

# EXHIBIT A

Plaintiff's Proposed Second Amended Complaint

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

**JOHN WILLIAM LICCIONE,**  
*Plaintiff,*

v.

Case No.: 24-003939-CI

**CATHY SALUSTRI-LOPER;  
THOMAS LOPER;  
THURSDAY MORNING MEDIA, INC.;**  
*Defendants.*

---

**SECOND AMENDED COMPLAINT AND DEMAND FOR JURY TRIAL**

Plaintiff, JOHN WILLIAM LICCIONE (“Plaintiff” or “Liccione”), sues Defendants CATHY SALUSTRI-LOPER (“Salustri-Loper”) and THOMAS LOPER (collectively, “The Lopers”), and THURSDAY MORNING MEDIA, INC. (“TMMI”) and alleges as follows:

**I. INTRODUCTION**

1. This is an action for defamation, defamation by omission, tortious interference with prospective economic advantage, and civil conspiracy. The action arises from a sustained and coordinated campaign by the Loper Defendants—owners and operators of The Gabber Newspaper and TMMI—to suppress, distort, and ultimately erase Plaintiff’s presence and viability as a candidate in the 2024 Democratic Primary for U.S. House District 13, and in the 2025 Gulfport mayoral election. Plaintiff brings this action to redress the severe reputational, economic, and political harm inflicted by Defendants’ knowing and malicious conduct.

## **II. PARTIES**

2. Plaintiff is a resident of Pinellas County, Florida. He is a first-generation Italian-American and a disabled individual subsisting primarily on Social Security Disability. Plaintiff was a qualified Democratic candidate for Congress for U.S. House District 13 in 2024 and a qualified candidate for Mayor of Gulfport in 2025.

3. Defendant Cathy Salustri-Loper is Editor-in-Chief and co-owner of The Gabber Newspaper and a principal and co-owner of Thursday Morning Media, Inc. She resides in Pinellas County Florida. She is sued individually and in her capacity as Editor-in-Chief and co-owner of The Gabber Newspaper, and co-owner and principle of Thursday Morning Media, Inc. She is a registered Democrat.

4. Defendant Thomas Loper is co-owner of The Gabber Newspaper and a principal and co-owner of Thursday Morning Media, Inc. He Resides in Pinellas County Florida. He is the husband of Cathy Salustri-Loper.

5. Defendant Thursday Morning Media, Inc. is a Florida media corporation headquartered in Gulfport, Florida, and owns The Gabber Newspaper and other media properties to include “The Barnacle” that serve the greater Pinellas County region.

## **III. JURISDICTION AND VENUE**

6. This Court has subject matter jurisdiction over this civil action and personal jurisdiction over all parties.

7. Venue is proper in Pinellas County pursuant to Fla. Stat. § 47.011 because the causes of action arose in Pinellas County and all Defendants reside or operate their business here.

#### IV. FACTUAL ALLEGATIONS

8. In June 2024, Plaintiff was one of five qualified candidates in the Democratic primary for Florida's 13th Congressional District primary election.

##### **The Pride Parade Attack on Plaintiff**

9. During Plaintiff's 2024 Congressional campaign, on June 22<sup>nd</sup>, during the St. Petersburg Pride Parade, Plaintiff—a declared Democratic congressional candidate, a heterosexual male, and a known survivor of domestic abuse and resulting PTSD—was the victim of an unprovoked political battery and assault by Michael Sherosky, the openly gay Secretary of the Pinellas County Democratic Party.

10. This occurred as Plaintiff was peacefully greeting parade participants in the assembly area and while wearing a hat with a Pride flag affixed to the back in support of LGBTQ+ rights, and while carrying another Pride parade flag in his hand. (See EXHIBIT A photographs)

11. Plaintiff was physically battered by Sherosky who approached from behind and after accosting Plaintiff, acknowledged he wanted to hit Plaintiff and then knocked Plaintiff's hat off his head while verbally abusing him, then stalked him and invaded his personal space. The attack was witnessed by numerous bystanders and was partially captured on video by Plaintiff after he picked his hat up from the ground.

12. Plaintiff filed a criminal complaint with the St. Petersburg Police. Then, he filed a civil rights and battery and assault lawsuit against Sherosky, the Pinellas Democratic Executive Committee, and Party Chair Jennifer Griffith, on July 3, 2024, in the Circuit Court of the Sixth Judicial Circuit, Case No. 24-002994-CI. Counts I and II of the complaint are Battery and Assault. This case is still pending.

13. The battery and assault occurred in a politically and symbolically charged context—at a Pride event, with a gay Democratic Party leader as the perpetrator of political violence committed against a straight, male, disabled Democratic candidate and Gulfport resident publicly marching in support of LGBTQ+ rights in the middle of a hotly contested 5-way Democratic primary.

14. Rather than condemn this act of political violence and abject hypocrisy, the Pinellas County Democratic Party remained silent and stood behind Sherosky, failed to discipline him, and even provided for his legal defense - not just in his Party official capacity - but also in his personal capacity.

15. Defendants would never report the battery and assault of its own Gulfport Democratic Congressional candidate in The Gabber Newspaper. Worse, Defendants would later act to weaponize Plaintiff's lawsuit against Sherosky and the Party by way of defamation, during his subsequent 2025 Gulfport mayoral campaign.

