

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

Defendant

MOTION TO VACATE AND FOR RE-HEARING AND FOR RECONSIDERATION

I, Carl L. Kennedy, II, respectfully request this Court to vacate, re-hear, and reconsider its Order dated May 30, 2022, and as reasons therefore state as follows:

1. A hearing was scheduled for May 26, 2022, for Plaintiff's Motion for contempt and sanctions against me for not providing a fully accessible, unfettered QBB data file.
2. On May 25, 2022, I sent an e-mail to Judge Lynch and copied Mr. Holodak, requesting Mr. Holodak's hearing for May 26, 2022, at 09:30am be pushed back a few days due to my second bout with COVID-19. Judge Lynch ultimately rescheduled the hearing for May 30, 2022, at 09:30am (Memorial Day).
3. On May 26, 2022, at 09:49am, Plaintiff's counsel, Mr. Holodak, sent an improper ex parte e-mail (**Exhibit A**) to the Judge regarding this hearing, pleading his entire position for the yet-to-be-heard contempt motion.
4. The hearing took place on May 30, 2022, at 09:30am and an Order dated May 30, 2022, was signed by Judge Lynch on May 30, 2022, finding me in contempt and ordering me to pay Plaintiff's attorney's fees. (**Exhibit B**)
5. The signed Order dated May 30, 2022, was not provided to me, and I was unaware of it, until June 16, 2022.
6. I am requesting this Order be vacated, re-heard or reconsidered, due to the following sequence of events.

I. This Motion is being filed timely.

7. I never received the signed Order on May 30, 2022, due to:

a. Plaintiff's failure to provide my correct e-mail address (my correct e-mail address is CLKTax@aol.com). Mr. Holodak, by design or in his haste, omitted the "K" from my e-mail address. **(Exhibit B); AND**

b. I was not aware of the signed Order because it was not on the docket up through and including June 16, 2022. **(Exhibit C)**

8. On June 03, 2022, I sent an e-mail to Judge Lynch, and copied Mr. Holodak **(Exhibit D)**, requesting the Court not sign the Order prepared by Mr. Holodak. I was unaware the Order had already been signed.

9. I did not receive or become aware of the May 30, 2022, Order being signed until I received an e-mail **(Exhibit E)** sent to me on June 16, 2022, at 09:29am on behalf of Mr. Holodak's attorney, containing Mr. Holodak's response to a bar complaint I filed against him because of the ex-parte communication; the signed Order was within that e-mail. This was the first time I saw the May 30, 2022, signed Order. This Order still did not appear on the case docket as of June 16, 2022. The Broward Docket Page as of June 16, 2022, shows no entries between May 26, 2022, and June 07, 2022. **(Exhibit C)**

10. On June 16, 2022, at 09:51pm I sent an e-mail **(Exhibit F)** to Judge Lynch and copied Mr. Holodak advising of my learning for the first time, on the morning of June 16, 2022, of the signed Order dated May 30, 2022. I also provided photographs of the Court's docket pages on June 16, 2022, to verify it was not on the case docket. **(Exhibit C)**

11. Magically and mysteriously, the Order appeared on the docket the morning of June 17, 2022, following my June 16, 2022, at 09:51pm e-mail to Judge Lynch and, even more magically and mysteriously, it is falsely dated June 15, 2022, on the docket. The Order was not on the docket on June 15 or June 16 prior to 09:51pm.

12. This Motion is being filed within ten (10) days of my first learning of the signed May 30, 2022, Order, and should be taken as being timely filed.

II. The Order dated May 30, 2022, must be vacated because it is the result of Plaintiff's counsel's ex parte communication with the Court.

13. On May 26, 2022, at 09:49am, Mr. Holodak sent an e-mail (**Exhibit A**) to me, including Judge Lynch and pleaded the Plaintiff's entirely delusive and inconsistent position for the hearing now scheduled for May 30, 2022. This e-mail fits the textbook definition (Black's Law Dictionary) of an ex parte communication. Mr. Holodak, unsurprisingly, decided to hold his hearing with Judge Lynch without me present via this unfortunate and untimely improper ex parte e-mail.

14. Mr. Holodak's ex parte e-mail (**Exhibit A**) on May 26, 2022, at 09:49am not only improperly pled the Plaintiff's position with respect to the upcoming hearing on May 30, 2022 (Memorial Day), in which Mr. Holodak was asking for sanctions and for my pleadings to be stricken, it was also intentionally deceptive. It defamed me and assailed, without any basis, my credibility with the Court, by accusing me of lying to the Court when I asked for a brief postponement of the May 26, 2022, hearing due to my being ill. Mr. Holodak's ex parte communication caused the Court to be prejudiced against me by attacking my credibility to the Court, in writing, when I was not present to address the false allegations he made in his improper ex parte e-mail to the Court, and the e-mail is entirely improper and denied my due process.

15. Among a plethora of other misstatements and inaccuracies, Mr. Holodak alleged in his ex parte e-mail that I "wrote" and asked him for a Zoom meeting instead of being able to go to the hearing, implying that I had lied to the Court, was not ill, and had tricked the Court to avoid the hearing on May 26, 2022. This **never occurred** and no such "writing" exists. I asked Mr. Holodak to provide me and Judge Lynch with verification of that written communication, he has yet to do so. (**Exhibit G**). I never asked Mr. Holodak for a Zoom meeting, of any kind, at any time, regarding him gaining access to the QBB file sent to him on May 10, 2022.

16. Although I proved that I did not lie to the court, Mr. Holodak did not correct himself with the Judge.

17. By sending this improper ex-parte e-mail to Judge Lynch and deliberating in detail the Plaintiff's motion to be heard on May 30, 2022, it provided Mr. Holodak a superior advantage and created a biased atmosphere by compromising my position of being judged, proper.

18. The improper ex-parte e-mail to the Judge clearly had the sole intention to bias the Court's perception of my credibility, and I whole-heartedly and firmly believe that occurred with this Order signed on May 30, 2022.

19. I believe the particular improper ex-parte e-mail at 09:49am on May 26, 2022 (**Exhibit A**), about the issue which was the subject of the upcoming hearing, impacted the Court at the 09:30am hearing on May 30, 2022, and without doubt had an influence on the Order due to the bias it may have caused in the Judge's perception of my credibility. The e-mail of May 26, 2022, at 09:49am would have created bias and caused a prejudiced environment toward me for any reader of that particular e-mail.

