

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION**

**FREDERICK EUGENE
FINDLEY, III**

CASE NO.: 1:25-cv-300-MW-ZCB

Plaintiff,

v.

CITY OF HIGH SPRINGS, FLORIDA,

Defendant.

_____ /

AMENDED COMPLAINT

Plaintiff, FREDERICK EUGENE FINDLEY, III, hereby sues Defendant, -
CITY OF HIGH SPRINGS, FLORIDA, and alleges:

NATURE OF THE ACTION

1. This is an action brought under the Florida Civil Rights Act, codified at Chapter 760, Florida Statutes, §112.3187, Florida Statutes, the Family and Medical Leave Act of 1993 (“FMLA”), 29 U.S.C. §§ 2612, 2624, the First Amendment to the United States Constitution brought through 42 U.S.C. §1983, 42 U.S.C. §2000e et seq., 42 U.S.C. §12101 et seq., 42 U.S.C. §1981a and 42 U.S.C. §1988.

2. This action involves claims which are, individually, in excess of Fifty Thousand Dollars (\$50,000.00), exclusive of costs and interest. Jurisdiction of this

Court is invoked pursuant 28 U.S.C. §1331 (federal question jurisdiction), 28 U.S.C. §1343 (civil rights claim jurisdiction) and 28 U.S.C. § 1367 (supplemental jurisdiction).

THE PARTIES

3. At all times pertinent hereto, Plaintiff, FREDERICK EUGENE FINDLEY, III, has been a resident of the State of Florida and was employed by Defendant. Plaintiff is a member of a protected class due to his gender, disability, protected whistleblower status, and participation in protected speech. Plaintiff was retaliated against after reporting Defendant's unlawful employment practices.

4. At all times pertinent hereto, Defendant, CITY OF HIGH SPRINGS, FLORIDA, has been organized and existing under the laws of the State of Florida. At all times pertinent to this action, Defendant has been an "employer" as that term is used under the applicable laws identified above. Defendant was Plaintiff's employer as it relates to these claims.

CONDITIONS PRECEDENT

5. Plaintiff has satisfied all conditions precedent to bringing this action, if any.

STATEMENT OF THE ULTIMATE FACTS

6. Plaintiff is a protected whistleblower and a member of a protected class due to his gender and disability. Plaintiff began his employment with

Defendant on or about October 28, 2008 and held the position of Fire Lieutenant at the time of his wrongful termination on January 11, 2025

7. During his employment with Defendant, Plaintiff was subjected to disparate treatment, different terms and conditions of employment, and held to a different standard because of his status as a protected whistleblower, his gender, his disability, and because he reported Defendant's unlawful employment activities and was subject to retaliation thereafter.

8. The disparate treatment and retaliation came at the hands of specifically but not limited to Fire Chief Joseph Peters and City Manager Jeremy Marshall.

9. On May 6, 2024, Joseph Peters was appointed Fire Chief. Almost immediately, Plaintiff and others began observing widespread cronyism, policy violations, safety issues, and retaliatory conduct—particularly centering around Chief Peters' preferential treatment of Lieutenant Kim Arnold, a female.

10. Shortly after Peters' appointment, Kim Arnold was promoted into a Lieutenant position created specifically for her, bypassing standard procedure related to promotions. Chief Peters' favoritism toward Arnold was rooted in a personal connection: Arnold reportedly favored Peters' daughter. As a result, Arnold repeatedly violated departmental policy with impunity, while Plaintiff was

aggressively scrutinized and ultimately disciplined for conduct that was minor or policy-compliant.

11. For example, during Hurricane Helene in September 2024, Arnold had an angry and disruptive outburst in the High Springs Fire Department Station, in front of non-fire personnel including upper management for the Defendant's Police Department. No discipline was issued. In contrast, when Plaintiff submitted a Kelly Day request in early November 2024—in accordance with policy and using a new payroll system—he was criticized for this request in November but later written up by Peters, discussed below after his written whistle blower disclosures, despite policy allowing one such Kelly Day change per year. The Defendant, through Peters, resurrected a years-old write-up against Plaintiff from 2021 where his entire shift was written up as a pretext to create a fabricated pattern of misconduct against Plaintiff accusing him of violating the Standard Operating Procedures (SOP) for Defendant's Fire Department.

12. After Peters became Chief, Plaintiff was also consistently belittled and either he was accused or Plaintiff's subordinates were accused of policy violations.