16. On July 12, 2024, Defendants published an article in both The Gabber Newspapers' print and online editions titled: "*Meet the Democratic Candidates for the District 13 Congressional Election.*" The featured picture was captioned: "*The four candidates for the District 13 Congressional election debate with each other on July 13 at the St. Petersburg Marriott Clearwater.*"<sup>1</sup>

17. This article falsely represented that there were four candidates in the race when they knew Plaintiff was the fifth candidate. They falsely omitted any mention of Plaintiff, despite his lawful qualification with the FEC and the State of Florida, and despite his active campaign.

---

<sup>1</sup> **EXHIBIT A:** "*Meet the Democratic Candidates for the District 13 Congressional Election,*" July 12, 2024, The Gabber Newspaper; <https://thegabber.com/meet-the-candidates-for-the-district-13-congressional-election/>

18. Plaintiff lived less than 100 yards from The Gabber's office. His campaign signs were clearly visible to Defendants. He had placed a paid campaign advertisement in The Gabber earlier in the election cycle through Defendant Thomas Loper.

19. Plaintiff had personally introduced himself to The Loper Defendants at a Gulfport community event, a "Welcome to Gulfport" gathering for new Gulfport residents held at Gulfport's Scout Hall, where the Lopers had a table and were promoting The Gabber Newspaper. Plaintiff had multiple email and telephone conversations with The Gabber's political reporter, Patrick Heinzen, who authored the July 12 article.

20. Defendants thus had direct, actual knowledge of Plaintiff's candidacy and campaign activities. Their decision to omit Plaintiff from the article was not an oversight but a knowing, willful defamatory act of omission and commission.

21. The July 12 article was published at a critical moment in the election cycle—during the arrival of mail-in ballots and prior to the final Democratic primary debate—maximizing its harmful impact on voter awareness and support.

22. When confronted by Plaintiff, Defendants failed to issue a meaningful or prominent correction in line with The Gabber's own published journalistic ethical standards. They published a belated and inadequate acknowledgment containing a rationalization, buried in the "Letters to the Editor" section, mischaracterizing it. The false article remains accessible and uncorrected on The Gabber's website even as of the date of this filing.

23. As a direct result, Plaintiff's campaign fundraising efforts collapsed. Donors and supporters, misled by the article, concluded he had dropped out or was not a viable candidate, or that he never was a candidate at all. Plaintiff was forced to personally fund

his campaign with over \$250,000 of his life savings. He would expend another \$10,000 of personal funds in his subsequent Gulfport mayoral campaign.

24. Plaintiff is a disabled individual living primarily on Social Security disability. These expenditures caused him significant financial hardship due to his campaign losses.

25. On January 30, 2025, during the Gulfport mayoral race, The Gabber hosted a candidate forum at the Catherine Hickman Theatre in Gulfport. Defendant Cathy Salustri-Loper and her associate Barbara Banno served as moderators.

26. Prior to the debate, Plaintiff attempted to address the potential conflict of interest posed by Defendant Salustri-Loper's role as a debate moderator while also being a named defendant in Plaintiff's lawsuit. Plaintiff asked whether questions regarding the lawsuit would be considered in or out of bounds. Salustri-Loper responded stating that Plaintiff "could not dictate the questions." When asked who the moderators would be, Salustri-Loper refused to answer.

27. During the forum, Salustri-Loper engaged in an extended and adversarial exchange with Plaintiff's opponent, Karen Love, in violation of her own moderator rules briefed to the candidates, hijacking the debate. When Plaintiff attempted to interject with a point of order and suggested Salustri-Loper publish her commentary in The Gabber rather than effectively hijacking the forum, Salustri-Loper publicly threatened in front of a packed theatre of 150 voters to have Plaintiff removed by police, stating she'd have him removed "if you can't control yourself." The incident was recorded and streamed live online.

28. Plaintiff was publicly humiliated by Salustri-Loper's conduct. He lost the mayoral election by a wide margin, which he attributes, in part, to The Gabber's sustained campaign of defamation which cost him over 1,000 Democratic votes.

29. The Gabber—a Gulfport-based newspaper that purports to support LGBTQ+ communities and regularly covers both Pride events and local politics—likewise refused to report on the battery and assault of Plaintiff during his Congressional or mayoral campaigns.

30. As the *only* Gulfport-based Democratic candidate in the Congressional District 13 race, Plaintiff's filing of a civil rights and battery and assault lawsuit against the leadership of his own party was unquestionably newsworthy and of clear interest to the Gulfport and broader Pinellas County electorate, and to the LGBTQ+ community in particular.

31. Upon information and belief, the Loper Defendants conspired with others to make a conscious editorial decision to kill the story because it reflected positively on Plaintiff as a staunch defender of LGBTQ+ equal protection rights, and poorly and hypocritically on the Pinellas County Democratic Party leadership. The narrative—a straight, disabled, male Congressional candidate marching for LGBTQ+ rights being physically attacked by a gay Democratic official at a Pride event while he was peaceably campaigning—did not fit the publication's political or cultural messaging priorities and their favored Democratic candidate. This suppression was not grounded in journalistic principle, but in political protectionism. The truth embarrassed powerful local actors and contradicted The Gabber's preferred narrative about who may be a victim of political violence, and who must be shielded from scrutiny.



32. Despite omitting the battery and assault alleged in the lawsuit from its reporting, the Defendants later *weaponized the mere existence of the lawsuit* against Plaintiff during his 2025 Gulfport mayoral campaign. The Defendants intentionally referenced that Plaintiff was suing the Democratic Party (as well as The Gabber), without disclosing that the lawsuit arose from an unprovoked physical battery and assault against Plaintiff by a Democratic Party official. This selective and deceptive use of information was calculated to smear Plaintiff, shield the Party from accountability, while suppressing the truth about the attack against Plaintiff with the Gulfport Democrats and the local LGBTQ+ community, specifically.

