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; et al, Defendants.

PLAINTIFF'S RESPONSE AND MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MOTION TO DISMISS SECOND AMENDED COMPLAINT

Plaintiff, John William Liccione ("Plaintiff" or "Liccione"), pro se, pursuant to Florida Rule of Civil Procedure 1.140, submits this Response in opposition to the Motion to Dismiss the Second Amended Complaint ("SAC") filed by Defendants Cathy Salustri-Loper, Thomas Loper, and Thursday Morning Media, Inc. (TMI) (collectively, "Defendants"). The cornerstone of this case is the Defendants' knowingly false article published on July 12, 2024, which deliberately omitted Plaintiff as the fifth Democratic Congressional candidate in Plaintiff's 2024 primary election, despite Defendants' knowledge of his candidacy, demonstrating undeniable reckless disregard for the truth. This foundational falsehood underpins all claims—defamation, tortious interference, and civil conspiracy—and is exacerbated by subsequent acts, including the February 27, 2025, article's misrepresentations, the suppression of a January 2025 mayoral survey, and Salustri-Loper's threat to invoke city police to eject Plaintiff from a city-owned theater. This filing corrects an inadvertent citation error, distinguishes between actionable false statements and protected opinions, quotes Florida Statute § 104.061(1) to show how Defendants' deception violated this law, and demonstrates that the SAC's claims are legally and factually sufficient, overcoming Defendants' Anti-SLAPP defenses under § 768.295, Florida Statutes, which does not protect knowingly false

statements. Plaintiff requests that the Court deny Defendants' motion, grant leave to correct the citation error, allow the case to proceed to discovery, and award such other relief as deemed just and proper.

I. INTRODUCTION

1. The SAC alleges three causes of action: defamation and defamation by omission (Count I), tortious interference with prospective economic advantage (Count II), and civil conspiracy (Count III). These claims rest on Defendants' campaign to suppress Plaintiff's 2024 Congressional and 2025 Gulfport mayoral candidacies, initiated by the July 12, 2024, article that knowingly falsely stated there were only four Democratic Congressional candidates in Plaintiff's 2024 Congressional primary election, omitting Plaintiff despite Defendants' direct knowledge of his candidacy. This foundational falsehood, demonstrating reckless disregard for the truth, caused immediate and ongoing harm to Plaintiff's Congressional campaign, reputation, and fundraising, and was compounded by subsequent acts related to his mayoral candidacy, including the February 27, 2025, article misrepresenting Plaintiff's lawsuits, the suppression of a January 2025 mayoral survey, and Salustri-Loper's January 30, 2025, threat to have Plaintiff forcibly removed by city police at the city-owned Catherine Hickman Theater for criticizing her moderation. SAC ¶¶ 17–24, 27, 49–100.

2. Defendants' Motion to Dismiss argues that the SAC fails to state a claim, is barred by the First Amendment, violates Florida's Anti-SLAPP statute, and contains a phantom citation to § 104.615, echoing their prior criticism of Plaintiff's Response to Loper's Motion to Dismiss (Dkt. No. 56). See Defendants' Memorandum of Law, Dkt. No. 224407375, at 6. Defendants also reiterate arguments from their prior Motion to Dismiss (Dkt. No. 41), such as no private right of action or protected editorial judgment. These defenses fail because the July 12, 2024, article's knowing falsehood is not protected speech, as it undermines the

public's right to basic, accurate information about electoral candidates, a societal harm not shielded by § 768.295, and violates § 104.061(1) by corruptly deceiving voters deliberately, by design - not by accident, negligence, or mistake. The disappearance of Plaintiff as a candidate in the article was a FEATURE of the article - not a bug.

3. The July 12, 2024, article's false claim of only four Democratic Congressional candidates in Plaintiff's 2024 primary election, deliberately omitting Plaintiff despite Defendants' knowledge of his candidacy, is the linchpin of this case, showing undeniable reckless disregard for the truth under New York Times Co. v. Sullivan, 376 U.S. 254, 279–80 (1964). There is no societal good in publishing knowingly false most basic news - who are the candidates running? - and such conduct is not the type of speech Florida's Anti-SLAPP statute is intended to protect. Subsequent acts, including the February 27, 2025, article's failure to update a "criminal contempt" reference, the suppression of a battery/assault incident against Plaintiff and a favorable mayoral poll, and Salustri-Loper's police action threat, build on this initial malice, reinforcing Defendants' intent to harm Plaintiff's campaigns. The police threat also implicates Salustri-Loper as a state actor, subjecting her conduct to First Amendment scrutiny. This response corrects the § 104.615 error and confirms the SAC's sufficiency.