13. On November 21, 2024, City Commissioner Chad Howell sought Plaintiff out to talk to him at the Fire Department about the heavy rescue vehicle that was Fire Department equipment. This meeting was initiated by Howell during which Howell was investigating the Defendant's decision to eliminate this heavy

rescue vehicle. There had been debate about the vehicle by the Defendant's City Commissioners and Plaintiff was asked questions by Howell about the safety of this vehicle.

14. In response to questions by Howell, Plaintiff told him that there were life safety risks due to delayed response times with the vehicle. Howell relayed those concerns publicly at a City Commission meeting that same evening, identifying Plaintiff and a colleague as sources of the information.

15. Chief Peters personally witnessed Howell's conversation with Plaintiff, and Commissioner Howell later told Plaintiff's father that he felt he had "put a target" on Plaintiff's back. After Howell left the Fire Department after talking to Plaintiff, Peters gave Plaintiff a look like "I can't believe that the Commissioner came to talk to you and not me."

16. The actions described above against and involving Plaintiff significantly contributed to Plaintiff's stress and need for FMLA leave, which he submitted on November 22, 2024 for depression.

17. Plaintiff was diagnosed as having depression stemming from workplace stress a week prior to November 22, 2024 and was the basis for his FMLA leave. Defendant was made aware of Plaintiff's depression on November 22, 2024 by Plaintiff specifically telling Peters of his diagnosis of depression and providing him the FMLA paperwork completed by his physician identifying Plaintiff's depression

as the basis for the FMLA leave. The FMLA papers requested periodic/intermittent leave to assist Plaintiff in managing his depression.

18. Plaintiff took FMLA leave for the first time for 24 hours in late November, 2024. Plaintiff gave notice to Peters that he was taking this time off under the FMLA.

19. Prior to his termination, Plaintiff made multiple internal verbal complaints to Chief Peters and others in 2024 and 2025, including:

a. Safety violations (including short staffing and out-of-policy unit deployments in November 2024),

b. Drug log falsifications and uniform policy violations (as early as November 6, 2024),

c. Discriminatory and retaliatory targeting of employees who did not support Peters' hiring,

d. Disability discrimination by Kim Arnold against a disabled volunteer firefighter,

e. Grooming policy inconsistencies, selectively enforced to benefit favored employees,

f. Systematic cronyism and suppression of policy complaints by fire brass, and

g. The use of a non-certified firefighter commanding scenes and directing fire crews.

20. On October 24, 2024, Plaintiff reported to Peters in writing through an email that there were payroll discrepancies and that his employees were not properly paid for work performed during a state of emergency. Peters forwarded this email to the City Manager and City attorney, the latter of whom stated that the employees must be paid. The employees were not paid.

21. Plaintiff followed up through email again to Peters the first week of November, 2024 about the failure of the City to pay the employees in accordance with the City attorney's directive. He questioned how the employees were going to cover their bills because of the City's failure to properly pay them. He also stated that "this is wrong in so many ways, Chief." He received no response.

22. Additionally, during September/October 2024, Kim Arnold was chastising a mentally handicapped volunteer. She told him that he stinks, had bad "BO", was a liability to the Fire Department and should not be there. Plaintiff reported this to Peters around that same time. Additionally, nearing the end of November/first of December, 2024, Plaintiff met with Peters and told him that he needed to stop playing favorites with Kim Arnold by allowing her to get away with everything but punishing the male employees.

23. After making these disclosures, Plaintiff became the subject of intensified targeting. He was disciplined for the Kelly Day request (wrongly framed as falsification) discussed above, in early December 2024.

24. At the same time, multiple Group I and Group II violations by other personnel—including falsification of records, threats, grooming policy breaches, minimum staffing violations, and derogatory statements—went entirely undisciplined. All of these employees were on Kim Arnold’s shift, primarily. Kim Arnold specifically falsified records regarding drug logs and never signed in or out after taking drugs out of a protected drug container which Plaintiff reported to a Captain and it was reported to Peters. She also failed to follow SOP on scene at fires and other emergencies and was incompetent at times performing her job duties, which was reported by Plaintiff to Peters. No action was taken against Arnold. In many of these instances, Plaintiff personally reported these infractions to Peters and was met with hostility or further targeting.

25. In late December, 2024, Plaintiff took his second 24 hour intermittent leave under the FMLA with notice to Peters that he was taking this time off under the FMLA.