33. On February 27, 2025—just thirteen days before the March 11 Gulfport mayoral election—*The Gabber* published an article entitled “*Gulfport Mayoral Candidate John Liccione’s Time in Courts.*” The article portrayed Plaintiff as combative and litigious, citing multiple lawsuits he had filed, including his civil rights lawsuit against the Pinellas County Democratic Party. However, the article deliberately omitted Sherosky’s name, and the central fact that precipitated the filing of that lawsuit: that Plaintiff had been the victim of an unprovoked battery and assault by Sherosky at the June 2024 St. Petersburg Pride Parade while peacefully campaigning. This omission was not accidental—Defendants had long known about the battery and the lawsuit but had willfully refused to report on it at all, let alone accurately.

34. The Gabber’s February 27, 2025 article—“*Gulfport Mayoral Candidate John Liccione’s Time in Courts*”—was crafted in a way that embedded the word “criminal” in close proximity to Plaintiff’s name in a permanent, Internet-crawable and searchable format. Defendants knew that Plaintiff has a clean record of no convictions. This

calculated headline choice coupled with the strategic use of the word “*criminal*” was designed to create a false association between Plaintiff and criminality, and to trigger search engine and AI algorithmic bias in order to smear Plaintiff in the digital public sphere. The timing and wording of the headline, combined with the omission of the fact that Plaintiff’s lawsuit arose from his being a victim of political battery and assault by a Democratic Party official, demonstrates a deliberate effort to mislead readers and malign Plaintiff’s character for Defendants’ own political and financial agenda.

35. On March 2, 2025, The Gabber issued an online “correction” to the February 27 article, acknowledging minor errors regarding the mis-identification of the Florida Democratic Party as a defendant. However, despite having had months of access to the complaint and actual knowledge of its contents, The Gabber still refused to disclose that Counts I and II of the lawsuit alleged battery and assault against Plaintiff at the Pride Parade by PDEC Secretary Michael Sherosky. This continued omission reinforced the false impression that Plaintiff’s lawsuit was baseless and vindictive, and that Plaintiff himself was combative and unstable, while protecting powerful Democratic party officials from public scrutiny.

36. By referencing the lawsuit without disclosing that it arose from a politically motivated physical battery and assault against Plaintiff at a public Pride event, Defendants again misled the public, the LGBTQ+ community, smeared Plaintiff’s reputation, and further alienated him from Gulfport voters, thereby continuing a calculated pattern of editorial defamation, reputational sabotage, and voter suppression through misrepresentation and concealment.

37. As a direct result, Plaintiff was alienated from over 1,000 Democratic and Republican and NPA voters in Gulfport, many of whom told him they would not vote for him solely because, they explicitly told him, he was suing the Party and/or The Gabber. He was shunned within the community.

38. The final vote tally in the Gulfport mayoral race was:

- 1) Karen Love (NPA) - 1,436 votes
- 2) Sam Henderson (NPA) – 1,018 votes
- 3) John Liccione (D) – 143 votes. (See **EXHIBIT B**)

**The Gabber Newspaper Catches and Kills its Own  
Mayoral Candidate Survey Results**

39. In the week leading up to January 27, 2025, The Gabber Newspaper hosted an informal online mayoral candidate survey on the right-hand side of its homepage. The survey was prominently displayed and widely visible to site visitors – until the survey closed on January 27<sup>th</sup>. When the survey concluded, Plaintiff John Liccione had won by a landslide, receiving 975 votes, compared to Karen Love’s 246 votes, Sam Henderson’s 36 votes, with 14 responses selecting “Not Voting.” Liccione’s commanding 58% margin of victory reflected broad grassroots support and shocked Gulfport’s and the Pinellas Democratic Party political establishment, including the Defendants. (**EXHIBIT C**)

40. After the survey ended, The Gabber quietly moved the results to a rarely accessed archive of past surveys, and never reported on their own survey results, effectively concealing Liccione’s early and commanding lead in the poll from the broader public. Despite the clear newsworthiness of the results—especially given that it occurred during

an active election season—The Gabber never mentioned the survey or Liccione’s overwhelming early lead in any of its news coverage of the race.

41. On information and belief, the Defendants were alarmed by Liccione’s popularity and, in a state of panic, escalated their coordinated defamation campaign in response. Their strategy worked: while Liccione had received 975 votes in The Gabber’s survey, he would receive only 149 votes in the actual election—an extreme reversal suggesting the effectiveness of Defendants’ last-minute smear tactics.

42. Consequently, despite being the only Democrat in a 3-way mayoral race, Plaintiff would capture only 5.5 percent of the vote. He lost to a Non-Party-Affiliated candidate Karen Love who was ultimately backed by the vast majority of Democrats in Gulfport due to Defendants’ defamation campaign it has been waging against Plaintiff since July of 2024.

43. The Gabber’s concealment of the battery and assault lawsuit’s context, coupled with its use of that lawsuit (and this one) to discredit Plaintiff in his 2025 mayoral election, further evidences actual malice, personal animus, and a persistent pattern of ideological, political, and self-serving bias.

44. Defendants’ conduct reflects a double standard, whereby the identities, political affiliations, sex, disability status, and sexual orientations of the victim and the aggressor determined whether a documented act of political violence would be reported, or buried. These omissions were not neutral editorial decisions—they were intentional acts of reputational sabotage designed to silence Plaintiff, delegitimize his candidacy, deprive him of Democratic votes in particular, deprive the voters knowledge of the truth about

him and his character, destroy his reputation within the local community, and protect entrenched political interests.

