

**IN THE CIRCUIT COURT OF EIGHTEENTH JUDICIAL CIRCUIT IN  
AND FOR SEMINOLE COUNTY FLORIDA**

*Philip S. Kaprow and Sara Kaprow,*

Plaintiffs,

v.

Case # 2024-CA-001340

*Christopher D. Anderson;  
Seminole County Supervisor of Elections;  
Seminole County; and Ebony Anders,*

Defendants.

---

*Seminole County Supervisor of Elections*

Counterclaim Plaintiff,

v.

*Philip S. Kaprow,*

Counterclaim Defendant.

---

**SEMINOLE COUNTY SUPERVISOR OF ELECTIONS ANSWER, AFFIRMATIVE  
DEFENSES, AND COUNTERCLAIM**

Undersigned counsel files this Answer, Affirmative Defenses, and Counterclaim on behalf of the Seminole County Supervisor of Elections Office, (hereinafter, "SOE"), and states the following:

**ANSWER TO THE ALLEGATIONS IN THE COMPLAINT**

1. SOE admits the allegations in paragraph 1 for the limited purpose of agreeing to the jurisdictional limits of this Court, but otherwise denies liability of any of the issues that have been alleged in the Complaint.

2. SOE admits the allegations in paragraph 2 for the limited purpose of agreeing to the jurisdictional limits of this Court, but otherwise denies liability of any of the issues that have been alleged in the Complaint.

3. SOE admits the allegations in paragraph 3 for the limited purpose of agreeing to the jurisdictional limits of this Court, but otherwise denies liability of any of the issues that have been alleged in the Complaint

4. SOE admits the allegations in paragraph 4 for the limited purpose of agreeing to the jurisdictional limits of this Court, but otherwise denies liability of any of the issues that have been alleged in the Complaint

5. SOE admits the allegations in paragraph 5 for the limited purpose of agreeing to the jurisdictional limits of this Court, but otherwise denies liability of any of the issues that have been alleged in the Complaint

6. SOE admits the allegations in paragraph 6 for the limited purpose of agreeing to venue, but otherwise denies liability of any of the issues that have been alleged in the Complaint

7. SOE denies the allegations in paragraph 7.

8. SOE is without knowledge of what the Plaintiff did prior to filing this lawsuit, and therefor denies the allegations in paragraph 8 as written.

9. SOE admits that the Plaintiffs have retained counsel but have no practical basis to know what the compensation arrangements are, and therefore deny all other allegations in paragraph 9.

10. SOE admits the allegations in paragraph 10.

11. SOE admits that Mr. Anderson once worked as the Security Chief for Joel Greenberg, but otherwise denies the scandalous, uncalled-for, and amateur rhetoric in paragraph 11.

12. SOE admits the allegations in paragraph 12.

13. SOE admits the allegations in paragraph 13.

14. SOE admits the allegations in paragraph 14 about agreeing to compensate the law firm for providing legal services but does not know what the Plaintiffs are insinuating by the term “inter alia” and therefore deny the allegations with respect to the use of this term to expand the plain language contained in the agreement that was signed.

15. SOE admits the allegations in paragraph 15.

16. SOE admits the allegations in paragraph 16.

17. SOE admits that Philip S. Kaprow and his law firm provided legal services but denies rhetoric contained in paragraph 17.

18. SOE admits the allegations in paragraph 18.

19. SOE admits that there was a decision to terminate the agreement between the SOE and the law firm at issue, but it denies the characterization of the basis for the termination as expressed in paragraph 19.

20. SOE admits that there was a decision to terminate the agreement between the SOE and the law firm at issue, but it denies the characterization of the basis for the termination as expressed in paragraph 20.

21. SOE admits that there was a decision to terminate the agreement between the SOE and the law firm at issue, but it denies the characterization of the basis for the termination as expressed in paragraph 21.

