

IN THE CIRCUIT COURT OF THE 17th JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

POMPANO SENIOR SQUADRON FLYING CLUB, INC.
(aka POMPANO BEACH FLYING CLUB)

Plaintiff,

and

Case No.: CACE 20-005993
Division (8)

CARL L. KENNEDY, II

Defendant.

INITIAL INTERROGATORIES
DIRECTED TO PLAINTIFF

CARL L. KENNEDY, II, Defendant, hereby propounds the following Interrogatories to Plaintiff and requests that the following Interrogatories be answered under oath or affirmation as to their truthfulness within thirty (30) days, in accordance with the Florida Rules of Civil Procedure:

1. Specifically state each and every basis upon which you rely in making the allegation in Paragraph 5 of your Complaint, including the name, address and telephone number of each and every person who you believe may have personal knowledge concerning, or can corroborate, such allegations.

2. Specifically state each and every basis upon which you rely in making the allegation in Paragraph 15 of your Complaint that Plaintiff “cannot accurately reconstruct its financial status and records”, including the name, address and telephone number of each and every person who you believe may have personal knowledge concerning, or can corroborate, such allegations.

3. Specifically state each and every basis upon which you rely in making the allegation in Paragraph 18(c) and 18(d) of your Complaint that I “breached [my] duty to Plaintiff” by “appropriating funds for non-authorized expenses” and by “using Plaintiff Flying Club’s money to make payments on my “personal American Express card”, including the name, address and telephone number of each and every person who you believe may have personal knowledge

concerning, or can corroborate, such allegations.

4. List each and every “corporate record” or document which you believe is in my possession, custody or control which I have not provided to you and which you need “in order to legally and effectively continue [your] operations”, as alleged in Paragraph 24 of your Complaint.

5. Specifically state each and every basis upon which you rely in making the allegation in Paragraph 25 of your Complaint that Plaintiff “is suffering irreparable harm in that it cannot adequately operate”, including the name, address and telephone number of each and every person who you believe may have personal knowledge concerning, or can corroborate, such allegations.

6. State and describe in detail and with specificity each and every record that you believe is now in my “possession” and/or “control” but which “ultimately belong to Plaintiff” as alleged in Paragraph 29 of your Complaint, including the name, address and telephone number of each and every person who you believe may have personal knowledge concerning, or can corroborate, such allegations

7. State the name, address and telephone number of each and every person who joined as members or left the membership of Plaintiff subsequent to February 12, 2020, indicating whether each individual joined or left as shareholders of Plaintiff.

8. State the names of all shareholders, Officers or members of the Board of Directors since February 12, 2020 who are known by Plaintiff to have been acquainted prior to February 12, 2020 with Attorney Holodak.

9. With respect to retaining or hiring Attorney Holodak as corporate counsel for Plaintiff, state when Attorney Holodak was retained or hired, whether or not the Board of Directors or any Officer(s) approved the hiring or retaining, and if so, whether the issue of hiring or retaining of Attorney Holodak is contained in any corporate resolution, minutes of any meeting, or any other corporate document evidencing authorization for the payment of Attorney Holodak’s fees, and whether or not the shareholders of Plaintiff’s corporation have been informed by you of the hiring of Attorney Holodak to pursue a lawsuit against me.

10. Have the Plaintiff’s shareholders been informed of the utilization of corporate funds in the hiring or retaining of Attorney Holodak to pursue a lawsuit against me, and if so, have they approved such expenditure?

11. Describe each and every communication of any Officer or member of the Board of Directors since February 12, 2020, had, with any (now former) Officer or member of the Board of

Directors, in connection with me, or in my capacity as (now former) Treasurer, prior to February 12, 2020, including the date, form, participants and nature of each such communication.

I hereby certify that on the 3rd day of August, 2020, I sent a copy of the foregoing via the Florida e-portal to Edward Holodak, Esquire at pleadings@holodakpa.com.

BY:

/s/ Carl L. Kennedy, II
Carl L. Kennedy, II
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