45. In particular, rather than report the truth—that Plaintiff was a Gulfport-based Democratic candidate who had continued to march for LGBTQ+ *rights even after being physically battered and assaulted by a gay Democratic party official at a Pride event*—Defendants engaged in a reputational takedown of Plaintiff within the Gulfport LGBTQ+ community.

46. Among those who turned on Plaintiff was one Barbara Banno, a prominent local LGBTQ+ leader, restaurant owner, and the wife of Morgan Banno, the woman who would later allegedly author a March 9, 2025 Op-Ed in The Gabber Newspaper in which she derisively likened Plaintiff to a glass of “cheap, white sangria.” (EXHIBIT D)

47. This Gabber-published election-eve “cheap white sangria” smear was the final act in furtherance of this conspiracy. It was the culmination of a long-running editorial campaign of misrepresentation, omission, and retaliation by Defendants, designed to malign Plaintiff’s public image within the very communities he had supported, sought to defend, and sought to represent in Congress and in Gulfport City Hall.

48. The relevant quote from The Gabber’s March 9<sup>th</sup> Banno Op/Ed piece follows:

*“**John Liccione:** White Sangria - Sweet and boozy with a little too much going on, this fruit-packed drink captures the essence of a politician whose career is as colorful as their reputation. Who else would have the audacity to run for City Mayor while concurrently suing local businesses? Poor taste... Much like cheap, white sangria.”*

## **V. CAUSES OF ACTION**

### **COUNT I – DEFAMATION AND DEFAMATION BY OMISSION**

49. Plaintiff incorporates by reference paragraphs 1 through 48 as if fully set forth herein.

50. This claim arises from a pattern of knowingly false, misleading, and defamatory statements and omissions by Defendants, including but not limited to:

- a. The July 12, 2024 article titled “Meet the Democratic Candidates for the District 13 Congressional Election”;
- b. The February 27, 2025 article titled “Gulfport Mayoral Candidate John Liccione’s Time in Courts”;
- c. The March 9, 2025 Op-Ed likening Plaintiff to “cheap, white sangria”;
- d. The systematic suppression of truthful reporting concerning a politically motivated battery and assault by a Democratic party leader against Plaintiff at a Pride parade;
- e. The concealment and burial of a Gabber mayoral candidate survey showing Plaintiff’s early overwhelming lead in the Gulfport mayoral race.

51. These actions and omissions—taken together—were intended to convey a false and defamatory impression of Plaintiff to the public, to damage Plaintiff’s candidacies for Congress and mayor, and to sabotage his standing within the Florida Congressional District 13 and Gulfport electorates, and in Democratic and LGBTQ+ communities at large.

### **A. July 12, 2024 “Meet the Candidates” Article**

52. On July 12, 2024, Defendants published an article in both the print and online editions of The Gabber Newspaper titled “Meet the Democratic Candidates for the District 13 Congressional Election,” falsely representing that the race consisted of only four Democratic candidates when they knew Plaintiff was the fifth candidate. In doing so, Defendants willfully omitted Plaintiff’s name and campaign despite their actual knowledge of Plaintiff’s active, lawful candidacy.

53. Plaintiff had filed with both the Federal Election Commission and the Florida Division of Elections. Defendants knew of his candidacy through direct personal interaction, a paid political ad Plaintiff placed in The Gabber directly with Defendant Thomas Loper, proximity of campaign signs, and ongoing communication with the article's author, Gabber political reporter Patrick Heinzen.

54. By representing the four featured candidates as the entirety of the field, when they knew it wasn’t true, Defendants published a materially false statement of fact by implication, by omission, and by commission. Under Florida law, such omissions may constitute defamation when they convey a misleading impression. See *Jews for Jesus, Inc. v. Rapp*, 997 So. 2d 1098 (Fla. 2008).

55. This article was published at the peak of vote-by-mail distribution and prior to the final primary debate, inflicting maximum damage to Plaintiff’s credibility and donor support. Many supporters and prospective donors reasonably concluded he had dropped out or was never a candidate at all. Plaintiff’s fundraising collapsed, forcing him to self-fund over \$250,000 from his retirement savings.

56. Despite being confronted, Defendants refused to issue a meaningful correction in the manner required by their own published professional ethics standards. The original article remains online even today in its unaltered state.

#### **B. February 27, 2025 “Time in Courts” Article**

57. Thirteen days before the Gulfport mayoral election, The Gabber published a second defamatory piece: “Gulfport Mayoral Candidate John Liccione’s Time in Courts.” The article referenced multiple lawsuits Plaintiff had filed, including a civil rights suit against the Pinellas County Democratic Party, but willfully omitted the central underlying fact: that the suit arose from a politically motivated battery and assault committed against Plaintiff by PDEC Secretary Michael Sherosky during the June 2024 Pride Parade.

58. This omission materially distorted the meaning of the article, suggesting that Plaintiff was combative, litigious, and unstable—rather than a victim of unprovoked political violence while peacefully marching in support of LGBTQ+ rights. The article's proximity of the word "criminal" to Plaintiff's name in its headline and structure further created a false and defamatory implication, despite the undisputed fact that Plaintiff has no criminal convictions.