22. SOE has no reasonable basis to know what Philip S. Kaprow did or did not do, and therefore it denies the allegations in paragraph 22.

23. SOE denies the allegations in paragraph 23 as articulated.

24. SOE admits that the law firm was retained but is unaware of the basis for the other statements in paragraph 24, and therefore denies them as written.

25. SOE admits the allegations in paragraph 25.

26. SOE denies the allegations in paragraph 26.

27. SOE denies the allegations in paragraph 27.

28. SOE denies the allegations in paragraph 28.

29. SOE denies the allegations in paragraph 29.

30. SOE denies the allegations in paragraph 30.

31. SOE denies the allegations in paragraph 31.

32. SOE denies the allegations in paragraph 32.

33. SOE denies the allegations in paragraph 33.

34. SOE denies the allegations in paragraph 34.

35. SOE denies the allegations in paragraph 35.

36. SOE denies the allegations in paragraph 36.

37. SOE denies the allegations in paragraph 37.

38. SOE denies the allegations in paragraph 38.

39. SOE denies the allegations in paragraph 39.

40. SOE denies the allegations in paragraph 40.

41. SOE denies the allegations in paragraph 41.

42. SOE denies the allegations in paragraph 42.

43. SOE denies the allegations in paragraph 43.
44. SOE denies the allegations in paragraph 44.
45. SOE denies the allegations in paragraph 45.
46. SOE denies the allegations in paragraph 46.
47. SOE denies the allegations in paragraph 47.
48. SOE denies the allegations in paragraph 48.
49. SOE denies the allegations in paragraph 49.
50. SOE denies the allegations in paragraph 50.
51. SOE denies the allegations in paragraph 51.
52. SOE denies the allegations in paragraph 52.
53. SOE denies the allegations in paragraph 53.
54. SOE denies the allegations in paragraph 54.
55. SOE denies the allegations in paragraph 55.
56. SOE denies the allegations in paragraph 56.
57. SOE denies the allegations in paragraph 57.
58. SOE denies the allegations in paragraph 58.
59. SOE denies the allegations in paragraph 59.
60. SOE denies the allegations in paragraph 60.
61. SOE denies the allegations in paragraph 61.
62. SOE denies the allegations in paragraph 62.
63. SOE denies the allegations in paragraph 63.
64. SOE denies the allegations in paragraph 64.
65. SOE denies the allegations in paragraph 65.

66. SOE denies the allegations in paragraph 66.
67. SOE denies the allegations in paragraph 67.
68. SOE denies the allegations in paragraph 68.
69. SOE denies the allegations in paragraph 69.
70. SOE denies the allegations in paragraph 70.
71. SOE denies the allegations in paragraph 71.
72. SOE denies the allegations in paragraph 72.
73. SOE denies the allegations in paragraph 73.
74. SOE denies the allegations in paragraph 74.
75. SOE denies the allegations in paragraph 75.
76. SOE denies the allegations in paragraph 76.
77. SOE denies the allegations in paragraph 77.
78. SOE denies the allegations in paragraph 78.
79. SOE denies the allegations in paragraph 79.
80. SOE denies the allegations in paragraph 80.
81. SOE denies the allegations in paragraph 81.
82. SOE denies the allegations in paragraph 82.
83. SOE denies the allegations in paragraph 83.
84. SOE denies the allegations in paragraph 84.
85. SOE denies the allegations in paragraph 85.
86. SOE denies the allegations in paragraph 86.
87. SOE denies the allegations in paragraph 87.

