint on November 14th.

23 THE COURT: Okay. So it is your position,  
24 Defense, that the operative complaint is the Amended  
25 Complaint that is filed on --



**MILESTONE | REPORTING COMPANY**  
TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 MR. THURLOW: Yeah.

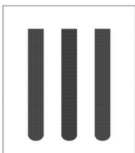
2 THE COURT: -- November 7th?

3 MR. THURLOW: Yes, Your Honor.

4 THE COURT: Okay. And for the plaintiff,  
5 that's your understanding; is your operative  
6 complaint, meaning the complaint that's the one to  
7 be challenged today, is the one that is filed on  
8 November 7 of 2024?

9 MR. LICCIONE: No, Your Honor. Yesterday, I  
10 filed a Motion for Reconsideration of the Court's  
11 denial of my previous Motion for Leave to file a  
12 Second Amended Complaint, so that motion, I believe,  
13 is before the Court. Your assistant said she had  
14 forwarded that to you today, so I would state that  
15 that is -- a determination on that Motion for  
16 Reconsideration is necessary because I obviously --  
17 I've -- my position is that the Second Amended  
18 Complaint, as was attached to this Motion for  
19 Reconsideration, a draft of, you know -- a proposed  
20 Second Amended Complaint is in the Court's  
21 possession.

22 THE COURT: Counsel? All right. The operative  
23 complaint today for the purposes of this hearing is  
24 the one filed by Plaintiff on November 7 of 2024.  
25 If you filed a Motion for Reconsideration, the Court



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 doesn't know if that's been noticed for hearing or  
2 not today.

3 Mr. Thurlow, is it your understanding that  
4 that motion has been noticed for hearing today?

5 MR. THURLOW: The notice of hearing says that  
6 there is a case management conference where all  
7 pending motions to be addressed. I believe that  
8 motion was filed yesterday and has not been  
9 docketed, Your Honor.

10 THE COURT: Do you oppose, Mr. Thurlow, hearing  
11 the Motion to Reconsider?

12 MR. THURLOW: I do, because I believe it's --  
13 the amendment would futile and prejudicial since my  
14 client filed a Motion to Dismiss under Florida's  
15 anti-SLAPP statute, which requires hearing as soon  
16 as practicable. And this is our third attempt at  
17 trying to have a hearing on our Motion to Dismiss.

18 THE COURT: Okay. For the plaintiff, I won't  
19 consider your Motion for Reconsideration today  
20 because it wasn't timely noticed for hearing under  
21 our rules of procedure. You are welcome to set that  
22 for hearing in the future if you'd like to. We're  
23 going to go forward with the defendants' Motion to  
24 Dismiss, and that's relative to the Complaint -- the  
25 Amended Complaint filed November 7 of 2024.



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

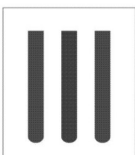
CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 Mr. Thurlow, was there any other motions that  
2 you've set for hearing today?

3 MR. THURLOW: There's also a Motion to Dismiss.  
4 As you may recall, the Court consolidated claims  
5 from another case filed by the plaintiff as it  
6 pertains to defendant Griffith. And we also filed a  
7 Motion to Dismiss Amended Complaint on that case.  
8 And there is a lot of overlapping legal issues to  
9 those. So I'm happy to address both of those  
10 motions together because of the law, and our  
11 arguments are going to be extremely similar on both.

12 THE COURT: Okay. And effectively, what's gone  
13 on, just so we're clear and the record's clear, is  
14 that in a lawsuit that the plaintiff filed in  
15 Clearwater, that lawsuit included other defendants,  
16 but it also included Jennifer Griffith. And via a  
17 hearing with Judge Muscarella, and a conversation  
18 with Judge Muscarella and myself, Judge Muscarella  
19 entered an order that effectively consolidated  
20 Jennifer Griffith as a defendant in the Clearwater  
21 case to a defendant here in what we'll call the  
22 -- if you all could pick up your microphone. I'm  
23 getting a lot of paper shuffling. If you could  
24 please remove yourself from microphones and just use  
25 held or handsets, please.



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1           What happened then was, any claims that were  
2           made against Jennifer Griffith in the Clearwater  
3           case have now been consolidated into the St.  
4           Petersburg case. And what I mean by St. Petersburg  
5           case is case 242994. So to be abundantly clear, Mr.  
6           Thurlow, any claims that were made against Jennifer  
7           Griffith in the Clearwater case, which is now  
8           consolidated with this case, you would like to  
9           address that in that Motion to Dismiss today?

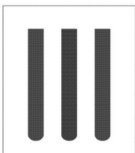
10          MR. THURLOW: Correct, Your Honor.

11          THE COURT: And you'd like to do that as a  
12          combined Motion to Dismiss and address it as one  
13          argument, correct?

14          MR. THURLOW: Yes, Your Honor.

15          THE COURT: Okay. So is there any other  
16          pending motion that was noticed for today for the  
17          defendant?

18          MR. THURLOW: Just the case management --. At  
19          the time the notice of hearing was filed, there  
20          were, I believe, four other pending motions.  
21          Plaintiff filed a Motion to Strike my appearance on  
22          November 18th. And then in the Clearwater case  
23          before it was consolidated, my client, Ms. Griffith,  
24          filed a Motion for Sanctions, and the plaintiff  
25          filed a Motion to Compel Discovery, and a Motion to



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 Shorten Time to Respond to Discovery.

2 THE COURT: Okay. And then other than that,  
3 for Plaintiff, is there anything else that was  
4 noticed for hearing today?

5 MR. LICCIONE: I think that covers it, Your  
6 Honor.

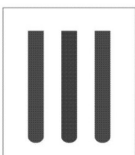
7 THE COURT: Okay. On a time-permitted basis,  
8 I'll address as many of those motions as we can.  
9 Before we run out of time today, I want to make  
10 certain that we address the Motion to Dismiss, which  
11 will be, basically, a combined motion. It will be  
12 the motion filed on August 12 of 2024, along with  
13 the Motion to Dismiss filed in case number 243939.  
14 Again, that's the Clearwater case. And to be  
15 abundantly clear, that motion only addresses any  
16 causes of action that were alleged against Jennifer  
17 Griffith in that action. And then we will have a  
18 case management conference to make sure we  
19 understand what is going to happen going forward.

20 With regard to your motion, Mr. Thurlow, the  
21 motion that you filed in case 243939, did you happen  
22 to refile it in this case?

23 MR. THURLOW: I'm not sure I did, Your Honor.

24 THE COURT: Okay.

25 MR. THURLOW: I believe we actually did. We



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS



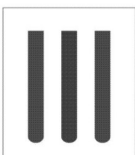
1 filed a notice of filing a binder before the last  
2 hearing, and it was -- part of that binder we filed  
3 with the Court. Would a docket number be helpful  
4 for you?

5 THE COURT: Yes, please.

6 MR. THURLOW: Give me one moment. I'm just  
7 going to pull that up. I believe it would be docket  
8 number 45 in this instant case, Your Honor. And  
9 that is a long document, so I'll tell you what page  
10 number it is in just a second. It will be starting  
11 at page 102 of that -- or 103 in the PDF, Your  
12 Honor.

13 THE COURT: Okay. Give me a moment to locate  
14 that. Okay, I have that motion in front of me. And  
15 also, let me do this. I want to make sure that I've  
16 got the correct complaint in front of me. I  
17 originally pulled up the first complaint, which,  
18 again, has now been amended. So we're working off  
19 the Amended Complaint filed November 7 of 2024.  
20 Okay.

21 And again, Mr. Thurlow, as you begin to make  
22 your argument, your motion relates to all three  
23 defendants, and what's now going to be included with  
24 that is your additional Motion to Dismiss on behalf  
25 of Ms. Griffith, correct?



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 MR. THURLOW: Correct, Your Honor.

2 THE COURT: All right. Go ahead and make your  
3 argument, and then we'll hear a response from  
4 Plaintiff.

5 MR. THURLOW: All right. Thank you, Your  
6 Honor. We're here on defendants Pinellas County  
7 Democratic Executive Committee, Jennifer Griffith,  
8 and Michael Sherosky's Motion to Dismiss Amended  
9 Complaint in case number 24-002994-CI, as well as  
10 defendant Jennifer Griffith's Motion to Dismiss  
11 Amended Complaint in case number 24-003939-CI.  
12 Given the high amount of similarity in these  
13 motions, we're going to address them together.

14 And you see in both lawsuits is what are known  
15 as strategic lawsuits against public participation,  
16 which are prohibited under Florida Statute Section  
17 768.295. The plaintiff was a candidate for -- in  
18 the Democratic Primary for Florida's 13th  
19 Congressional District, the seat currently held by  
20 Congresswoman Anna Paulina Luna, and is now a  
21 candidate for mayor of Gulfport. And the defendants  
22 are respectively -- the county-level Democratic  
23 Party in Pinellas County is now former chair,  
24 Jennifer Griffith, and is now former secretary,  
25 Michael Sherosky. At the time the case was filed,



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

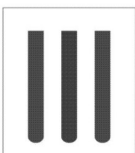
Toll Free 855-MYDEPOS

1 Ms. Griffith was chair, and Mr. Sherosky was  
2 secretary of the party.

3 And what Florida's anti-SLAPP statute does, is  
4 it prohibits lawsuits that are primarily filed  
5 against defendants for exercising First Amendment  
6 rights in connection to an issue of public  
7 importance. A primary election for United States  
8 Congress, which had over 50,000 votes in our county,  
9 is clearly an issue of public importance. What  
10 occurred is that the county- level Democratic  
11 Primary and its then chair and secretary opted not  
12 to provide the plaintiff a platform for his  
13 candidacy and prohibited from letting him attend  
14 their event --

15 AUTOMATED: Welcome, and thank you for choosing  
16 freeconferencecall.com. You are helping people  
17 around the world communicate for free. Please enter  
18 your access code followed by the pound or hash sign.  
19 If you are the host, press star now, otherwise,  
20 please wait and you will be joined to the  
21 conference. Please announce yourself.

22 MR. THURLOW: -- the burden shifts to the  
23 plaintiff to demonstrate that the defendants'  
24 activity was in fact actionable, and that these  
25 claims are not primarily based upon the defendants'



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

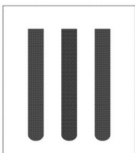
Toll Free 855-MYDEPOS

1 exercise of their first amendment right. In spite  
2 of aspersions to the contrary, the Democratic Party  
3 is a private organization, and neither the DEC nor  
4 its officers are state actors.

5 The Democratic Party at the county or state  
6 level plays no role in counting votes. In our  
7 binder of court filings and case law, we provided a  
8 couple of analogous cases, which I'll address later  
9 on: Kissinger v. Mahoning County Republican Party,  
10 and Emmanuelle (phonetic) v. -- which clarifies that  
11 the burden to place a political party as a state  
12 actor is very steep, even when that political party  
13 is working hand-in-hand with election officials in  
14 their non-public capacities to achieve mutual  
15 political goals, which is not the case here.  
16 Plaintiff has failed to meet that very high burden.

17 The gist of this is that political parties  
18 have the right to identify people they wish to  
19 associate with. And according to the U.S. Supreme  
20 Court case of Eu v. San Francisco County Democratic  
21 Central Committee, political parties select a  
22 standard-bearer who "best represents the party's  
23 ideologies and preferences."

24 The U.S. Supreme Court concluded that a  
25 judicial restriction of a political party's



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

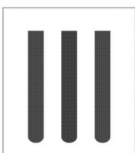
Toll Free 855-MYDEPOS

1 governing body from conceding whether a candidate  
2 adheres to the tenets of that party or whether  
3 politic party officials believes that the candidate  
4 is qualified for the position sought is an  
5 unconstitutional restriction on free speech. That  
6 is because it directly hampered the ability of the  
7 party to spread its message and voters seeking to  
8 inform themselves about the candidates and campaign  
9 issues. The court even went as far as to say the  
10 restrictions are particularly egregious when it is a  
11 state-censoring speech that a political party shares  
12 for its' members.

13 What the plaintiff is seeking for this Court  
14 to do is to penalize a political party to the form  
15 of censorship for not sharing Plaintiff's speech  
16 with its members. In fact, I have stated in Exhibit  
17 1 of Plaintiff's filings, that was filed earlier  
18 this week, the plaintiff wants an endorsement for  
19 his candidacy of mayor of Gulfport in a potential  
20 settlement. This is clearly political --

21 MR. LICCIONE: Objection, Your Honor.  
22 Objection, Your Honor. Settlement discussions are  
23 not appropriate in a motions' to dismiss hearing.

24 THE COURT: Who's making that objection? Mr.  
25 Liccione?



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 MR. LICCIONE: Yes, sir.

2 THE COURT: Okay. I'll sustain the objection.

3 I won't consider settlement. Go ahead, mister --

4 Mr. Thurlow.

5 MR. THURLOW: Okay, yes. And in case number --

6 this instant case, the plaintiff has brought a

7 defamation count against all three defendants, but

8 has only pled it against Ms. Griffith, alleging she

9 was acting in her official capacity as chair. And

10 since Plaintiff, as a political candidate is a

11 public figure, he must meet an actual malice

12 threshold.

13 The actual malice threshold requires that a

14 public figure plaintiff must prove, one, publication

15 by the defendant. Two, a false statement. Three,

16 acknowledge reckless disregard to falsity. Four,

17 actual damage. And five, that the statement is, in

18 fact, defamatory. And Plaintiff seems to be

19 centered on an -- on a statement that Ms. Griffith

20 made in the Tampa Bay Times saying that the

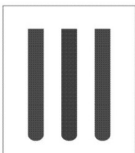
21 plaintiff is a man of "moral turpitude."

22 Ultimately such a statement is protected, it's

23 opinion speech. It is not discernibly true or

24 false. What moral turpitude even means is a context-

25 dependent statement. It means different things than



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

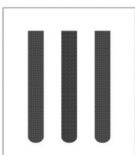
Toll Free 855-MYDEPOS

1 say, criminal court versus an employment contract.

2 Saying someone is unfit to be a democratic  
3 candidate, which is another one of the allegations,  
4 is also a statement of opinion. And even if these  
5 statements cross into factual statements, they still  
6 do not meet the actual malice threshold. But this  
7 still really boils down to the decision to not  
8 provide Plaintiff a platform, not invite him to a  
9 debate. And these comments made about Plaintiff  
10 were all First Amendment speech in relation to a  
11 public issue. And my client seeks dismissal under  
12 the anti-SLAPP statute. The burden now falls to the  
13 Plaintiff to demonstrate that this state -- these  
14 statements were actionable and we don't believe  
15 he'll be able to do that.

16 And this past week, in the case of Flynn v.  
17 Wilson, the Second DCA case, 2D-2024-0 278, the  
18 Second DCA entered an opinion affirming an Anti-  
19 SLAPP motion for summary judgment in that case. And  
20 basically, they focused on whether the defendants  
21 had serious doubts to the truthfulness, which my  
22 client -- there's no evidence alleged that my  
23 client's ever had serious doubts to the  
24 truthfulness.

25 And the last paragraph of that opinion, I think



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

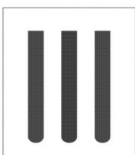
[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 really delivers the gist of the issue. And that  
2 paragraph is, "We have the privilege of living in a  
3 country with a profound national commitment to the  
4 principle that debate on public issues should be  
5 uninhibited robust and wide open. And that it may  
6 well include --, caustic, and sometimes unpleasantly  
7 sharp," Sullivan, 376 U.S. 270. And then like it  
8 or not, such attacks are characteristic feature of  
9 our democracy, regardless of the political  
10 persuasion of the speaker and regardless of the  
11 political persuasion of the public figure on the  
12 receiving end of that speech. As the trial court  
13 noted, the defendants' tweets may not have been  
14 polite and they may not have been fair, but the  
15 First Amendment required neither. And so we affirm.

16 Then turning to the case of Kissinger v.  
17 Mahoning County Republican Party, which is 677 Fed.  
18 Supp. 3d 716. It's a 2023 case from the Northern  
19 District of Ohio that's really highly analogous to  
20 this instant case. In Kissinger, the plaintiffs  
21 attempted to deliver materials to a local Republican  
22 Party headquarters for candidates who are not  
23 endorsed by former President Trump at a time when JD  
24 Vance, who was then running for U.S. Senate in  
25 Ohio, was at the party's headquarters campaigning

**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

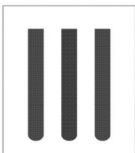
Toll Free 855-MYDEPOS



1 and the Republican Party said they were not allowed  
2 to deliver materials for JD Vance's opponents at  
3 that time.

4 The plaintiff proceeded to stand outside party  
5 headquarters protesting, and they alleged an  
6 individual assaulted them by taking a campaign sign  
7 and throwing Plaintiff to the ground. And this  
8 specific incident was a culmination of an ongoing  
9 feud. And in Kissinger, the court ultimately held  
10 that the local Republican Party and the individuals  
11 associated with it, including those who actually  
12 serve on a county elections board, were not state  
13 actors and that the court lacked subject matter  
14 jurisdiction to hear such claims, for simply non-  
15 justiciable issues.

16 And the facts of Kissinger are highly similar  
17 to this case, where a local Democratic Party  
18 informed the plaintiff he was not welcome at their  
19 events and they would not provide a platform for  
20 their candidacy. Plaintiff then alleges a physical  
21 altercation with a party, or official of the party,  
22 which my client disputes. But regardless of the  
23 factual veracity of that allegation, the end result  
24 is that my client were not state actors, had a right  
25 to engage in political speech about Plaintiff's



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

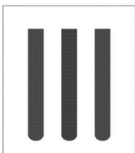
CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 candidacy, that this Court does not have  
2 jurisdiction over the claims involving a political  
3 party.

4 Dismissal under Florida's anti-SLAPP statute is  
5 with prejudice and defendants would be entitled to  
6 the award of reasonable attorney fees and costs  
7 under the statute. However, even if this court were  
8 to decide that anti-SLAPP did not apply, dismissal  
9 still would not be appropriate because of this lack  
10 of subject matter jurisdiction. And that there's a  
11 clear failure to state a cause of action upon which  
12 release may be granted.

13 In this instant case Counts number I and II are  
14 tort claims against Mr. Sherosky. While this Court  
15 does have jurisdiction over tort claims, neither is  
16 sufficiently pled. For Count number I, the  
17 Complaint -- the Amended Complaint is entirely  
18 contradictory as to whether Mr. Sherosky ever  
19 touched the plaintiff. In fact, paragraph 36  
20 alleges that Mr. Sherosky "came within 5 inches of  
21 Plaintiff's face." Coming within 5 inches of  
22 someone seems to infer that there was not any  
23 touching and actually touching someone is an element  
24 of battery. And even if Mr. Sherosky touched the  
25 plaintiff, the contact, the hat falling off, was not



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

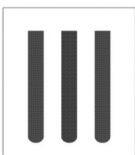
Toll Free 855-MYDEPOS

1 harmful or offensive as far as the law could see,  
2 therefore the count failed.

3 The same thing can be said of Count II. It  
4 failed to allege the required elements of battery.  
5 Count III, which is a claim for vicarious liability  
6 against the Pinellas Democratic Executive Committee  
7 and Ms. Griffith, fails to state the claim for  
8 vicarious liability. There's a Count IV, the claim  
9 for civil conspiracy. It is not properly pled.  
10 Counts V and VI are non-justiciable issues. There  
11 is no private rights of action under the statute  
12 cited by Plaintiff. And Count VII is not properly  
13 pled. Therefore, I mean, these counts should all be  
14 dismissed.

15 Then turning to the allegations in the  
16 companion case, 24-003939-DI, Counts I, III, IV, and  
17 VI. The statute cited by the plaintiff do not  
18 provide for private rights of action. Therefore,  
19 the plaintiff doesn't have standing to bring these  
20 counts. And then for Counts V and VI, whether it  
21 might be private rights of action, the plaintiff has  
22 failed to seize the required elements. So we ask  
23 for dismissal of that Complaint as well. Thank you,  
24 Your Honor.

25 THE COURT: Plaintiff, your response to the



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

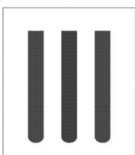
Toll Free 855-MYDEPOS

1 motions to dismiss, plural, as in both of them  
2 together. Go ahead, please.

3 MR. LICCIONE: Yes, Your Honor. First, I want  
4 to point out that in the second case, that's been  
5 combined as to Jennifer Griffith. In that case in  
6 Clearwater, there's -- there are additional factual  
7 allegations of events that occurred after this case  
8 was filed and those -- and counts. And that's  
9 particularly the count of election fraud, mail  
10 ballot fraud, on the part of Griffith and the  
11 Democratic Party. All right, so I just want to  
12 point out that that's an additional count that's now  
13 combined here.

14 So first of all, I'd like to address the anti-  
15 SLAPP argument. I'll start off by saying that anti-  
16 SLAPP protections are not absolute. The defendants  
17 are incorrectly arguing that their behavior and  
18 their statements and their actions are all immune  
19 under the anti-SLAPP statute. The statute actually  
20 only applies to speech made in connection with a  
21 public issue or issue of public concern.

22 So for example, calling me an ass in public,  
23 that's protected speech because that's an opinion.  
24 In this case, Defendant's defamatory statements were  
25 not expressions of opinion, but were very specific,



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

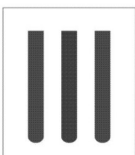
CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 false factual assertions, easily disproven by court  
2 records, showing I was found not guilty of  
3 assaulting my wife in Maryland. So false factual  
4 assertions that can be easily verified as false and  
5 that they knew were false because there was a court  
6 record, a not guilty verdict sheet, from that trial  
7 that I was found not guilty of all counts. And they  
8 knew it, that -- it was true because I told them and  
9 I offered to provide Jennifer Griffith a copy of the  
10 not guilty verdict sheet, and she ignored it, or she  
11 realized it was untrue, but she said it anyway. And  
12 that's sort of the definition. That is the  
13 definition of reckless disregard for the truth.

14 So the argument that these were just political  
15 opinions? Yeah, you can call me an ass in public.  
16 Sure. But I'm not suing because Michael Sherosky  
17 called me an ass, and he did and admitted to it on  
18 camera, once I took my cell phone out. I'm suing  
19 him for assault -- for battery to start with,  
20 because he knocked my hat off my head and not only  
21 was -- it wasn't just a hat. It was a hat that had  
22 a pride parade stuck in the back of it. And I was  
23 -- about to March in the St. Petersburg Pride Parade.