#### **C. The March 9, 2025 “Cheap White Sangria” Op-Ed**

59. On the eve of the election, The Gabber published an Op-Ed authored by Morgan Banno, the wife of prominent local LGBTQ+ leader and restaurant owner Barbara Banno. In it, Plaintiff was derisively compared to “cheap, white sangria.” While couched as satire, this piece was part of an ongoing editorial campaign of reputational destruction. It deliberately portrayed Plaintiff as chaotic, unserious, and unfit for office.



60. The Gabber published this piece knowing full well the community influence wielded by the Banno couple. Barbara Banno owns Stella's restaurant—a major local LGBTQ+ gathering space—located just ten feet from The Gabber's office. The placement and timing of the Op-Ed were calculated to amplify reputational damage within the LGBTQ+ community and Gulfport Democratic voters at large.

#### **D. Suppression and Weaponization of Plaintiff's Pride Parade Battery and Assault and Civil Rights Lawsuit**

61. The Gabber consistently refused to report on the politically motivated battery and assault against Plaintiff at the St. Petersburg Pride Parade by Democratic Party Secretary Michael Sherosky. The omission is especially defamatory because the same incident formed the basis of Plaintiff's pending battery, assault, and civil rights lawsuit against Sherosky and the Party. Defendants subsequently weaponized that lawsuit without disclosing its context, in an attempt to make Plaintiff look like the criminal instead of his attacker. That is why they inserted the word "criminal" into the story about Plaintiff's upcoming contempt hearing.

62. Defendants' decision to omit any mention of the politically motivated battery and assault Plaintiff suffered while peacefully campaigning at the June 2024 St. Petersburg Pride Parade, and their subsequent weaponization of the lawsuit arising from that attack, was not only defamatory but also enabled the concealment of conduct criminalized under Florida Statute § 104.615 and The underlying battery and assault against Plaintiff on June 22, 2024, constituted conduct that meets the definition of a federal hate crime under 18 U.S.C. § 249(a)(2), the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act. This federal statute criminalizes willfully causing bodily injury or attempting to do

so because of a person's actual or perceived sexual orientation, sex, disability, or other protected characteristics. Plaintiff is a heterosexual male and a disabled individual subsisting primarily on Social Security Disability benefits. He was physically assaulted while peacefully and visibly supporting LGBTQ+ rights at a Pride Parade by an openly gay male Democratic Party official who acted with bias, hostility, and political animus based on Plaintiff's sexual orientation, sex, disability status, and perceived threat to entrenched political interests. Defendants were aware of the factual context and the existence of the civil rights lawsuit arising from that assault, yet willfully suppressed and distorted the truth by omitting the nature and motive of the attack. Their knowing concealment of what plausibly constitutes a federal hate crime—and subsequent use of the lawsuit to cast Plaintiff as combative or unstable—demonstrates actual malice and a reckless disregard for the truth, and materially altered the impression conveyed to voters.. This statute makes it a felony of the third degree to knowingly and willfully injure, intimidate, or interfere with any person for the purpose of interfering with that person's right to become a candidate or to be elected to public office. While Plaintiff does not assert a private cause of action under § 104.615 or 18 U.S.C. § 249(a)(2) here, Defendants' decision to conceal and distort the context of that felony-level conduct further supports a finding of actual malice, knowing falsity, and reckless disregard for the truth.

63. This pattern of concealment and weaponization within the context of the same lawsuit evidences actual malice. The omitted facts were material, available to Defendants, and highly newsworthy, especially to Gulfport's politically engaged and

LGBTQ-friendly Democratic electorate. Defendants had full access to the complaint and months of notice.

64. The underlying battery and assault against Plaintiff on June 22, 2024, constituted conduct that meets the definition of a federal hate crime under 18 U.S.C. § 249(a)(2), the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act. This federal statute criminalizes willfully causing bodily injury or attempting to do so because of a person's actual or perceived sexual orientation, sex, disability, or other protected characteristics. Plaintiff is a heterosexual male and a disabled individual subsisting primarily on Social Security Disability benefits. He was physically assaulted while peacefully and visibly supporting LGBTQ+ rights at a Pride Parade by an openly gay male Democratic Party official who acted with bias, hostility, and political animus based on Plaintiff's sexual orientation, sex, disability status, and perceived threat to entrenched political interests. Defendants were aware of the factual context and the existence of the civil rights lawsuit arising from that assault, yet willfully suppressed and distorted the truth by omitting the nature and motive of the attack. Their knowing concealment of what plausibly constitutes a federal hate crime—and subsequent use of the lawsuit to cast Plaintiff as combative or unstable—demonstrates actual malice and a reckless disregard for the truth, and materially altered the impression conveyed to voters.

#### **E. The Gabber Catches and Kills Their Own Poll Results and the Resultant Panic Attacks**

65. In January 2025, The Gabber conducted an online mayoral survey that closed on January 27<sup>th</sup>, originally featured on its homepage. Plaintiff received 975 votes—an overwhelming 58% of the total—and led by a landslide over the other two non-party-affiliated candidates.

66. This stunning result was never reported. Instead, once the poll concluded, the defendants quietly relegated it to an archive and made no mention of it in any of its subsequent election coverage. No headlines. No analysis. No acknowledgment that a candidate polling at nearly 60% had seized the public's attention.

67. Within days, and with the poll results buried, Defendants initiated a sharp escalation of defamatory conduct. On February 27, they published the misleading "Liccione Time in Courts + Criminal" article. On March 9—just 48 hours before the election—they ran the mocking "Cheap White Sangria" Op-Ed.