20. Plaintiff's counsel, Mr. Holodak, has an ever-present penchant for dishonest practices and false representations of the issues in this case. I can document, without doubt, Mr. Holodak's continued lack of candor about me throughout this case. The ex parte e-mail is just one more example of several other documented instances of the improper conduct and lack of candor of Mr. Holodak in this case.

21. Mr. Holodak's multiple attempts to befuddle and then mislead this court with false statements lacking substantiation of his allegations in his ex parte e-mail are rampantly evident throughout this case, including lying to this Court and sending what should have never been sent to this Court, to bias this Court against me in this matter.

22. Mr. Holodak goes even further with his self-prepared, self-serving Order by including deceptive items which Judge Lynch did not say in the hearing.

III. I was not, and am not, in contempt of the Court's Orders

23. I am not in contempt due to these facts: I did not "knowingly, intentionally, or willfully" fail to obey any court order ("Black's Law Dictionary" definition).

24. I have fully complied with every Court Order in this case (or did not knowingly fail to comply). I wasn't given a proper opportunity on May 30, 2022, to explain why I wasn't in contempt, and I would like that opportunity, because at this point, I have no way of knowing how skewed the perception of the court was because of the ex parte e-mail sent to the Judge by Mr. Holodak. I wasn't given a fair opportunity to address all of the misrepresentations in the ex parte e-mail on May 30, 2022.

25. The "timeline" with respect to this issue is:

On May 10, 2022, I sent the fully accessible, unfettered QBB data file data to Mr. Holodak via DropSend (**Exhibit H**).

On May 13, 2022, at 08:43am I requested an acknowledgement of Mr. Holodak's receipt of the QBB data file via a text message (**Exhibit I**).

On May 13, 2022, at 10:24am I was notified the QBB data file was downloaded by Mr. Holodak from DropSend **(Exhibit J)**.

On May 13, 2022, at 10:34am Mr. Holodak sent an e-mail reply to me, unbeknown to me, which was directed to my AOL spam folder, which relayed his failure to access the fully accessible, unfettered, downloaded QBB data file **(Exhibit K)**.

On May 13, 2022, at 04:22pm I sent another e-mail to Mr. Holodak inquiring to confirm his receipt of, and complete access to, the fully accessible, unfettered QBB data file **(Exhibit L)**.

On May 13, 2022, at 04:27pm Mr. Holodak sent another e-mail reply to me and once again, unbeknown to me, that e-mail reply, also, was directed to my AOL spam folder which relayed his failure to access the fully accessible, unfettered QBB data file **(Exhibit M)**.

I did not know Mr. Holodak did not have access to the file until I discovered Mr. Holodak's e-mails in my spam folder on May 13, 2022. But, if Mr. Holodak had simply replied to my text message on May 13, 2022, at 08:43am **(Exhibit I)** with a simple answer of "no", this issue would have been resolved immediately.

On May 25, 2022 at 10:36pm I sent a text message to Mr. Holodak regarding his e-mails being *inadvertently* directed to my AOL spam folder **(Exhibit N)**.

On May 26, 2022 at 12:32pm I replied to Mr. Holodak's ex parte communication e-mail from 09:49am stating, "Obviously there has been a miscommunication. Why would I want to take the risk of having my pleadings stricken and being sanctioned?" **(Exhibit G)**

On May 30, 2022, at 11:28am, less than 2 hours after the hearing, I sent an e-mail to Mr. Holodak and cc'd the Judge confirming that Mr. Holodak himself had gained unrestricted, unfettered access to the editable QBB file by 10:58am on May 30, 2022. **(Exhibit O)**

26. During the hearing on May 30th, the Judge did not say I was "willful and contemptuous" as in Item #3 of the Order **(Exhibit B)**. The Judge also never said Plaintiff

could get their attorney's fees (also Item #3 of the Order). Without explanation, the Order prepared by Mr. Holodak, and signed by Judge Lynch, grants Plaintiff entitlement to attorney fees "for its efforts in securing this report and all prior such reports". In writing HIS Order, Mr. Holodak's unbridled pen went askew with unwarranted and unjustifiable items within HIS unilaterally prepared Order.

27. Mr. Holodak, because he believes he can get away with it, has repeatedly attempted to take advantage of me because I'm a pro se opponent. He has abused numerous legal processes to bully, harass, and intimidate me!

28. The Order dated May 30, 2022, (Exhibit B) which I learned about on June 16, 2022, saying I am in contempt, and have to pay Plaintiff's attorney fees, should be vacated because it was due to the influence and prejudice of Mr. Holodak's improper ex parte e-mail, and because I was not in contempt, and I was not given an unbiased opportunity to defend myself properly.

29. This is an improper Order that will have a significant and ongoing future negative impact against me in this case as we move forward with this Plaintiff's perpetual and thus far unsupported witch-hunt.

WHEREFORE, I, Carl L. Kennedy, II, hereby request all relief consistent with this Motion, along with any other and further relief this Court deems just and proper under the facts and circumstances of this matter.

I hereby certify that a true and correct copy of the foregoing has been served to Edward Holodak, Esquire via the Florida e-portal on this 27th day of June, 2022.

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: clktax@aol.com

Three (03) people (not lawyers) assisted me with this Motion.

From: edward@holodakpa.com,

To: clktax@aol.com,

Cc: tomlynchmediation@gmail.com,

Subject: Re: PBFC v Kennedy - 05-26-2022 - Hearing - Plaintiff's Motion to Sanction and Strike

Date: Thu, May 26, 2022 9:49 am

Attachments: Kennedy Text.jpg (625K), Kennedy Text.jpg (625K)

Mr. Kennedy

Let me start by saying I hope you feel better and recover soon.

Virtually simultaneously with informing Judge Lynch and myself that you were too ill to participate in today's hearing, you wrote about my non-access to the datafile and asked me to join you in zoom or otherwise to try access the data. Given that you are too ill to participate in a zoom hearing, I will not impose upon you to join in a zoom meeting with me regarding my access to the data; if the hearing was to be too taxing, the other would be also and I would not want to impose on you.