24 So when it comes to offensive physical contact,  
25 it wasn't just the hat he knocked off my head. It



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

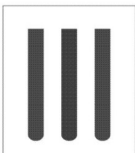
1 was the pride parade flag he knocked off my head.  
2 This is Democrat on Democrat political violence at a  
3 pride parade, right? Now that's not just offensive  
4 physical contact, it's outrageous physical contact  
5 within that particular context.

6 I'll also point out about this -- the battery  
7 count, that Mr. Thurlow just self -- he just  
8 contradicted himself in the course of a couple of  
9 sentences about that. The first thing he said, and  
10 he said this twice actually, that I had pleaded that  
11 my hat had fallen off my head and that's ridiculous.  
12 That's just a misrepresentation of what -- of the  
13 facts as pled and what's in the court record. I  
14 never said my hat fell off my head. If my hat just  
15 fell off my head without Sherosky, you know,  
16 knocking it off -- I wouldn't have filed a --

17 THE COURT: Plaintiff? Plaintiff? Plaintiff?  
18 Direct me to the paragraph numbers in your Amended  
19 Complaint that you're speaking about. Go ahead,  
20 please.

21 MR. LICCIONE: Okay, give me a second.

22 THE COURT: When either side argues about what  
23 is being pled, the best source is to go to the  
24 pleading itself and let the Court read it verbatim.  
25 So in this context, Plaintiff, you're arguing that



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

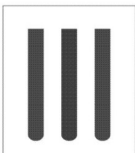
Toll Free 855-MYDEPOS

1 the defendant is misrepresenting your pleading.  
2 Please direct the Court to which paragraph or  
3 paragraphs are you speaking about, so the Court can  
4 review it at the same time you're making your  
5 argument.

6 MR. LICCIONE: Oh, fair enough, Your Honor. So  
7 starting with paragraph 30 is the first that talks  
8 about engaging in political violence, assault, and  
9 battery. So paragraph 30. 30, going on 34, 36.  
10 Okay, so it goes to paragraph 36. So the  
11 description of this incident starts there on those  
12 paragraphs.

13 THE COURT: And then in paragraph 36,  
14 Plaintiff, what I heard from Mr. Thurlow earlier was  
15 -- and his argument was a contradiction about  
16 alleging a battery, but yet in 36, identifying that  
17 the defendant Sherosky came "within 5 inches of  
18 Plaintiff's face." So I want to make sure I  
19 understand. Is it your argument that paragraph 36  
20 is incorrect or that Mr. Thurlow misunderstood that?

21 MR. LICCIONE: No. That -- the 36 goes to the  
22 assault claim, Your Honor. Putting me in fear for,  
23 you know, my personal safety. That doesn't go to  
24 the battery claim. This happened right after I  
25 walked away from Mr. Sherosky, that he followed me,



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 stalked me, and then he put his body like 5 inches  
2 in front of me on camera. It's on the --

3 THE COURT: Please continue with whatever --  
4 please continue your argument. But again, if you're  
5 going to argue allegations, please direct the Court  
6 to the specific paragraph in the Complaint.

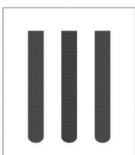
7 MR. LICCIONE: Okay, will do. So let's see,  
8 let me get back on track here. All right, so let's  
9 talk about the defamation and the actual malice  
10 standard. When you're, you know, talking about a  
11 public figure, say Ms. Midigan (phonetic) is the  
12 public figure.

13 THE COURT: I'm sorry, Plaintiff? Plaintiff,  
14 let me inquire one more time of something different  
15 then. Speaking of your comment just a moment ago  
16 that paragraph 36 then speaks to the assault, not  
17 the battery, which allegations support the battery  
18 claim? In other words, an unwanted physical contact?

19 MR. LICCIONE: That ends at -- that starts at  
20 30 and ends at 34.

21 THE COURT: Okay. And again, which of those  
22 paragraphs are you alleging an unwanted physical  
23 contact?

24 MR. LICCIONE: 34, where I say, "Defendant  
25 Sherosky without provocation forcefully knocked off



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

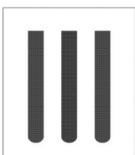
Toll Free 855-MYDEPOS



1 the hat Plaintiff was wearing which prominently  
2 displayed a pride flag and hurled -- and hurl  
3 insults at him." And that's not -- that's  
4 protected, this is just context of malice. It's  
5 proof of malice, it doesn't go to battery because  
6 hurling insults at somebody, like calling them an  
7 ass is protected speech.

8 Oh. And then he confirmed when asked that he  
9 wanted to hit Plaintiff. Actually, that actually  
10 goes to the assault as well. But the first -- most  
11 of that paragraph 34 up to the hurled insults part  
12 is the necessary elements properly pled for a claim  
13 of battery.

14 And under -- I will point out that there -- Mr.  
15 Thurlow is arguing that even that knocking someone's  
16 hat off is not offensive physical contact. Right?  
17 Now under the -- under Clark v. State, the First  
18 DCA found that they recognized that an unconsented  
19 touching of something intimately connected with the  
20 victim's body constitutes battery. Same thing in  
21 Nash v. State, the Fourth DCA found that grabbing a  
22 purse held by the victim was deemed sufficient for a  
23 battery charge as the purse was considered an  
24 extension of the person. As certainly the hat on my  
25 head and the Pride flag stuck into the back of it



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

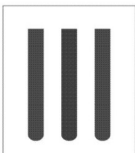
[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 was intimately connected to my physical person. And  
2 so this -- that's sort of a fallacious argument.  
3 This is a black letter case law here. So I'm  
4 focused on the battery because they're basic -- the  
5 defendants are basically arguing that political  
6 violence by a political party officer against a  
7 congressional candidate in public is protected  
8 speech and behavior under the anti-SLAPP statute.  
9 Right? So it -- so for example, it's sort of like  
10 Donald Trump at one of his rallies say, knock -- you  
11 know, knock the hell out of or, you know, knock the  
12 hell out of that guy for, you know, interrupting my  
13 speech.

14 It's trying to -- it is inciting political  
15 violence at a political event, which is what the St.  
16 Pete Pride Parade was. It was a -- you know, it's a  
17 political event. I'm there to campaign as a  
18 supporter of Pride rights, you know, equal rights.  
19 And this democrat-on-democrat, you know, violence is  
20 -- was never supposed to be -- it's an unlawful --  
21 it's a criminal act. And now Mr. Thurlow claims --  
22 talks about this police report and all that. The  
23 police report that he had attached to his motion is  
24 a -- is a -- there were -- number one, the witnesses  
25 that were quoted were not sworn -- those -- none of

**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

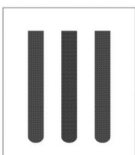
CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 those were sworn statements. So the -- second, the  
2 people who were in the report that the police  
3 interviewed were all cherry-picked by Jennifer  
4 Griffith. They're friends, associates of Jennifer  
5 Griffith. They're members of the defense. They're  
6 members of defendant PDEC.

7 Those are all obviously biased witnesses, and  
8 it's not appropriate to -- in the motions to dismiss  
9 phase to consider that their statements are, you  
10 know, true. They certainly don't prove that it  
11 didn't -- that the battery didn't happen. That they  
12 -- the only thing, if they're telling the truth is  
13 that they didn't see the bat -- a battery and if it  
14 did happen. So I would ask, those are not  
15 appropriate to be considered at the motion to  
16 dismiss phase, because my allegations as pleaded are  
17 supposed to be taken as true and in the light most  
18 favorable to me and all the inferences that can be  
19 made from those factual allegations when determining  
20 a motion to dismiss on a failure to state a claim.

21 My -- now I'll go to the -- let me think. I'm  
22 going to go to -- next to the defamation and the  
23 evidence of actual malice standard when it -- when  
24 you're defaming a public figure. They -- Mr.  
25 Thurlow submitted a couple days ago, a notice of



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

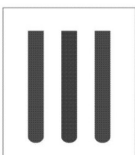
1 supplemental authority. And he called out the  
2 Michael Flynn case. Now in the Michael Flynn case,  
3 it basically -- it's the difference between  
4 statements of an opinion and verifiably untrue  
5 facts. Misstatements of facts that are verifiably  
6 untrue and that is verifiable that they knew they  
7 were -- the person making those statements knew they  
8 were untrue.

9 And in this case, as I said before, there is a  
10 not -- I was found not guilty. It's verifiable that  
11 I was found not guilty. Defendant Griffith knew I  
12 had been found not guilty. I told her in my  
13 candidate vetting form, I had been found not guilty.  
14 I offered in that candidate vetting form to provide  
15 the not guilty verdict sheet to her. She cut off  
16 all communications with me and the next  
17 communication I had after going dark and silent for  
18 the -- for several weeks, was that you failed the  
19 candidate vetting process and she wouldn't tell me  
20 why. And I didn't find out why until November of  
21 2023, when she told the Tampa Bay Times --

22 THE COURT: Plaintiff.

23 MR. LICCIONE: -- I had --

24 THE COURT: Plaintiff. Plaintiff, are these in  
25 the allegations that you've alleged in your Amended



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 Complaint?

2 MR. LICCIONE: Yes, they are.

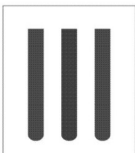
3 THE COURT: Okay. What paragraphs so I can  
4 follow along?

5 MR. LICCIONE: Okay. Let's see. Let me go --  
6 okay. Starting on -- okay. Let's see. Section --  
7 paragraph 47.

8 Okay. May I -- may I proceed, Your Honor?

9 THE COURT: You are welcome to.

10 MR. LICCIONE: All right. As a direct result  
11 of the Griffith disinformation and defamation  
12 campaign, Tampa Bay Times published two defamatory  
13 articles about me and it caused catastrophic damage  
14 to my campaign, my reputation, et cetera. Jennifer  
15 Griffith and others in PDEC have falsely claimed to  
16 third parties like Tampa Bay Times that I'm guilty  
17 of -- I'm a man of mortal turpitude and in her later  
18 pleadings here, she followed up by indicating that  
19 it was the assault against -- the alleged assault  
20 against my wife in Maryland, in which I was found  
21 not guilty at trial in 20 minutes. So these were  
22 patently false accusations that Jennifer Griffith  
23 was making. She knew there existed a court record  
24 proving I was found not guilty. And therefore it's  
25 verifiable. The court public records that I was



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

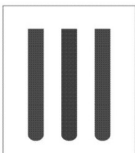
CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 found not guilty. And I published these court  
2 records on my campaign website as well. So under  
3 the Flynn standard, this -- these are verifiable  
4 facts that were verifiably false, basically. The  
5 statements that she made to The Times.

6 And then in paragraph 51, if you skip ahead a  
7 little bit, Griffith and PDEC defamation  
8 disinformation campaign ended up being republished  
9 in a total of -- in terms of what I could find, four  
10 mainstream media outlets in this area that cover  
11 Florida in this area, Tampa Bay Times, Florida  
12 Politics, Politicos Florida Playbook, The Gabber  
13 Newspaper. No, that's not the next part. The  
14 Gabber is not part of this. But the -- these news  
15 -- these media outlets took the lead, you know,  
16 Jennifer Griffith was the chair of the party here in  
17 Pinellas. So they assumed she -- that she wasn't  
18 lying, right? They published it as if what she told  
19 them was true. And so let's see. Let me see where  
20 this continues.

21 Okay. So going back to the previous argument,  
22 I see there's additional paragraphs here in support  
23 of the assault and battery claim. paragraph 53,  
24 they engaged -- this goes to the conspiracy as well.  
25 Conspiracy to promote political violence and defame



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

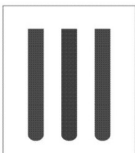
[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 Plaintiff in an all-out effort to undermine my  
2 congressional campaign and -- which I lost because  
3 of this. And it is because of election fraud that  
4 I'm alleging Defendants took part in. Mail ballot  
5 fraud. I lost the election. I lost political  
6 donations. My reputation has been destroyed. And I  
7 believe in -- as I said in paragraph 54, that this  
8 is a premeditated act, an attempt to provoke a  
9 violent response from me at the Pride Parade is to  
10 get me, like, arrested or whatever. So as it -- as  
11 it goes to the battery claim, in order for you to  
12 dismiss this case under the anti-SLAPP statute, Your  
13 Honor, you'd have to basically condone or find that  
14 battering someone at a -- at a, you know, a  
15 political event, like a Pride Parade where a  
16 candidate was marching is protected behavior,  
17 whether it's the right to assemble or the right to  
18 -- well, it's a physical battery claim that's  
19 properly plead.

20 So the second part of this is that under the  
21 state actor standard, Mr. Thurlow claims that his  
22 clients are not state actors. And this is incorrect  
23 as a matter of law based on case precedent. In the  
24 case Smith v. Allwright, the U.S. Supreme Court  
25 held that it addressed racial discrimination in

**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

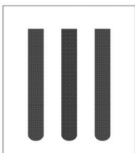
[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 primary elections. This man, Lonnie Smith was an  
2 African-American voter in Texas, was denied a right  
3 to vote in a Democratic primary. Why? Because the  
4 Democratic Party in Texas had implemented a voter  
5 vetting process. And the vetting process -- what --  
6 had one criteria. You had to be White. You  
7 couldn't be Black. All right? So that's a form of  
8 a vetting process for voters. Now in this case, the  
9 Supreme Court found that because the Texas  
10 Democratic Party relies on the state of Texas to run  
11 its primary elections. It's not an internal  
12 election within a private organization.

13 They depend on the state and rely on the state  
14 to execute the primary elections on their behalf;  
15 thereby, creating that very, very strong entwinement  
16 between the party and the state. That makes them a  
17 state actor subject to constitutional scrutiny. And  
18 in this case, it was racial discrimination. In my  
19 case, it's discrimination on the basis of sex and  
20 disability and my status as a male domestic violence  
21 survivor, coping with PTSD because of acts of  
22 violence against me by my ex-wife. And so the state  
23 actor doctrine applies here. And then there's *Ludke*  
24 *v. Kuhn*, which was a case where a female reporter  
25 that worked for this *Sports Illustrated* --



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS



1 THE COURT: Mr. Liccione, I'd like it if I  
2 could interrupt you momentarily. You're claiming  
3 that the Pinellas Democratic Executive Committee is  
4 a state actor; is that correct?

5 MR. LICCIONE: Yes. Due to in very serious  
6 entwinement with the state, yes.

7 THE COURT: Okay. All right. Are you claiming  
8 that Mr. Sherosky individually or Ms. Griffith  
9 individually are state actors?

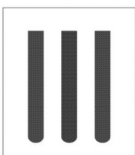
10 MR. LICCIONE: Yes.

11 THE COURT: Okay. And the case that you  
12 recited from Texas, did I hear you clearly to state  
13 that in that circumstance, that Democratic Party ran  
14 the actual election?

15 MR. LICCIONE: No. They relied on the State of  
16 Texas to run the election for the primary election  
17 for them.

18 THE COURT: Okay. Go ahead, please.

19 MR. LICCIONE: You know, if it -- like, your  
20 Honor, if they were running their own primary  
21 election internally and not depending on the state  
22 to run everything, you know, for that election to  
23 process the votes and count them and all that, if  
24 they ran it internally, like they were electing  
25 their own internal officers for -- which is what



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 they do in the -- in the -- in the party here. In  
2 fact, we just had an election on last Monday, this  
3 past Monday of new officers in which Jennifer  
4 Griffith stepped down and a new chair of the  
5 Pinellas Democratic Executive Committee --

6 THE COURT: Counsel.

7 MR. LICCIONE: -- was elected.

8 THE COURT: Mr. Liccione.

9 MR. LICCIONE: Yes.

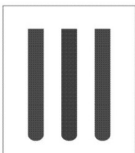
10 THE COURT: Please don't go beyond the  
11 pleadings. Stay within your pleadings, sir. Go  
12 ahead.

13 MR. LICCIONE: Okay. Will do. The second case  
14 is Ludke v. --

15 THE COURT: Sir, do you have a question why I  
16 directed you to do that?

17 MR. LICCIONE: No. No, Your Honor.

18 THE COURT: You're giving me information  
19 outside the scope of your pleadings and you just  
20 referenced earlier an understanding that courts are  
21 required at that motion-to-dismiss stage to stay  
22 within the four corners. So Counsel, the -- or Mr.  
23 Liccione, the reason I'm directing you to stay with  
24 your pleading is you're giving me information  
25 outside your pleading, which I'm not supposed to



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

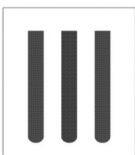
Toll Free 855-MYDEPOS

1 consider, and I won't. So thus, I'm asking you to  
2 do this, please stay within the pleading. Go ahead,  
3 please.

4 MR. LICCIONE: Okay. So Your Honor, my  
5 understanding is that Mr. Thurlow just made an  
6 argument that they're a private organization, not  
7 subject to state, you know, scrutiny, the -- this  
8 Court's jurisdiction, because they're private and  
9 I'm providing an example of ways in which they do  
10 private things and private elections. Right? And  
11 so what you're saying, I think is that that's  
12 outside the four corners of my Complaint in my  
13 response to Mr. Thurlow's argument; is that correct?  
14 I'm not objecting to it. I'm just trying to --  
15 you're limiting my ability to provide examples that  
16 I know. Oh, I understand what you're saying, Your  
17 Honor. I'll just -- if I could move on.

18 THE COURT: Please do.

19 MR. LICCIONE: All right. In the case of Ludke  
20 v. Kuhn, Ludke was a female reporter for the Sports  
21 Illustrated who was attempting to gain access to  
22 interview New York Yankees baseball players in the  
23 1977 World Series in the -- in the -- in the Yankee  
24 Clubhouse at Yankee Stadium. In the -- in the case  
25 of Bowie Kuhn, who was the commissioner of Major



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 League Baseball back then, as soon as he found out  
2 that the Yankees were about to let her into their  
3 locker room to interview players. He by fiat in the  
4 moment, instituted a reporter vetting process and  
5 prevented her from getting -- gaining access to the  
6 -- to the Yankees Clubhouse and any other clubhouse  
7 across Major League Baseball.

8 Now in the case -- in this case, she filed a  
9 civil rights action against Bowie Kuhn and other  
10 defendants argued that the policy violated her  
11 rights under the 14th Amendment on the basis of her  
12 sex. The U.S. District Court for the Southern  
13 District of New York held that the policy  
14 constituted state action and violated Ludke's equal  
15 protection rights. And the court reasoned that the  
16 City's significant -- the City's ownership of Yankee  
17 Stadium, the facility and the New York Yankees lease  
18 arrangement with the Yankees with the State of New  
19 York. New York City's lease arrangement with the  
20 Yankees rendered the teams and Major League  
21 Baseball's actions subject to constitutional  
22 scrutiny. So -- it's all about the state actor  
23 doctrine and the degree to which there's an  
24 entwinement between the private organization, and  
25 public facilities, and the -- and the state. So



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

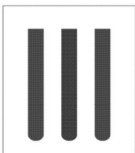
[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 this is a case with another -- there's another  
2 vetting policy. This one was based, not on race,  
3 but on sex, and it was supplied to -- she was the  
4 first woman that tried to gain access to a major  
5 league baseball clubhouse -- you know, locker room.

6 Further, in this case, at the St. Pete College  
7 Epicenter in Clearwater, Florida, every month Ms.  
8 Griffith and PDEC defendants lease or rent a meeting  
9 room inside the St. Pete College Epicenter in  
10 Clearwater. That facility is a state-owned  
11 facility. They're a state college, right? So she  
12 leases a meeting room, just a meeting room inside  
13 the epicenter. She did not lease the hallway  
14 outside the meeting room or the lobby, right? She  
15 has -- only has really any kind of authority inside  
16 the meeting room. Now, Mr. Thurlow claims that a  
17 sign was stolen or swiped my campaign sign, which  
18 just said John Liccione for Congress. She -- he's  
19 claiming that the sign was swiped inside the meeting  
20 room. It wasn't. It was as properly pled, it was  
21 -- it was swiped in the hallway where I was camp --  
22 attempting to campaign and talk to voters as they  
23 left her meeting. I wasn't interfering with the  
24 meeting. I was expressing my First Amendment right  
25 to free speech. The speech on my -- the writing on



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

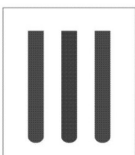
Toll Free 855-MYDEPOS

1 my sign with speech. I was -- again, I was trying to  
2 talk to voters as they left her meeting. I'm  
3 basically campaigning in the hall -- I'm literally  
4 campaigning in the hallway in a peaceful way, not  
5 interfering with her proceedings, and she came out  
6 of the -- stormed out of the meeting room when it  
7 was over and got and started haranguing me and  
8 assumed -- attempted to assume the role of state  
9 actor to enforce what she claimed was the college  
10 policy of not letting political signage inside their  
11 building.

12 She literally said that to me, take your sign  
13 down. You're not allowed to have -- this college  
14 won't allow you to have campaign signs anywhere, so  
15 take the sign down.

16 And I just -- I told her, hey, deescalate. You  
17 don't have no power over me, you know, here. I'm  
18 not doing anything wrong.

19 And then she went and grabbed a security  
20 officer and told her -- and snitched on me and then  
21 he came back and he just looked at the sign and did  
22 not -- did nothing, right? So that's sort of a  
23 couple wrongful acts, that's trying to assume the  
24 role of state actor to enforce a college policy, a  
25 state college policy of no campaign sign, and then



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

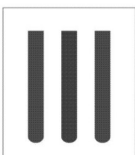
CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 interfering with my electioneering, my campaigning  
2 activity, preventing me from displaying my political  
3 sign, my campaign sign, preventing me from talking  
4 to voters as they -- and again, and introducing  
5 myself to voters as they left her meeting and we're  
6 outside her meeting.

7 So I want to make it clear. This is a sort of  
8 an additional case where she -- there -- there's  
9 state actor entwinement because she's leasing the  
10 facility from the state and she herself attempted to  
11 assume the role, just by her own behavior, of the --  
12 of a state actor enforcing a college policy, state  
13 college policy, so that -- none of that is protected  
14 -- is protected behavior under the First Amendment  
15 or under the -- or it's -- or under the anti-SLAPP  
16 statute. The anti-SLAPP statute can't be used to  
17 dismiss non-frivolous claims. The SLAPP protections  
18 don't extend to shield conduct or statements that  
19 are actionable under established legal principles.  
20 My claims for defamation, conspiracy, and election  
21 interference are all grounded in substandard law and  
22 are not frivolous, and they're certainly not  
23 retaliatory.