68. The sequence was not coincidental. The juxtaposition of suppressed data showing Plaintiff's surge with the timing of these smears evidences a calculated editorial response. The Defendants panicked and acted swiftly to reverse Plaintiff's momentum.

69. The impact was devastating. From 975 survey votes to only 143 votes on election day, Plaintiff's public support disintegrated by over 85% in less than six weeks. That extraordinary collapse—unexplained by any political event other than The Gabber's defamatory publications—strongly indicates that Defendants' defamatory conduct was the proximate, sole cause of Plaintiff's defeat.

70. This pattern of manipulation—elevating defamatory narratives while concealing Plaintiff-favorable facts—constitutes both defamation by commission and omission, it proves actual malice, and it demonstrates Defendants' weaponization of their media platform to interfere with the electoral process.

## **F. Summary of Harm**

71. Defendants' defamatory acts of commission and omission were not protected opinion, but knowingly false statements of fact and materially misleading omissions of

relevant true facts, made with knowledge of their falsity and a reckless disregard for the truth.

72. As a direct and proximate result, Plaintiff suffered:

- a. Public ridicule, shunning, and humiliation;
- b. A collapse in campaign donations;
- c. Self-funding losses of over \$260,000 across two elections;
- d. Severe reputational harm within Pinellas County, Gulfport, and LGBTQ+ communities;
- e. Electoral defeat in two races and the loss of future income as a public official;
- f. Emotional distress and long-term economic injury.

73. WHEREFORE, Plaintiff demands judgment against Defendants for compensatory and punitive damages, injunctive relief requiring correction or removal of false content, costs, interest, and any other relief the Court deems just and proper.

## **COUNT II – TORTIOUS INTERFERENCE WITH PROSPECTIVE ECONOMIC ADVANTAGE**

74. Plaintiff incorporates by reference paragraphs 1 through 73 as if fully set forth herein.

75. The legal basis for Count II, tortious interference with prospective economic advantage, is grounded in the principles articulated in *Walters v. Blankenship*, 931 So. 2d 137 (Fla. Dist. Ct. App. 2006). Under Florida law, tortious interference encompasses both affirmative acts and deliberate omissions when the defendant's intent is to disrupt or destroy another's economic relationships. The *Walters* court emphasized that even otherwise lawful acts may constitute actionable interference if they are "unjustified" and

carried out with improper motives. Determining whether interference is unjustified requires balancing the interests involved and assessing whether the conduct aligns with what is "right and just" under the "rules of the game." Here, Defendants' actions, including the publication of false and misleading articles, the omission of critical facts, and the suppression of favorable information about Plaintiff's candidacy, were intentional, unjustified, and motivated by actual malice. These actions directly interfered with Plaintiff's prospective economic relationships with campaign donors, voters, and supporters, causing significant financial and reputational harm, as well as electoral losses and loss of future income.

76. At all relevant times, Plaintiff had a reasonable expectation of economic relationships with individual and organizational campaign donors, political supporters, and prospective voters in both the 2024 Congressional and 2025 mayoral elections.

77. These prospective economic advantages included campaign contributions, public endorsements, political momentum, and speaking opportunities—all essential to maintaining viability as a non-incumbent candidate and building a successful grassroots campaign.

78. Defendants knew of Plaintiff's candidacy and campaign activity, including the importance of visibility in the local press to sustaining political credibility and financial support. Plaintiff had previously advertised in The Gabber Newspaper, and had personally introduced himself to Defendants Cathy and Thomas Loper at a public Gulfport event. Additionally, Plaintiff had a history of substantive communications with Gabber political reporter Patrick Heinzen, who authored the defamatory July 12, 2024 article.

79. Despite this knowledge, Defendants intentionally and maliciously interfered with Plaintiff's economic relationships with potential donors who would have otherwise donated to his campaign, by publishing false and misleading content that falsely portrayed the Congressional race as limited to four candidates, thereby erasing Plaintiff from voters' awareness at a critical moment in the election cycle.

80. The timing of the July 12<sup>th</sup> article—immediately prior to the final Democratic debate and the arrival of vote-by-mail ballots—was calculated to ensure maximum suppressive impact on Plaintiff's public visibility and support.

81. Defendants' acts of omission and misrepresentation were designed to induce others to refrain from supporting or contributing to Plaintiff's campaign, and to believe that he was not a serious or viable candidate, or even that he never even had been a candidate at all.

82. As a direct and foreseeable result of Defendants' actions, Plaintiff experienced an immediate collapse in Congressional campaign donations and public interest. Potential donors and voters reasonably concluded, based on The Gabber's mis-representations, that Plaintiff had dropped out of the race or had failed to qualify, or that he did not even exist.

83. Plaintiff was forced to self-finance over \$250,000 of his life savings for his Congressional campaign, and another \$10,000 in his mayoral campaign, causing long-term economic injury to a disabled individual subsisting on Social Security Disability income.

84. Plaintiff was also deprived of the economic opportunities associated with winning either election. The annual salary and benefits of a U.S. Congressional representative totaled approximately \$174,000 in 2024, and the Mayor of Gulfport receives an annual

salary of approximately \$14,400. These roles also carried public platforms and leadership visibility that would have enhanced Plaintiff's professional reputation and future political viability. The loss of these tangible and intangible benefits further compounded the financial and reputational harm caused by Defendants' conduct.

85. Florida law under *Walters* recognizes that tortious interference includes both affirmative acts and deliberate omissions where the defendant's intent is to disrupt or destroy another's economic relationship. Defendants' conduct meets this standard and was carried out with actual malice.