26. On January 11, 2025, Plaintiff was terminated by City Manager Jeremy Marshall, allegedly for “repetitive misconduct” and “failure to meet leadership standards.” He was denied any pre-termination hearing or notice of the charges

against him other than these general categories. No progressive discipline was used, despite a personnel policy requiring oral or written reprimands before suspension or termination. The charges against him were false.

27. Plaintiff was escorted from the premises by police, in an unnecessary show of force that further humiliated and injured his professional reputation. Evidence suggests the City had pre-planned the termination: before informing Plaintiff, Marshall contacted Alachua County Fire Rescue to request coverage for Plaintiff's shift.

28. Plaintiff was never provided with a Loudermill hearing, written notice of charges or an investigation against him, any opportunity to respond to allegations, or a proper investigation in accordance with Fla. Stat. § 112.82, which governs firefighter rights.

29. Plaintiff was also retaliated against with a covert investigation after taking FMLA leave. In fact, at the time of Plaintiff's termination, his supervisor, Andy Burkhalter, asked for the basis for Plaintiff's termination and was told that there had been an ongoing investigation of Plaintiff for the "past month based on his repetitive misconduct." Burkhalter asked Marshall why he, as Plaintiff's supervisor, had not been advised of the investigation. It appears that he received no response. Importantly, at the time of Plaintiff's termination, he had just received his evaluation with a rating of 4.5 out of 5, showing his stellar performance.

30. Plaintiff's protected activity—including whistleblower reports, opposition to discriminatory practices, protected speech on matters of public concern, and requests for FMLA leave—all occurred within the four months preceding his termination. The matters that Plaintiff reported are set forth in but not limited to paragraphs 19 c, d and f and paragraphs 20-22, which were not part of his ordinary job duties and constitute First Amendment protected activity. These issues were of public concern.

31. No valid, non-retaliatory, non-discriminatory explanation has been offered for the disparate discipline, pretextual write-ups, denial of due process, and pattern of targeted enforcement Plaintiff experienced leading up to his termination.

32. After his termination, Plaintiff filed a charge of discrimination against Defendant on February 3, 2025 alleging discrimination on the basis of sex and disability.

33. Following his termination from Defendant, Plaintiff was hired by the City of Live Oak as a Firefighter on April 29, 2025. However, Plaintiff was abruptly terminated on May 28, 2025 in response to retaliatory or defamatory communications from Defendant's officials to Live Oak City officials. At the time of his termination from the City of Live Oak Fire Department, Plaintiff was in good standing with that department, excelling as a firefighter, and even being encouraged to assist management in training other fire fighters.

34. As a result of this termination, Plaintiff was forced to change career fields and is now a construction supervisor. Because of the Defendant, he has lost his lifelong plan to be and retire as a firefighter.

35. Plaintiff has retained the undersigned to represent her interests in this cause and is obligated to pay a fee for these services. Defendant should be made to pay said fee under the laws referenced above.

COUNT I
GENDER DISCRIMINATION

36. Paragraphs 1 through 35 are re-alleged and incorporated herein by reference.

37. This is an action against Defendant for discrimination based upon gender brought under Chapter 760, Florida Statutes and 42 U.S.C. §2000e et seq.

38. Plaintiff has been the victim of discrimination on the basis of Plaintiff's gender in that Plaintiff was treated differently than similarly situated employees of Defendant who are female and has been subject to disparate and poor treatment on the basis, at least in part, of Plaintiff's gender.

39. Defendant is liable for the differential treatment and hostility towards Plaintiff because it controlled the actions and inactions of the persons making decisions affecting Plaintiff or it knew or should have known of these actions and inactions and failed to take prompt and adequate remedial action or took no action at all to prevent the abuses to Plaintiff.

40. Furthermore, Defendant knowingly condoned and ratified the differential treatment of Plaintiff as more fully set forth above because it allowed the differential treatment and participated in same.

41. Defendant's known allowance and ratification of these actions and inactions created, perpetuated and facilitated an abusive and offensive work environment within the meaning of the statutes referenced above.

42. In essence, the actions of agents of Defendant, which were each condoned and ratified by Defendant, were of a gender-based nature and in violation of the laws set forth herein.

43. The discrimination complained of herein affected a term, condition, or privilege of Plaintiff's continued employment with Defendant. The events set forth herein led, at least in part, to Plaintiff's termination.

44. Defendant's conduct and omissions constitutes intentional discrimination and unlawful employment practices based upon gender in violation of Chapter 760, Florida Statutes.