24 Your Honor, I'm -- I was basically trying to  
25 get this misbehavior, this -- these wrongful acts to



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

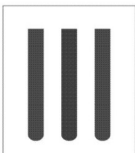
Toll Free 855-MYDEPOS

1 stop. That was my motivation for filing these  
2 lawsuits. It wasn't to quell free speech, you know,  
3 political --

4 THE COURT: Plaintiff. I appreciate your  
5 description of your motivation, but once again, if  
6 you could stay within the four corners of your  
7 Complaint. We're also at 11:20, running out of time.  
8 So I'd respectfully ask the plaintiff to do your  
9 best to wrap up in the next two minutes with your  
10 response to the motions to dismiss.

11 MR. LICCIONE: Okay. Your Honor, when Mr.  
12 Thurlow makes an argument in support of his Motion  
13 to Dismiss, I'm allowed to counter that to rebut  
14 that argument, and that's what I'm doing. I'm  
15 staying within the four corners of the Complaint,  
16 the Motion to Dismiss, and Mr. Thurlow's argument.  
17 And I'd ask that you allow me to continue and not --  
18 and not interrupt me in the middle of it on the  
19 claim that it's outside the four corner of the  
20 Complaint.

21 THE COURT: Mr. Liccione -- Mr. Liccione, let  
22 me make sure I'm clear about something with you,  
23 sir. You started to describe to me your intent  
24 behind your actions, the filing of this Complaint.  
25 You started to describe to me that you just wanted



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

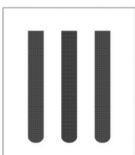


1 your actions to stop. As much as I appreciate you  
2 sharing that with me, it's not pertinent to your  
3 pleading, and it's not pertinent to the motions to  
4 dismiss that we're hearing today, so yes, sir.

5 MR. LICCIONE: Your --

6 THE COURT: I'll be redirecting you back to --  
7 I am redirecting you back to your pleadings and any  
8 argument that's germane, either in fact or in law,  
9 but to go outside the scope of that is frankly, a  
10 waste of our time in light of the fact that we now  
11 have nine minutes left for the hearing, sir. Go  
12 ahead and please wrap those for the next minute and  
13 a half. Thank you.

14 MR. LICCIONE: Okay, Your Honor. I will point  
15 out that in the introduction to mister -- to  
16 Defendant's Motion to Dismiss, the first paragraph  
17 states -- the first sentence says, "Plaintiff's  
18 modus operandi in filing this lawsuit is to seek  
19 revenge against PCDEC and its chair and its  
20 secretary for declining to support Plaintiff's  
21 candidacy for the United States Congress and  
22 declining to provide Plaintiff" -- "Plaintiff with a  
23 platform for his candidacy." So I think what I'm  
24 hearing you say, Your Honor, is that I'm not allowed  
25 to rebut the first sentence, the first -- he -- he's



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

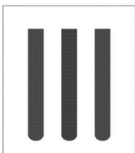
CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 saying that I have a -- a lawsuit.

2 THE COURT: Mr. Liccione -- Mr. Liccione,  
3 you're welcome to rebut whatever you'd like to, sir,  
4 but I'm going to be extremely candid with you. When  
5 the court reads a paragraph like that, it has no  
6 legal bearing on my decision-making. I completely  
7 understand why one party wants to refute what's  
8 going on, and that happens pretty much in every  
9 case. From a legal and technical and procedural  
10 standpoint, that's not something that I look to as a  
11 basis to be a decision-maker under these motions  
12 today. So sir, you're welcome to spend the rest of  
13 your one minute telling me about the intent behind  
14 your Complaint, if you'd like to, but you're  
15 unfortunately losing time to get to the substantive  
16 arguments on a legal or factual basis. Go ahead,  
17 Mr. Liccione. In the next minute, you're welcome to  
18 conclude however way you'd like to, sir.

19 MR. LICCIONE: Okay, Your Honor. I had no way  
20 of knowing that, but that's why I was --. Thank  
21 you. So my -- the anti-SLAPP statutes don't apply to  
22 election fraud, right? A political party, political  
23 operatives, political party officers engaging in  
24 mail ballot fraud is not an anti-SLAPP protected  
25 behavior. It's criminal. It's a violation of my



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 civil rights to free and fair elections. So the  
2 defendants' motion, it really misapplies First  
3 Amendment protections, the reliance on the First  
4 Amendment to shield their conducts misplaced. While  
5 the First Amendment certainly protects expressions  
6 of opinion, it doesn't protect defamatory statements  
7 made out of malice, actual malice or reckless  
8 disregard for the truth. It doesn't shield conduct  
9 that constitutes election interference, voter  
10 intimidation as I pled, civil rights violations,  
11 assault, battery. And my pleadings, my allegations  
12 when taken as true, establish that defendants  
13 exceeded the bounds of constitutionally protected  
14 speech. And I'll leave it there, Your Honor. I  
15 think that's -- my minutes up.

16 THE COURT: Have you had a full opportunity to  
17 respond to the motion today?

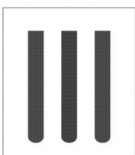
18 MR. LICCIONE: No, Your Honor. You cut -- you  
19 said I only had one minute left and I wasn't done,  
20 but --

21 THE COURT: How much more time do you need?

22 MR. LICCIONE: I'd like another three minutes,  
23 Your Honor.

24 THE COURT: Go ahead. Three minutes.

25 MR. LICCIONE: Okay. And mister -- Defendant's



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

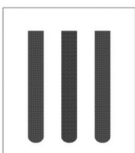
CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 Motion to Dismiss makes numerous factual allegations  
2 that are not in the court record and are not  
3 supported by sworn affidavit. On page 1 of their  
4 Motion to Dismiss, if you look at the footnotes, it  
5 says that Michael Sherosky is the duly elected  
6 secretary of the PCDEC, which is an unpaid volunteer  
7 part-time position. There's no -- there's no sworn  
8 affidavit about that. It's not in the case record.

9 Jennifer Griffith is an unpaid volunteer  
10 position as well. Again, not in the case record,  
11 not supported by sworn affidavit. And this is true  
12 throughout. I -- I'm not sure you were aware I --  
13 I'm sort of saying this because I'm -- I don't know  
14 in advance whether you will consider something, an  
15 unsworn factual statement that's not sworn by sworn  
16 affidavit. So I want to make sure that the Court  
17 doesn't consider things that are not supposed to --  
18 that, you know, you said is, you know, you're not  
19 going to supposed to consider, so --

20 I want to talk about the Marriott Hotel  
21 incident where I was -- where defendants erected  
22 tables to prevent voters from attending and talking  
23 with me at my campaign event, which was held down  
24 the hall in the Marriott Hotel from the Democratic  
25 Congressional debate that I -- that I was invited



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

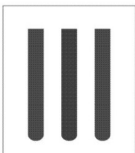
CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 to. And by the way, they can not invite me to  
2 debate. That's protected behavioral speech, but  
3 blocking tables -- of placing blocking tables in the  
4 hallway of a hotel to prevent and forcing the voters  
5 that attended their event down the back exit, the  
6 side exit stairwell in the rain at night, that's not  
7 protected speech. That's campaign inter -- that's  
8 election interference, campaign interference, so  
9 that -- I hadn't spoken about that before.

10 I would say -- I'll wrap up saying that they  
11 have failed to make a prima facie case that this is  
12 a strategic lawsuit against public participation.  
13 All of these -- I'm suing them because of all these  
14 wrongful acts, battery, assault, defamation with  
15 actual malice, election interference, election  
16 fraud, civil rights violations. They're state  
17 actors. They're so entwined with the state through  
18 the Dallas County Supervised Elections, which runs  
19 the primary elections for them, that they're subject  
20 to constitutional scrutiny and civil rights  
21 violations are proper to be these -- those counts  
22 are properly brought. Thank you, Your Honor. That's  
23 it.

24 THE COURT: Plaintiff, have you had that full  
25 opportunity now to respond to both of the defense



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 motions to dismiss?

2 MR. LICCIONE: Yes, sir.

3 THE COURT: For the -- Mr. Thurlow, do you have  
4 any rebuttal that I haven't already heard fairly  
5 quickly. Go ahead, please.

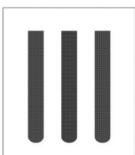
6 MR. THURLOW: I'll just highlight that  
7 Kissinger v. Mahoning County Republican Party case  
8 at page 727. Providing a forum for a candidate to  
9 speak is not analogous to participating in the  
10 election process. That is what the court held in  
11 that case, and I think that ultimately is a very  
12 relevant fact. And the plaintiff also admitted that  
13 he was criminally charged, both in his pleading and  
14 in his argument. And that means that there's some  
15 probable cause for those criminal charges,  
16 presumably. So in terms of a legal basis for actual  
17 malice, I don't think he's met it. Thank you, Your  
18 Honor.

19 THE COURT: Mr. Thurlow, have you had a full  
20 opportunity to argue both of your motions today?

21 MR. THURLOW: Yes, Your Honor.

22 THE COURT: And again, Mr. Liccione, you've had  
23 a full opportunity to respond to both motions,  
24 correct?

25 MR. LICCIONE: Yes, sir.



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

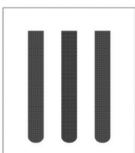
[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 THE COURT: Okay. Mr. Thurlow, please prepare  
2 an order for me today. I'll walk through count by  
3 count. On Counts I and II, I'll deny the Motion to  
4 Dismiss on the bases of Count I being battery and  
5 Count II being assault. I'm going to -- I am going  
6 to ask for the repleading of those, though, within  
7 an amended complaint because I want to make sure  
8 that I understand what the damages are that's being  
9 alleged, primarily for it to support the subject  
10 matter jurisdiction. With regard to Count III,  
11 vicarious liability, I'm granting it, but with leave  
12 to amend. The concern the Court has based upon the  
13 arguments in reading Count III, it simply says  
14 vicariously liable, but then it references  
15 Paragraphs 8 through 56, more along the lines of a  
16 more definitive statement. I believe Plaintiff has  
17 an obligation to explain to each one of the  
18 defendants separately as to what actions occurred  
19 that support some type of vicarious liability and  
20 more importantly vicarious liability of what?

21 In paragraph 64, which is the only pertinent  
22 paragraph of Count III, other than paragraph 63,  
23 being a reallegation of Paragraphs 8 through 56, it  
24 simply says that Griffith and Pinellas Democrat  
25 Executive are liable for the actions of Sherosky.



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

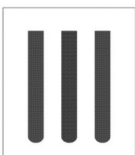
407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 Again, that requires a more definitive statement as  
2 to what conspiracy -- conspiratorial acts occurred  
3 for each defendant. So relative to Count III, it's  
4 granted with leave to amend. I'll talk about the  
5 timeframe in which to file an amended complaint in a  
6 moment. The same applies under Count IV, which is  
7 conspiracy. Again, in paragraph 65, the plaintiff  
8 realleges Paragraphs 8 -- 8 through 56, but then  
9 lumps all of the defendants together with regard to  
10 a violation of election loss. The concern I have  
11 there is it talks about how the allegation in 69,  
12 the defendants' actions intended to impede  
13 Plaintiff's ability to campaign freely. This is the  
14 intent of Florida Statute 768.25 -- 295. I'm  
15 dismissing Count V with prejudice per the argument  
16 of defense Counsel that the case law authority in  
17 Florida supports dismissal with prejudice. So Count  
18 V, violation of election laws against all defendants  
19 is dismissed with prejudice. With regard to Count  
20 VI, violation of civil rights, I'm granting the  
21 Motion to Dismiss without prejudice. In other  
22 words, leave to amend. It's not proper to allege  
23 violations of Florida law along with federal law.  
24 If the plaintiff's in a position to feel like  
25 violations of civil rights occurred according to

**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

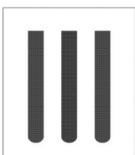
Toll Free 855-MYDEPOS



1 Florida law, that would stand as one count. If you  
2 believe that violations of federal law standalone,  
3 that would be a second count. The other concern  
4 that I have is -- let me look back here at my note.

5 Plaintiff argues that he is a protected class.  
6 It doesn't really argue the protected class status,  
7 not a requirement, but a suggestion that when  
8 Plaintiff amends this count, that can -- that  
9 Plaintiff clarify exactly his standing as a  
10 protected class under either a state or a federal  
11 civil rights violation. So again, under Count  
12 number VI, that's dismissed without prejudice.  
13 Count VII is also dismissed without prejudice to  
14 refile an amended complaint, alleging all of the  
15 elements necessary to meet a defamation claim that's  
16 required as a matter of pleading.

17 With Count VIII, that's granted with prejudice.  
18 Count VIII is not a standalone count. Counts are  
19 causes of action. Count VIII simply describes  
20 damages. Again, as a suggestion for Plaintiff and  
21 not a requirement, this Court must have subject  
22 matters -- subject matter jurisdiction, which  
23 requires a threshold amount being sought as a  
24 recovery. You've alleged in some of these, at least  
25 one of these, that you meet the threshold above



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

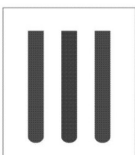
CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 \$50,000. Suggestion, but not a requirement, that  
2 you identify what you believe damages have occurred  
3 per your count, as opposed to leaving it just to a  
4 final count for damages. Because again,  
5 procedurally that's not accurate. A count for  
6 damages should be pled as damages supporting, or --  
7 that are supported by causes of action.

8 I'm going to give the -- in light of the fact  
9 that it's December 13th, I will give the defense --  
10 plaintiff until December 30 to file an amended  
11 complaint. Mr. Thurlow, any -- and I'm sorry, you  
12 also argued with regard to the causes of action  
13 filed in the Clearwater case, what's been referenced  
14 to this case, 393 -- excuse me, 24-3939, the  
15 Clearwater case. I agree with defense counsel that  
16 there's no private rights of action, and it fails to  
17 allege sufficient elements. I will grant it without  
18 prejudice to see if the plaintiff can resurrect that  
19 and be able to describe the basis to have a private  
20 right of action under those claims, but more  
21 particularly the plaintiff shall replete specific  
22 elements to support those allegations.

23 Mr. Thurlow, any questions about what's in  
24 that order today? Anything else you'd like to  
25 address in that order today?



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

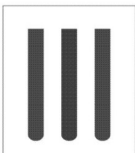
1 MR. THURLOW: To clarify, with the counts  
2 granted without prejudice, was that under anti-  
3 SLAPP, or for other reasons?

4 THE COURT: I -- I'm sorry, I -- I'm not sure  
5 if I understand your question. Ask it again,  
6 please.

7 MR. THURLOW: So you granted the Motion to  
8 Dismiss on Counts VI, VII, and -- VI and VII without  
9 prejudice, as well as in the Clearwater case, I  
10 believe all the counts without prejudice.

11 Does that make any kind of decision on the  
12 applicability of anti-SLAPP, or is the Court  
13 deferring ruling on that?

14 THE COURT: No. The Court is fine that what  
15 you all call anti-SLAPP, it's actually referred to  
16 as the SLAPP statute 768.295. That statute applies  
17 to Paragraph number 5, which is the violation of  
18 election laws. Again, I'm going to not necessarily  
19 apply it for purposes of dismissing with prejudice.  
20 As to Count VI, I am going to give the plaintiff an  
21 opportunity to reallege that in an amended  
22 complaint. And I want to be clear for Defense  
23 because I think this might go part and parcel to  
24 your question. There's no prohibition, once an  
25 amended complaint is filed, to reargue the SLAPP



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 statute to see if it's applicable to what's been in  
2 -- under the amended complaint.

3 Mr. Thurlow, does that address your question?

4 MR. THURLOW: Yes, it does, Your Honor.

5 THE COURT: Okay. Anything else, Mr. Thurlow,  
6 for the preparation of the order today?

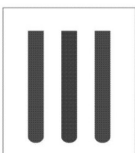
7 MR. THURLOW: Not at this time.

8 THE COURT: Plaintiff, any questions about  
9 what's in the order, and any -- anything else you  
10 believe the Court should address in that order  
11 today?

12 MR. LICCIONE: Yes, Your Honor. I was a little  
13 fuzzy on when you were covering the Clearwater  
14 counts. Could you identify again for me which  
15 counts --

16 THE COURT: All counts in the Clearwater case  
17 -- all counts in the Clearwater case, which is case  
18 number 24-3939-CI, that applied to Jennifer  
19 Griffith, because those were consolidated.

20 And as a -- as a side note, if you will,  
21 Jennifer Griffith is no longer part of the pleadings  
22 in case number 24-3939. I need the Clearwater case.  
23 So anything that applies to Jennifer Griffith must  
24 be contained in the amended complaint that the  
25 plaintiff files if Plaintiff chooses to file that



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 amended complaint and does so by December 30th. The  
2 dismissal is granted without prejudice.

3 Making a note for you, Mr. Liccione, that I  
4 don't believe you've properly identified a private  
5 right of action, and I don't believe you've properly  
6 pled sufficient allegations to submit your causes of  
7 action. I'm giving you another opportunity to do  
8 that.

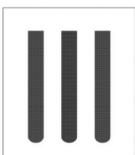
9 The defense counsel has an opportunity to come  
10 back once you filed that amended complaint and file  
11 whatever response he would like to. If it includes  
12 a notion to dismiss, the Court will reconsider any  
13 argument that he would like to make, which would  
14 include, but not be limited to that the plaintiff  
15 hasn't established a private right of action, and/or  
16 that the plaintiff hasn't sufficiently alleged the  
17 required elements to support each cause of action,  
18 and the applicability of the SLAPP statute.

19 Mr. Liccione, does that help clarify your  
20 question?

21 MR. LICCIONE: Yes, sir. I'm good.

22 THE COURT: Anything else -- anything else that  
23 you would like the Court to address in that order  
24 today?

25 MR. LICCIONE: No, sir.



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 THE COURT: Mr. Liccione, you're required to  
2 start working with Plaintiff's -- Defense counsel on  
3 a case management order that basically gets us to  
4 full disposition. I would ask that you start to  
5 circulate a draft of that, knowing however, that you  
6 have a deadline of December 30 to file an amended  
7 complaint if you choose to.

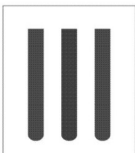
8 Any questions on that?

9 MR. LICCIONE: You're talking about a draft of  
10 the amended -- the new amended complaint, correct,  
11 Your Honor?

12 THE COURT: The order today is granting the  
13 Motion to Dismiss. The only two counts that I did  
14 not grant the Motion to Dismiss, are Counts I and  
15 II.

16 MR. LICCIONE: Okay.

17 THE COURT: The battery -- the battery count  
18 and the assault count. Let me be clear, if the  
19 plaintiff doesn't file an amended complaint, all of  
20 the other counts have gone away, to use a manner  
21 speaking, including anything that was filed against  
22 Ms. Griffith in case 24-3939. If you do not file an  
23 amended complaint, then you'd have to make sure that  
24 this Court understands how you meet the subject  
25 matter threshold to support your battery claim and



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 your assault claim. If you file an amended  
2 complaint, again, you must readdress Counts II  
3 through VIII, and again, VIII being damages, which  
4 the Court finds is not a cause of action. And  
5 you're also addressing all of the counts that you  
6 include against Ms. Griffith in case number 24-3939.  
7 The deadline to file that amended complaint is  
8 December 30.

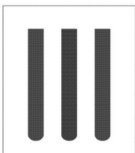
9 Mr. Liccione, any other questions?

10 MR. LICCIONE: Yeah -- yes, Your Honor. I was  
11 just asking about when you said that I need to start  
12 circulating a draft. I need to start circulating a  
13 draft. I'm just trying to get clarity on what -- a  
14 draft of what exactly?

15 THE COURT: A case management order. If you'll  
16 read our administrative orders, we require a case  
17 management order that acts as a scheduling order  
18 that gets this case to full disposition within the  
19 Supreme Court mandated timeframe, okay?

20 MR. LICCIONE: Right. But you said that Mr.  
21 Thurlow is supposed to draft it, not me. So he's  
22 the one that needs to circulate it, correct? I'm  
23 just trying to get clarity on that, who drafts the  
24 order?

25 THE COURT: I believe you're confused. So let



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 me clarify. The order from today is granting the  
2 motions to dismiss separately. In all civil  
3 litigation, we require a case management order that  
4 acts as a scheduling order.

5 MR. LICCIONE: Well --

6 THE COURT: The plaintiff --

7 MR. LICCIONE: Okay.

8 THE COURT: -- if you look at -- if you look at  
9 the case file, in the case file there's a case  
10 management status order filed on August 29 of 2024.

11 If you go to paragraph 7 of that order, it  
12 specifically states what the plaintiff's obligations  
13 are. Please make sure you comply with that.

14 MR. LICCIONE: All right. I'll do. Thank you.

15 THE COURT: From a case management standpoint,  
16 what I'm going to do is this, I'm going to have any  
17 other -- all other pending motions to be reset,  
18 because we've run out of time today, along with  
19 another case management conference. And what I'm  
20 going to do is this, Mr. Thurlow, please include the  
21 meet and confer requirement as I've described  
22 previously before any future motions are filed. The  
23 parties shall meet and confer. If a motion is  
24 filed, it shall be set for hearing. In my opinion,  
25 that's timely set as 30 days or less. And if there



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

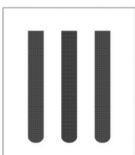


1 is a hearing that there's another meet and confer  
2 before the hearing occurs, counsel's failure to meet  
3 and confer is not necessarily actionable amongst the  
4 parties. The Court will simply take that into  
5 consideration if the Court wants to consider  
6 imposing sanctions.

7 So counsels -- or excuse me, so parties on both  
8 sides, Mr. Liccione and Mr. Thurlow, please don't  
9 file arguments about a failure to meet and confer  
10 and seek sanctions. You're welcome to bring that up  
11 in the context of any hearing we have, but please  
12 make sure that you understand, it is mandated by the  
13 Court for meets and confers.

14 Mr. Thurlow, the latitude here is this, I  
15 don't know your response to the amended complaint  
16 that's required to be filed by December 30. If your  
17 response is another motion to dismiss, again, I  
18 would ask you, and I'm sorry, the exception will be  
19 no meet and confer if it's a motion to dismiss. And  
20 the reason for the exception is, I would imagine  
21 that it's going to be very similar arguments that  
22 you both have made. If you all would like to confer  
23 on it, you are welcome to, but I'll -- I won't  
24 require for a motion to dismiss.

