POMPANO SENIOR SQUADRON FLYING CLUB, INC., a Florida corporation,

Plaintiff,

V

CARL KENNEDY, individually,

Defendant.

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT IN AND FOR ROWARD COUNTY FLORIDA

CASE NO.: CACE 20-005993 (08)

PLAINTIFF'S RESPONSE TO DEFENDANT'S SUPPLEMENTAL MOTION TO COMPEL

Plaintiff, POMPANO SENIOR SQUADRON FLYING CLUB, INC. (Plaintiff "Club"), by and through its undersigned counsel, files this Response to Defendant CARL KENNEDY'S (Defendant "Kennedy") Supplement Motion to Compel filed on or about October 24, 2020, and says:

- In his Supplement Motion to Compel, Defendant Kennedy alleges that
 Plaintiff Club has certain "deficiencies with respect to my shareholder record request."
- 2. While Plaintiff Club disputes any alleged deficiencies, the issue is irrelevant and moot before this Court. Defendant Kennedy sent by U.S. Mail a request pursuant to Chapter 607 Fla. Stat. for records of a corporation. Defendant Kennedy did not submit a request to produce pursuant to Rule 1.350, Fla. R. Civ. P. in this case for any such records and as such, this Court has no jurisdiction over the parties or the subject matter of Defendant Kennedy's Supplemental Motion to Compel.
- 3. As Plaintiff Club as pointed out to this Court in previous responses, while Defendant Kennedy is acting pro se, Florida law requires that Defendant Kennedy

comply with the Florida Rules of Civil Procedure as well as all Florida law. Once again, Defendant Kennedy is taking actions that consume this Court's time, Plaintiff Club's time and attorney fees, and does so in contradiction of his obligations under Florida law to comply with the Florida Rules of Civil Procedure.

WHEREFORE, Plaintiff Club moves this Court for an Order denying

Defendant Kennedy's Supplemental Motion, an award of court costs and attorney fees,
and any further relief that this Court deems just and equitable.

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via eportal this 29th day of October, 2020, to Carl L. Kennedy, II, clktax@aol.com.

/s/Edward F. Holodak EDWARD F. HOLODAK, ESQ. Attorney for Plaintiff Fla. Bar No.: 059234 Edward F. Holodak, P.A. 7951 SW 6th Street, Ste. 210 Plantation, FL 33324 Tel.: 954-927-3436

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