II. CORRECTION OF CITATION ERROR

4. The SAC inadvertently cited § 104.615 in paragraphs 62, 87, and 98 as a statute criminalizing interference with a candidate's right to run for office. Plaintiff acknowledges that no such statute exists. The intended reference was § 104.061, Corruptly Influencing Voting, subsection (1), which states: "Whoever by bribery, menace, threat, or other corruption whatsoever, either directly or indirectly, attempts to influence, deceive, or deter any elector in voting or interferes with him or her in the free exercise of the elector's right to vote at any election commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084 for the first conviction, and a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, for any subsequent conviction." This statute supports Plaintiff's claim that the June 22, 2024, battery and assault by Michael Sherosky, willfully concealed by Defendants, and the July 12, 2024, article's false claim of only four candidates, which deceived voters into believing Plaintiff did not exist as a candidate, constituted corrupt attempts to influence and deceive electors in violation of § 104.061(1), furthering the malicious campaign initiated by the article's falsehood.

5. Plaintiff requests leave to amend the SAC to replace references to § 104.615 with § 104.061.

6. The correction is made in good faith under Florida Rule of Civil Procedure 1.190(a), which favors amendment. See Dausman v. Hillsborough Area Reg'l Transit, 898 So. 2d 213, 215 (Fla. 2d DCA 2005). The error is not fraudulent, lacking deceptive intent, and Plaintiff's diligence in correcting it aligns with prior efforts to address citation issues.

III. THE JULY 12, 2024, ARTICLE AS THE FOUNDATION OF DEFENDANTS' MALICIOUS CONDUCT

7. The SAC's claims hinge on the July 12, 2024, article, "Meet the Democratic Candidates for the District 13 Congressional Election," which falsely stated there were only four Demo-

cratic candidates, omitting Plaintiff despite Defendants' firsthand knowledge of his candidacy through face-to-face interactions, a paid political advertisement in The Gabber Newspaper itself, email exchanges with The Gabber reporters, and campaign signs in proximity to The Gabber Newspaper's headquarters in Gulfport (SAC ¶¶ 17–20, 52).

8. Defendants published pictures and write-ups for each of the four other candidates, deliberately "disappearing" Plaintiff from the electoral psyche, despite knowing he was the qualified fifth candidate per FEC and Florida filings (SAC ¶ 53). Where did they get the four candidate pictures and their write-ups? From the Pinellas Democratic Party who was hosting the July 13, 2024 congressional primary debate that was reported in The Gabber article? Was this a coordinated effort by Defendants and others to suppress Plaintiff's candidacy through malicious falsehoods? Discovery is required, as these are fact-finder questions.

9. This verifiable false statement of fact demonstrates the publishing of a known falsehood – a reckless disregard for the truth - under Sullivan, 376 U.S. at 279–80. By falsely claiming only four candidates existed and prominently featuring the others with pictures and profiles, Defendants corruptly deceived voters, influenced by the first and only article featuring the Congressional candidate that was published in The Gabber, into believing Plaintiff was not a candidate, directly influencing their first impressions and voting decisions in violation of § 104.061(1), which prohibits "bribery, menace, threat, or other corruption whatsoever, either directly or indirectly, [that] attempts to influence, deceive, or deter any elector in voting." This deception undermined Plaintiff's Congressional campaign by erasing his visibility, causing voters to disregard him as a viable option, thus affecting their electoral choices. The article's ongoing uncorrected online availability, despite Plaintiff's demand for correction and the filing of this lawsuit in July 2024, underscores Defendants' malice (SAC ¶ 56), causing Plaintiff's fundraising collapse, reputational harm, and electoral defeat (SAC ¶¶ 23–24).

