

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

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

CASE NO.: CACE 20-005993 (o8)

Plaintiff,

v

CARL KENNEDY, individually,

Defendant.

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**PLAINTIFF'S MOTION TO STRIKE UNILATERALLY SET HEARING**

Plaintiff, Pompano Senior Squadron Flying Club, Inc. (Plaintiff "Club"), by and through its undersigned counsel, files this Motion to Strike Defendant's Unilaterally set hearing, and says:

1. Plaintiff Club has a long standing Motion to Disqualify Defendant's Attorney Hausman, Esq., as she previously represent the Club in substantially similar matters as the subject matter of this lawsuit.

2. Previously when Plaintiff attempted to set that Motion for hearing, Counsel filed a Notice of Withdrawal from the case. Thereafter, this Court refused to hear the motion stating it would be an "advisory opinion."

3. Then, Wendy Hausmann, suddenly reappeared in the case and filed another Notice of Appearance.

4. Plaintiff has objected to any proceeding or motion taking place with Wendy Hausmann representing Defendant Kennedy.

5. Plaintiff's Motion to Disqualify Ms. Hausmann is currently scheduled to July 8, 2021 at a special set evidentiary hearing.

6. Today, Defendant Kennedy, though his counsel Wendy Hausmann, has unilaterally set a Motion for Judgment on the Pleadings after Plaintiff objected yet again

to litigating this case against its prior counsel.

7. The Motion to Disqualify has attached to it as exhibits the following documents:

- a. Invoices from Wendy Hausmann to Plaintiff for reviewing and editing its By-Laws;
- b. Payments from Plaintiff Club paying those invoices;
- c. Demand letters from Wendy Hausmann to members of the Club dunning them for not paying Club dues;
- d. An email from Wendy Hausmann to a Club member who had asked for an audit of the Club believing that Carl Kennedy, the Defendant herein was mismanaging/misappropriating the Club's funds. In that email Wendy Hausmann advises the member to back off the accounting and that she is advising Mr. Kennedy and the Club's Board of Directors to stop the audit.

8. This last email is especially damning to Wendy Hausmann as the very matter being litigated herein is an accounting demand from Plaintiff Club to Carl Kennedy alleging the same mismanagement/misappropriate of funds.

9. Given the Ms. Hausmann has in her own words advised the board of directors of Plaintiff Club on *this very issue*, billed the Club and received payment for editing its By-Laws, Plaintiff Club has a substantial likelihood of disqualifying Wendy Hausmann in this matter. The documentation attached to the Motion to Disqualify is ample evidence of an attorney/client privilege between Plaintiff Club and Wendy Hausmann.

10. Now, on the eve of the hearing to disqualify her, Wendy Hausmann is unilaterally setting hearings and motions in an effort to get in as much work under the wire before her disqualification.

11. Plaintiff Club should not have to continue to spend attorney fees and costs in litigating against its prior counsel, especially in light of the upcoming hearing.

12. Plaintiff Club will seek to be reimbursed its attorney fees and costs for all issues relating to Wendy Hausmann's disqualification from both Defendant Kennedy and Wendy Hausmann.

13. 

14. The unilaterally set hearing in all equity needs to be heard after this Court rules on the Disqualification motion. If granted, Defendant Kennedy can obtain a non-conflicted attorney and proceed with this case; if denied, the hearing can move forward afterward. Any short delay is of no prejudice to Defendant Kennedy but as stated above is greatly prejudicial to Plaintiff Club.

**WHEREFORE**, Plaintiff Club moves this Court for an order striking the unilaterally set hearing by Defendant Kennedy, an award of Court costs and attorney fees and any other 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 28<sup>th</sup> day of June 2021, to Wendy Hausmann, Esq., [hausmannw@aol.com](mailto:hausmannw@aol.com).

/s/ Edward F. Holodak  
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