45. As a direct and proximate result of Defendant's conduct described above, Plaintiff has suffered emotional distress, mental pain and suffering, past and future pecuniary losses, inconvenience, mental anguish, loss of enjoyment of life and other non-pecuniary losses, along with lost back and front pay, interest on pay,

bonuses, and other benefits. These damages have occurred in the past, are permanent and continuing. Plaintiff is entitled to injunctive/equitable relief.

COUNT II
DISABILITY DISCRIMINATION

46. Paragraphs 1 through 35 are realleged and incorporated herein by reference.

47. This is an action against Defendant for disability discrimination brought under Chapter 760, Florida Statutes and 42 U.S.C. §12101 et seq.

48. Plaintiff has been the victim of discrimination on the basis of his disability or perceived disability. During the course of Plaintiff's employment with Defendant, he was treated differently than similarly situated nondisabled/perceived-as-disabled employees.

49. Defendant is liable for the differential treatment of Plaintiff, which adversely affected the terms and conditions of Plaintiff's employment with Defendant. Defendant controlled the actions and inactions of the persons making decisions affecting Plaintiff or it knew or should have known of these actions and inactions and failed to take prompt and adequate remedial action or took no action at all to prevent the abuses to Plaintiff.

50. In essence, the actions of agents of Defendant, which were each condoned and ratified by Defendant, were disability/perceived-disability based and in violation of the laws set forth herein.

51. The discrimination complained of herein affected a term, condition, or privilege of Plaintiff's continued employment with Defendant. The events set forth herein lead, at least in part, to Plaintiff's termination.

52. Defendant's conduct and omissions constitutes intentional discrimination and unlawful employment practices based upon disability or perceived disability or his record of having an impairment.

53. As a direct and proximate result of Defendant's conduct described above, Plaintiff has suffered emotional distress, mental pain and suffering, past and future pecuniary losses, inconvenience, bodily injury, mental anguish, loss of enjoyment of life and other non-pecuniary losses, along with lost back and front pay, interest on pay, bonuses, and other benefits. These damages have occurred in the past, are permanent and continuing. Plaintiff is entitled to injunctive/equitable relief.

COUNT III
RETALIATION

54. Paragraphs 1 through 35 are realleged and incorporated herein by reference.

55. Defendant is an employer as that term is used under Chapter 760, Florida Statutes, 42 U.S.C. §2000e et seq and 42 U.S.C. §12101 et seq.

56. The foregoing allegations establish a cause of action for unlawful retaliation after Plaintiff reported or opposed unlawful employment practices adversely affecting him and a disabled worker.

57. The foregoing unlawful actions by Defendant were purposeful.

58. Plaintiff voiced opposition to unlawful employment practices during and after his employment with Defendant and was the victim of retaliation thereafter, as related in part above.

59. Plaintiff is a member of a protected class because he reported unlawful employment practices and was the victim of retaliation thereafter. There is thus a causal connection between the reporting of the unlawful employment practices and the adverse employment actions taken thereafter.

60. As a direct and proximate result of the foregoing unlawful acts and omissions, Plaintiff has suffered mental anguish, emotional distress, expense, loss of benefits, embarrassment, humiliation, damage to reputation, illness, lost wages, loss of capacity for the enjoyment of life, and other tangible and intangible damages. These damages are continuing and are permanent. Plaintiff is entitled to injunctive relief.

COUNT IV
PUBLIC WHISTLEBLOWER RETALIATION

61. Paragraphs 1 through 35 above are incorporated herein by reference.

62. This count sets forth a claim against Defendant under §112.3187, et seq., Florida Statutes.

63. Plaintiff was a public employee protected under Chapter 112, Florida Statutes.

64. As stated more specifically in part above, Plaintiff reported and disclosed violations of rules, regulations and laws, and/or malfeasance, misfeasance and/or gross misconduct to persons both inside and outside of his normal chain of command, and to others having the authority to investigate, police, manage and otherwise remedy the violations of rules, regulations and laws that he reported. Plaintiff also disclosed this information when he participated in investigations, hearings, or other agency inquiries. Plaintiff reported malfeasance, misfeasance, and other acts specifically outlined in §112.3187(5), Florida Statutes.

65. After reporting these matters and/or participating in investigations, hearings, or other agency inquiries, as related in part above, Plaintiff was the victim of retaliatory actions set forth in part above including without limitation her termination.

66. Plaintiff's terminations, and/or being blocked from one or more positions were a direct adverse result of his reporting violations of rules, regulations or laws, and/or her reporting malfeasance, misfeasance or gross misconduct, and/or his participating in investigations, hearings or other inquiries, specified in part above.

