

IN THE CIRCUIT COURT OF THE 17<sup>th</sup> JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA

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

Plaintiff/Counter-Defendant,

and

Case No.: CACE 20-005993

Division (8)

CARL L. KENNEDY

Defendant/Counter-Plaintiff.

**SUPPLEMENT TO**  
**MOTION TO COMPEL PLAINTIFF TO PROVIDE BETTER RESPONSES**  
**TO DISCOVERY REQUESTS AND TO COMPEL DOCUMENTS**  
**PURSUANT TO SHAREHOLDER RECORD REQUEST**

I, CARL L. KENNEDY, II, Counter-Plaintiff respectfully represent as follows:

1. In supplement to Paragraph #6 of this Motion, see attached Exhibit A for a chart of Plaintiff/Counter-Defendant's deficiencies with respect to my shareholder record requests and my correspondence to their attorney regarding same.

2. I attempted in good faith to resolve this issue with Plaintiff/Counter-Defendant.

I hereby certify that on the 24<sup>th</sup> day of October, 2020, I sent a copy of the foregoing to Edward F. Holodak, Esquire via the Florida e-portal.

Respectfully submitted,

/s/ Carl L. Kennedy, II

Carl L. Kennedy, II

2929 S. Ocean Blvd., #510

Boca Raton, FL 33432

304-552-0206

E-Mail Address: clkax@aol.com

**From:** clktax@aol.com,

**To:** edward@holodakpa.com,

**Cc:** tammy@holodakpa.com,

**Subject:** PBFC v Kennedy - Record Request Deficiencies

**Date:** Fri, Oct 23, 2020 10:03 am

**Attachments:** CLK Rec Req Deficiencies.pdf (446K)

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Mr. Holodak,

Attached please find a chart reflecting the Club's deficiencies in connection with my records requests dated August 11 and September 1. Kindly advise, by the close of business today, as to when these deficiencies will be remedied.

Respectfully,

Carl Kennedy

**PBFC V KENNEDY**  
**CHART OF NON/PRODUCTION**  
**PURSUANT TO RECORD REQUESTS**  
**DATED AUGUST 11, 2020 AND SEPTEMBER 1, 2020**

1. All accounting records of the Club existing since February 13, 2020

**PRODUCED: March 2020 to September 30, 2020**  
**Balance Sheet at September 30, 2020**  
**P&L for month of September, 2020.**

**NOT PRODUCED: P&L Statements for Feb (02-13-20 thru 02-29-20),**  
**March, 2020 - April, 2020 - May, 2020 - June, 2020**  
**July, 2020 – August, 2020**

2. Bank statements for all Club accounts since February 12, 2020

**PRODUCED:**

**NOT PRODUCED: Chase – 793 – February, 2020 and March, 2020**

3. General ledger detail for all Club accounts since February 12, 2020

**PRODUCED: March, 2020 thru September, 2020**

**NOT PRODUCED: February 13, 2020 to February 29, 2020**

4. Documents reflecting the status of all recurring expenses of the Club as to whether current or delinquent, including but not limited to insurances, fuel and hangar expenses

**PRODUCED: SheltAir and Arthur J. Gallagher Insurance Company**

**NOT PRODUCED: Debt Service - Ayala, Sanchez, Watkins and Kennedy**

5. Alphabetized list, with names and addresses of all Club members as of February 13, 2020

**PRODUCED: CLK-prepared member list at February 6, 2020**

**NOT PRODUCED:**

6. Alphabetized list, with names and addresses of all Club members as of the date of the day prior to the date of inspection of these records

PRODUCED: **List provided was not date-specific**

NOT PRODUCED:

7. Copies of all documents (other than privileged communications) relating to any current lawsuit against the Club by any individual or entity

PRODUCED: **Hill Complaint and Kennedy Complaint**

NOT PRODUCED: **Copies of all non-privileged litigation documents for Hill lawsuit, including email correspondence with Plaintiff Hill; all documents related to attorney's fees due to all litigation, including attorney billing statements/invoices, invoices from court reporter services and copies of checks payable to both.**

8. Invoices/Billing statements for any accountant retained by the Club since February 12, 2020

PRODUCED: **Nothing**

NOT PRODUCED:

9. Invoices/Billing statements for any lawyer retained by the Club since February 12, 2020

PRODUCED: **Holodak – Attorney Employment Agreement**

NOT PRODUCED: **All Holodak Invoices / Billing Statements**