25 So Mr. Thurlow, if your response to the amended



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 complaint is a motion dismiss, I would ask that you  
2 get that filed for a hearing timely. I would ask  
3 that you work with the -- Mr. Liccione to have  
4 enough time for that motion to be heard. Also  
5 include a case management conference, and also  
6 include all pending motions. It's difficult to find  
7 an hour on my docket, it's less difficult to find a  
8 half hour. What I'm trying to do is get you back  
9 timely, but also at the same time, trying to create  
10 a sufficient amount of time to hear as many motions  
11 as we can.

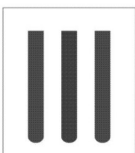
12 With that as the objective, we'll do our best  
13 to balance it, but I want to make sure we have at  
14 least enough time to hear any motion to dismiss as  
15 well as a case management. All of the pending  
16 motions will also be noticed and we'll hear it on a  
17 time permitted basis.

18 Mr. Thurlow, if you choose to file an answer  
19 and amended complaint, then counsels, I would ask  
20 you to set all pending motions in a case management  
21 conference within the next 45 to 60 days after the  
22 answer and affirmative defense have been filed.

23 Mr. Thurlow, any questions on that?

24 MR. THURLOW: No, Your Honor.

25 THE COURT: I don't need to include that in a



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 case management order per se, since we have a court  
2 reporter today, but that's the objective, depending  
3 on how the defense responds to the amended  
4 complaint.

5 For the plaintiff, any questions about the case  
6 management discussion?

7 MR. LICCIONE: No, sir.

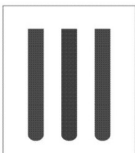
8 THE COURT: Everybody on this call have a great  
9 rest of your day and stay safe.

10 MR. THURLOW: Thank you, Your Honor.

11 MR. LICCIONE: Thank you, Your Honor.

12 THE REPORTER: Thank you, Your Honor.

13 (HEARING CONCLUDED AT 11:44 A.M. ET)  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

## C E R T I F I C A T E

STATE OF FLORIDA)

COUNTY OF ORANGE)

I, Vanessa McCormick, Court Reporter and Notary Public for the State of Florida at Large, do hereby certify that I was authorized to and did report the foregoing proceeding, and that said transcript is a true record of the said proceeding.

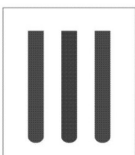
I FURTHER CERTIFY that I am not of counsel for, related to, or employed by any of the parties or attorneys involved herein, nor am I financially interested in said action.

Submitted on: February 7, 2025



Vanessa McCormick

Court Reporter, Notary Public



407.423.9900

MILESTONE | REPORTING COMPANY

TOMORROW'S TECHNOLOGY TODAY

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

# **EXHIBIT E**

**ORIGINAL**

1 IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT,  
2 IN AND FOR PINELLAS COUNTY, FLORIDA  
3 CASE NO.: 24-002994-CI  
4 DIVISION: SECTION 19

5  
6 JOHN LICCIONE,  
7 Petitioner

8  
9 v.

10  
11 PINELLAS DEMOCRATIC EXECUTIVE COMMITTEE, ET AL,  
12 Respondents

13  
14 HEARING

15  
16  
17  
18  
19  
20

21 DATE: JANUARY 28, 2025

22 REPORTER: DANIELA RODRIGUEZ-GUERRERO

23  
24  
25

## APPEARANCES

PRO SE:

John W. Liccione

6800 Gulfport Boulevard South

Suite 201-116

South Pasadena, Florida 33707

Telephone No.: (443) 698-8156

E-mail: jliccione@gmail.com

(Appeared via teleconference)

ON BEHALF OF THE RESPONDENTS, PINELLAS DEMOCRATIC

EXECUTIVE COMMITTEE, MICHAEL J. SHEROSKY, AND JENNIFER

W. GRIFFITH:

George A.D. Thurlow, Esquire

Rahdert & Mortimer, P.A.

535 Central Avenue

Suite 200

St. Petersburg, Florida 33701

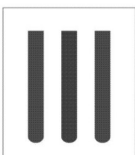
Telephone No.: (727) 823-4191

E-mail: GThurlow@rahdertlaw.com

(Appeared via teleconference)

Also Present: Thomas Ramsberger; Mark Herron, Interested

Party



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

## INDEX

Page

PROCEEDINGS

5



407.423.9900

MILESTONE | REPORTING COMPANY

TOMORROW'S TECHNOLOGY TODAY

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

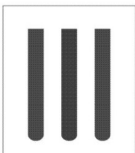
CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS



## 1 STIPULATION

2  
3 The hearing was taken at MILESTONE REPORTING COMPANY,  
4 315 EAST ROBINSON STREET, SUITE 510, ORLANDO, FLORIDA  
5 32801, via teleconference in which all participants  
6 attended remotely, on TUESDAY the 28th day of JANUARY  
7 2025 at 3:30 p.m. (ET); said hearing was taken pursuant  
8 to the FLORIDA Rules of Civil Procedure  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



407.423.9900

MILESTONE | REPORTING COMPANY  
TOMORROW'S TECHNOLOGY TODAY

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

## PROCEEDINGS

THE COURT: Afternoon. This is Judge Ramsberger for the 3:30 hearing. This is case 24-2994. Do we have counsel, or do we have the plaintiff on?

MR. LICCIONE: Yes. Plaintiff John Liccione here.

THE COURT: You're still pro se; is that correct?

MR. LICCIONE: That's correct, sir.

THE COURT: All right. And how about for the defendants? Do we have counsel on the call?

MR. THURLOW: Yes. George Thurlow on behalf of Defendant Pinellas Democratic Executive Committee, Michael John Sherosky, and Jennifer Griffith.

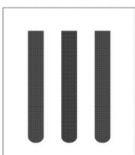
THE COURT: All right. And then good afternoon. How about a court reporter? Do we have a court reporter today?

THE REPORTER: Yes, Your Honor. Daniela Rodriguez with Milestone.

THE COURT: All right. Good. Good afternoon. Again, Daniela, we spoke earlier. You were on before my last hearing was over, correct?

THE REPORTER: Yes, Your Honor.

THE COURT: Thank you. Anybody else on the



MILESTONE | REPORTING COMPANY

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 call today?

2 MR. HERRON: Yes. Mark Herron, an interested  
3 citizen.

4 THE COURT: All right. Good afternoon.  
5 Welcome. To listen in, please mute your microphone.  
6 Anybody else? All right. I see two motions filed  
7 by the plaintiff. One is in a motion to extend a  
8 deadline to file a second amended complaint. Looks  
9 like that motion was filed December 30th, 2024. And  
10 then the second motion by Plaintiff is a motion for  
11 clarification. Mr. Liccione, did -- let me start  
12 with this. Did you get a copy of the transcript  
13 from the last hearing that we had back on December  
14 13th of 2024?

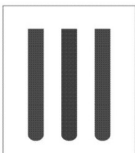
15 MR. LICCIONE: I haven't yet, Your Honor.

16 THE COURT: You prepared the order granting the  
17 defendant's Motion to Dismiss Plaintiff's Amended  
18 Complaints; is that correct?

19 MR. LICCIONE: No. George Thurlow did.  
20 Attorney Thurlow did.

21 THE COURT: Mr. Thurlow you prepared that  
22 order?

23 MR. THURLOW: That is correct, Your Honor. I  
24 prepared that order, ran it by Mr. Liccione, who has  
25 an objection, which was noted in our cover letter.



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

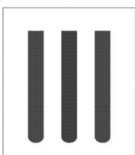
Toll Free 855-MYDEPOS

1 THE COURT: Okay. Mr. Liccione, I've gone  
2 through the order before I have entered it, and the  
3 order is consistent with my notes, and I would think  
4 consistent with a transcript of the hearing with  
5 regard to addressing each and every one of the  
6 counts in your amended -- or in your complaint. And  
7 I want to be clear, I believe you unilaterally filed  
8 an amended complaint already that the courts  
9 rejected, so this would be addressing a time in  
10 which you were to file an amended complaint, which  
11 gave you December 30th of 2024 to file that  
12 complaint, correct?

13 MR. LICCIONE: Yes, sir.

14 THE COURT: Okay. So sir, I'm going to start  
15 with this premise. This order is consistent with my  
16 notes. It clearly goes through and either denies or  
17 grants, and it says with or without prejudice when  
18 appropriate. So what is the clarification that  
19 you're looking for that's not clear from this order?

20 MR. LICCIONE: Yeah. There are two areas on  
21 this order. The one is the last paragraph which  
22 says, "Nothing in this order shall be construed as  
23 an adjudication of defendant's legal or factual  
24 defenses, including the applicability of Florida  
25 Statute 768-95, except as otherwise provided, and



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

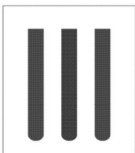
[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 Defendants are permitted to raise these issues for  
2 adjudication by the court in subsequent motions."  
3 So there's that issue. That -- that's the one I'm  
4 requesting clarification on, as I've pleaded in my  
5 motion for clarification. And then the second thing  
6 is on the first page of the order, there's a Number  
7 1 that talks about -- you denied the motion to  
8 dismiss on Counts 1 and 2 of battery and assault as  
9 they -- "as they pertain to defendant Michael  
10 Sherosky." So there's a second issue there that I'm  
11 seeking clarification on. And the clarification is  
12 going to drive my decision, assuming you grant me an  
13 extension, on whether I do file an amended  
14 complaint, second amended complaint. Because in the  
15 absence of clarification, my -- I feel I'm being  
16 prejudiced because I'm not sure. Anyway, so that --  
17 I'll stop there. So that's what I -- so that's what  
18 I'm seeking clarification on. Those are the things  
19 that I -- Mr. Thurlow and I did not agree with. So  
20 you know -- and that's what I'm seeking clarification  
21 on here.

22 THE COURT: Okay. And I want to be careful  
23 about something, and I'll put it on the record this  
24 way. When somebody asks for clarification, they  
25 certainly have that right, and I certainly have the



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

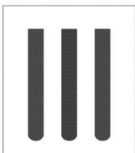
407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 obligation to look. What's difficult for me is to  
2 go back and change something that might be  
3 inconsistent with a prior ruling. And so if I have  
4 a hesitancy to clarify something that does not need  
5 to be clarified, I want Plaintiff to understand.  
6 That's the concern this Court always has. So in  
7 other words, I'm not being asked to re-rule on  
8 something. That would be a motion for  
9 reconsideration. Let me address the second -- the  
10 first point first. If you go to that last  
11 paragraph, when it says, counsel -- excuse me, when  
12 it says that, forgive me, "nothing in this order  
13 shall be construed." Plaintiff, I'm not sure what  
14 else to tell you other than the plain reading of  
15 this is pretty clear. I have not made any ruling on  
16 the merits of any applicable defenses. Depending on  
17 whether you file an amended complaint or not will  
18 determine how the defendant responds. And again,  
19 you seem to be somewhat versed in the law, so you  
20 should understand that parties are entitled to  
21 respond to lawsuits. A response could be another  
22 motion to dismiss. If they file what's called a  
23 responsive pleading, then that's an answer. It may  
24 include affirmative defenses. It may include a  
25 counterclaim. So my understanding of the reason why

**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 defense counsel put this in there is to make it  
2 clear. The only thing that I've ruled upon at the  
3 hearing was your complaint, so nothing is to be  
4 construed in this order that would limit anything  
5 that the defense wants to respond to. I want to be  
6 abundantly clear about something. It doesn't mean  
7 that their answer and affirmative defenses and any  
8 counterclaim goes forward. It just means they have a  
9 right to go ahead and raise those as defenses. So  
10 nothing's been adjudicated today in this order that  
11 I entered on December 20th. Plaintiff, any questions  
12 about the clarification?

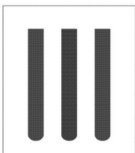
13 MR. LICCIONE: Am I going to be made -- given  
14 the opportunity to make oral argument, Your Honor,  
15 or not? I'd like to clarify --

16 THE COURT: None. No, none whatsoever, because  
17 Mr. Liccione, you asked for clarification, and my  
18 clarification is that the document speaks for  
19 itself. I've given --

20 MR. LICCIONE: That -- that's -- let me talk --

21 THE COURT: -- you some additional information  
22 so you can understand the plain reading of it, but  
23 the plain reading of it is --

24 MR. LICCIONE: I'm going to go on the record  
25 now, Your Honor --



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 THE COURT: -- no adjudication of the defense -  
2 - legal or factual defenses regardless of the --

3 MR. LICCIONE: -- that you denied the motion to  
4 dismiss on Counts 1 and 2 --

5 THE COURT: Mr. Liccione, can you stop talking?

6 MR. LICCIONE: -- which were based on an anti-  
7 SLAPP defense.

8 THE COURT: Mister --

9 MR. LICCIONE: You grant -- you denied their  
10 motion.

11 THE COURT: -- Liccione, can you stop talking?  
12 Counsel --

13 MR. LICCIONE: Therefore, anti-SLAPP has been  
14 knocked down and this now rescue is now barred by  
15 lateral estoppel from being brought up on argument  
16 again.

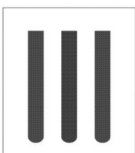
17 THE COURT: Are you done, Mr. Liccione?

18 MR. LICCIONE: So your statements, Your Honor,  
19 that --

20 THE COURT: Liccione, are you done?

21 MR. LICCIONE: No, I'm not done.

22 THE COURT: Okay. Counsel, I'm adjourning this  
23 hearing. We're resetting it in person. Mr.  
24 Liccione, I'm going to include an order to show  
25 cause hearing for you. Sir, I gave you a warning to



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

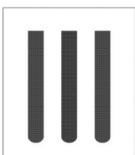
Toll Free 855-MYDEPOS



1 stop talking because you're interrupting the Court's  
2 business. That's contemptible, okay? What I'm  
3 going to do is have a hearing in person. We're  
4 going to address your motions today in person, as  
5 well as my order to show cause why not to hold you  
6 in contempt for interrupting the Court and  
7 interrupting the Court's business. If you cannot  
8 afford an attorney, I'll appoint a public defender  
9 to represent you. If I make a finding of contempt,  
10 then I'll do the penalty phase. The penalty phase  
11 may include issuing sanctions, which may include  
12 incarceration up to one day short of six months.  
13 Mr. Liccione, do you have any questions about  
14 resetting these motions for hearing in person, along  
15 with an order to show cause hearing for your  
16 conduct?

17 MR. LICCIONE: I understand what you're saying,  
18 sir.

19 THE COURT: Very good. I'll make sure that we  
20 do this within the next two to three weeks, if  
21 possible, Mr. Thurlow, please reach out to my office  
22 through my judicial assistant and I'll be providing  
23 dates and times to have that in hearing. Actually,  
24 I'm going to correct myself. That's just going to  
25 be on an order to show cause hearing. The motion



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

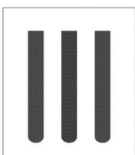
1 for clarification is denied because the order speaks  
2 for itself. Mr. Liccione decided to interrupt the  
3 Court and not wants to hear a clarification on  
4 Number 1. Number 1, Paragraph number 1 in the order  
5 clearly speaks for itself. So the response by this  
6 Judge to this pro se plaintiff is, the plain reading  
7 of the order speaks for themselves on both issues  
8 raised. No need for further clarification.

9 Therefore, motion denied. Motion for Deadline  
10 denied. That -- excuse me. Mr. Liccione, I want to  
11 be clear about something. I'm denying your request  
12 for an extension. However, you already got it by 30  
13 days because we're here at least one month later.

14 In my order that Mr. Thurlow is going to prepare and  
15 upload to JAWS by no later than 4:00 p.m. tomorrow,  
16 the Court is going to extend your deadline to file  
17 an amended complaint, if desired, by no later than  
18 4:00 p.m., and that's going to be one week from  
19 today. So Mr. Thurlow, you can include that date  
20 and time, one week from today. If it's not filed by  
21 then, then it's delinquent. Mr. Thurlow, any  
22 question about the order today that I'll have you  
23 prepare so it's uploaded to JAWS?

24 MR. THURLOW: No questions, Your Honor.

25 THE COURT: 1 and 2 denied. However, because



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

1 Plaintiff came back 30 days after the deadline, I  
2 believe Mr. Thurlow, that's going to be February  
3 4th, correct?

4 MR. THURLOW: That's my read of the calendar,  
5 Your Honor.

6 THE COURT: February 4th of 2025, 4:00 p.m.  
7 deadline for second amended -- for the amended  
8 complaint, if Plaintiff desires. So now what I'll  
9 do is have Plaintiff -- you reach out to my judicial  
10 assistant and you can coordinate a date and time  
11 with Mr. Liccione to have his order show cause  
12 hearing in person. Mr. Thurlow, any questions about  
13 that?

14 MR. THURLOW: No questions, Your Honor.

15 THE COURT: Very good. Make sure that there's  
16 a court reporter present. Mr. Liccione, any  
17 questions about the Court's order today?

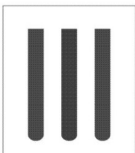
18 MR. LICCIONE: No, sir.

19 THE COURT: Thank you, sir. Have a good rest  
20 of your day and stay safe, everybody.

21 MR. THURLOW: Thank you, Your Honor.

22 MR. HERRON: Thank you, Your Honor.

23 (HEARING CONCLUDED AT 3:41 P.M. ET)  
24  
25



**MILESTONE | REPORTING COMPANY**

TOMORROW'S TECHNOLOGY TODAY

407.423.9900

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

## C E R T I F I C A T E

STATE OF FLORIDA)

COUNTY OF ORANGE)

I, Daniela Rodriguez-Guerrero, Court Reporter and  
Notary Public for the State of Florida at Large, do  
hereby certify that I was authorized to and did report  
the foregoing proceeding, and that said transcript is a  
true record of the said proceeding.

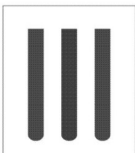
I FURTHER CERTIFY that I am not of counsel for,  
related to, or employed by any of the parties or  
attorneys involved herein, nor am I financially  
interested in said action.

Submitted on: February 7, 2025



DANIELA RODRIGUEZ-GUERRERO

Court Reporter, Notary Public



407.423.9900

**MILESTONE | REPORTING COMPANY**  
TOMORROW'S TECHNOLOGY TODAY

[www.MILESTONEREPORTING.com](http://www.MILESTONEREPORTING.com)

CORPORATE ORLANDO, FL 32801  
JACKSONVILLE, FL 32256  
TAMPA, FL 33602

Toll Free 855-MYDEPOS

# EXHIBIT F

**IN THE CIRCUIT COURT IN AND FOR PINELLAS COUNTY  
STATE OF FLORIDA, CIVIL DIVISION  
CASE NO.: 24-002994-CI-19**

**JOHN WILLIAM LICCIONE,**  
Plaintiff,  
vs.

**PINELLAS DEMOCRATIC  
EXECUTIVE COMMITTEE, ET AL,**  
Defendants.

---

**ORDER TO SHOW CAUSE**

**THIS CAUSE** came before the Court for telephonic hearing on January 28, 2025, during which the Plaintiff, John William Liccione, disrupted the Court numerous times and, after being advised by the Judge to not disrupt the hearing, continued to disrupt the Court's business. The Plaintiff engaged in similar conduct during two prior telephonic hearings. The Court is hereby entering this Order to Show Cause for the Plaintiff to explain why the Court should not find the Plaintiff in direct criminal contempt pursuant to Fla. R. Crim. P. 3.830 for the Plaintiff's misconduct during the hearing. Therefore, it is hereby

**ORDERED AND ADJUDGED** as follows:

The Plaintiff, John William Liccione, is hereby **ordered to appear in person** before the Court on:

**Date/Time:** Tuesday, February 11, 2025, at 11:45a.m.  
**Judge:** Thomas Ramsberger, Circuit Judge  
**Location:** St. Petersburg Judicial Building  
545 1<sup>st</sup> Avenue North, 2<sup>nd</sup> Floor, Courtroom 2A  
St. Petersburg, Florida 33701

The Plaintiff will at that time provide the Court with testimony as to why he should not be found in contempt. Should the Court find the Plaintiff in contempt, then the Court will set another hearing to determine if any sanctions will be imposed upon the Plaintiff, including but not limited to, incarceration for such contempt.

***FAILURE OF JOHN WILLIAM LICCIONE TO APPEAR IN COURT AT THE SCHEDULED TIME MAY RESULT IN THE COURT ISSUING A WARRANT FOR HIS ARREST. IF ARRESTED, YOU MAY BE HELD IN JAIL UP TO FORTY-EIGHT (48) HOURS BEFORE A HEARING IS HELD.***

**DONE AND ORDERED** at St. Petersburg, Pinellas County, Florida, on February \_\_\_\_, 2025.

Electronically Conformed 2/3/2025  
Thomas Ramsberger

---

**THOMAS RAMSBERGER**  
Circuit Judge

Copies furnished via JAWS to:  
John William Liccione, Plaintiff, Pro Se  
George Thurlow, Counsel for Defendants

# EXHIBIT G

IN THE CIRCUIT COURT IN AND FOR PINELLAS COUNTY  
STATE OF FLORIDA, CIVIL DIVISION  
CASE NO.: 24-002994-CI-19

JOHN WILLIAM LICCIONE,  
Plaintiff,  
vs.

PINELLAS DEMOCRATIC  
EXECUTIVE COMMITTEE, ET AL,  
Defendants.

AMENDED  
ORDER TO SHOW CAUSE

THIS CAUSE came before the Court for telephonic hearing on January 28, 2025, during which the Plaintiff, John William Liccione, disrupted the Court numerous times and, after being advised by the Judge to not disrupt the hearing, continued to disrupt the Court's business. The Plaintiff engaged in similar conduct during two prior telephonic hearings. The Court is hereby entering this Order to Show Cause for the Plaintiff to explain why the Court should not find the Plaintiff in direct criminal contempt pursuant to Fla. R. Crim. P. 3.830 for the Plaintiff's misconduct during the hearing. Therefore, it is hereby

**ORDERED AND ADJUDGED** as follows:

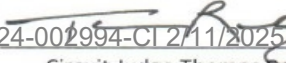
The Plaintiff, John William Liccione, is hereby **ordered to appear in person** before the Court on:

**Date/Time:** Thursday, April 10, 2025, at 11:45a.m.  
**Judge:** Thomas Ramsberger, Circuit Judge  
**Location:** St. Petersburg Judicial Building  
545 1<sup>st</sup> Avenue North, 2<sup>nd</sup> Floor, Courtroom 2A  
St. Petersburg, Florida 33701

The Plaintiff will at that time provide the Court with testimony as to why he should not be found in contempt. Should the Court find the Plaintiff in contempt, then the Court will set another hearing to determine if any sanctions will be imposed upon the Plaintiff, including but not limited to, incarceration for such contempt.