67. The actions of all employees within Defendant who affected Plaintiff's employment adversely did so at least in part in retaliation against him for his "whistleblowing" activities.

68. As a direct and proximate result of the actions taken against him by Defendant, Plaintiff has suffered injury, including but not limited to past and future wage losses, loss of benefits, loss of the capacity for the enjoyment of life, emotional pain and suffering and other tangible and intangible damages. These damages have occurred in the past, are occurring at present and will occur in the future. Plaintiff is entitled to injunctive relief.

COUNT V
FIRST AMENDMENT RETALIATION
(Against Defendant City of High Springs)

69. Paragraphs 1 through 35 are incorporated herein by reference. This claim is against Defendant City of High Springs. City Manager Jeremy Marshall was the final policymaker for Defendant City of High Springs and he had the authority to fire Plaintiff without approval or review by any other person or body.

70. Defendant City of High Springs, through City Manager Jeremy Marshall as a final policymaker, violated Plaintiff's rights under the First Amendment to the United States Constitution, enforceable through 42 U.S.C. § 1983.

71. Plaintiff's right to freedom of speech was violated when he engaged in constitutionally protected speech on matters of public concern. Plaintiff had a clearly established right to engage in protected speech under the First Amendment without fear of government retaliation.

72. Defendant City of High Springs, acting through its final policymaker and/or other subordinates at the policymaker's direction, retaliated against Plaintiff by firing him which action was intended to chill, punish, or deter the exercise of First Amendment rights, including but not limited to administrative interference, reputational harm, employment-related consequences, or other unlawful acts of reprisal.

73. These actions were taken pursuant to one or more of the following theories of Monell liability:

- a. An official policy formally adopted by Defendant City of High Springs;
- b. The actions of a final policymaker, Jeremy Marshall;
- c. A failure to train employees on the constitutional limitations regarding retaliation for protected speech;
- d. A failure to supervise or discipline subordinate employees known to engage in retaliatory behavior;
- e. Ratification of unconstitutional acts by City Manager Jeremy Marshall as final policymaker who had actual or constructive knowledge of the misconduct and approved or acquiesced in it.
- f. Ratification of unconstitutional acts by Fire Chief Joseph Peters who was given delegated final policymaking authority without any meaningful review.

74. Defendant City of High Springs is a person under the laws applicable to this action.

75. Defendant City of High Springs, through City Manager Jeremy Marshall as final policymaker, misused its power, possessed by virtue of state law and made possible only due to being clothed with the authority of state law. The violation of Plaintiff's rights, as described above, occurred under color of state law and is actionable under 42 U.S.C. § 1983.

76. The foregoing actions of Defendant were willful, wanton and in reckless disregard of Plaintiff's rights.

77. As a direct and proximate result of the Defendant's actions set forth herein, Plaintiff has been injured and has suffered emotional distress, mental pain and suffering, past and future pecuniary losses, inconvenience, mental anguish, loss of enjoyment of life and other non-pecuniary losses, along with other tangible and intangible damages. These losses have occurred in the past, are occurring at present and are certain to occur into the future. Plaintiff is entitled to reinstatement and other remuneration attendant therewith including without limitation attorney's fees and costs under 42 U.S.C. § 1988.

COUNT VI
FOURTEENTH AMENDMENT—PROCEDURAL DUE PROCESS
(42 U.S.C. § 1983 – Against Defendant City of High Springs)

78. Plaintiff re-alleges and incorporates Paragraphs 1 through 35 as if fully set forth herein.

79. This is an action against Defendant City of High Springs for violation of Plaintiff's rights under the Due Process Clause of the Fourteenth Amendment to the United States Constitution, brought pursuant to 42 U.S.C. § 1983.

80. At all relevant times, Plaintiff possessed a constitutionally protected liberty and/or property interest in public employment that could not be deprived without due process of law.

81. Defendant City of High Springs, through its policies, customs, practices, and/or acts of final policymakers, deprived Plaintiff of this protected interest without providing constitutionally required procedural protections, including all hearings, reviews, or appeals mandated by the United States Constitution, federal or state law, regulation, contract, or official policy in one or more of the following ways:

82. Defendant City of High Springs failed to provide the pre-deprivation notice and opportunity to be heard required by *Cleveland Bd. of Educ. v. Loudermill*, 470 U.S. 532 (1985), and/or failed to provide post-deprivation proceedings to which Plaintiff was entitled by law, regulation, contract, or policy, including but not limited

to review by a civil service commission, career service board, or comparable tribunal.