10. This falsehood is analogous to a hypothetical scenario in the 2024 Republican presidential primary, where Donald Trump, Nikki Haley, Ron DeSantis, Chris Christie, and Vivek

Ramaswamy were five FEC-qualified candidates. If a major outlet like Fox News or CNN published or broadcast a known falsehood claiming only four candidates were running, omitting one despite clear evidence, while including pictures and profiles of the other four, this would mislead voters and undermine the democratic process.

11. There is no societal good in publishing knowingly false news of what is the most basic and essential fact in an election: Who are the candidates running? Such conduct is not protected by the First Amendment or Florida's Anti-SLAPP statute, which aims to shield legitimate speech, not known falsehoods that harm candidates and deceive the voters.

12. The July 12, 2024, article's deliberate omission of Plaintiff as a candidate, while promoting the other four potentially at the request of the local Democratic Party, similarly damaged his Congressional campaign and voter awareness, forming the basis for all subsequent malicious acts by Defendants and violating § 104.061(1) by corruptly deceiving electors.

13. Further, it is noted that Defendants knew that the Pinellas County Democratic Party did not invite Plaintiff to the July 13, 2025 debate. One might think the Defendants might have published THAT fact, and reported why they chose to not invite him. This was a newsworthy fact important to the local voters in Gulfport and Pinellas County at large. This is especially true since (1) Plaintiff was the only candidate who lived in Gulfport, (2) The Gabber Newspaper is based in Gulfport, (3) their circulation covers southern Pinellas County, and (4) Plaintiff lived within 100 yards of The Gabber's headquarters office.

14. This is actionable under Harte-Hanks Communications, Inc. v. Connaughton, 491 U.S. 657, 667–68 (1989) (actual malice shown by publishing of known falsity with evidence of reckless disregard). To quote Harte-Hanks:

"We have not gone so far, however, as to accord the press absolute immunity in its coverage of public figures or elections. If a false and defamatory statement is published with knowledge of falsity or a reckless disregard for the truth, the public figure may prevail. See Curtis Publishing Co. v. Butts, 388 U.S., at 162 (opinion of Warren, C. J.). A 'reckless disregard'

for the truth, however, requires more than a departure from reasonably prudent conduct. 'There must be sufficient evidence to permit the conclusion that the defendant in fact entertained serious doubts as to the truth of his publication.' St. Amant, 390 U.S., at 731. The standard is a subjective one — there must be sufficient evidence to permit the conclusion that the defendant actually had a 'high degree of awareness of . . . probable falsity.' When a candidate enters the political arena, he or she 'must expect that the debate will sometimes be rough and personal,' Ollman v. Evans, 242 U.S.App.D.C. 301, 333, 750 F.2d 970, 1002 (1984) (en banc) (Bork, J., concurring), cert. denied, 471 U.S. 1127 (1985), and cannot 'cry Foul!' when an opponent or an industrious reporter attempts to demonstrate that he or she lacks the 'sterling integrity' trumpeted in campaign literature and speeches, Monitor Patriot Co. v. Roy, 401 U.S. 265, 274 (1971). Vigorous reportage of political campaigns is necessary for the optimal functioning of democratic institutions and central to our history of individual liberty."

15. Here it is not just the absence of vigor in Defendants' reportage that is most breathtaking, it is the sense of entitlement demonstrated by Defendants - that they could publish such an indisputably false and defamatory article about who the candidates were in the race, and they seem to have thought, and they still think, that they can get away with it…and perhaps may do so again in the next election to Plaintiff or some other candidate they might disfavor.

16. Other False Statements and Omissions Serve to Reinforce Actual Malice:

a. February 27, 2025, Article: The article "Gulfport Mayoral Candidate John Liccione's Time in Courts" falsely implied Plaintiff was litigious and a criminal by omitting the battery/assault counts in his other lawsuit where he was a Plaintiff, and placing "criminal" near his name, despite Defendants' knowledge of those counts, and of his clean record (SAC ¶¶ 33–35, 58). The article's failure to update a "criminal contempt" reference after Plaintiff was ruled not in contempt on April 10, 2025, furthered the malicious pattern initiated by the July 12, 2024, article, showing reckless

disregard for the truth, by omission (SAC ¶¶ 33–35).