***FAILURE OF JOHN WILLIAM LICCIONE TO APPEAR IN COURT AT THE SCHEDULED TIME MAY RESULT IN THE COURT ISSUING A WARRANT FOR HIS ARREST. IF ARRESTED, YOU MAY BE HELD IN JAIL UP TO FORTY-EIGHT (48) HOURS BEFORE A HEARING IS HELD.***

**DONE AND ORDERED** at St. Petersburg, Pinellas County, Florida, on February \_\_\_\_, 2025.

  
24-002994-CI 2/11/2025 3:34:16 PM  
Circuit Judge Thomas Ramsberger  
24-002994-CI 2/11/2025 3:34:16 PM

Copies furnished via JAWS to:  
John William Liccione, Plaintiff, Pro Se  
George Thurlow, Counsel for Defendants

**THOMAS RAMSBERGER**  
Circuit Judge



# EXHIBIT H



John Liccione &lt;jliccione@gmail.com&gt;

---

**RE: Liccione v. Pinellas Democratic Executive Committee, Case No. 24-002994-CI-19**

---

**George Thurlow** <GThurlow@rahdertlaw.com>  
To: John Liccione <jliccione@gmail.com>  
Cc: Teresa McCreary <TMcCreary@rahdertlaw.com>

Wed, Feb 12, 2025 at 3:11 PM

Mr. Liccione:

If you are truly unavailable on 2/18, I can also make the time on 2/17 work. Please advise as to your availability.

## **George Thurlow, Esq.**

Associate Attorney

Rahdert & Mortimer, PLLC

535 Central Avenue

Suite 200

St. Petersburg, FL 33701

Office: (727)823-4191 ext. 409

Fax: (727)513-5600

GThurlow@RahdertLaw.com

THIS MESSAGE AND ANY FILES TRANSMITTED WITH IT ARE CONFIDENTIAL AND INTENDED SOLELY FOR THE INDIVIDUAL OR ENTITY TO WHOM THEY ARE ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR THE USE OF THE CONTENTS OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, DESTROY IT IMMEDIATELY.  
\*\*\*CONFIDENTIAL\*\*\*

---

**From:** Section19 <Section19@jud6.org>

**Sent:** Wednesday, February 12, 2025 3:09 PM

**To:** George Thurlow <GThurlow@rahdertlaw.com>; Teresa McCreary <TMcCreary@rahdertlaw.com>; Milestone Reporting (Scheduling@milestonereporting.com) <Scheduling@milestonereporting.com>

**Cc:** John Liccione <jliccione@gmail.com>

**Subject:** RE: Liccione v. Pinellas Democratic Executive Committee, Case No. 24-002994-CI-19

Good afternoon Attorney Thurlow,

Thank you for your email.

This Order to Show Cause hearing needs to be scheduled sooner rather than later.

The only other dates I now have available are as follows:

M Feb. 17 11:45am

TH Feb. 20 11:45am

Please let me know as soon as possible which of these dates works best.

~Those affected by Hurricane Helene and/or Hurricane Milton, you are in our thoughts~

***Please note Judge Ramsberger's telephone conference call number below.***

Thank you,

*Valerie McGivern*

Judicial Assistant to

Circuit Judge Thomas Ramsberger

545 First Avenue North, Room 200

St. Petersburg, FL 33701

(727) 582-7874 / [Section19@jud6.org](mailto:Section19@jud6.org)

[www.jud6.org](http://www.jud6.org)

\* UNTIL FURTHER NOTICE, ALL HEARINGS set before Judge Thomas Ramsberger will be conducted  
by telephone conference call. \*

**Conference Telephone Number: 1 (425) 436-6303 Access Code: 141878#**

***Please state the date the motion was filed when requesting a hearing time slot via JAWS.***

***All counsels shall properly associate themselves in JAWS as Attorney for Plaintiff/Defendant.***

**Please note that Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered public records. Your e-mail message may be subject to public disclosure upon request.**

**From:** George Thurlow <GThurlow@rahdertlaw.com>  
**Sent:** Wednesday, February 12, 2025 12:16 PM  
**To:** Section19 <Section19@jud6.org>; Teresa McCreary <TMcCreary@rahdertlaw.com>; Milestone Reporting (Scheduling@milestonereporting.com) <Scheduling@milestonereporting.com>  
**Cc:** John Liccione <jliccione@gmail.com>  
**Subject:** RE: Liccione v. Pinellas Democratic Executive Committee, Case No. 24-002994-CI-19

Dear Ms. McGivern:

I am available February 18<sup>th</sup> but not February 19<sup>th</sup>. Mr. Liccione has advised that he is unavailable on February 18<sup>th</sup>, and has requested that the hearing be set sometime after March 11<sup>th</sup> and has advised of his unavailability for several dates in March after 3/11.

## George Thurlow, Esq.

Associate Attorney

Rahdert & Mortimer, PLLC

535 Central Avenue

Suite 200

St. Petersburg, FL 33701

Office: (727)823-4191 ext. 409

Fax: (727)513-5600

GThurlow@RahdertLaw.com

THIS MESSAGE AND ANY FILES TRANSMITTED WITH IT ARE CONFIDENTIAL AND INTENDED SOLELY FOR THE INDIVIDUAL OR ENTITY TO WHOM THEY ARE ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR THE USE OF THE CONTENTS OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, DESTROY IT IMMEDIATELY.

\*\*\*CONFIDENTIAL\*\*\*

---

**From:** Section19 <Section19@jud6.org>  
**Sent:** Wednesday, February 12, 2025 10:48 AM  
**To:** Teresa McCreary <TMcCreary@rahdertlaw.com>; Milestone Reporting (Scheduling@milestonereporting.com) <Scheduling@milestonereporting.com>  
**Cc:** George Thurlow <GThurlow@rahdertlaw.com>; John Liccione <jliccione@gmail.com>  
**Subject:** RE: Liccione v. Pinellas Democratic Executive Committee, Case No. 24-002994-CI-19

Good morning Teresa,

Thank you for your email.

I apologize, however, I need to move the April 10, 2025, 11:45am hearing due to a conflict.

Please let me know if Mr. Liccione and Attorney Thurlow are available on one of the following dates/times:

T Feb. 18 11:45am, 1:15pm

W Feb. 19 8:45, 11:45am

I appreciate your assistance. Again, I apologize for the inconvenience.

~Those affected by Hurricane Helene and/or Hurricane Milton, you are in our thoughts~

***Please note Judge Ramsberger's telephone conference call number below.***

Thank you,

*Valerie McGivern*

Judicial Assistant to

Circuit Judge Thomas Ramsberger

545 First Avenue North, Room 200

St. Petersburg, FL 33701

(727) 582-7874 / [Section19@jud6.org](mailto:Section19@jud6.org)

[www.jud6.org](http://www.jud6.org)

\* UNTIL FURTHER NOTICE, ALL HEARINGS set before Judge Thomas Ramsberger will be conducted

by telephone conference call. \*

**Conference Telephone Number: 1 (425) 436-6303 Access Code: 141878#**

***Please state the date the motion was filed when requesting a hearing time slot via JAWS.***

***All counsels shall properly associate themselves in JAWS as Attorney for Plaintiff/Defendant.***

**Please note that Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered public records. Your e-mail message may be subject to public disclosure upon request.**

**From:** Teresa McCreary <TMcCreary@rahdertlaw.com>  
**Sent:** Wednesday, February 12, 2025 10:08 AM  
**To:** Milestone Reporting (Scheduling@milestonereporting.com) <Scheduling@milestonereporting.com>  
**Cc:** George Thurlow <GThurlow@rahdertlaw.com>; John Liccione <jliccione@gmail.com>; Section19 <Section19@jud6.org>  
**Subject:** Liccione v. Pinellas Democratic Executive Committee, Case No. 24-002994-CI-19

Please schedule a court reporter to appear in person on April 10, 2025 at 11:45 am. Attached is a copy of the Amended Order to Show Cause for the information you may require.

Note that this is an IN PERSON hearing.

Please let me know if you have any questions. Thank you.

***Teresa M.O. McCreary, FRP***

*Florida Registered Paralegal*

*FBN #0292645; CTM-103885*

Paralegal/Legal Assistant

to George K. Rahdert, Esquire

Rahdert & Mortimer, PLLC

535 Central Avenue

St. Petersburg, FL 33701

Phone: (727) 823-4191 X428

Fax: (727) 823-6189

EFax: 7275135600@hostmyfax.com

Email: TMcCreary@rahdertlaw.com



**CONFIDENTIALITY NOTICE**

**This electronic message is covered by the Electronic Communications Privacy Act, 18 U.S.C. Section 2510-2521 and is legally privileged. This information is intended to be for the use of the individual or entity named on this electronic transmission. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this transmission and its contents is prohibited. If you have received this transmission in error, please notify the sender immediately.**

# EXHIBIT I



**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIVIL DIVISION**

JOHN WILLIAM LICCIONE,

Plaintiff,

vs.

Case No.: 24-003939-CI

JULIE MARCUS, in her official capacity  
as Pinellas County Supervisor of Elections,  
et. al.,

Defendants.

---

**THE COURT'S MOTION TO STAY AND ORDER**

**PLEASE TAKE NOTICE** that the Court hereby moves *sua sponte* to stay the instant proceeding.

1. The Court has become aware that Plaintiff filed suit on August 23, 2024 in the United States District Court for the Middle District of Florida, case number 8-24-cv-2005-SDM-NHA ("federal action").

2. The federal action involves many of the same defendants, some of the same claims, and the same nucleus of facts as the instant case.

3. Plaintiff did not file the instant action until September 3, 2024.

4. "Generally, when a state lawsuit is filed that involves the same nucleus of facts as a previously filed federal lawsuit, principles of comity and the desire to avoid inconsistent results require the stay of the subsequently filed state action until the prior filed federal action has been adjudicated." *Roche v. Cyrulnik*, 337 So. 3d 86, 88 (Fla. 3d DCA 2021) (citations omitted). In *OPKO Health, Inc. v. Lipsius*, the Third District of Florida further stated the following:

Although a trial court has broad discretion to order or refuse a stay of an action pending before it, it is nonetheless an abuse of discretion to refuse to stay a subsequently filed state court action in favor of a previously filed federal action which involves the same parties and the same or substantially similar issues. This rule is based on principles of comity.

*OPKO Health, Inc. v. Lipsius*, 279 So. 3d 787, 791 (Fla. 3d DCA 2019) (citing *Fla. Crushed Stone Co. v. Travelers Indem. Co.*, 632 So. 2d 217, 220 (Fla. 5th DCA 1994)).

5. For this general rule of comity to apply, the causes of action asserted in the two cases need not be identical nor must the two actions have identical parties. *Roche*, 337 So. 3d at 88 (citations omitted).

6. Because Plaintiff filed his federal action prior to the instant case, the Court hereby moves to stay the instant proceeding until Plaintiff's federal action has been adjudicated.

Additionally, it is further **ORDERED** as follows:

1. The Court's Motion to Stay will be heard at the previously-scheduled hearing on **November 12, 2024 at 3:00 P.M.**

2. Any party who opposes the instant Motion is directed to file and serve a written response and memorandum of law opposing the instant Motion. The Court requests that any such opposition also be personally served on the undersigned by **10:00 A.M. on November 12, 2024** at [section7@jud6.org](mailto:section7@jud6.org).

**DONE and ORDERED** in Chambers, in St. Petersburg, Pinellas County, Florida this 4th day of November, 2024.

Electronically Conformed 11/4/2024

Patricia Muscarella

**Honorable Patricia A. Muscarella**  
Circuit Civil Judge

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished to the parties listed below this 4th day of November, 2024 in the manner specified below.

---

Judicial Assistant

Copies furnished to:

**Parties served by email**

**John Liccione**  
jliccione@gmail.com  
Plaintiff

**Kirby Z. Kreider, Esq.**  
kkreider@pinellas.gov  
eservice@pinellas.gov  
Counsel for Defendant, Julie Marcus

**George A.D. Thurlow, Esq.**  
gthurlow@rahdertlaw.com  
tmccreary@rahdertlaw.com  
service@rahdertlaw.com  
Counsel for Defendant, Jennifer Griffith

**James B. Lake, Esq.**  
1861 53rd St. S.  
jlake@tlolawfirm.com  
tgilley@tlolawfirm.com  
Counsel for Defendant, Cathy Salustri Loper

**Parties served by U.S. mail**

**Mark Weinkrantz**  
4738 Belden Circle  
Palm Harbor, FL 34685  
Defendant

**Patrick Heinzen**  
1785 40th Ave. N.  
St. Petersburg, FL 33714  
Defendant

# EXHIBIT J

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIVIL DIVISION**

JOHN WILLIAM LICCIONE,

Plaintiff,

vs.

Case No.: 24-003939-CI

JULIE MARCUS, in her official capacity  
as Pinellas County Supervisor of Elections,  
et. al.,

Defendants.

---

**ORDER GRANTING COURT'S MOTION TO STAY**

**THIS CAUSE** came before the Court on November 12, 2024 upon the Court's Motion to Stay ("Motion") dated November 4, 2024, and the Court, having considered the Motion, the case file, the applicable law, the argument of counsel, and being otherwise fully advised in the premises, the Court hereby **FINDS** the following:

1. On August 23, 2024, Plaintiff filed a federal lawsuit in the Middle District of Florida, Case No.: 8:24-cv-02005-SDM-NHA ("the federal lawsuit").
2. On September 3, 2024, Plaintiff initiated the instant lawsuit. The federal lawsuit and the instant lawsuit contain many of the same defendants. Additionally, there is significant factual overlap between the two actions.
3. "Generally, when a state lawsuit is filed that involves the same nucleus of facts as a previously filed federal lawsuit, principles of comity and the desire to avoid inconsistent results require the stay of the subsequently filed state action until the prior filed federal action has been adjudicated." *Roche v. Cyrulnik*, 337 So. 3d 86, 88 (Fla. 3d DCA 2021) (citations omitted).
4. It is "an abuse of discretion to refuse to stay a subsequently filed state court action

in favor of a previously filed federal action which involves the same parties and the same or substantially similar issues.” *OPKO Health, Inc. v. Lipsius*, 279 So. 3d 787, 791 (Fla. 3d DCA 2019) (citation omitted).

5. For this general rule of comity to apply, the causes of action asserted in the two cases need not be identical nor must the two actions have identical parties. *Roche*, 337 So. 3d at 88 (citations omitted).

6. The federal lawsuit and the instant lawsuit involve the same nucleus of facts, namely allegations of election fraud by the various Defendants as to the August 20, 2024 Democratic primary election for Florida’s 13th Congressional District.

7. Counsel for Defendants stipulated to staying the instant litigation pending the outcome of the federal lawsuit assuming the following conditions were observed: 1) claims against Defendant, JENNIFER GRIFFITH would be transferred to Section 19 and joined with Plaintiff’s prior lawsuit (See Order Granting Court’s Ore Tenus Motion To Consolidate); 2) all Defendants who asserted an anti-SLAPP defense did not waive their right to an expedited hearing if such is necessary upon resolution of the federal lawsuit (see section 768.295(4), Fla. Stat. (2024)).

8. Although Plaintiff has objected to the issuance of a stay, the Court finds that the above-provided rule of comity applies and requires the Court to stay the instant action until the federal lawsuit has been adjudicated.

**Accordingly, it is**

**ORDERED and ADJUDGED:**

1. The Court’s Motion is hereby **GRANTED**.
2. Plaintiff is required to file a copy of the final judgment for the federal lawsuit with this Court within **FIVE (5) DAYS** of the final judgment’s date of entry.

3. The Court shall conduct a case management conference in the instant matter within **THIRTY (30) DAYS** of the entry of final judgment in the federal lawsuit to determine which, if any, of Plaintiff's claims in the instant lawsuit require adjudication by this Court. The Court shall hear any remaining anti-SLAPP defenses, if any, at said case management conference.

**DONE and ORDERED** in Chambers, in Clearwater, Pinellas County, Florida this \_\_\_\_ day of November, 2024.

Electronically Conformed 11/20/2024

~~Patricia Muscarella~~  
**Honorable Patricia A. Muscarella**  
Circuit Civil Judge

Copies furnished to:

**Parties served by email**

**John Liccione**  
jliccione@gmail.com  
Plaintiff

**Kirby Z. Kreider, Esq.**  
kkreider@pinellas.gov  
eservice@pinellas.gov  
Counsel for Defendant, Julie Marcus

**George A.D. Thurlow, Esq.**  
gthurlow@rahdertlaw.com  
tmccreary@rahdertlaw.com  
service@rahdertlaw.com  
Counsel for Defendant, Jennifer Griffith

**James B. Lake, Esq.**  
jlake@tlolawfirm.com  
tgilley@tlolawfirm.com  
Counsel for Defendant, Cathy Salustri Loper

**John F. McGuire, Esq.**  
info@mcguirelawoffices.com  
defense@mcguirelawoffices.com  
rgray@mcguirelawoffices.com

Counsel for Defendant, Mark Weinkrantz

**Parties served by U.S. mail**

**Patrick Heinzen**  
1785 40th Ave. N.  
St. Petersburg, FL 33714  
Defendant



# EXHIBIT K

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIVIL DIVISION**

JOHN WILLIAM LICCIONE,

Plaintiff,

vs.

JULIE MARCUS, in her official capacity  
as Pinellas County Supervisor of Elections,  
et. al.,

Defendants.

Case No.: 24-003939-CI

**Companion Case with**

**Case No.: 24-002994-CI**

**ORDER GRANTING COURT'S ORE TENUS MOTION TO CONSOLIDATE**  
**\*\*\* DIRECTIONS TO THE CLERK OF COURT \*\*\***

**THIS CAUSE** came before the Court on November 12, 2024 upon the Court's *ore tenus* Motion to Consolidate ("Motion"), and the Court, having considered the Motion, the case file, the applicable law, the agreement of the parties, and being otherwise fully advised in the premises, the Court hereby **FINDS** as follows:

1. This matter concerns the following cases currently pending in the Circuit Court of the Sixth Judicial Circuit in and for Pinellas County, Florida: *John William Liccione vs. Julie Marcus, et. al.*, Case No. 24-003939-CI, Section 7, the Honorable Patricia Muscarella presiding ("Section 7 Case") and *John William Liccione vs. Pinellas Democratic Executive Committee*, Case No. 24-002994-CI, Section 19, the Honorable Thomas Ramsberger presiding ("Section 19 Case").
2. Defendant, JENNIFER GRIFFITH ("Ms. Griffith") is a party in both of the aforementioned cases. The operative complaints in both cases involve considerable factual and legal overlap as to Ms. Griffith.
3. Florida Rule of Civil Procedure 1.270(a) states the following:

**Consolidation.** When actions involving a common question of law or fact are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may order all the actions consolidated; and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay.

4. At the case management hearing on November 12, 2024 in the Section 7 Case, the Court proposed transferring and consolidating all claims against Ms. Griffith in the Section 7 Case to the previously-filed Section 19 Case as a means of promoting judicial economy in accordance with Rule 1.270(a). The parties stipulated to the Court's proposal.

5. Because the Section 7 Case and the Section 19 Case involve common questions of law and fact involving Ms. Griffith, it would be an inefficient use of party and judicial resources to litigate these related disputes before different trial court judges. Both cases will proceed more efficiently with a single trial court judge presiding over the claims against Ms. Griffith. Accordingly, the efficient administration of justice requires reassignment of the Section 7 Case claims against Ms. Griffith to the Section 19 Case. Said transfer will not delay either action as the cases were filed within 65 days of each other and involve a similar procedural posture, nor will said transfer result in any substantial inconvenience, delay, or expense for the parties or the Court.

**Accordingly, it is**

**ORDERED and ADJUDGED:**

1. The Court's Motion is hereby **GRANTED** pursuant to Fla. R. Civ. P. 1.270(a) and in accordance with the stipulation made by all parties at the November 12, 2024 hearing. Hereinafter, Section 19 of this Court shall have jurisdiction over the claims made against Ms. Griffith in the Section 7 Case. All future matters concerning claims made against Ms. Griffith shall be addressed to Section 19 of this Court.

2. The Pinellas Clerk of Court is **DIRECTED** to docket this Order in both Case No.

24-003939-CI and Case No. 24-002994-CI.

**DONE and ORDERED** in Chambers, in Clearwater, Pinellas County, Florida this \_\_\_\_  
day of November, 2024.

Electronically Conformed 11/20/2024  
**Honorable Patricia A. Muscarella**  
Patricia Muscarella  
Circuit Civil Judge

Copies furnished to:

**Parties served by email**

**John Liccione**  
jliccione@gmail.com  
Plaintiff

**Kirby Z. Kreider, Esq.**  
kkreider@pinellas.gov  
eservice@pinellas.gov  
Counsel for Defendant, Julie Marcus

**George A.D. Thurlow, Esq.**  
gthurlow@rahdertlaw.com  
tmccreary@rahdertlaw.com  
service@rahdertlaw.com  
Counsel for Defendant, Jennifer Griffith

**James B. Lake, Esq.**  
jlake@tlolawfirm.com  
tgilley@tlolawfirm.com  
Counsel for Defendant, Cathy Salustri Loper

**John F. McGuire, Esq.**  
info@mcguirelawoffices.com  
defense@mcguirelawoffices.com  
rgray@mcguirelawoffices.com  
Counsel for Defendant, Mark Weinkrantz

**Parties served by U.S. mail**

**Patrick Heinzen**  
1785 40th Ave. N.  
St. Petersburg, FL 33714  
Defendant

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA**

**CHRISTOPHER GLEASON,**

**Plaintiff,**

**CASE NO.: 24-003717-CI  
UCN:522024CA003717XXCICI**

**v.**

**JULIE MARCUS**, in her official capacity as Pinellas County Supervisor of Elections;

**DUSTIN CHASE**, in his official capacity as Deputy Supervisor of Elections of Pinellas County, Florida;

**MATT SMITH**, in his official capacity as General Counsel for Pinellas County Supervisor of Elections;

**KELLY L. VICARI**, in her individual and professional capacity;

**JARED D. KAHN**, in his individual and professional capacity;

and the **CANVASSING BOARD OF PINELLAS COUNTY**  
**Defendants.**

**AFFIDAVIT OF CHRISTOPHER GLEASON  
REGARDING CHAIN OF CUSTODY AND ANALYSIS FOR STATEWIDE  
VOTE BY MAIL EARLY VOTING LIST**

**STATE OF FLORIDA  
COUNTY OF PINELLAS**

BEFORE ME, the undersigned authority, personally appeared Christopher

Gleason, who, being duly sworn, deposes and says as follows:

**1. Affiant's Identity:**

My name is Christopher Gleason, and I am the plaintiff in the above-captioned case. I am over the age of 18, competent to make this affidavit, and have personal knowledge of the facts stated herein.

