

IN THE COUNTY COURT IN AND FOR BROWARD COUNTY FLORIDA

**Steven J. Borer,
Plaintiff**

vs.

**Pompano Senior Squadron Flying Club,
D/B/A Pompano Beach Flying Club, Inc
Defendant.**

Case No.: COWE 20 22099 (81)

**NOTICE OF FILING EXCERPT FROM TRANSCRIPT FROM HEARING ON
JANUARY 11, 2021**

Now comes Steven J. Borer, Plaintiff proceeding *Pro Se*, respectfully file this notice with the Court:

1. Attached please find the excerpt from the transcript of the hearing on January 11, 2021 before The Honorable Phoebe Francois which reflect the Defendant's Counsel's dishonesty with the court regarding having sent a subpoena for bank records.
2. The Defendant's Counsel's representation to the Court that he had filed a *subpoena* for bank records was not "inadvertent". Defendant's Counsel stated three times, and confirmed when the Judge specifically asked if a subpoena had been sent, that he sent a subpoena.

I hereby certify that a true and correct copy of the foregoing has been served to Edward Holodak, Esq. via email at the email addresses he filed and hand delivered to the Clerk of Court this 12th day of January, 2021.

Respectfully,



Steven J. Borer
601 NW 73rd Avenue
Plantation, FL 33317
borersj@g.cofc.edu

IN THE COUNTY COURT IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO. COWE20022099 (81)

**STEVEN J. BORER,
MICHAEL W. BORER,**

Plaintiffs,

Vs.

**POMPANO BEACH FLYING CLUB,
GREGORY GILHOLLY,**

Defendants.

EXCERPT FROM NON-JURY TRIAL

BEFORE THE HONORABLE PHOEBEE FRANCOIS

VIA ZOOM

DATE: MONDAY, JANUARY 11, 2021

1 **APPEARING ON BEHALF OF PLAINTIFFS:**

2 **STEVEN J. BORER, PRO SE**
3 **MIKE BORER, PRO SE**
4 **601 NW 73rd Avenue**
5 **Plantation, FL 33317**
6 **(803) 517-4244**

7 **APPEARING ON BEHALF OF DEFENDANT:**

8 **EDWARD F. HOLODAK, ESQ.**
9 **EDWARD F. HOLODAK, PA**
10 **7951 SW 6th Street, Suite 210**
11 **Plantation, FL 33324**
12 **(954) 927-3436**
13 **edward@holodakpa.com**

14 - - -

15 **BE IT REMEMBERED, that the following excerpt**
16 **from the proceedings was taken in the above-styled cause**
17 **before Judge Phoebee Francois, via Zoom, on Monday, the**
18 **11th day of January, 2021, to wit:**

19 - - -

20 * * * * *

21 **THE COURT: Okay. What about the bank records**
22 **for 2018 and 2019?**

23 **MR. HOLODAK: Those are all part of the**
24 **litigation, Your Honor, that we are attempting**
25 **to -- before Judge Haines.**

26 **THE COURT: All right. Isn't that something**
27 **you can get from the bank?**

28 **MR. HOLODAK: We have subpoenaed them, Judge.**
29 **Again, the litigation is ongoing in front of Judge**

1 Haines.

2 THE COURT: You've subpoenaed them from the
3 bank?

4 MR. HOLODAK: Yes, ma'am, we subpoenaed them
5 from Mr. Kennedy and from the bank.

6 THE COURT: And the bank has not responded?

7 MR. HOLODAK: Not as of yet, Your Honor.

8 THE COURT: And when did you subpoena them?

9 MR. HOLODAK: Judge, off the top of my head, I
10 don't know.

11 THE COURT: Okay. I would be interested in
12 knowing, Counsel. And I think that it would be
13 verbative on both ends. The testimony from
14 Mr. Gilhooly was that some members received their
15 refunds in 2018 and some members did not. I want
16 to know what the criteria was, why were select
17 members given their refunds and select members not
18 given their refunds. That's important for me to
19 know and it's going to make a very big difference
20 in what my ruling is going to be.

21 MR. HOLODAK: Understood.

22 THE COURT: So I want you guys to provide that
23 information.

24 * * * * *

25 (The hearing was concluded.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER

**THE STATE OF FLORIDA,)
COUNTY OF PALM BEACH.)**

I, **BETH L. KELLY**, Florida Professional Reporter, certify that I was authorized to and did stenographically report the foregoing excerpt from the proceedings and that such transcription, Pages 1 through 3, herein is a true and accurate record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor a relative or employee of such attorney or counsel, or financially interested, directly or indirectly, in this action.

The certification does not apply to any reproduction of the same by any means unless under the direct control and/or direction of the reporter.

Dated this 12th day of January, 2021.



Beth L. Kelly, FPR

	hearing 3:25	responded 3:6
2		
2018 2:18 3:15	HOLODAK 2:19,24 3:4,7,9,21	ruling 3:20
2019 2:18	Honor 2:20 3:7	S
A	I	select 3:16,17
attempting 2:20	important 3:18	subpoena 3:8
	information 3:23	subpoenaed 2:24 3:2,4
B	interested 3:11	T
bank 2:17,23 3:3,5,6		testimony 3:13
big 3:19	J	top 3:9
	Judge 2:21,24,25 3:9	U
C	K	Understood 3:21
concluded 3:25	Kennedy 3:5	V
Counsel 3:12	knowing 3:12	
COURT 2:17,22 3:2,6,8,11,22		verbatim 3:13
criteria 3:16	L	
	litigation 2:20,25	
D	M	
difference 3:19	make 3:19	
E	members 3:14,15,17	
ends 3:13	O	
F	ongoing 2:25	
front 2:25	P	
G	part 2:19	
Gilhooly 3:14	provide 3:22	
guys 3:22	R	
H	received 3:14	
Haines 2:21 3:1	records 2:17	
head 3:9	refunds 3:15,17,18	