b. Suppression of Battery/Assault and Mayoral Election Poll Results: Defendants' knowing omission of the June 22, 2024, battery/assault against Plaintiff by Michael Sherosky (SAC ¶¶ 61–62), which Plaintiff had alleged in his other complaint, and their suppression of their own Gabber Newspaper January 2025 poll showing Plaintiff's 58-point early commanding lead in the mayoral election (SAC ¶¶ 39–40, 65), continued to build on the July 12, 2024, article's foundation, creating a false and defamatory impression of Plaintiff's character and mayoral candidacy viability. These omissions are actionable as false statements by implication, with actual malice shown by Defendants' knowledge of these facts (SAC ¶¶ 20, 41). Defendants were clearly following Plaintiff's battery/assault (and other counts) lawsuit closely since they reported on its existence, but deliberately suppressed the reasons for the lawsuit, enhancing the defamatory implication. See Memphis Publishing Co. v. Nichols, 569 S.W.2d 412, 420 (Tenn. 1978) (omissions creating a defamatory implication by selectively withholding facts are actionable); New York Times Co. v. Sullivan, 376 U.S. 254, 279–80 (1964) (actual malice requires knowledge or reckless disregard of falsity).

17. Statements of Opinion as Evidence of Malice:

a. March 9, 2025, Op-Ed: The op-ed likening Plaintiff to "cheap, white sangria" (SAC ¶¶ 46–48, 59) is a protected opinion but, given its election-eve timing and intent to ridicule, reinforces the malicious intent established by the July 12, 2024, article (SAC ¶ 60). Plaintiff, who is economically disadvantaged, white, and the son of an Italian immigrant, notes this as a triple-insult to his economic status, race, and ethnicity.

b. Other Editorial Commentary: Statements implying Plaintiff was combative or unstable (e.g., February 27, 2025, article's framing, SAC ¶ 58) are protected opinions but, when paired with the July 12, 2024, article's falsehood, evidence a pattern of malice.

18. Hickman Theater Police Action Threat: On January 30, 2025, Salustri-Loper threatened to have Plaintiff forcibly removed by city police at the Catherine Hickman Theater candidate forum for criticizing her biased moderation (SAC ¶ 27). This threat, building on the July 12, 2024, article's malicious foundation, shows intent to suppress Plaintiff's mayoral campaign and silence his political speech, reinforcing Defendants' reckless disregard for the truth (SAC ¶ 36). By threatening police action against a candidate she invited, Salustri-Loper violated Plaintiff's First Amendment rights while accusing him of stifling speech, and her actions as a state actor (via use of a city-owned venue and police) undermine the Anti-SLAPP defense.

IV. MATERIAL FACTS AND LEGAL ARGUMENT

A. The SAC Sufficiently States Causes of Action

19. Count I: Defamation and Defamation by Omission

The July 12, 2024, article's knowing falsehood, stating only four Democratic candidates existed while including pictures and write-ups for them, is the foundation of the defamation claim, demonstrating reckless disregard for the truth and causing reputational and electoral harm by deceiving voters in violation of § 104.061(1) (SAC ¶¶ 17–24, 49–73). Subsequent acts, including the February 27, 2025, article's misrepresentations, suppressed battery/assault, and Salustri-Loper's police threat, reinforce this malice (SAC ¶ 27). These satisfy the defamation elements: knowingly false statement, publication, actual malice, and damages. Harte-Hanks Communications, Inc. v. Connaughton, 491 U.S. 657, 667–68 (1989); Masson v. New Yorker Magazine, Inc., 501 U.S. 496, 517 (1991).

a. Factual Sufficiency: Defendants' knowledge of Plaintiff's candidacy (SAC ¶¶ 18–20), the July 12 article's timing during vote-by-mail distribution (SAC ¶ 21), its uncorrected online status with pictures and write-ups for other candidates (SAC ¶ 56), the February 27 article's "criminal contempt" omission (SAC ¶¶ 33–35), and the

police threat (SAC ¶ 27) show malice stemming from the initial falsehood, violating § 104.061(1) by deceiving electors.

b. Legal Sufficiency: Jews for Jesus, 997 So. 2d 1106 (Fla. 2008), supports defamation by omission. Actual malice, established by the July 12, 2024, article and reinforced by subsequent acts, meets Sullivan, 376 U.S. at 279–80.