**2. Purpose of Affidavit:**

This affidavit is made to establish the chain of custody for the Statewide Vote By Mail Early Voting List (the "Voting List") that I obtained directly from the Florida Division of Elections at the following url:

<https://countyballotfiles.floridados.gov/VoteByMailEarlyVotingReports/Reports>

**3. Acquisition of Voting List:**

On or about and between the dates of 07/14/2024 – 09/29/2024, I personally accessed the Florida Division of Elections secure online system for authorized individuals as clearly stated in FL Stat 101.62 and FAC 1S-2.043. I used the following secure URL:

<https://countyballotfiles.floridados.gov/VoteByMailEarlyVotingReports/Reports>

provided to me by the Division of Elections to download the daily updates of the Statewide Vote By Mail Early Voting List.

**4. Secure Download Process:**

---



The Florida Division of Elections provided me access to the Voting List via the following secure link

<https://countyballotfiles.floridados.gov/VoteByMailEarlyVotingReports/Reports> ,

which required my unique login credentials provided by the Division. These credentials were assigned specifically for my use as a registered recipient of the Voting List after directly registering with the State at the following url:

<https://countyballotfiles.floridados.gov/Account/Register>

#### **5. Receipt of Voting List:**

Upon logging into the secure platform between the dates of 07/14/2024 to 09/29/2024, I downloaded the Voting List, which was provided in .txt and/or .zip format. I saved the downloaded files directly to my computer under secure conditions, ensuring that the data was not altered.

#### **6. Handling and Storage:**

After downloading the Voting List, I took immediate steps to preserve the integrity of the data. The files were securely stored on my computer, which is protected by encryption and password protection. No unauthorized individuals had access to the Voting List from the time I downloaded it until it was submitted in connection with this case.

#### **7. Integrity of the Data:**

---

I affirm that the Voting List downloaded from the Florida Division of Elections has not been altered, modified, or tampered with in any way. The files I obtained are in the same condition as when I downloaded them directly from the Division's secure platform.

**8. Submission of Voting List:**

I am submitting the Voting List as evidence in this case. The data submitted is a true and accurate copy of what I obtained from the Florida Division of Elections, and it is presented in its original, unaltered form.

**9. Affirmation of Chain of Custody:**

I attest that I was the sole individual who downloaded, handled, and maintained the Voting List from the time of its acquisition until its submission in this case. The chain of custody has remained intact, and there have been no unauthorized accesses or alterations to the Voting List.

**10. Illegally Requested Vote By Mail Ballots/ Altered Vote By Mail Election Records**

I attest that on 09/03/2024 I reviewed the Pinellas County Vote By Mail Ballot Reports.

---



The Pinellas County Report showed that 219,675 Vote By Mail Ballots were requested on Sunday 06/23/2024. The Pinellas County Supervisor of Elections Office was closed for business on 06/23/2024.

I attest that on 09/29/2024 I reviewed the Pinellas County Report, it showed that there were now 20 Requests for Vote By Mail Ballots requested on 06/23/2024 and that now 198,166 requests for Vote By Mail Ballots were made on 09/09/2024.

**11. Public Records Requests Made To Miami Dade and Pinellas County Supervisor of Elections Offices.**

I attest that Public Records Requests were made to the Pinellas County Supervisor of Elections Office for the Public Records/ Election Records documenting the Vote By Mail Ballot Requests by voters.

An estimate of 18,000 hours to complete this task was provided. To provide the responsive records, this information would take less than 5 minutes to generate.

VR Systems publicly available product documentation for Vote By Mail Reports can be readily found available on the internet at the following url:

**[https://content.vrsys.co/help/vf/Content/Vote by Mail/List of Vote-by-Mail Reports.htm](https://content.vrsys.co/help/vf/Content/Vote%20by%20Mail/List%20of%20Vote-by-Mail%20Reports.htm)** See Exhibit 2

A request was made for the IP Addresses of the voters who made the Vote By Mail Ballot Requests on 06/23/2024 via the Supervisor of Elections Office.

**See Exhibit 3**

---

The Pinellas County Supervisor of Elections custodian of records stated that there were no “Responsive Records” related to these Vote By Mail Requests.

**See Exhibit 4**

This information could also be easily provided via the VR Systems Reporting Functionality as documented on the VR Systems publicly available website url:

[https://content.vrsys.co/help/vf/Content/Vote by Mail/Dialog Web Vote-by-Mail Request Queue.htm](https://content.vrsys.co/help/vf/Content/Vote%20by%20Mail/Dialog%20Web%20Vote-by-Mail%20Request%20Queue.htm) . See Exhibit 5

**12. Numerous Requests For Vote By Mail Ballots Being Returned As Undeliverable Were Made**

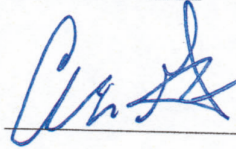
I attest that this information was never provided in a timely manner, despite the fact that to provide this information could have easily been generated in under 5 minutes. The information related to generating and processing undeliverable vote by mail ballots is well documented at the following publicly available VR Systems website url:

[https://content.vrsys.co/help/vf/Content/Voter Registration/How to Process Undeliverable Mail%20and%20Third-Party%20Address%20Changes.htm](https://content.vrsys.co/help/vf/Content/Voter%20Registration/How%20to%20Process%20Undeliverable%20Mail%20and%20Third-Party%20Address%20Changes.htm)  
See Exhibit 6



FURTHER AFFIANT SAYETH NAUGHT.

Dated this 29<sup>th</sup> day of Sept, 2024.



Christopher Gleason

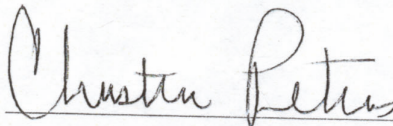
Plaintiff

NOTARY ACKNOWLEDGMENT

STATE OF FLORIDA

COUNTY OF PINELLAS

SWORN TO and subscribed before me this 29<sup>th</sup> day of Sept, 2024 by Christopher Gleason, who is personally known to me or who has produced FL Drivers License as identification.



Notary Public

State of Florida

My Commission Expires: [insert date]

[Seal]



CHRISTINE PETERS  
Commission # HH 496653  
Expires February 26, 2028

# EXHIBIT 2

---



# List of Vote-By-Mail Reports

## Reports Generated as By-Products of Program Runs

- [Absentee Audit Report](#)
  - [Absentee Requests Created for All Elections Voters](#)
  - [Ballots Issued in Deliver Ballots Run](#)
  - [Canvassing Referral Sheet](#)
  - [Envelope Reader Referred Ballots by Tray](#)
  - [Ordered List of Absentee Labels](#)
  - [Requests Copied from Election to Election](#)
  - [UOCAVA Voters Not Yet Notified that their ballot has been received](#)
  - [UOCAVA Voters Not Yet Notified that their request has been received](#)
  - [Voters Not Yet Notified of Free Access System](#)
- 

## Reports Replaced by Vote-By-Mail Flexible Report

- [Absentee Status for All Absentee Voters](#)
  - [Absentee Status for Domestic Voters](#)
  - [Absentee Status for Email/Fax-Delivery Voters](#)
  - [Absentee Status for Military & Civilian Overseas Voters](#)
  - [Unsent Email/Fax Absentee Ballots](#)
  - [FWAB Ballots Received](#)
- 

## Reports for Generic Envelope Reader Interface

- [Export Mail-Ballot Status Data](#)
  - [Envelope Reader Referred Ballots by Tray Report](#)
- 

## Reports Available on Reports Dialog

## Summary Totals Reports

- [Absentee Request Totals by How Requested](#)
- [Absentee Totals for an Election](#)
- [Countywide Demographic Totals for Absentee and Early Voting](#)
- [Demographic Totals by District for Absentee and Early Voting](#)
- [Demographic Totals by Precinct for Absentee and Early Voting](#)
- [Party Totals by District for Absentee and Early Voting](#)

## Vote-By-Mail Voter Lists

- [Absentee Alert Report](#)
- [Absentee Ballots Not Voted](#)
- [Absentee Ballots where Return Is Blocked](#)
- [Absentee Requests by Non-Family Requesters](#)
- [Active Voters Without Absentee Requests](#)
- [Canceled and Ineligible Absentee Requests](#)
- [Count of Absentee Returns by Operator](#)
- [Export Email List for an Election](#)
- [FPCA and All-Elections Voters](#)
- [In-Office Absentee Voters](#)
- [Line Printer Absentee Status Report](#)
- [Vote-By-Mail Flexible Report](#)
- [Voters Reactivated by Absentee Request](#)
- [Voters Voting Absentee Ballots](#)
- [Voters Voting Both Advance and Absentee Ballots](#)
- [Voters Who Returned Absentee Ballots](#)

## Vote-By-Mail Ballot Reports

- [Absentee Ballot Balance Sheet](#)
- [Absentee Ballots Issued by Ballot Style](#)
- [Absentee Ballots Issued by Operator](#)
- [Affidavit to Cure Unsigned Ballots](#)
- [Ballots Returned Temporarily Away](#)
- [Count of Absentee Requests by Ballot Style](#)
- [Count of In-Office Absentee Ballots Issued by Ballot Style](#)
- [Export of Returned Absentee Ballot by Batch Number](#)
- [Pending Web Absentee Requests](#)
- [Replacement Ballots Issued](#)
- [Returned Absentee Ballots by Batch Number](#)
- [Unreviewed and Referred Absentee Ballots](#)

## Vote-By-Mail Audit Reports

- [Absentee Activity Dump](#)
- [Absentee Ballot Style Changes](#)
- [Absentee Request Activity](#)
- [Possible Voting Irregularities](#)
- [Referred Absentee Ballots](#)

## Fraud Detection Reports

- [Active Cases](#)
- [Approved Addresses](#)
- [Blocked Vote-By-Mail Requests](#)
- [Inactive Cases](#)
- [Questionable Web Requests for an Election](#)

## Relia-Vote Reports

- [Relia-Vote Missing Valid Envelopes Report](#)
  - [Relia-Vote Status Report](#)
-





[About Us](#) | [Contact Us](#) | [User Community](#)

3773 Commonwealth Boulevard • Tallahassee, FL 32303 • 850-668-2838 • 850-668-3193

Copyright © 1995 - 2024 VR Systems Confidential/Proprietary Trade Secret

# EXHIBIT 3

---



## PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

**To Defendant:** Julie Marcus

**From:** Plaintiff John Liccione

**Case No.:** 24-003939-CI, *John Liccione vs Julie Marcus, et al*

Plaintiff John Liccione hereby submits to Defendant Julie Marcus, Pinellas County Supervisor of Elections, this first Request for Production of Documents.

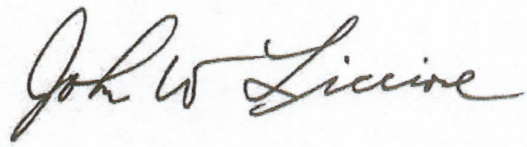
All non-privileged computer session and transaction logs and reports which captured and stored the computer forensic details, metadata, and voter data which together serve to document the submittal of vote-by-mail ballot requests to Pinellas County Supervisor of Elections' (SOE) computer systems directly over the Internet or otherwise, or indirectly through the computer systems of the SOE's contractors, or, loaded via physical insertion of removable storage devices (i.e., thumb drives, portable hard drives), **solely on the date of June 23, 2024:** Said metadata and data to include but not be limited to the following:

1. The source IP addresses of all vote-by-mail ballot requester user sessions and submittal transactions that resulted in the successful or unsuccessful submittal of vote-by-mail ballot requests.
2. The names, and addresses of the submitters.
3. The type of web client used to submit the requests.
4. The date/time of submittal.
5. The names and versions of each software application used to receive, process, store, and report out the above ballot requests, as was fielded in production on the date of June 23, 2024, and any subsequent versions the applications may have been updated to or roll-ed back from after June 23, 2024. SOE and contractor firewall logs which captured and recorded the above vote-by-mail ballot submittal sessions.

If Defendant Marcus or any SOE vendor working for SOE, such as VR Systems, claims privilege over any such data as legal grounds for not complying with this request, state the nature and legal grounds for the privilege and the reason which such information cannot be provided if maintained under court seal.

---

Respectfully submitted,

A handwritten signature in black ink that reads "John W Liccione". The signature is written in a cursive style with a large, stylized "J" and "L".

John W Liccione

Plaintiff, Pro Se

443-698-8156

[jliccione@gmail.com](mailto:jliccione@gmail.com)

September 11, 2024

---



# EXHIBIT 4

---



John Liccione &lt;john@thecrabber.com&gt;

---

**Public Records Request: 2024-392 from John Liccione**

5 messages

**publicrecordsrequest** <publicrecordsrequest@votepinellas.gov>

Fri, Aug 30, 2024 at 7:33 PM

Reply-To: "McKnight-Taylor, Ashley" &lt;ataylor@votepinellas.gov&gt;

To: "john@thecrabber.com" &lt;john@thecrabber.com&gt;

Dear John Liccione,

This will acknowledge receipt of your public records request. We are reviewing our records to determine if there are any records responsive to your request. Once this has been determined, we will provide either the records, or for more extensive requests, an estimate of the cost to provide these records.

You requested the following records:

"A .csv file or excel spreadsheet report showing the source IP address of each and every individual who submitted an absentee ballot request to the Pinellas Supervisor of Elections over the Internet on June 23, 2024. The report need not provide any personally identifiable information, just the following 2 columns: (1) Date/Time of submission; (2) Source IP Address of submitter. It is noted that this type of metadata is typically available as a cybersecurity standard practice in web server logs, firewall logs, cloud service provider (e.g., Cloudflare) reports, and other off-the-shelf IT logging and reporting systems. It would typically take an IT person with proper access credentials less than 30 minutes to generate it and export it to a csv or Excel file."

To inquire about the status of your public records request, please call 727-464-8683.

Thank you,

Communications Department,  
Pinellas County Supervisor of Elections Office

---

**John Liccione** <john@thecrabber.com>

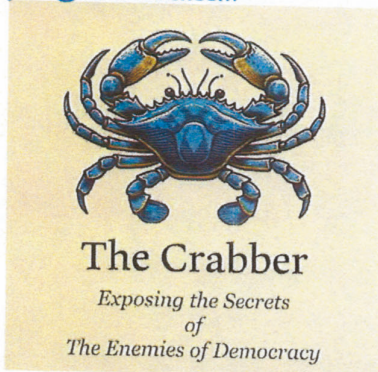
Fri, Aug 30, 2024 at 7:48 PM

To: Christopher Gleason &lt;GleasonForPinellas@gmail.com&gt;

Hi Chris,

I just submitted this laser-focused record request on source IP addresses of 6/23 ballot-requesters to the SOE in my persona as CEO of my new media company, "[The Crabber](#)," which I just incorporated on 8/15/24.

John Liccione  
Founder and CEO  
The Crabber News, LLC  
[thecrabber.com](#)  
[john@thecrabber.com](#)





[Quoted text hidden]

---

**Smith, Matt** <masmith@votepinellas.gov>

To: "john@thecrabber.com" <john@thecrabber.com>

Cc: publicrecordsrequest <publicrecordsrequest@votepinellas.gov>

Tue, Sep 17, 2024 at 10:07 AM

Mr. Liccione,

We have no records responsive to your request.

Thanks,

**Matt Smith**

General Counsel

Representing Julie Marcus, Supervisor of Elections

13001 Starkey Rd., Largo, FL 33773

(727) 464-5751

[masmith@votepinellas.gov](mailto:masmith@votepinellas.gov)

Find us on Facebook ~ Follow us @VotePinellas

*Under Florida law, email addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. -- F.S. 668.6076*

*Conforme a la legislación de Florida, las direcciones de correo electrónico son registros públicos. Si no desea que su correo electrónico se divulgue como respuesta a una solicitud de registros públicos, no envíe un correo electrónico a esta entidad. En su lugar, póngase en contacto con esta oficina por teléfono o por escrito. -- F.S. 668.6076*

---

**From:** publicrecordsrequest <[publicrecordsrequest@votepinellas.gov](mailto:publicrecordsrequest@votepinellas.gov)>

**Sent:** Friday, August 30, 2024 7:33 PM

**To:** [john@thecrabber.com](mailto:john@thecrabber.com)

**Subject:** Public Records Request: 2024-392 from John Liccione

Dear John Liccione,

[Quoted text hidden]

---

**John Liccione** <[john@thecrabber.com](mailto:john@thecrabber.com)>

To: "Smith, Matt" <masmith@votepinellas.gov>

Cc: publicrecordsrequest <publicrecordsrequest@votepinellas.gov>

Tue, Sep 17, 2024 at 6:33 PM

Mr Smith,

I'd like to schedule a meeting with you and whomever on PSOE staff you deem appropriate on this records request at your earliest convenience.

Please let me know if you're willing to discuss this matter at your offices and if so, when.

Regards,

John Liccione

[Quoted text hidden]

---

**Smith, Matt** <masmith@votepinellas.gov>

To: John Liccione <john@thecrabber.com>

Cc: publicrecordsrequest <publicrecordsrequest@votepinellas.gov>

Wed, Sep 18, 2024 at 1:58 PM

Mr. Liccione –

As we have provided you with a response to your public records request, we consider the request complete and the matter closed.

Since you have made this public records request an issue in your current lawsuit against this office (24-003939-CI), please refer all future correspondence regarding this matter to our litigation attorneys.

Thank you,

Matt Smith

General Counsel

Representing Julie Marcus, Supervisor of Elections

13001 Starkey Rd., Largo, FL 33773

(727) 464-5751

[masmith@votepinellas.gov](mailto:masmith@votepinellas.gov)

Find us on Facebook ~ Follow us @VotePinellas

*Under Florida law, email addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. -- F.S. 668.6076*

*Conforme a la legislación de Florida, las direcciones de correo electrónico son registros públicos. Si no desea que su correo electrónico se divulgue como respuesta a una solicitud de registros públicos, no envíe un correo electrónico a esta entidad. En su lugar, póngase en contacto con esta oficina por teléfono o por escrito. -- F.S. 668.6076*

[Quoted text hidden]

# EXHIBIT 5

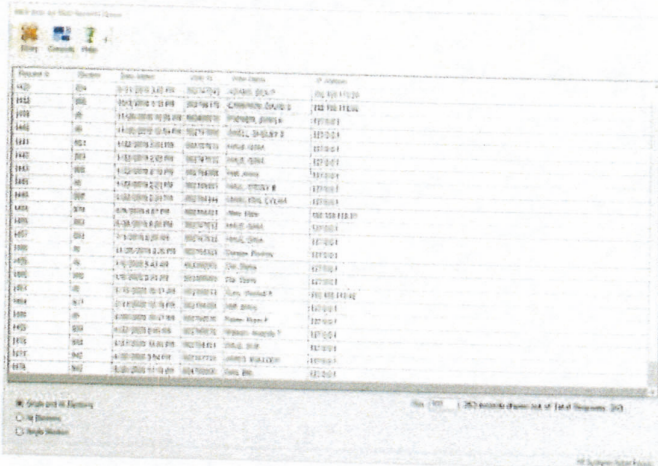
---



## Web Vote-By-Mail Request Queue

To access: **Vote By Mail > Process Web Requests**

This dialog lists the Vote-By-Mail requests that voters have submitted using the Absentee/Mail Ballot Request Form on your website.



Request ID	Election	Date Added	Voter Name	IP Address
1420	004	10-21-2016 1:47 PM	JOHN, JON	192.168.1.100
1421	004	10-21-2016 1:48 PM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1422	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1423	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1424	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1425	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1426	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1427	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1428	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1429	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1430	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1431	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1432	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1433	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1434	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1435	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1436	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1437	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1438	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1439	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1440	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1441	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1442	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1443	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1444	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1445	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1446	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1447	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1448	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1449	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1450	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1451	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1452	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1453	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1454	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1455	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1456	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1457	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1458	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1459	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1460	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1461	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1462	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1463	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1464	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1465	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1466	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1467	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1468	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1469	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1470	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1471	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1472	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1473	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1474	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1475	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1476	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1477	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1478	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1479	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1480	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1481	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1482	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1483	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1484	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1485	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1486	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1487	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1488	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1489	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1490	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1491	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1492	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1493	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1494	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1495	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1496	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1497	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1498	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100
1499	004	11-01-2016 10:54 AM	JOHN, JON	192.168.1.100
1500	004	11-01-2016 10:54 AM	CHRISTOPHER, CHRISTOPHER	192.168.1.100

Initially, the requests are ordered by when they were added to the queue (that is, the *Date Added* column) and respective of the filters at the bottom of the dialog.

- Select to display **Single and All Elections**, or limit the grid display to only **All Elections** or only **Single Elections**.
- Leave the default **Max** number to display in the queue, which is 500 requests, or change the selection.

### Note:

- Changing the Max setting to a significantly greater number may affect the system's response time to load and also re-load (after processing a request and returning to the grid) requests.
- The system retains changes to the Max setting. The next time you return to the dialog, your last setting remains in effect.

To sort by a different column or change the sort order (ascending or descending), click any column header.

For an overview of the Process Web Requests feature, see [About Vote-By-Mail Requests Submitted Online](#). To learn how to process both single and all-elections requests, review [Process Vote-By-Mail Requests Submitted Through Your Website](#).

**Note:** If your county uses [Vote-By-Mail Fraud Detection](#), web requests are intercepted before they enter the queue and are not released into the queue



until the Fraud Detection program is run.

**Note: to VR Tower Counties** In Website Maintenance, you can create a CSV list of request submitted on the website during a specified time period. Use the list to confirm that email notifications are going to the right recipients in the elections office and to verify that web requests are entering the request queue.



[About Us](#) | [Contact Us](#) | [User Community](#)

3773 Commonwealth Boulevard • Tallahassee, FL 32303 • 850-668-2838 • 850-668-3193

Copyright © 1995 - 2024 VR Systems Confidential/Proprietary Trade Secret

# EXHIBIT 6

# Process Undeliverable Mail and Third-Party Address Changes

This topic describes how to process undeliverable postal items and notices of a [voter address change from third-party](#) agencies.