You also sent me an email saying I did not attempt to communicate with you regarding the hearing and the issues involved. After I corrected your misapprehension of the events, you sent me the below text admitting that I had and for whatever reason you did not respond. Here is that text message:

See attachment

Finally, Judge Lynch gave you four (4) opportunities to provide my client the correct access and data – you failed. A hearing was set to seek sanctions, and the day before, your attorney withdrew and Judge Haines gave you an extra thirty days to get new counsel. I then waited a few days after that deadline to reset this hearing. Now, the day before this hearing, you inform me and Judge Lynch you are too ill to attend, but then request the same taxing zoom interaction with me regarding the data. Quite honestly Mr. Kennedy, I am beyond dealing with you on this issue without another Court intervention. My prior attempts have been met with two (2) responses from you – NO data access and accusations that I am unethical and otherwise.

Sir, it is you who has violated four (4) court orders, you who has failed or refused or both to provide the ordered data and password. Given all of the above, I fully intend to move forward with my client's motion and request your pleadings be stricken, a default be entered against you and the Court award my client its attorney fees and court costs for having to get to this point.

Very truly yours,

Edward F. Holodak

Edward F. Holodak, Esq., B.C.S
Admitted in Florida & Washington, D.C.

EXHIBIT A

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

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

CASE NO.: CACE 20-005993 (08)

Plaintiff,

v

CARL KENNEDY, individually,

Defendant.

_____ /

REPORT OF GENERAL MAGISTRATE

On RENEWED MOTION FOR CONTEMPT

THIS CAUSE having come before the Court on Plaintiff POMPANO SENIOR SQUADRON FLYING CLUB, INC.'S, the Court considering the pleadings herein, the Court considering the arguments of both parties, the Court considering its previous Orders as to discovery and Defendant Kennedy's responses thereto, and being otherwise fully advised, it is:

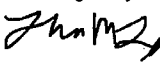
ORDERED AND ADJUDGED:

Plaintiff's Renewed Motion is **GRANTED** as follows:

1. Defendant Kennedy shall have twenty-four (24) hours from the time this Report is signed to produce a fully accessible copy of the electronic datafile at issue to Plaintiff Club;
2. This Order is self-executing in that if Defendant Kennedy fails to produce a fully accessible, password free, electronic datafile with full administrator authority within twenty-four (24) hours of this Report the Court strikes his pleadings and enters a **Default** against him in favor of Plaintiff Club.
3. The Court finds Defendant Kennedy's actions to be willful and contemptuous and therefore grants entitlement to attorney fees to Plaintiff Club for its efforts in securing this Report and all prior such Reports;

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida on

this 30th_ day of May, 2022.

DocuSigned by

 E536E2FFD90B47E

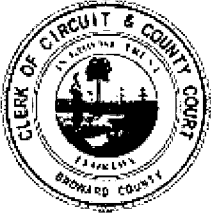
5/30/2022

General Magistrate Thomas M. Lynch, IV

Copies to:
Edward F. Holodak, Esq.; pleadings@holodakpa.com
Carl L. Kennedy, II cltax@aol.com

^^
INCORRECT E-MAIL ADDRESS


EXHIBIT B



BRENDA D. FORMAN CLERK OF THE COURTS

browardclerk.org ■ BROWARD COUNTY, FLORIDA



Menu 

The Clerk's Office will be closed on Monday, June 20th, in observance of Juneteenth

Is your court hearing being held via Zoom? Learn more about Remote Court Hearings by Zoom
(/GeneralInformation/Miscellaneous#RemoteHearingsbyZoom)

Case Detail - Public

 Print

Pompano Senior Squadron Flying Club, Inc. Plaintiff vs. Carl L Kennedy II Defendant

Broward County Case Number: CACE20005993
State Reporting Number: 062020CA005993AXXXCE
Court Type: Civil
Case Type: Other
Incident Date: N/A
Filing Date: 04/07/2020
Court Location: Central Courthouse
Case Status: Pending
Magistrate Id / Name: N/A
Judge ID / Name: 08 Haimes, David A.

+ Party(ies)

Total: 5

+ Disposition(s)

Total: 0

- Event(s) & Document(s)

Total: 261

EXHIBIT C











Date	Description	Additional Text	View	Pages
06/07/2022	Request	FOR COURT TO TAKE JUDICIAL NOTICE Party: <i>Defendant</i> Kennedy II, Carl L		3
06/07/2022	Notice	OF FILING DOCUMENTS CONCERNING PLAINTIFF'S IMPROPER EX PARTE COMMUNICATION WITH THE COURT Party: <i>Defendant</i> Kennedy II, Carl L		5
05/26/2022	Notice of Hearing			1
05/24/2022	Notice of Hearing			1
04/16/2022	Order Granting Motion to Withdraw			2
04/16/2022	Order Denying Motion	FOR TEMP INJUNCTION TO MAINTAIN STATUS QUO		2
04/13/2022	Motion to Withdraw	Party: <i>Defendant</i> Kennedy II, Carl L		3
04/13/2022	Response to Motion	PLAINTIFF'S RESPONSE TO DEFENDANT'S EMERGENCY MOTION Party: <i>Plaintiff</i> Pompano Senior Squadron Flying Club, Inc.		5
04/12/2022	Emergency Motion	FOR TEMPORARY INJUNCTION TO MAINTAIN STATUS OUO Party: <i>Defendant</i> Kennedy II, Carl L		15
04/12/2022	Notice of Hearing			1

EXHIBIT C - PROOF OF LIFE

Covid Vaccines Endorsed For Youngest Americans

Panel's Vote Sets Stage for F.D.A. Clearance of Doses by Pfizer and Moderna

By SHARON LAFRANIERE and NOAH WEILAND WASHINGTON — The only Americans still not eligible for coronavirus vaccines — babies, toddlers and preschoolers — appear on the verge of finally getting cleared to receive them after an advisory panel to the Food and Drug Administration voted unanimously on Wednesday to recommend the Pfizer and Moderna vaccines for the group. The F.D.A. appears poised to authorize Moderna's vaccine for children younger than 6 and Pfizer's for those younger than 5 as soon as Friday. States have already ordered millions of doses, and White House officials have said shots could roll out as early as next week. The committee's 21-0 votes came after a daylong review of clinical trial data and signaled the end of a process that involved months of false starts and dashed hopes for a vaccine to cover the youngest Americans. Except for the roughly 20 million children under 5, everyone has had access to coronavirus shots for many months and is eligible now for booster shots. The F.D.A. and the Centers for Disease Control and Prevention jointly made a strong push for a positive recommendation, showing the committee with 230 pages of data that they said showed the vaccines were safe and provoked a strong immune response in children. Regulators also emphasized that even though young children are generally at low risk for serious illness from the virus, vaccinating the group would save lives. "We have to be careful that we don't become numb to the number of pediatric deaths because of the overwhelming number of older deaths here," Dr. Peter Marks, the F.D.A.'s top vaccine regulator said. "The intervention we're talking about is saving lives." Continued on Page A17