83. Defendant City of High Springs is liable under *Monell v. Dep't of Soc. Servs.*, 436 U.S. 658 (1978), because the deprivation of Plaintiff's procedural due process rights was the result of one or more of the following:

- a. An official policy adopted by Defendant City of High Springs;
- b. The actions of a final policymaker, Jeremy Marshall;
- c. A failure to train, supervise, or discipline employees in providing constitutionally adequate notice, hearing, and review procedures;
- d. A final policymaker's decision to deprive Plaintiff of protected interests without due process;
- e. Ratification by final policymaker City Manager Jeremy Marshall of the deprivation and the basis for it; or
- f. Delegation of final policymaking authority to Fire Chief Joseph Peters who carried out the acts described herein with final, unreviewed discretion.

84. Defendant City of High Springs, through its final policymaker, acted with deliberate indifference to the known or obvious consequence that failing to implement or follow constitutionally required procedures would result in the deprivation of protected interests.

85. As a direct and proximate result of the Defendant's actions set forth herein, Plaintiff has been injured and has suffered emotional distress, mental pain and suffering, past and future pecuniary losses, inconvenience, mental anguish, loss of enjoyment of life and other non-pecuniary losses, along with other tangible and intangible damages. These losses have occurred in the past, are occurring at present and are certain to occur into the future. Plaintiff is entitled to reinstatement and other remuneration attendant therewith including without limitation attorney's fees and costs under 42 U.S.C. § 1988.

COUNT VII
VIOLATION OF THE FAMILY AND MEDICAL LEAVE ACT

86. Paragraphs 1 through 35 are re-alleged and are incorporated herein by reference.

87. Defendant is an "employer" as defined by 29 U.S.C. § 2611(4), and Plaintiff was an "eligible employee" under 29 U.S.C. § 2611(2) at all relevant times.

88. Plaintiff was entitled to FMLA leave for a serious health and disabling condition that made Plaintiff unable to perform the functions of her position, and for which Plaintiff was under the continuing care of a healthcare provider, within the meaning of 29 U.S.C. § 2611(11).

89. Plaintiff provided Defendant with timely and sufficient notice of the need for leave under the FMLA.

90. Plaintiff took approved FMLA leave, which was protected under 29 U.S.C. § 2612.

91. Upon Plaintiff's return from his first 24 hour protected leave, he was disciplined. Upon his return from his second 24 hour protected leave, he was fired.

92. Defendant's conduct constitutes unlawful interference with Plaintiff's FMLA rights in violation of 29 U.S.C. § 2615(a)(1) or unlawful retaliation for exercising FMLA rights in violation of 29 U.S.C. § 2615(a)(2).

93. Defendant's violations were willful within the meaning of 29 U.S.C. § 2617(c)(2) in that Defendant knew or showed reckless disregard for whether its conduct was prohibited by the FMLA.

94. As a direct and proximate result of Defendants willful, wanton, and malicious acts described in part above, Plaintiff has sustained damages for the loss of employment, as well as the security and peace of mind it provided. Plaintiff has incurred damages for lost wages, and other damages attendant with the loss of his job. These damages have occurred in the past, are occurring at present and will continue in the future.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment against Defendant for the following:

- (a) that process issue and this Court take jurisdiction over this case;

- (b) that this Court grant equitable relief against Defendant under the applicable counts set forth above, mandating Defendant's obedience to the laws enumerated herein and providing other equitable relief to Plaintiff;
- (c) enter judgment against Defendant and for Plaintiff awarding all legally-available general and compensatory damages and economic loss to Plaintiff from Defendant for Defendant's violations of law enumerated herein;
- (d) enter judgment against Defendant and for Plaintiff permanently enjoining Defendant from future violations of law enumerated herein;
- (e) enter judgment against Defendant and for Plaintiff awarding Plaintiff attorney's fees and costs;
- (f) award Plaintiff interest where appropriate; and
- (g) grant such other further relief as being just and proper under the circumstances, including but not limited to reinstatement.

DEMAND FOR TRIAL BY JURY

Plaintiff hereby demands a trial by jury on all issues herein that are so triable.

Respectfully submitted,

/s/ Marie A. Mattox

Marie A. Mattox [FBN 0739685]

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing has been furnished to all counsel of record by CM/ECF this 2nd day of December, 2025.

/s/ Marie A. Mattox

Marie A. Mattox