20. Count II: Tortious Interference with Prospective Economic Advantage

The July 12, 2024, article's falsehood, prominently featuring the other four candidates while omitting Plaintiff, disrupted Plaintiff's donor and voter relationships, causing a donation collapse and electoral defeat in his Congressional campaign by deceiving voters into believing he was not a candidate, in violation of § 104.061(1) (SAC ¶¶ 74–88). Subsequent acts, including the February 27, 2025, article and police threat, furthered this interference in his mayoral campaign (SAC ¶¶ 27, 79–80). This satisfies the elements: economic relationship, intentional and unjustified interference, and damages. Tamiami Trail Tours, Inc. v. Cotton, 463 So. 2d 1126, 1127 (Fla. 1985).

a. Factual Sufficiency: Plaintiff's expectation of donations (SAC ¶ 76), Defendants' knowledge (SAC ¶ 78), and damages ($260,000 in losses, SAC ¶ 83) stem from the July 12, 2024, article's impact, amplified by later acts like the "criminal contempt" omission (SAC ¶¶ 79–80) and police threat (SAC ¶ 27).

b. Legal Sufficiency: Walters v. Blankenship, 931 So. 2d 137, 139 (Fla. 2d DCA 2006), supports interference via malicious omissions. Ozyesilpinar v. Reach PLC, 365 So. 3d 453 (Fla. 3d DCA 2023), is distinguishable, as the SAC alleges targeted harm initiated by the July 12, 2024, article.

21. Count III: Civil Conspiracy

The July 12, 2024, article's falsehood, deliberately "disappearing" Plaintiff while promoting the other four candidates, forms the basis of a conspiracy with non-parties to defame and

interfere with Plaintiff's candidacies by deceiving voters in violation of § 104.061(1), with subsequent acts like the police threat and omissions reinforcing the agreement (SAC ¶¶ 89–100). This satisfies the conspiracy elements: agreement, unlawful act, and damages. Charles v. Fla. Foreclosure Placement Ctr., LLC, 988 So. 2d 1157, 1159–60 (Fla. 3d DCA 2008).

a. Factual Sufficiency: The SAC details the agreement (SAC ¶ 91), overt acts starting with the July 12, 2024, article (SAC ¶ 94), and damages (SAC ¶ 97), with the police threat and "criminal contempt" omission reinforcing malice (SAC ¶ 27).

b. Legal Sufficiency: Conspiracy is recognized for wrongful acts. Banco de los Trabajadores v. Cortez Moreno, 237 So. 3d 1127, 1136 (Fla. 3d DCA 2018).

B. State Actor Doctrine Undermines Anti-SLAPP Defense

22. The July 12, 2024, article's falsehood, compounded by Salustri-Loper's January 30, 2025, threat to have Gulfport city police to eject Plaintiff from the city-owned Catherine Hickman Theater, leased by Defendants, implicates her as a state actor, subjecting her conduct to First Amendment scrutiny and undermining the Anti-SLAPP defense. By leasing a city-owned facility and threatening state-funded police action to suppress Plaintiff's political speech, Salustri-Loper engaged in state action, building on the initial malicious falsehood.

23. State Actor Doctrine Principles: Private entities become state actors when their conduct is "fairly attributable" to the state, via state resources, public functions, or a "symbiotic relationship" with government. Burton v. Wilmington Parking Auth., 365 U.S. 715, 725 (1961). Political activities, like candidate forums, are state actions when entwined with state resources. Smith v. Allwright, 321 U.S. 649, 664–65 (1944).

24. Application to Salustri-Loper:

a. Use of City-Owned Venue: Defendants leased the Hickman Theater for the mayoral candidate forum, a public function (SAC ¶ 25). This mirrors Ludtke v. Kuhn, 461

F. Supp. 86, 93–94 (S.D.N.Y. 1978), where exclusion from a publicly owned stadium was state action due to the use of state property and public interest. Salustri-Loper's use of a city venue subjects her actions to scrutiny.

b. Invocation of State Police Powers: Salustri-Loper's police threat to suppress Plaintiff's speech (SAC ¶ 27) parallels Burton, 365 U.S. at 724, as a state action via a "symbiotic relationship" with government, using hired city police.

c. Public Function of Political Debate: The forum, akin to the primary in Smith v. Allwright, 321 U.S. at 664, is a public function (a Democratic primary election) entwined with state resources, subjecting Defendants' conduct to First Amendment scrutiny.