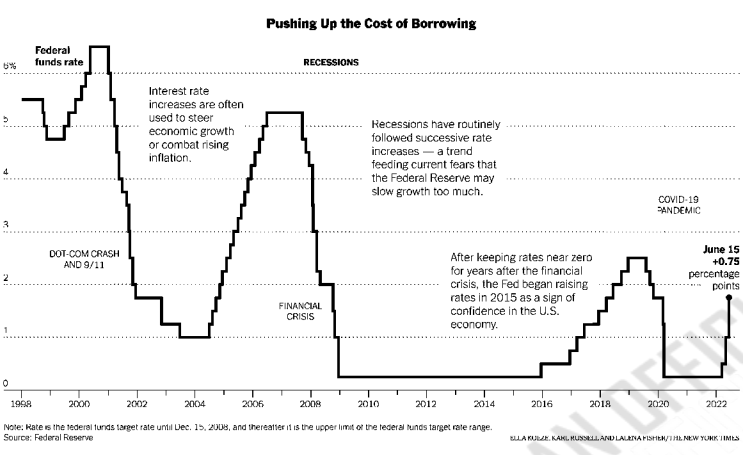
Lawyer Is Said to Claim Justices Had 'Heated Fight' Over Election

By LUKE BROADWATER and MAGGIE HABERMAN WASHINGTON — A lawyer advising President Donald J. Trump claimed in an email after Election Day 2020 to have insight into a "heated fight" among the Supreme Court justices over whether to hear arguments about the president's effort to overturn his defeat at the polls, two people briefed on the email said. The lawyer, John Eastman, made the statement in a Dec. 24, 2020, exchange with a Wisconsin lawyer and Trump campaign officials over whether to file legal papers that they hoped might prompt four justices to agree to hear an election case from Wisconsin. "So the odds are not based on the legal merits but an assessment of the justices' spines, and I understand that there is a heated fight underway," Mr. Eastman wrote, according to the people briefed on the contents of the email. Referring to the process by which at least four justices are needed to take up a case, he added, "For those willing to do their duty, we should help them by giving them a Wisconsin cert petition to add into the mix." The Wisconsin lawyer, Kenneth Chesbro, replied that the "odds of action before Jan. 6 will become more favorable if the justices start to fear that there will be 'wild' chaos on Jan. 6 unless they rule by then, either way." Their exchange took place five days after Mr. Trump issued a call for his supporters to attend a "protest" on Jan. 6. Continued on Page A16

Flood Disaster At Yellowstone Is Just the Start

This article is by Jim Robbins, Thomas Fuller and Christine Chung. GARDINER, Mont. — Before evacuating their rental cabin on the edge of Yellowstone National Park, the Manning family watched a nearby house plunge from the riverbank into the raging, flood-swollen waters. "The earth off the bank was coming off in sheets," said Parker Manning, who had traveled from Terre Haute, Ind., to Yellowstone with his family for a summer vacation. "It was crazy when the house, when the building, finally hit the water," Mr. Manning said. "It was floating down the river like a boat." The floodwaters that raged through Yellowstone this week changed the course of rivers, tore out bridges, poured through homes and forced the evacuation of thousands of visitors from the nation's oldest national park. It is difficult to directly connect the damage in Yellowstone to a rapidly warming climate — rivers have flooded for millennia — but scientists are raising the alarm that in the coming years, destruction related to climate change will be more frequent and severe. Continued on Page A24

WITH BIGGEST RATE INCREASE SINCE '94, FED GETS TOUGH ON SOARING INFLATION



U.S. to Send \$1 Billion More in Aid to Ukraine

By STEVEN ERLANGER BRUSSELS — President Biden on Wednesday announced a further \$1 billion in weapons and aid for Ukraine, as the United States and its allies met to craft a response to Ukraine's increasingly urgent calls for advanced arms to beat back Russia's invasion. The package, detailed by Secretary of Defense Lloyd J. Austin III after a meeting with allies at NATO headquarters in Brussels, includes more long-range artillery, antiship missile launchers and more rounds for howitzers and for a sophisticated American rocket system on which Ukrainians are currently being trained. Overall, the United States has now committed about \$5.6 billion in security assistance to Ukraine since Russia invaded on Feb. 24. Mr. Biden said in a statement that he had told President Volodymyr Zelensky of Ukraine about the new weapons during a 40-minute call Wednesday morning. Mr. Zelensky and his aides have recently ramped up public pressure on the West to supply vastly more of the sophisticated armaments it has already sent, questioning their allies' commitment to the Ukrainian cause and insisting that nothing else can stop the inexorable, brutal Russian advance in eastern Ukraine. But Western officials and arms experts caution that flooding the battlefield with advanced weapons is far slower and more difficult than it sounds, facing obstacles in manufacturing, delivery, training and compatibility — and in avoiding depletion of Western arsenals. The leaders of the European Union's largest countries — Germany, France and Italy — are expected to pay their first visit to Mr. Zelensky in Ukraine on Thursday, in a show of solidarity, but it remains unclear whether they will have much to offer. The leaders — Chancellor Olaf Scholz, President Emmanuel Macron and Prime Minister Mario Draghi — have all expressed the desire for a more rapid conclusion of the war through peace talks with Russia, raising hackles in Ukraine. Mr. Austin, together with Ukraine's defense minister Olexii Reznikov, met at NATO headquarters with defense officials from some 45 countries supporting Ukraine, to try to assess what weapons Ukraine needs right now and how its allies can best provide them. "We can't afford to let up, and we can't afford to stop," Mr. Austin said. Continued on Page A6