## **Important:**

For Undeliverable Mail Ballots—

- Do not process an undeliverable Vote-By-Mail ballot as undeliverable mail unless the package contains a change-of-address notice from the Postal Service.
- For undeliverable ballots without a third-party address change, follow the instructions in [Process an Undeliverable Vote-By-Mail Ballot](#).
- For ballots with an address change, refer the return as described in [Process an Undeliverable Vote-By-Mail Ballot](#). Then, [process the package as undeliverable mail](#) with a third-party address change, as described below.

When the Postal Service is unable to deliver mail (other than mail ballots) to a voter and returns it to your office, it should be processed as undeliverable mail. In addition to undeliverable postal items, the following items should also be processed as undeliverable mail:

- [Jury notices with changes of address](#)
- Changes of address from an NCOA vendor that your county is not processing using the [automated NCOA processing facility](#) provided in Voter Focus.
- HSMV lists of voters who have surrendered their Florida driver license in another state and have provided a new out-of-state address.

These items, plus undeliverable mail that includes a change-of-address notice, fall into the category of [third-party address changes](#). Depending on the type of address change (residential or mailing, in-county, or out-of-county) the proper notice will be scheduled to be sent to the voter requesting confirmation of the address change. A log is posted to the voter's audit noting the address change and the notice(s) scheduled.

The processing of undeliverable mail for which there is no change of address schedules the voter to receive a Final Notice and adds an entry to their audit log that the notice is scheduled. When the notice is sent, a record of that event is added to the Comms tab in the voter's record. Should a Final Notice be returned as undeliverable, no further communications are scheduled for the voter, and the voter will be placed in the queue of voters who are [ready to be made Inactive](#). Should the voter subsequently request a mail



ballot or cast a ballot during an election, Voter Focus will remove them from the Inactive queue.

If a voter previously made an all-elections or FPCA Vote-By-Mail request, processing undeliverable mail with no change of address or an out-of-state address automatically triggers the cancellation of any outstanding Vote-By-Mail requests for future elections (unless a ballot has already been delivered) and sets the expiration date of the all-elections/FPCA request to today's date. The process also schedules a Cancelled Requests Notice to be sent to the voter.

### To process undeliverable mail or a third-party address change:

1. Go to **VOTER REGISTRATION > Record Undeliverable Mail**.
2. Do one of the following:
  - **Scan First enabled**—On the **Process Undeliverable Mail** dialog, double-click on the desired row from the **Images** grid. The **Find a Voter** and **Batch Images** dialogs open. You can clip the signature area of the image, if one exists, to index a copy of the voter's signature. Otherwise, continue to the next step.
  - **Scan First disabled**—On the **Voter Management** dialog, accept today's date or enter an earlier date when the mail (or jury notice) was returned to your office and click **OK**. (The **Comms** tab in the voter's record will show this date in the **Date** column.) The **Find a Voter** dialog opens.
3. If you are working with a bar code wand, wand the bar code to open the voter's record; otherwise, do a local search by name. The **Undeliverable Mail** dialog opens with the voter's information in the fields.



4. Check the date in the **Last Activity Date** field and determine if you have had activity from this voter since you received the mail or jury notice in the office. If the date in **Last Activity Date** is earlier than the date the item arrived in the office, continue with the next step.

If the date in the **Last Activity Date** field is later than the date the item arrived, do not process the item, because the voter has either contacted the elections office or voted since you received it. Click **Close** to complete the procedure.

5. If your county wants the note *Address Update Required* to appear with the voter's name on subsequent precinct registers (and EViD screens), select **Change Status to "Address Update Required"**.
6. In the **Mail Type** box, select the type of item you are processing. You can toggle the list of options between **Classic Mail Types** and **Voter Mail Types**. The option **Other Mail** can be any item not covered by the other options, such as a sample ballot or a mail ballot. The selection in this box is sticky for this undeliverable mail session; once you select a mail type, it remains selected for the next voter unless

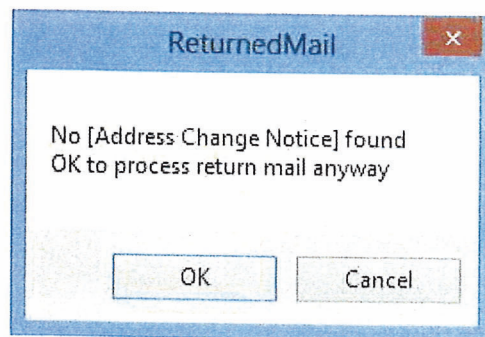
you change it. This lets you quickly process a batch of similar items for different voters.

**Note:**

- If the item is a combo card, select **Address Change Notice** as the mail type.
- If the voter was previously sent a Notice of Potential Ineligibility, the notice will also be listed in the **Mail Type** box.

7. Click one of the following:

- **No Address Change**—If the undeliverable item has no change-of-address notice. You will see the message *An Address Final Notice will be sent to the voter*. Click **OK** to finish processing the item. You can now restart this procedure to process undeliverable mail for another voter.
- **Forwarding Address**—If the item shows a change of address for the voter. If the mail type you selected does not match with sent mail records in the system, a message displays.



Verify that you have the right voter and have selected the correct type of mail item. If the mail was truly sent without being recorded in the system, click **OK** to continue processing the undeliverable mail.

**Voter doesn't have a mailing address:**

**Voter has a mailing address:**

8. When you finish recording undeliverable mail, go to **Printing > Notices Queue** to [print the notices](#). For [mail merge documents](#), mailing labels may also be printed.

You can view details about sent notices and temporary forwarding addresses from the [Audit](#) and [Comms](#) tabs in voter records.

Undeliverable mail processed by each user is included in the totals in the [Operator Additions and Changes](#) report.



3773 Commonwealth Boulevard • Tallahassee, FL 32303 • 850-668-2838 • 850-668-3193

Copyright © 1995 - 2024 VR Systems Confidential/Proprietary Trade Secret

# EXHIBIT 5

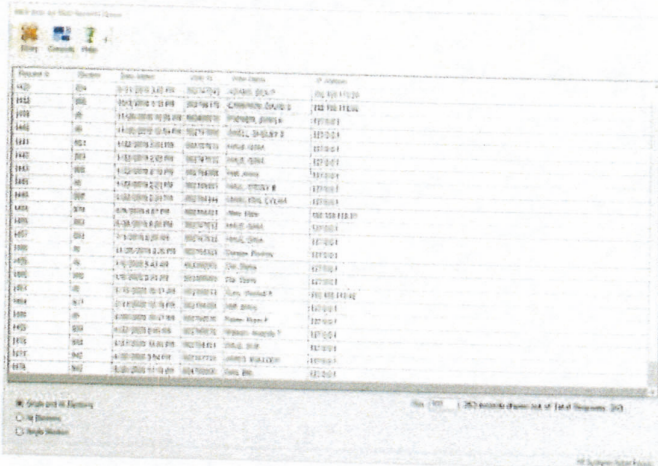
---



## Web Vote-By-Mail Request Queue

To access: **Vote By Mail > Process Web Requests**

This dialog lists the Vote-By-Mail requests that voters have submitted using the Absentee/Mail Ballot Request Form on your website.



Request ID	Election	Date Added	Voter Name	IP Address
1420	004	10-21-2016 1:47 PM	JOHN, JACOB	192.168.1.100
1421	004	10-21-2016 1:48 PM	CHRISTOPHER, DAVID S	192.168.1.100
1422	004	11-01-2016 10:54 AM	FRANKLIN, BRIAN A	192.168.1.100
1423	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1424	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1425	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1426	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1427	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1428	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1429	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1430	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1431	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1432	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1433	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1434	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1435	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1436	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1437	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1438	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1439	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1440	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1441	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1442	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1443	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1444	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1445	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1446	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1447	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1448	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1449	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1450	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1451	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1452	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1453	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1454	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1455	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1456	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1457	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1458	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1459	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1460	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1461	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1462	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1463	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1464	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1465	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1466	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1467	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1468	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1469	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1470	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1471	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1472	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1473	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1474	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1475	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1476	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1477	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1478	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1479	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1480	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1481	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1482	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1483	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1484	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1485	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1486	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1487	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1488	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1489	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1490	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1491	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1492	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1493	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1494	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1495	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1496	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1497	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1498	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1499	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100
1500	004	11-01-2016 10:54 AM	JOHN, JACOB	192.168.1.100

Initially, the requests are ordered by when they were added to the queue (that is, the *Date Added* column) and respective of the filters at the bottom of the dialog.

- Select to display **Single and All Elections**, or limit the grid display to only **All Elections** or only **Single Elections**.
- Leave the default **Max** number to display in the queue, which is 500 requests, or change the selection.

### Note:

- Changing the Max setting to a significantly greater number may affect the system's response time to load and also re-load (after processing a request and returning to the grid) requests.
- The system retains changes to the Max setting. The next time you return to the dialog, your last setting remains in effect.

To sort by a different column or change the sort order (ascending or descending), click any column header.

For an overview of the Process Web Requests feature, see [About Vote-By-Mail Requests Submitted Online](#). To learn how to process both single and all-elections requests, review [Process Vote-By-Mail Requests Submitted Through Your Website](#).

**Note:** If your county uses [Vote-By-Mail Fraud Detection](#), web requests are intercepted before they enter the queue and are not released into the queue



until the Fraud Detection program is run.

**Note: to VR Tower Counties** In Website Maintenance, you can create a CSV list of request submitted on the website during a specified time period. Use the list to confirm that email notifications are going to the right recipients in the elections office and to verify that web requests are entering the request queue.



[About Us](#) | [Contact Us](#) | [User Community](#)

3773 Commonwealth Boulevard • Tallahassee, FL 32303 • 850-668-2838 • 850-668-3193

Copyright © 1995 - 2024 VR Systems Confidential/Proprietary Trade Secret

# EXHIBIT 6

## Process Undeliverable Mail and Third-Party Address Changes

This topic describes how to process undeliverable postal items and notices of a [voter address change from third-party](#) agencies.

### Important:

For Undeliverable Mail Ballots—

- Do not process an undeliverable Vote-By-Mail ballot as undeliverable mail unless the package contains a change-of-address notice from the Postal Service.
- For undeliverable ballots without a third-party address change, follow the instructions in [Process an Undeliverable Vote-By-Mail Ballot](#).
- For ballots with an address change, refer the return as described in [Process an Undeliverable Vote-By-Mail Ballot](#). Then, [process the package as undeliverable mail](#) with a third-party address change, as described below.

When the Postal Service is unable to deliver mail (other than mail ballots) to a voter and returns it to your office, it should be processed as undeliverable mail. In addition to undeliverable postal items, the following items should also be processed as undeliverable mail:

- [Jury notices with changes of address](#)
- Changes of address from an NCOA vendor that your county is not processing using the [automated NCOA processing facility](#) provided in Voter Focus.
- HSMV lists of voters who have surrendered their Florida driver license in another state and have provided a new out-of-state address.

These items, plus undeliverable mail that includes a change-of-address notice, fall into the category of [third-party address changes](#). Depending on the type of address change (residential or mailing, in-county, or out-of-county) the proper notice will be scheduled to be sent to the voter requesting confirmation of the address change. A log is posted to the voter's audit noting the address change and the notice(s) scheduled.

The processing of undeliverable mail for which there is no change of address schedules the voter to receive a Final Notice and adds an entry to their audit log that the notice is scheduled. When the notice is sent, a record of that event is added to the Comms tab in the voter's record. Should a Final Notice be returned as undeliverable, no further communications are scheduled for the voter, and the voter will be placed in the queue of voters who are [ready to be made Inactive](#). Should the voter subsequently request a mail



ballot or cast a ballot during an election, Voter Focus will remove them from the Inactive queue.

If a voter previously made an all-elections or FPCA Vote-By-Mail request, processing undeliverable mail with no change of address or an out-of-state address automatically triggers the cancellation of any outstanding Vote-By-Mail requests for future elections (unless a ballot has already been delivered) and sets the expiration date of the all-elections/FPCA request to today's date. The process also schedules a Cancelled Requests Notice to be sent to the voter.

### To process undeliverable mail or a third-party address change:

1. Go to **VOTER REGISTRATION > Record Undeliverable Mail**.
2. Do one of the following:
  - **Scan First enabled**—On the **Process Undeliverable Mail** dialog, double-click on the desired row from the **Images** grid. The **Find a Voter** and **Batch Images** dialogs open. You can clip the signature area of the image, if one exists, to index a copy of the voter's signature. Otherwise, continue to the next step.
  - **Scan First disabled**—On the **Voter Management** dialog, accept today's date or enter an earlier date when the mail (or jury notice) was returned to your office and click **OK**. (The **Comms** tab in the voter's record will show this date in the **Date** column.) The **Find a Voter** dialog opens.
3. If you are working with a bar code wand, wand the bar code to open the voter's record; otherwise, do a local search by name. The **Undeliverable Mail** dialog opens with the voter's information in the fields.



4. Check the date in the **Last Activity Date** field and determine if you have had activity from this voter since you received the mail or jury notice in the office. If the date in **Last Activity Date** is earlier than the date the item arrived in the office, continue with the next step.

If the date in the **Last Activity Date** field is later than the date the item arrived, do not process the item, because the voter has either contacted the elections office or voted since you received it. Click **Close** to complete the procedure.

5. If your county wants the note *Address Update Required* to appear with the voter's name on subsequent precinct registers (and EViD screens), select **Change Status to "Address Update Required"**.
6. In the **Mail Type** box, select the type of item you are processing. You can toggle the list of options between **Classic Mail Types** and **Voter Mail Types**. The option **Other Mail** can be any item not covered by the other options, such as a sample ballot or a mail ballot. The selection in this box is sticky for this undeliverable mail session; once you select a mail type, it remains selected for the next voter unless

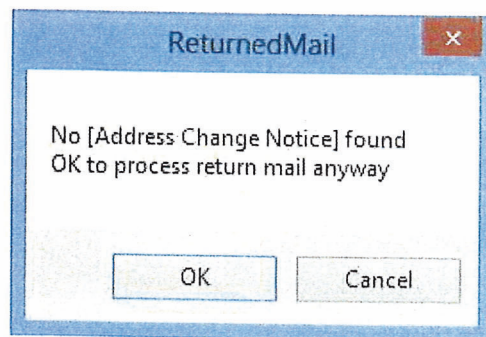
you change it. This lets you quickly process a batch of similar items for different voters.

**Note:**

- If the item is a combo card, select **Address Change Notice** as the mail type.
- If the voter was previously sent a Notice of Potential Ineligibility, the notice will also be listed in the **Mail Type** box.

7. Click one of the following:

- **No Address Change**—If the undeliverable item has no change-of-address notice. You will see the message *An Address Final Notice will be sent to the voter*. Click **OK** to finish processing the item. You can now restart this procedure to process undeliverable mail for another voter.
- **Forwarding Address**—If the item shows a change of address for the voter. If the mail type you selected does not match with sent mail records in the system, a message displays.



Verify that you have the right voter and have selected the correct type of mail item. If the mail was truly sent without being recorded in the system, click **OK** to continue processing the undeliverable mail.

**Voter doesn't have a mailing address:**

**Voter has a mailing address:**

8. When you finish recording undeliverable mail, go to **Printing > Notices Queue** to [print the notices](#). For [mail merge documents](#), mailing labels may also be printed.

You can view details about sent notices and temporary forwarding addresses from the [Audit](#) and [Comms](#) tabs in voter records.

Undeliverable mail processed by each user is included in the totals in the [Operator Additions and Changes](#) report.



3773 Commonwealth Boulevard • Tallahassee, FL 32303 • 850-668-2838 • 850-668-3193

Copyright © 1995 - 2024 VR Systems Confidential/Proprietary Trade Secret

# EXHIBIT M

Affidavit of Christopher Gleason dated 2/14/2025

# SWORN STATEMENT OF CHRISTOPHER GLEASON

## STATE OF FLORIDA COUNTY OF PINELLAS

I, **Christopher Gleason**, declare under penalty of perjury that the following is true and accurate to the best of my knowledge and belief:

1. I have firsthand knowledge of the facts stated herein.
2. I was a candidate for Pinellas County Supervisor of Elections in 2024.
3. I applied to the Florida Division of Elections for an account on their vote-by-mail (VBM) ballot records portal and was granted access to it in June, 2024.
4. On multiple dates, I logged into the State portal <https://countyballotfiles.floridados.gov/Account/Login?ReturnUrl=%2FVoteByMailEarlyVotingReports%2FReports> on my computer and downloaded the VBM Ballot Request comma-delimited text (.txt) files that the State had published on a daily basis during the campaign.
5. I imported the .txt file into an Excel spreadsheet and discovered a massive spike of over 219,000 VBM ballot requests in Pinellas County on Sunday, June 23, 2024.
6. I further discovered that 97 percent of the VBM ballot requests recorded on June 23, 2024, showed as having no (N) Social Security number (last 4 digits) and no (N) driver's license number attached to the request.
7. This discovery formed the basis for part of my election fraud and contest of elections lawsuits, Case No. 24-003717 and Case No. 24-003995.
8. On February 13, 2024, I conducted a search on the names of judges Thomas Ramsberger and Patricia Muscarella. I discovered that the State's data showed that both judges were among the over 219,000 VBM ballot requests recorded as received on Sunday, June 23, 2024. Additionally, the data indicated that the VBM ballot requests submitted under the voter ID's and names of both judges also showed as having no (N) Social Security number and no (N) driver's license number attached to the request.
9. Furthermore, the personally protected individual information of both judges Thomas Ramsberger and Patricia Muscarella were redacted as required under Florida Statutes and the Florida Rules of Procedure. This report generated by the



State of Florida was the same report that I had submitted to the court as evidence. Judge Muscarella ruled that every single exhibit in the case was to be sealed based on the fraudulently filed motion by Pinellas County Attorneys Jared Kahn and Kelly Vaccari.

10. I notified John Liccione of these facts on the same day, February 13, 2024.

I declare under penalty of perjury under the laws of the State of Florida that the foregoing is true and correct.

**DATED this 14<sup>th</sup> day of February, 2025.**

**/s/ Christopher Gleason**

**Christopher Gleason**

Affiant

# EXHIBIT N

Affidavit of John Siamas dated 02/18/2025

**AFFIDAVIT OF JOHN SIAMAS**  
**REGARDING CHAIN OF CUSTODY FOR STATEWIDE VOTE-BY-MAIL REPORT**  
**AND THE IRREGULARITIES OBSERVED WITH THE DATA**

STATE OF FLORIDA

COUNTY OF PINELLAS

BEFORE ME, the undersigned authority, personally appeared John Siamas, who, being duly sworn, deposes and says as follows:

**Affiant's Identity**

1. I, John Siamas, was a Republican candidate for the Florida State Senate District 21 Primary Election held on August 20<sup>th</sup>, 2024. I am over 18 and competent to make this affidavit and have personal knowledge of the facts stated herein.

**Purpose of Affidavit**

2. This affidavit is made to establish the chain of custody for the Statewide Vote-By-Mail (the "VBM Report") that I obtained directly from the Florida Division of Elections at the following url:

<https://countyballotfiles.floridados.gov/VoteByMailEarlyVotingReports/Reports>

**Acquisition of Voting List**

3. I personally accessed the Florida Division of Elections secure online system for authorized individuals as clearly stated in FL Stat 101.62 and FAC 1S-2.043. I used the following secure URL

<https://countyballotfiles.floridados.gov/VoteByMailEarlyVotingReports/Reports>

provided to me by the Division of Elections to download the daily updates of the Statewide VBM Report.

1  
NIA

### **Secure Download Process**

4. The Florida Division of Elections provided me with access to the Voting List via the following secure link

*<https://countyballotfiles.floridados.gov/VoteByMailEarlyVotingReports/Reports>,*

which required my unique login credentials provided by the Division. These credentials were assigned specifically for my use as a registered recipient of the Voting List after directly registering with the State at the following url:

*<https://countyballotfiles.floridados.gov/Account/Register>*

### **Receipt of Voting List**

5. Upon logging into the secure platform August 22, 2024, I downloaded the VBM Report file name “VBM\_43887\_08212024\_080337289.txt” compressed and wrapped within the “VBM\_43887\_08212024.zip”, file the State had published. I saved the files directly to my computer using industry-standard cybersecurity best practices, ensuring that the data was not altered, and I burned the file to immutable storage media – a write once read-only DVD disk.

### **Handling and Storage**

6. After downloading the VMB Report, I took immediate steps to preserve the integrity of the data. The files were securely stored on my computer and external hard drive, which is protected by encryption and password protection. No unauthorized individuals had access to the VBM Report from the time I downloaded it until the date of this affidavit and is now submitted in connection with this case.