86. Defendants' actions were not privileged, not protected by the First Amendment or the Florida Anti-SLAPP statute, and were outside the bounds of lawful, independent journalism. They served no legitimate public interest and were instead designed to damage Plaintiff's political and financial prospects for their own corrupt motives.

87. Defendants' acts of interference were not merely intentional—they were undertaken through means that are unlawful under both Florida and federal law. Specifically, the June 22, 2024 assault on Plaintiff at the St. Petersburg Pride Parade, which Defendants subsequently concealed and distorted in their coverage, constitutes conduct prohibited by Florida Statute § 104.615, which criminalizes injuring, intimidating, or interfering with a candidate for the purpose of preventing that individual from running for or being elected to office. The same assault also constitutes conduct that plausibly meets the standard of a federal hate crime under 18 U.S.C. § 249(a)(2), as it was motivated, in part, by Plaintiff's sexual orientation, sex, disability status, and political identity. By suppressing this context while using the resulting civil rights lawsuit to cast Plaintiff in a false light, Defendants interfered with Plaintiff's prospective donor



and voter relationships through unlawful and malicious means. These acts fall outside the protection of the First Amendment and Florida's anti-SLAPP statute and support Plaintiff's entitlement to punitive damages.

88. WHEREFORE, Plaintiff demands judgment against Defendants for compensatory and punitive damages for economic loss, campaign disruption, reputational harm, and emotional distress; interest, costs of suit, and all further relief this Court deems just and proper.

### **COUNT III – CIVIL CONSPIRACY**

89. Plaintiff incorporates by reference paragraphs 1 through 88 as if fully set forth herein.

90. Florida law recognizes civil conspiracy as a cause of action when two or more parties agree to commit a wrongful act and act in furtherance thereof. Each Defendant is jointly and severally liable for the damages caused by the conspiracy and the acts undertaken in furtherance of it.

91. Defendants Cathy Salustri-Loper, Thomas Loper, and Thursday Morning Media, Inc. (TMMI), acting in concert and through their shared control of The Gabber Newspaper, conspired with themselves and others to publish defamatory content, suppress exculpatory information, and undermine Plaintiff's political candidacies in 2024 and 2025.

92. The conspiracy extended beyond Defendants and included non-party actors such as Barbara Banno and Morgan Banno. Although not employees or agents of The Gabber Newspaper per se—as expressly disclaimed in The Gabber's editor's note accompanying the March 9, 2025 op-ed—the Banno women participated in the conspiracy by using the

pages of The Gabber to ridicule and defame Plaintiff. Barbara Banno also served, along with Cathy Salustri-Loper, as debate moderator at the Hickman Theater candidate forum where Plaintiff was threatened with removal by police for exercising his 1<sup>st</sup> Amendment right to political speech at a political debate. The Gabber editor's note made clear that the op-ed did not reflect the views of the publication, yet Defendants knowingly published it anyway just two days before the mayoral election, further advancing the coordinated attack on Plaintiff.

93. The conspiracy also included the leadership of the Pinellas County Democratic Party, including but not limited to Secretary Michael Sherosky and Chair Jennifer Griffith, who provided and promoted the false narrative that Plaintiff had failed the Party's vetting process for reasons of alleged moral turpitude—a narrative that was echoed and amplified by The Gabber and its affiliates. These individuals coordinated behind the scenes to suppress Plaintiff's candidacy and credibility both within the Party and in the press, furthering the aims of the conspiracy to discredit and politically destroy him.

94. This conspiracy by Defendants included, but was not limited to:

- a. Willfully excluding any mention of Plaintiff's existence as a candidate for Congress in the July 12, 2024 "Meet the Candidates" article, while falsely stating that the four candidates featured were the sole Democrats in the primary race, despite having actual first-hand knowledge of Plaintiff's candidacy.
- b. Deliberately omitting from all reporting the fact that Plaintiff had been physically battered and assaulted at the June 2024 St. Petersburg Pride Parade by Pinellas County Democratic Party Secretary Michael Sherosky—even though those events

formed the basis of Counts I and II in Plaintiff's civil rights lawsuit against Sherosky and the Party.

- c. Citing and mischaracterizing Plaintiff's lawsuit against Sherosky, Griffith, and the Pinellas County Democratic in *The Gabber* publications while intentionally concealing that it arose from physical battery and assault on Plaintiff by Sherosky.
- d. Suppressing the politically inconvenient narrative that a straight, white, male, disabled Democratic congressional candidate—publicly supporting and marching for LGBTQ+ rights—was physically battered and assaulted by a gay Democratic Party official at a Pride parade event, in order to protect the image of favored local Party figures and allies.
- e. Conspiring with Morgan Banno to publish, just before the Gulfport mayoral election, an editorial in *The Gabber* mocking Plaintiff as a glass of "cheap, white sangria," with the intent to ridicule, belittle, and politically damage him. The editorial was published under the guise of a third-party opinion piece but was timed and framed to inflict maximum reputational harm and suppress electoral support with in-person voters, and was part of a broader coordinated effort by Defendants and their allies to discredit Plaintiff within the Gulfport electorate and LGBTQ+ community. The disclaimer that appeared beneath the op-ed—stating that the opinions expressed were solely those of the author and not of *The Gabber*—demonstrates Defendants' consciousness of guilt and served as a

disingenuous and inadequate attempt to shield Defendants from liability at the expense of Morgan Banno and her wife Barbera Banno.<sup>2</sup>

- f. Permitting the conflict of interest of having Defendant Cathy Salustri-Loper—a named defendant in this lawsuit—moderate The Gabber’s candidate forum at Hickman Theater along with Barbera Banno, which The Gabber arranged by paying the City of Gulfport to rent the venue and hiring the Gulfport Police Department to provide an on-duty officer for event security. During the forum, Salustri-Loper used her position to publicly threaten Plaintiff with police removal after he challenged her publicly for her misconduct, thereby weaponizing a state-provided security presence to intimidate and humiliate Plaintiff before a live and livestreamed audience of Gulfport voters.