Could Be Followed by Similar Action Next Month

By JEANNA SMIALLEK The Federal Reserve took its most aggressive step yet to try to tame rapid and persistent inflation, raising interest rates by three-quarters of a percentage point on Wednesday and signaling that it is prepared to inflict economic pain to get prices under control. The rate increase was the central bank's biggest since 1994 and could be followed by a similarly sized move next month, suggested Jerome H. Powell, the Fed chair, underscoring just how much America's unexpectedly stubborn price gains are unsettling Fed officials. As central bankers drive their policy rate rapidly higher, it will make buying a home or expanding a business more expensive, restraining spending and slowing the broader economy. Officials expect growth to moderate in the coming months and years and predicted that unemployment will rise about half a percentage point to 4.1 percent by late 2024 as their policy squeezes companies and workers. Mr. Powell acknowledged that it was becoming increasingly difficult for the Fed to slow inflation without causing a recession as outside forces, including the war in Ukraine and factory shutdowns in China, threaten to curb the supply of goods and commodities like oil. If the Fed has to quash demand to an extreme degree in an effort to bring it into line with limited supply, it could make for a slump that leaves businesses shuttered and people unemployed. "We're not trying to induce a recession right now, let's be clear about that," Mr. Powell said, explaining that the Fed still wants to reduce inflation to its 2 percent goal while keeping the labor market strong — an outcome economists call a "soft landing." But "those pathways have become much more challenging due to factors that are outside of our control," he said, later adding that "the environment has become more difficult, clearly, in the last four or five months." The latest move set the Fed's policy rate in a range of 1.50 percent to 1.75 percent, and more rate increases are to come. Mr. Powell signaled that the debate at the Federal Open Market Committee's next meeting in July will be over whether to raise rates half Continued on Page A20



A log raft on the Ruki River in the Democratic Republic of Congo. Vast quantities of rainforest timber are sent downriver for export.

Ravaging the Congo Basin's Essential Rainforest, Raft by Raft

By DIONNE SEARCEY The vast rainforest of the Congo Basin, one of the most important in the world, has long been protected by its remoteness: In many places, roads are rare. But there is a river. The mighty Congo River has become a highway for sprawling international companies that see riches in the rainforest. But puny versions also make their way downriver, tended by men and their families who work and sleep atop the floating logs. Forests like these pull huge amounts of carbon dioxide out of the air, making them essential to slowing of global warming. The expanded scale of illegal logging imperils their role in protecting humanity's future. The Congo Basin rainforest, second in size only to the Amazon, is becoming increasingly vital as a defense against climate change as the Amazon is felled. However, the Democratic Republic of Congo has for several years in a row been lost Continued on Page A11

INTERNATIONAL A4-13 Colombia's Political Chameleon The presidential candidate Rodolfo Hernandez bills himself as a savior. Critics call him a threat to democracy. PAGE A4

NATIONAL A14-21, 24 Not Waiting on Roe Decision In many states, health care providers are making changes restricting abortion access ahead of the Supreme Court's expected ruling. PAGE A15

THURSDAY STYLES D1-8 At 50, Nike Isn't Letting Up The company has become part of the root system underlying our culture, Vanessa Friedman writes. PAGE D6

BUSINESS B1-6 A New Energy Powerhouse With advances in nuclear power and natural gas production, Romania could play a big part in building Europe's energy security as nations look to cut ties with Russian suppliers. PAGE B1

ARTS C1-6 Oslo's Emergence Officials hope the new National Museum heralds the city's transformation into a global cultural capital. Above, Karin Hindbo, the museum director. PAGE C1

SPORTS B7-11 A Dream Team of Their Own Cuban major leaguers are trying to form their own squad to compete in the World Baseball Classic. PAGE B7

Charges in Buffalo Massacre The suspect faces 26 counts of hate crimes and weapons violations, and could face the death penalty. PAGE A21

Owners of Arbag, the Madison Avenue handbag sale and repair shop, are moving their operation to Florida. PAGE D2

392 Crashes in 10 Months The National Highway Traffic Safety Administration has released data on accidents involving vehicles using autonomous-driving components. A few of them were fatal. PAGE B1

Opinion A22-23 Gail Collins PAGE A22



From: clktax@aol.com,

To: tomlynchmediation@gmail.com,

Cc: edward@holodakpa.com,

Subject: PBFC v Kennedy - Ex Parte Communication - 062020CA005993AXXXCE

Date: Fri, Jun 3, 2022 3:57 pm

Attachments: PBFC v Kennedy - Kennedy E-mail to Holodak - Lynch cc'd on 05-26-2022.pdf (345K), PBFC v Kennedy - Holodak E-mail to Kennedy - Lynch cc'd on 05-26-2022.pdf (760K)

Judge Lynch,

As it relates to Mr. Holodak's ex parte communication with you via e-mail at 09:49am on May 26, 2022 (copy attached), after researching this type of communication, I am aware of it being a mandatory obligation for you to report this to The Florida Bar. I am requesting you to make this report to The Florida Bar. I can document, without doubt, Mr. Holodak's continued lack of candor about me throughout this matter, defaming me and causing the Court to be prejudiced against me by attacking my credibility to you, in writing, when I was not present to address the false allegations, he made to you. Although I raised the issue of the ex parte communication at the hearing on May 30, 2022, neither you nor Mr. Holodak addressed it, appropriately.

Mr. Holodak's ex parte e-mail at 09:49am on May 26, 2022, not only improperly pled the Plaintiff's position with respect to the upcoming hearing on May 30, 2022 (Memorial Day), in which Mr. Holodak was asking for sanctions and for my pleadings to be stricken, it was also intentionally deceptive. It defamed me and assailed, without any basis, my credibility with you, by accusing me of lying to the Court when I asked for a brief postponement of the May 26, 2022, hearing due to my being ill. Mr. Holodak alleged that I "wrote" and asked him for a Zoom meeting instead of being able to go to the hearing. This **never occurred** and no such "writing" exists. I asked Mr. Holodak to provide me with verification of that written communication, he has yet to do so. See my e-mail to him at 12:32pm on May 26, 2022 (copy attached).