25. Impact on Anti-SLAPP Defense: The July 12, 2024, article's falsehood and Salustri-Loper's police threat are not protected speech under § 768.295, as they involve knowing falsity and state-backed suppression, not legitimate journalism. The article's deception violates § 104.061(1) by corruptly influencing electors. As a state actor, Salustri-Loper's conduct violates Plaintiff's First Amendment rights, rendering the Anti-SLAPP defense inapplicable. See Burton, 365 U.S. at 725; Smith v. Allwright, 321 U.S. at 664–65.

C. The SAC Overcomes Other Anti-SLAPP Arguments

26. The Anti-SLAPP defense fails because the SAC targets the July 12, 2024, article's knowing falsehood and subsequent malicious acts, not protected speech. Under § 768.295, Defendants must show the SAC targets protected speech, then Plaintiff must prove the claims are not primarily based on First Amendment rights and have merit. Gundel v. AV Homes, Inc., 264 So. 3d 304, 314 (Fla. 2d DCA 2019).

27. Not Primarily Based on Protected Speech: The July 12, 2024, article's falsehood, like a hypothetical Fox News or CNN report omitting a candidate in the 2024 Republican primary

while featuring the others, is not protected, as it involves knowing falsity and malice, violating § 104.061(1). Dominion Voting Sys., Inc. v. Fox News Network, LLC, No. N21C-03-257, 2023 WL 2730567, at *15 (Del. Super. Ct. Mar. 31, 2023). Subsequent acts (e.g., police threat, SAC ¶ 27) and opinions (e.g., "cheap, white sangria") reinforce this malice.

28. Not Without Merit: The SAC's allegations, supported by Jews for Jesus, Walters, and 18 U.S.C. § 249(a)(2), establish merit. The July 12, 2024, article, battery/assault omission (SAC ¶ 64), and police threat (SAC ¶ 27) show actual malice, unaffected by the corrected § 104.061 reference.

29. Attorneys' Fees: Defendants are not entitled to fees under § 768.295. Plaintiff reserves the right to seek fees under § 57.105 if Defendants' motion is frivolous or if he prevails under § 768.295.

D. The Citation Error Does Not Warrant Dismissal or Sanctions

30. The § 104.615 error, corrected to § 104.061, is minor compared to the July 12, 2024, article's falsehood. The error is not fraudulent, and Plaintiff's correction aligns with pro se leniency. Haines v. Kerner, 404 U.S. 519, 520 (1972). It does not justify dismissal or sanctions under Florida Rule of Civil Procedure 1.150 or § 57.105.

V. CONCLUSION

The SAC's claims rest on the July 12, 2024, article's knowing falsehood, deliberately "disappearing" Plaintiff from the electoral psyche by omitting him while featuring pictures and write-ups for the other four candidates, demonstrating reckless disregard for the truth and violating § 104.061(1) by corruptly deceiving electors, akin to a major outlet falsely omitting a candidate in the 2024 Republican presidential primary. This falsehood, compounded by subsequent acts like the February 27, 2025, article's "criminal contempt" omission and Salustri-Loper's police threat, supports valid claims for defamation, tortious interference,

and civil conspiracy. The police threat implicates Salustri-Loper as a state actor, undermining the Anti-SLAPP defense. The § 104.615 error is corrected to § 104.061. Plaintiff requests that the Court:

A. Deny Defendants' First and Second Motions to Dismiss.

B. Grant leave to amend the SAC to correct the § 104.615 references.

C. Allow the case to proceed to discovery.

D. Grant such other relief as deemed just and proper.

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 2, 2025, a true and correct copy of the foregoing Supplemental Response and Memorandum of Law was filed electronically with the Clerk of the Court via the Florida e-Filing Portal and served via the e-Filing Portal and email on James B. Lake, Esq (jlake@tlolawfirm.com), counsel for Defendants, and was emailed to Judge Patricia Muscarella's judicial assistant at Section7@jud6.org. A hardcopy was mailed to Judge Muscarella chambers at Court, Pinellas County Circuit Court, 315 Court Street, Clearwater, FL 33756, Defendants' counsel at the above address on the morning of July 3, 2025.

/s/ John W. Liccione