95. These coordinated acts were performed with actual malice and in furtherance of the shared goal of protecting political allies and discrediting Plaintiff. Among the most damaging was the calculated decision to use the headline and framing of the February 27, 2025 article - “Gulfport Mayoral Candidate John Liccione’s Time in Courts”—to embed the word "criminal" in close proximity to Plaintiff’s name in a searchable article, with full knowledge that Plaintiff has a clean criminal record.

96. This was done with the intent to trigger search engine algorithms and AI Chatbots and to smear Plaintiff as a criminal figure in the minds of voters, while omitting exculpatory facts about the nature of his lawsuits, his innocence, and the battery he suffered at a public Pride event at the hands of the Secretary of the Pinellas Democratic Party.

---

<sup>2</sup> Barbera Banno told Plaintiff at her Stella’s restaurant in front of witnesses on 3/10/25 that she had received no pre-publication warning from either her wife Morgan Banno or the Defendants about the offensive Op/Ed: She claimed it was hurting her business due to the citizenry’s strong negative reaction to the article.

97. Defendants acted knowingly and with ideological and political bias, thereby corrupting the electoral process and inflicting serious harm on Plaintiff's reputation, emotional health, financial stability, and political viability, and in furtherance of the shared goal of protecting political allies and discrediting Plaintiff. Defendants acted knowingly and with ideological and political bias, thereby corrupting the electoral process.

98. Among the unlawful objectives of the conspiracy was the suppression of politically and legally significant information relating to the battery and assault committed against Plaintiff by a Democratic Party official, which constitutes a third-degree felony under Florida Statute § 104.615, and potentially a federal hate crime under 18 U.S.C. § 249(a)(2). Defendants knowingly and intentionally concealed this conduct while conspiring to weaponize the existence of Plaintiff's civil lawsuit against the attacker. Their concealment of this felony-level behavior—and their joint efforts to manipulate the public narrative to portray Plaintiff as unstable or combative—demonstrate the unlawful object and overt acts required for civil conspiracy. This conduct was not merely political speech or editorial judgment; it was a coordinated, malicious campaign to distort the truth, damage Plaintiff's candidacy, and protect entrenched political interests at the expense of Plaintiff's rights and safety.

99. Each Defendant is jointly and severally liable for the overt acts undertaken in furtherance of the conspiracy and for the full scope of damages resulting from it.

100. WHEREFORE, Plaintiff demands judgement against all Defendants for compensatory damages, punitive damages, attorney's fees (if applicable), interest, costs of suit, and all other relief this Court deems just and proper.

## **VI. PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment in his favor and against Defendants Cathy Salustri-Loper, Thomas Loper, and Thursday Morning Media, Inc., jointly and severally, and award the following relief:

- A. Compensatory damages in an amount to be determined at trial for:
  - 1) Economic losses including self-funded campaign expenditures exceeding \$260,000;
  - 2) Loss of campaign contributions and prospective economic opportunities;
  - 3) Loss of future wages;
  - 4) Reputational harm and diminished political viability;
  - 5) Emotional distress and humiliation;
- B. Punitive damages, upon Plaintiff's filing of a motion and evidentiary proffer pursuant to Fla. Stat. § 768.72, based on Defendants' willful misconduct, actual malice, and knowing disregard for Plaintiff's rights;
- C. Injunctive relief as may be warranted, including the removal or correction of false content still published online;
- D. Pre- and post-judgment interest as permitted by law;
- E. Costs of this action and any other relief this Court deems just and proper.

Plaintiff expressly reserves the right to seek leave to assert punitive damages pursuant to Florida Statutes § 768.72.

## **VII. DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a trial by jury on all issues so triable.

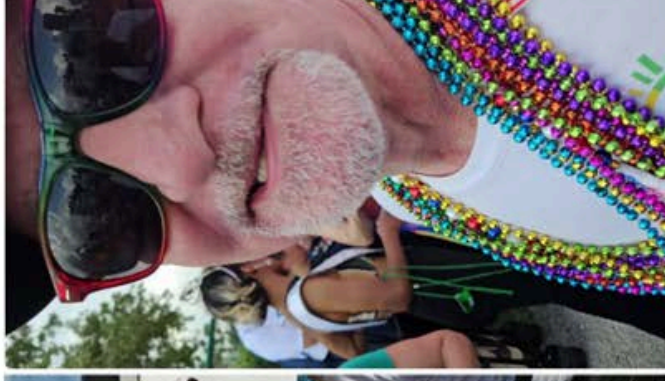
Respectfully submitted,

**/s/ John W. Liccione**

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



John Liccione campaigning in the Saint Petersburg Pride Parade assembly area while preparing to march for Pride with the Pinellas Democratic Senior Caucus (Fellow caucus member Van Farber holds squirt gun)



Michael Sherosky  
Secretary of Pinellas County Democratic Party, accosts Liccione and invades his personal space after knocking Pride-flagged hat of Liccione's head.

## EXHIBIT A