I believe that particular e-mail at 09:49am on May 26, 2022, impacted you at the 09:30am hearing on May 30, 2022, due to the bias it may have caused in your perception of my credibility.

I have maintained since the beginning of this case that Plaintiff is on a personal "witch-hunt" and will stop at nothing in their relentless pursuit of me due to a personal vendetta they have against me. Plaintiff's counsel has stopped at nothing, including lying to the Court, and sending improper communications to the Court, to bias the Court against me throughout this matter. The ex parte email is just one more example of several other documented instances of the improper conduct of Plaintiff's counsel.

I do hope the Court will not sign the proposed Order Mr. Holodak submitted to you for the hearing on May 30, 2022, which says things you did not say. It is an improper

EXHIBIT D

Order that could have a future, significant negative impact against me in this matter.

Respectfully,

Carl L Kennedy II

EXHIBIT D

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NOT AN OFFICIAL COPY - PUBLIC ACCESS - NOT AN OFFICIAL COPY

From: mcrowley@rtlawoffice.com,
To: acapintake@floridabar.org,
Cc: ktynan@rtlawoffice.com, clktx@aol.com,
Subject: Holodak-TFB File No. 2022-50,723 (17F)
Date: Thu, Jun 16, 2022 9:29 am
Attachments: Holodak-NOA and Response 06_16_22.pdf (100K)

Good afternoon,

Please find the attached Notice of Appearance and Response to the above-referenced complaint. If you need any further information, please let us know.

Very truly yours,

Megan Crowley

Paralegal

Richardson & Tynan, PLC

8142 N. University Drive

Tamarac, FL 33321

(954)721-7300

The information contained in this transmission may be privileged and confidential information, and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is prohibited. If you have received this transmission in error, please immediately reply to the sender that you have received this communication in error and then delete it. Thank you.

EXHIBIT E

From: clktax@aol.com,

To: tomlynchmediation@gmail.com,

Cc: edward@holodakpa.com,

Bcc: clktax@aol.com,

Subject: PBFC v Kennedy - CACE 20005993 - Contempt Order

Date: Thu, Jun 16, 2022 9:51 pm

Attachments: Lyncg E-mail - 06032022.pdf (459K), Lynch's Order 05302022 - E-mail Error CLK.pdf (1027K), PBFC v Kennedy - Broward Docket Page at 06-16-2022.pdf (391K)

Dear Judge Lynch,

At my 57.105 hearing this morning, to say that I was taken aback when I learned, for the first time via mention by Mr. Holodak, that you signed an Order on May 30, 2022, finding me in contempt following the hearing on May 30, 2022, (about which Mr. Holodak had communicated with you ex parte on May 26, 2022), is an understatement.

I never received the May 30, 2022, Order you signed. It was not until I received an e-mail sent to me at 09:29 this morning, containing Mr. Holodak's Response to a bar complaint filed against him, did I see the actual signed Order from May 30, 2022, finding me in contempt.

First, looking at the actual signed Order, you will see the preparer of the Order, Mr. Holodak, "inadvertently" failed to provide my proper e-mail address. My correct e-mail address is CLKTax@aol.com; Mr. Holodak, by design or in his haste, omitted the "K" from my e-mail address. Please see your attached Order.

Second, please review the Court's docket as it relates to this case. As of this writing, this Order still does not appear on the case docket, which I have been checking daily since May 30, 2022, and therefore, I was not otherwise on notice of this Order ever being signed. Please see attached Broward Docket Page of this date showing no entries between May 26, 2022 and June 07, 2022.

Last, on June 03, 2022, I wrote to you (see attached) and requested you not sign the Order proposed by Mr. Holodak. (There would have been no reason for me to ask you not to sign Mr. Holodak's proposed Order if I had received a copy, or was otherwise aware of the signed Order, as I still had time to file a proper Motion about the Order.) I expressed my concern that Mr. Holodak's improper ex parte e-mail of May 26, 2022, would impact you at the hearing on Monday, May 30, 2022, and cast doubt on my credibility. Now that I have seen your signed Order, I am even more convinced that Mr. Holodak's improper ex parte e-mail of May 26, 2022, did influence you, bias you, and cause prejudice toward me at the May 30, 2022 hearing.

Based on the fact that I never received the signed Order dated May 30, 2022, due to Plaintiff's failure to provide my correct e-mail address, and was not otherwise put on notice of this Order from the docket, I respectfully request the opportunity to file, within 10 days from this date, a Motion for Rehearing in connection with the signed Order dated May 30, 2022.

EXHIBIT F

Respectfully Submitted,

Carl L. Kennedy II

EXHIBIT F

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NOT AN OFFICIAL COPY - PUBLIC ACCESS - NOT AN OFFICIAL COPY
NOT AN OFFICIAL COPY - PUBLIC ACCESS - NOT AN OFFICIAL COPY

From: clktax@aol.com,

To: edward@holodakpa.com,

Cc: tomlynchmediation@gmail.com,

Bcc: clktax@aol.com,

Subject: Re: PBFC v Kennedy - 05-26-2022 - Hearing - Plaintiff's Motion to Sanction and Strike

Date: Thu, May 26, 2022 12:32 pm

Attachments: PBFC - Text 2 Holodak 05-13-2022 at 08-43am.pdf (126K), PBFC - Holodak e-mail 05-13-2022 2.pdf (485K), PBFC - Holodak e-mail 05-13-2022 1.pdf (545K)

Mr. Holodak,

Obviously there has been miscommunication. Why would I want to take the risk of having my pleadings stricken and being sanctioned?

You must have been thinking of another communication with someone else or another matter, I never asked you for a Zoom meeting yesterday of any kind, at any time. Please provide me with verification of your statement of me reaching out to you for a Zoom meeting, yesterday. I have been in bed for the better part of the last four days and would not have requested a Zoom meeting but be unable to a hearing.

After your 07:23pm e-mail to me yesterday, I thought to myself, "why would Mr. Holodak tell me he replied to my e-mails, and I don't have his e-mail replies?". I decided to check my spam folder, your two replies to me on 05-13-2022 were in my spam folder until I discovered them yesterday evening.

I am attaching hereto your two e-mail replies to me from May 13, 2022. It's without question as to these two e-mail replies landing in my "spam" folder. Since you "replied to" the **DropSend e-mail** sent to you from DropSend, rather than to me directly, it must have triggered the "spam" mechanism within AOL and placed the e-mail in "spam" folder, accordingly.