### **Integrity of the Data**

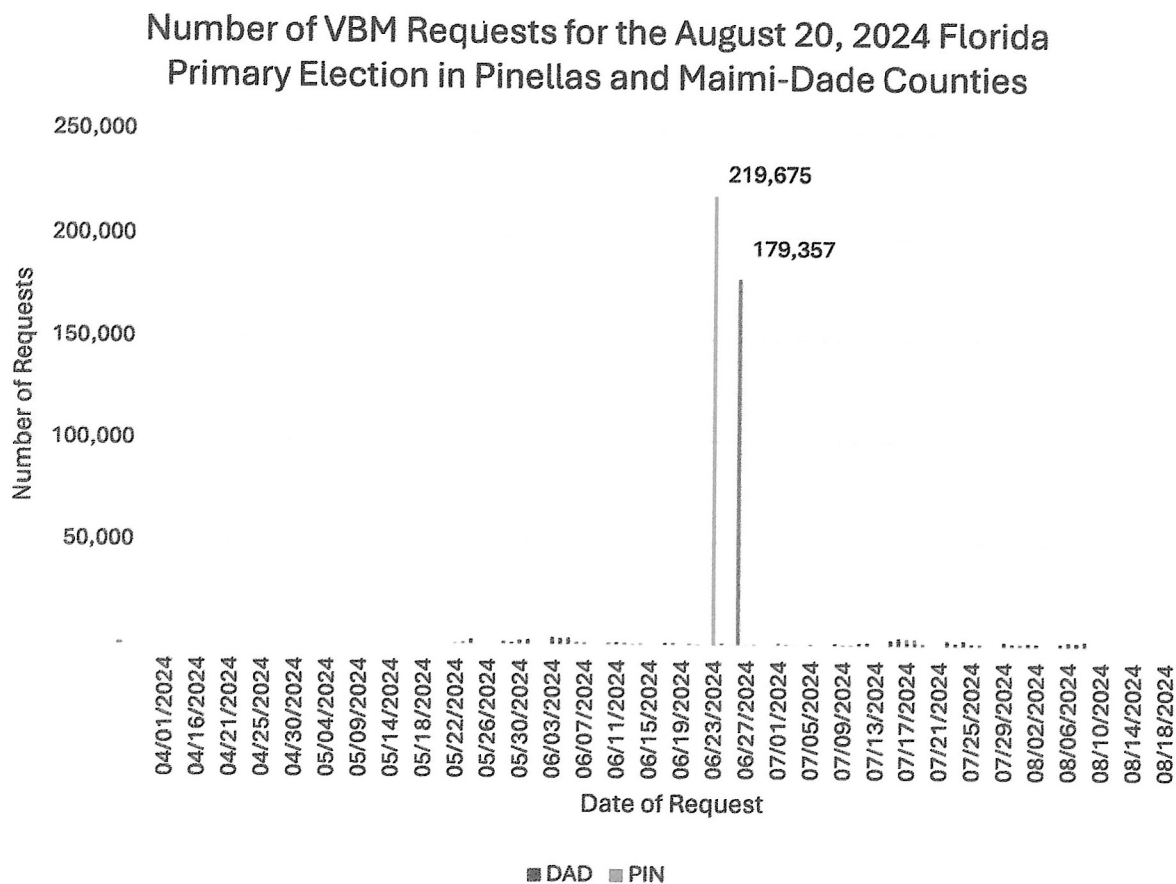
7. I affirm that the VBM Report downloaded from the Florida Division of Elections has not been altered, modified, or tampered with in any way. The files I obtained are in the same

condition as when I downloaded them directly from the Division's secure platform and I have burned the file to immutable storage media (a DVD).

**Irregularities and Anomalies with the Vote-By-Mail Ballots**

8. Here are the following anomalies and irregularities in the vote-by-mail ballots and the system implemented to administer the vote-by-mail ballots:

9. When observing the VBM Report request data as of August 22, 2024, provided by the Florida Division of Elections for the primary elections, I noticed two very unusual outliers in the requests made. Here is a visualization of the daily requests made across the entire state in 2024:



10. The two extreme outliers represent the counties of Pinellas and Miami-Dade. Pinellas county received 219,675 vote-by-mail ballot requests on Sunday June 23, 2024, and Miami-Dade received 179,358 vote-by-mail ballot requests on Wednesday June 26, 2024. The following is a factual analysis of these anomalies.

#### **Pinellas County**

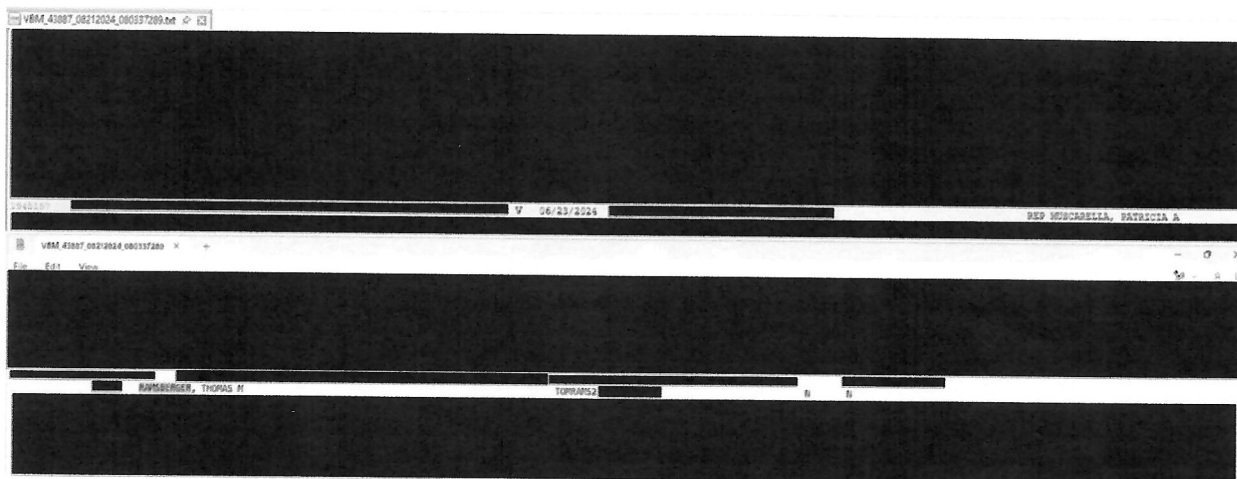
11. On Sunday June 23, 2024, there were 219,675 vote-by-mail ballots requested from the Pinellas County Supervisor of Elections office. Of those 219,675 vote-by-mail requests, according to the VBM Report dated August 21, 2024, provided by the State, 219,628 (99%) did not provide a Driver's License or Last 4 of SSN as part of the request. This is indicated by a "N" designator in the columns for the "FLDL/StateID" and "VoterSSN4" in the report.

12. Among the listed individuals who are listed as not having a "N" designator in the columns for the "FLDL/StateID" and "VoterSSN4" in the report are Patricia A Muscarella and Thomas M Ramsberger. Both are judges in the Sixth Judicial Circuit of Pasco and Pinellas Counties. See **EXHIBIT 01** with redacted screen shots of the two names.

#### **Miami-Dade County**

13. On Wednesday June 26, 2024, there were 179,358 vote-by-mail ballots that were recorded as having been requested at Miami-Dade County Supervisor of Elections office. Of those, 178,848 ballots (99.7%) did not provide a Driver's License or Last 4 of SSN as part of the request. This is indicated by a "N" designator in the columns for the "FLDL/StateID" and "VoterSSN4" in the report.

**EXHIBIT 01**  
**Redacted Screen Shots of the Two Names**

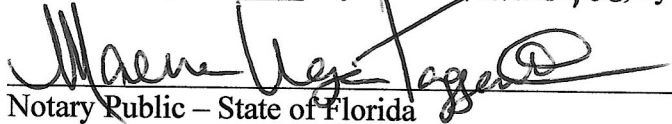


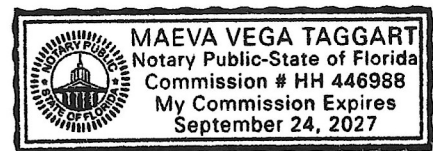
5 (initials)

  
AFFIANT SIGNATURE

Sworn to and subscribed before me by means of X physical presence or \_\_\_\_\_ online

notarization, this 18<sup>th</sup> day of FEBRUARY 2025 by JOHN SIAMAS

  
Notary Public – State of Florida



MAEVA VEGA TAGGART  
[PRINT, TYPE, OR STAMP NAME OF NOTARY PUBLIC]

Personally Known \_\_\_\_\_ OR Produced Identification X [CHECK ONE]

[Type of Identification Produced: FL DL]





# EXHIBIT O

2nd DCA Order Denying Writ of Prohibition

**DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
SECOND DISTRICT**

1700 N. Tampa Street, Suite 300, Tampa FL 33602

February 12, 2025

JOHN WILLIAM LICCIONE,  
PETITIONER(S)

CASE NO.: 2D2025-0297  
L.T. No.: 24-002994-CI

V.

PINELLAS DEMOCRATIC  
EXECUTIVE COMMITTEE,  
MICHAEL JOHN SHEROSKY,  
JENNIFER W. GRIFFITH,  
RESPONDENT(S).

---

**BY ORDER OF THE COURT:**

The petition for writ of prohibition is denied.

SILBERMAN, MORRIS, and LABRIT, JJ., Concur.

I HEREBY CERTIFY that the foregoing is a true copy of the original court order.

*Mary Elizabeth Kuenzel*  
Mary Elizabeth Kuenzel, Clerk  
2D2025-0297 2/12/25



JAR

Served:  
PINELLAS CLERK  
JOHN WILLIAM LICCIONE  
HON. THOMAS M. RAMSBERGER  
GEORGE ALBERT DOYLE THURLOW

# **EXHIBIT P**



John Liccione &lt;jliccione@gmail.com&gt;

---

**Set CMC Rer: Liccione v. Pinellas Democratic Executive Committee, Case No. 24-002994-CI-19**

---

**Section19** <Section19@jud6.org>

Tue, Feb 18, 2025 at 8:39 AM

To: Teresa McCreary &lt;TMcCreary@rahdertlaw.com&gt;, George Thurlow &lt;GThurlow@rahdertlaw.com&gt;

Cc: John Liccione &lt;jliccione@gmail.com&gt;

Good morning Teresa,

Judge Ramsberger would like a telephone conference call Case Management Conference schedule regarding the above matter.

The following time slots are available:

M	Feb. 24	9:45am, 2:30pm
T	Feb. 25	10:30am, 3:30pm
W	Feb. 26	9:15am, 2:45, 3:30pm
M	March 3	10:30am

Teresa, would you please let me know as soon as possible which of the above time slots clears with Mr. Liccione and Attorney Thurlow.

~Those affected by Hurricane Helene and/or Hurricane Milton, you are in our thoughts~

***Please note Judge Ramsberger's telephone conference call number below.***

Thank you,

*Valerie McGivern*

Judicial Assistant to

Circuit Judge Thomas Ramsberger

545 First Avenue North, Room 200

St. Petersburg, FL 33701

(727) 582-7874 / Section19@jud6.org

[www.jud6.org](http://www.jud6.org)

\* UNTIL FURTHER NOTICE, ALL HEARINGS set before Judge Thomas Ramsberger will be conducted by telephone conference call. \*

**Conference Telephone Number: 1 (425) 436-6303 Access Code: 141878#**

***Please state the date the motion was filed when requesting a hearing time slot via JAWS.***

***All counsels shall properly associate themselves in JAWS as Attorney for Plaintiff/Defendant.***

**Please note that Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered public records. Your e-mail message may be subject to public disclosure upon request.**

---

**From:** Section19

**Sent:** Friday, February 14, 2025 4:19 PM

**To:** Teresa McCreary <TMcCreary@rahdertlaw.com>; George Thurlow <GThurlow@rahdertlaw.com>

**Cc:** John Liccione <jliccione@gmail.com>

**Subject:** RE: Liccione v. Pinellas Democratic Executive Committee, Case No. 24-002994-CI-19

Good afternoon Teresa,

I apologize for the delay in my reply. The OTSC hearing will not go forward on Monday, February 17, 2025 or anytime next week.

I will coordinate with you soon regarding a new hearing date.

Thank you for your assistance.

Have a wonderful weekend!

~Those affected by Hurricane Helene and/or Hurricane Milton, you are in our thoughts~

***Please note Judge Ramsberger's telephone conference call number below.***

Thank you,

*Valerie McGivern*

Judicial Assistant to

Circuit Judge Thomas Ramsberger

545 First Avenue North, Room 200

St. Petersburg, FL 33701

(727) 582-7874 / Section19@jud6.org

[www.jud6.org](http://www.jud6.org)

\* UNTIL FURTHER NOTICE, ALL HEARINGS set before Judge Thomas Ramsberger will be conducted by telephone conference call. \*

**Conference Telephone Number: 1 (425) 436-6303 Access Code: 141878#**

***Please state the date the motion was filed when requesting a hearing time slot via JAWS.***

***All counsels shall properly associate themselves in JAWS as Attorney for Plaintiff/Defendant.***

**Please note that Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered public records. Your e-mail message may be subject to public disclosure upon request.**

**From:** Teresa McCreary <TMcCreary@rahdertlaw.com>  
**Sent:** Friday, February 14, 2025 3:58 PM  
**To:** Section19 <Section19@jud6.org>; George Thurlow <GThurlow@rahdertlaw.com>  
**Cc:** John Liccione <jliccione@gmail.com>  
**Subject:** Liccione v. Pinellas Democratic Executive Committee, Case No. 24-002994-CI-19

Ms. McGivern:

Please advise if we should expect an Order for the Order to Show Cause Hearing on Monday.

***Teresa M.O. McCreary, FRP***

*Florida Registered Paralegal*

*FBN #0292645; CTM-103885*

Paralegal/Legal Assistant

Phone: (727) 823-4191 X428

EFax: 7275135600@hostmyfax.com

Fax: (727) 823-6189

Email: TMcCreary@rahdertlaw.com

---

**From:** Section19 <Section19@jud6.org>  
**Sent:** Thursday, February 13, 2025 4:21 PM  
**To:** George Thurlow <GThurlow@rahdertlaw.com>; Teresa McCreary <TMcCreary@rahdertlaw.com>  
**Cc:** John Liccione <jliccione@gmail.com>  
**Subject:** RE: FW: Liccione v. Pinellas Democratic Executive Committee, Case No. 24-002994-CI-19

Good afternoon Attorney Thurlow,

Thank you for your email and assistance.

I will discuss this matter with Judge Ramsberger as soon as he takes a recess from trial.

I will reply again as soon as possible.

~Those affected by Hurricane Helene and/or Hurricane Milton, you are in our thoughts~

***Please note Judge Ramsberger's telephone conference call number below.***

Thank you,

*Valerie McGivern*

Judicial Assistant to

Circuit Judge Thomas Ramsberger

545 First Avenue North, Room 200

St. Petersburg, FL 33701

(727) 582-7874 / [Section19@jud6.org](mailto:Section19@jud6.org)

[www.jud6.org](http://www.jud6.org)

\* UNTIL FURTHER NOTICE, ALL HEARINGS set before Judge Thomas Ramsberger will be conducted by telephone conference call. \*

**Conference Telephone Number: 1 (425) 436-6303 Access Code: 141878#**

***Please state the date the motion was filed when requesting a hearing time slot via JAWS.***

***All counsels shall properly associate themselves in JAWS as Attorney for Plaintiff/Defendant.***

**Please note that Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered public records. Your e-mail message may be subject to public disclosure upon request.**

**From:** George Thurlow <[GThurlow@rahdertlaw.com](mailto:GThurlow@rahdertlaw.com)>

**Sent:** Thursday, February 13, 2025 4:08 PM

**To:** Section19 <[Section19@jud6.org](mailto:Section19@jud6.org)>; Teresa McCreary <[TMcCreary@rahdertlaw.com](mailto:TMcCreary@rahdertlaw.com)>

**Cc:** John Liccione <[jliccione@gmail.com](mailto:jliccione@gmail.com)>

**Subject:** RE: FW: Liccione v. Pinellas Democratic Executive Committee, Case No. 24-002994-CI-19

Dear Ms. McGivern:

I can attend at any of those times on Monday February 17th.

To supplement my morning conversation which my last email relayed, I once again called Mr. Liccione this afternoon to confirm whether he was available, and he declined to confirm his availability.

## George Thurlow, Esq.

Associate Attorney

Rahdert & Mortimer, PLLC

535 Central Avenue

Suite 200

St. Petersburg, FL 33701

Office: (727)823-4191 ext. 409

Fax: (727)513-5600

GThurlow@RahdertLaw.com

THIS MESSAGE AND ANY FILES TRANSMITTED WITH IT ARE CONFIDENTIAL AND INTENDED SOLELY FOR THE INDIVIDUAL OR ENTITY TO WHOM THEY ARE ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR THE USE OF THE CONTENTS OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, DESTROY IT IMMEDIATELY.

\*\*\*CONFIDENTIAL\*\*\*

---

**From:** Section19 <Section19@jud6.org>

**Sent:** Thursday, February 13, 2025 12:15 PM

**To:** George Thurlow <GThurlow@rahdertlaw.com>; Teresa McCreary <TMcCreary@rahdertlaw.com>

**Cc:** John Liccione <jliccione@gmail.com>

**Subject:** RE: FW: Liccione v. Pinellas Democratic Executive Committee, Case No. 24-002994-CI-19

Good afternoon Attorney Thurlow,

As I previously stated, this Order to Show Cause hearing needs to be heard sooner, rather than later.

The Order to Show Cause hearing will be scheduled for Monday, February 17, 2025 at 11:00, 11:15, 11:30 or 11:45am.



Please let me know as soon as possible which time works best for all parties.

~Those affected by Hurricane Helene and/or Hurricane Milton, you are in our thoughts~

***Please note Judge Ramsberger's telephone conference call number below.***

Thank you,

*Valerie McGivern*

Judicial Assistant to

Circuit Judge Thomas Ramsberger

545 First Avenue North, Room 200

St. Petersburg, FL 33701

(727) 582-7874 / [Section19@jud6.org](mailto:Section19@jud6.org)

[www.jud6.org](http://www.jud6.org)

\* UNTIL FURTHER NOTICE, ALL HEARINGS set before Judge Thomas Ramsberger will be conducted by telephone conference call. \*

**Conference Telephone Number: 1 (425) 436-6303 Access Code: 141878#**

***Please state the date the motion was filed when requesting a hearing time slot via JAWS.***

***All counsels shall properly associate themselves in JAWS as Attorney for Plaintiff/Defendant.***

**Please note that Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered public records. Your e-mail message may be subject to public disclosure upon request.**

**From:** George Thurlow <[GThurlow@rahdertlaw.com](mailto:GThurlow@rahdertlaw.com)>

**Sent:** Thursday, February 13, 2025 10:41 AM

**To:** Section19 <[Section19@jud6.org](mailto:Section19@jud6.org)>; Teresa McCreary <[TMcCreary@rahdertlaw.com](mailto:TMcCreary@rahdertlaw.com)>

**Cc:** John Liccione <[jliccione@gmail.com](mailto:jliccione@gmail.com)>

**Subject:** RE: FW: Liccione v. Pinellas Democratic Executive Committee, Case No. 24-002994-CI-19

Dear Ms. McGivern:

I spoke with Mr. Liccione by telephone just now, and he advised me that he is not available for any of the times offered by the Court next week, as his election for Mayor of Gulfport is on March 11<sup>th</sup>. Mr. Liccione asked me to relay his request to the Court that this hearing be held after his election. Mr. Liccione additionally stated that if the hearing is to be set for next week or a time before his election, he would seek intervention from the Florida Supreme Court.

Assuming that the Court proceeds in holding this hearing next week, I can be available for the February 17<sup>th</sup> or 18<sup>th</sup> dates (I am in a deposition at the 2/19 times and have a hearing before Judge Andrews at the same time as the available time on 2/20).

Best,

George

## George Thurlow, Esq.

Associate Attorney

Rahdert & Mortimer, PLLC

535 Central Avenue

Suite 200

St. Petersburg, FL 33701

Office: (727)823-4191 ext. 409

Fax: (727)513-5600

GThurlow@RahdertLaw.com

THIS MESSAGE AND ANY FILES TRANSMITTED WITH IT ARE CONFIDENTIAL AND INTENDED SOLELY FOR THE INDIVIDUAL OR ENTITY TO WHOM THEY ARE ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR THE USE OF THE CONTENTS OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, DESTROY IT IMMEDIATELY.  
\*\*\*CONFIDENTIAL\*\*\*

---

**From:** Section19 <Section19@jud6.org>

**Sent:** Wednesday, February 12, 2025 3:12 PM

**To:** Teresa McCreary <TMcCreary@rahdertlaw.com>

**Cc:** George Thurlow <GThurlow@rahdertlaw.com>; John Liccione <jliccione@gmail.com>

**Subject:** RE: FW: Liccione v. Pinellas Democratic Executive Committee, Case No. 24-002994-CI-19

Good afternoon Teresa,

Thank you for your email and for forwarding to the court Mr. Liccione emails.

I just sent to the parties the only other time slots that I have available for this OTSC hearing.

I appreciate your assistance.

~Those affected by Hurricane Helene and/or Hurricane Milton, you are in our thoughts~

***Please note Judge Ramsberger's telephone conference call number below.***

Thank you,

*Valerie McGivern*

Judicial Assistant to

Circuit Judge Thomas Ramsberger

545 First Avenue North, Room 200

St. Petersburg, FL 33701

(727) 582-7874 / [Section19@jud6.org](mailto:Section19@jud6.org)

[www.jud6.org](http://www.jud6.org)

\* UNTIL FURTHER NOTICE, ALL HEARINGS set before Judge Thomas Ramsberger will be conducted by telephone conference call. \*

**Conference Telephone Number: 1 (425) 436-6303 Access Code: 141878#**

***Please state the date the motion was filed when requesting a hearing time slot via JAWS.***

***All counsels shall properly associate themselves in JAWS as Attorney for Plaintiff/Defendant.***

**Please note that Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered public records. Your e-mail message may be subject to public disclosure upon request.**

**From:** Teresa McCreary <[TMcCreary@rahdertlaw.com](mailto:TMcCreary@rahdertlaw.com)>

**Sent:** Wednesday, February 12, 2025 12:23 PM

**To:** Section19 <[Section19@jud6.org](mailto:Section19@jud6.org)>

**Cc:** George Thurlow <[GThurlow@rahdertlaw.com](mailto:GThurlow@rahdertlaw.com)>; John Liccione <[jliccione@gmail.com](mailto:jliccione@gmail.com)>

**Subject:** FW: FW: Liccione v. Pinellas Democratic Executive Committee, Case No. 24-002994-CI-19

Ms. McGivern: To supplement Mr. Thurlow's response, I am forwarding to you Mr. Liccione's response to the dates kindly and courteously provided by

the Court.

***Teresa M.O. McCreary, FRP***

*Florida Registered Paralegal*

*FBN #0292645; CTM-103885*

Paralegal/Legal Assistant

Phone: (727) 823-4191 X428

EFax: 7275135600@hostmyfax.com

Fax: (727) 823-6189

Email: TMcCreary@rahdertlaw.com

---

**From:** John Liccione <jliccione@gmail.com>

**Sent:** Wednesday, February 12, 2025 12:12 PM

**To:** Teresa McCreary <TMcCreary@rahdertlaw.com>; George Thurlow <GThurlow@rahdertlaw.com>

**Subject:** Re: FW: Liccione v. Pinellas Democratic Executive Committee, Case No. 24-002994-CI-19

Ms McCreary,

I'm not available on Feb 18th. I'd ask that we focus on dates solely beyond March 11th. This may become moot given my Petition for Emergency Writ of Prohibition/Mandamus. I'm going to be contacting the 2nd DCA to determine when I might get a ruling.

In the meantime, the following dates in March are currently blocked and unavailable:

March 12

March 13

March 14

March 21

March 25

I don't yet have anything else booked on my calendar after March 11th. All of April is currently open.

Regards,

John Liccione

|