Had you simply replied to my text message on May 13, 2022, at 08:43am, copy attached hereto, with a simple answer of "no", this issue would have been resolved one day shy of two weeks ago.

Sir, I implore upon you to give me a time to call you, today, while you are at your computer, and I will help you access the QBB data file I sent you on May 10, 2022.

Respectfully,

Carl Kennedy

EXHIBIT G

From: noreply@dropsend.com,
To: clktax@aol.com,
Subject: PBFC - QBB Data File - Full Admin Authority
Date: Tue, May 10, 2022 11:10 am

Message from sender

Received this file to your iPhone or iPad? Download DropSend app for iPhone, iPad and iPod Touch from the App Store and use DropSend.com on your iOS device.

Files available for download:

Download Link: <https://myaccount.dropsend.com/file/94681ab848c46ed9>

File Expires on: 5/24/22 4:10 PM BST

You can download these files up to unlimited times each over the next 14 days.

File Name: Pompano Senior Squadron Flying Club, Inc -
POV (Backup May 10,2022 09 42 AM).QBB **Size:** 41.7MB

Description:

Mr. Holodak,

Attached hereto is the PBFC QBB data file with full administrative authority. The UN: Admin is PW protected. The PW is: C625782537. Please confirm by the close of business on Wednesday that you have received this and it has complete authority (as the previous QBB data file) and that you will be cancelling the Lynch show cause hearing and your request to strike my pleadings.



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for Android

EXHIBIT H



Edward

Fri, May 13, 8:43 AM

[Faint, illegible text from a message, overlaid with a large watermark: NOT AN OFFICIAL COPY - PUBLIC ACCESS - NOT AN OFFICIAL COPY]

EXHIBIT I

From: aaron@dropsend.com,
To: clktax@aol.com,
Subject: Download notification
Date: Fri, May 13, 2022 10:24 am

Your file has been picked up!

edward@holodakpa.com has downloaded the file:

Pompano Senior Squadron Flying Club, Inc - POV (Backup May 10,2022 09 42 AM).QBB

To turn off these download notifications, just log into your DropSend® account, go to the 'My Account' tab, and uncheck 'Email Notifications'.



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for iOS



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for Android

EXHIBIT J



For your security we disabled all images and links in this email. If you believe it is safe to use, mark this message as not spam.

RE: PBFC - QBB Data File - Full Admin Authority

Edward Holodak (edward@holodakpa.com)

Fri, M

To: you Details ▾

Mr. Kennedy:

The file downloaded to my computer, however, upon attempting to Restore the file in Quickbooks, upon password, I did 2 attempts:

1. I cut and pasted the Password provided in your email – it failed;
2. I typed the Password you provided in your email – it failed.

I cannot open the datafile.

EXHIBIT K

From: clkta@aol.com,
To: edward@holodakpa.com,
Bcc: clkta@aol.com,
Subject: PBFC v Kennedy - QBB Data File
Date: Fri, May 13, 2022 4:22 pm

Mr. Holodak,

After my text message to you this morning at 08:43 I was notified the PBFC QBB data file with full administrative access was downloaded from DropSend at 10:24am, today.

Unless I hear differently from you by the close of business today, I will consider all to be in order with the QBB data file I sent to you via DropSend on May 10, 2022.

Respectfully,

Carl Kennedy

EXHIBIT L



For your security we disabled all images and links in this email. If you believe it is safe to use, mark this message as not spam.

RE: PBFC v Kennedy - QBB Data File

Edward Holodak (edward@holodakpa.com)

Fri, May 13

To: you Details

Carl

I downloaded the QBB file and tried to restore it at which point it requested a password. I cut and pasted the from your email and it failed. I typed in the password from your email and that failed too. As of know I have cannot access. I sent you an email previously today with this same information.

Very truly yours,

Edward F. Holodak

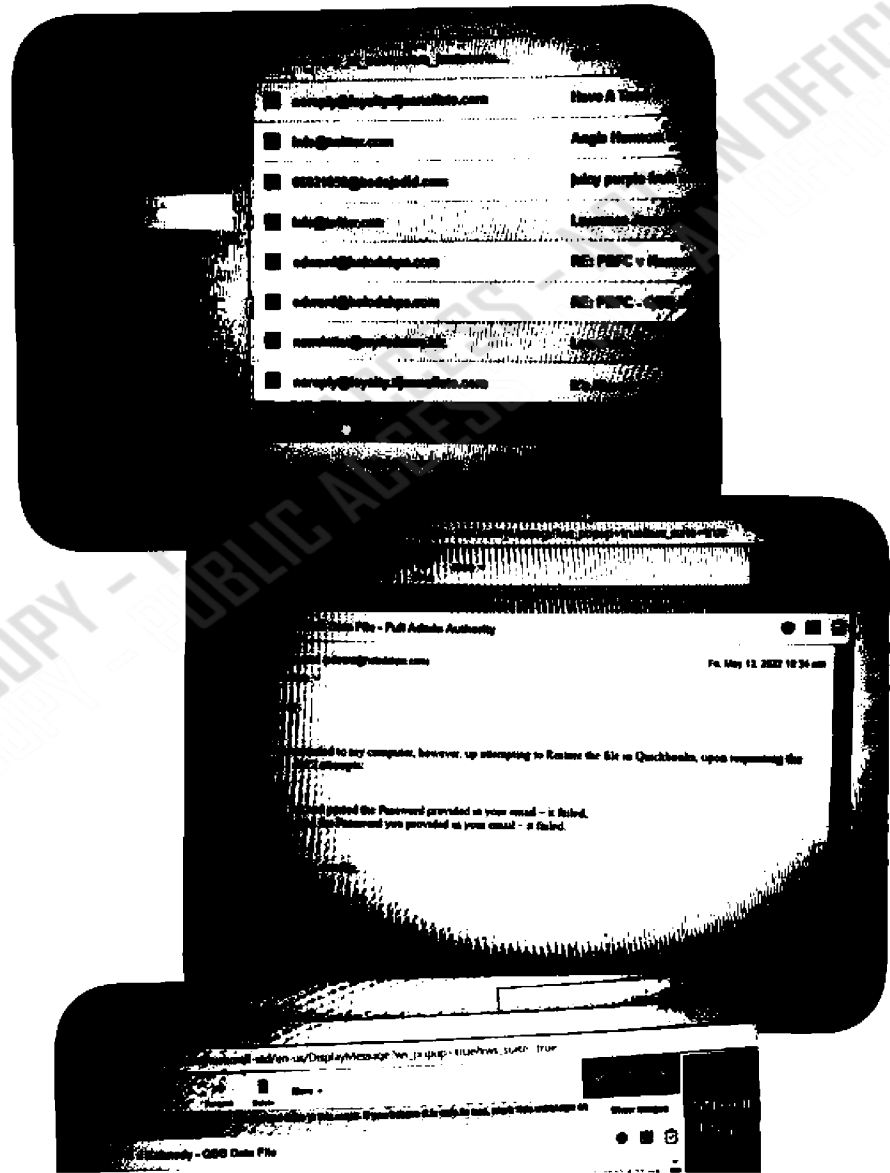
EXHIBIT M

< 18



Edward

Wed, May 25, 10:36 PM

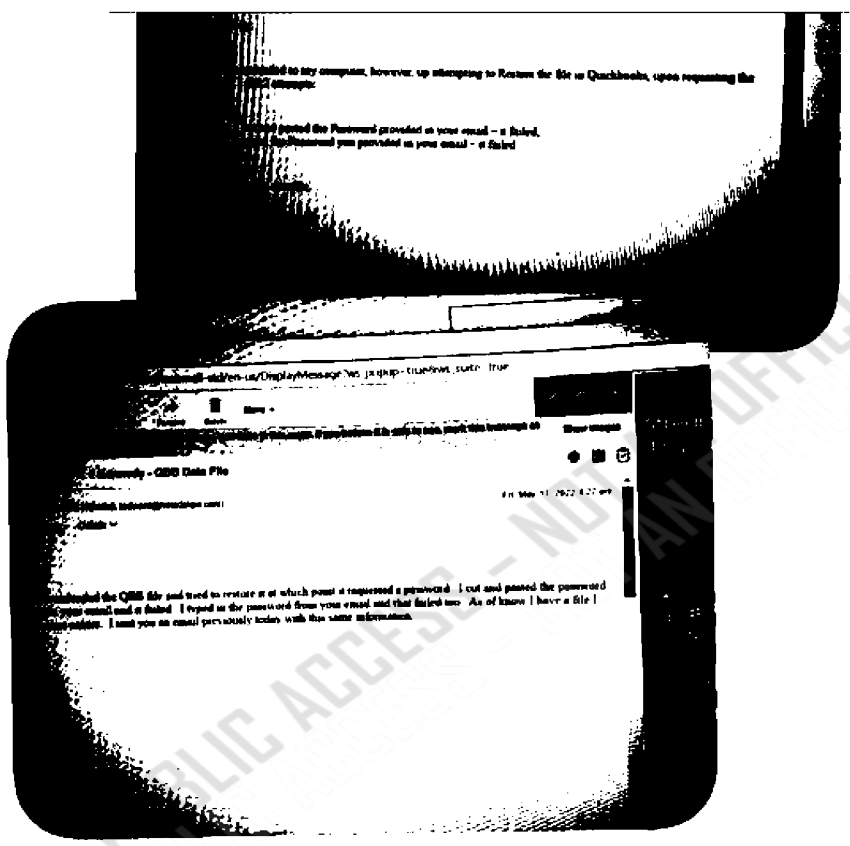


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EXHIBIT N



Edward



... However, it's not
after a man will re-
duce to writing that
which is not true.



Edward

I'm not sure if you're referring to the
 day of the week or the date. If you're
 asking about the day of the week, it's
 currently Friday, October 13th. If you're
 asking about the date, it's currently
 October 13th, 2023.

Could Friday the 13th
 been the true unlucky
 day?



Edward

Dear Edward,

I hope you're doing well. I've been thinking about you a lot lately and wondering how you're getting on. I've been busy with work and family, but I always find time to think about my friends.

I've been reading a lot lately and thinking about the future. It's exciting to see what's ahead, but also a bit scary. I hope you're doing well and that you're happy.

I've been thinking about you a lot lately and wondering how you're getting on. I've been busy with work and family, but I always find time to think about my friends.

Dear you, I hope you're
doing well.

With you at the com
munications center, I hope you're

EXHIBIT N



Edward

Hi, I'm sorry to hear that you're having trouble with your phone. I'll do my best to help you out.

What time would you like to talk? I can call you at 10:00 AM tomorrow afternoon. Can I put a call in to you?

From: clktax@aol.com,

To: edward@holodakpa.com,

Cc: tomlynchmediation@gmail.com,

Bcc: clktax@aol.com,

Subject: PBFC v Kennedy - Access Accomplished by Mr. Holodak - via phone conversation

Date: Mon, May 30, 2022 11:28 am

Mr. Holodak,

As normal, you're aware I follow-up all of my phone conversations with you via an e-mail to memorialize those conversations by making sure you and I are in agreement with such.

To that end, our phone conversation regarding your inability to access the QBB data file, full Admin authority granted, took place for a total of nine minutes and concluded at 10:58am, this date. The phone conversation resulted **in you gaining proper access to the PBFC QBB data file.**

The reason for your prior failure to properly access the QBB data file was due to you, or anyone else from your camp, not following directions. Below are the directions you did not follow, when the file was originally sent to you on May 10, 2022, at 11:10am:

File Name: Pompano Senior Squadron Flying Club, Inc -
POV (Backup May 10,2022 09 42 AM).QBB **Size:** 41.7MB

Description:

Mr. Holodak,

Attached hereto is the PBFC QBB data file with full administrative authority. **The UN: Admin is PW protected. The PW is: C625782537.** Please confirm by the close of business on Wednesday that you have received this and it has complete authority (as the previous QBB data file) and that you will be cancelling the Lynch show cause hearing and your request to strike my pleadings.

If you are in agreement, do reply. If you are not in agreement, do reply.

Outside of our phone conversation and as a final question, is the Lynch report you unilaterally chose to prepare prior to our phone conversation moot at this point in time?

With Due Respect,

Carl Kennedy

EXHIBIT O