88. SOE adopts is response to paragraphs 1 through 87 in response to the allegations in paragraph 88.

89. SOE denies the allegations in paragraph 89.

90. SOE denies the allegations in paragraph 90.

91. SOE denies the allegations in paragraph 91.

92. SOE denies the allegations in paragraph 92.

93. SOE denies the allegations in paragraph 93.

94. SOE adopts is response to paragraphs 1 through 87 in response to the allegations in paragraph 94.

95. SOE denies the allegations in paragraph 95.

96. SOE denies the allegations in paragraph 96.

97. SOE denies the allegations in paragraph 97.

98. SOE denies the allegations in paragraph 98.

99. SOE denies the allegations in paragraph 99.

100. SOE adopts is response to paragraphs 1 through 99 in response to the allegations in paragraph 100.

101. SOE denies the allegations in paragraph 101.

102. SOE denies the allegations in paragraph 102.

103. SOE denies the allegations in paragraph 103.

104. SOE denies the allegations in paragraph 104.

105. SOE denies the allegations in paragraph 105.

106. SOE adopts is response to paragraphs 1 through 105 in response to the allegations in paragraph 106.

107. SOE denies the allegations in paragraph 107.

108. SOE denies the allegations in paragraph 108

109. SOE denies the allegations in paragraph 109

110. SOE denies the allegations in paragraph 110.

111. SOE denies the allegations in paragraph 111.

112. SOE adopts is response to paragraphs 1 through 110 in response to the allegations in paragraph 112.

113. SOE denies the allegations in paragraph 113.

114. SOE denies the allegations in paragraph 114.

115. SOE denies the allegations in paragraph 115.

116. SOE denies the allegations in paragraph 116.

117. SOE denies the allegations in paragraph 117.

118. SOE denies the allegations in paragraph 118.

119. SOE denies the allegations in paragraph 119.

120. SOE adopts is response to paragraphs 1 through 119 in response to the allegations in paragraph 120.

121. SOE denies the allegations in paragraph 121

122. SOE denies the allegations in paragraph 122.

123. SOE denies the allegations in paragraph 123.

124. SOE denies the allegations in paragraph 124.

125. SOE denies the allegations in paragraph 125.

126. SOE denies the allegations in paragraph 126.

127. SOE denies the allegations in paragraph 127.

128. SOE adopts its response to paragraphs 1 through 127 in response to the allegations in paragraph 128.

129. SOE denies the allegations in paragraph 129.

130. SOE denies the allegations in paragraph 130.

131. SOE denies the allegations in paragraph 131.

132. SOE denies the allegations in paragraph 132.

133. SOE denies the allegations in paragraph 133.

134. SOE denies the allegations in paragraph 134.

135. SOE denies the allegations in paragraph 135.

136. For purposes of clarity, SOE denies any allegation in the complaint that was not specifically admitted as stated above and intends this denial to be interpreted in the broadest manner possible.

137. SOE further denies that the Plaintiffs are entitled to any relief whatsoever, and specifically in the unnumbered paragraphs in the complaint that begin with the phrase “wherefore”.

### **AFFIRMATIVE DEFENSES**

#### **FIRST AFFIRMATIVE DEFENSE**

Plaintiffs’ claims against the SOE are barred in whole or in part by the doctrine of sovereign immunity under the United States Constitution, the Constitution of the State of Florida, and the laws of the State of Florida.

#### **SECOND AFFIRMATIVE DEFENSE**

Plaintiffs are estopped from bringing claims against the SOE based on the doctrine of sovereign immunity under the United States Constitution, the Constitution of the State of Florida, and the laws of the State of Florida.

THIRD AFFIRMATIVE DEFENSE

Plaintiffs' claims against the SOE are barred in whole or in part to the extent that any of the alleged misconduct is (i) the truth; (ii) an opinion that is protected by free speech under the United States Constitution; (iii) constitutes a privileged statement as provided by applicable law; and (iv) constitutes a qualified privilege to make the statement or statements as provided by applicable law.

FOURTH AFFIRMATIVE DEFENSE

Plaintiffs' claims against the SOE are barred in whole or in part by the common law doctrine unclean hands based on his own unethical, unprofessional, and potentially unlawful behavior that will be demonstrated at trial.

FIFTH AFFIRMATIVE DEFENSE

Plaintiffs' claims against the SOE are barred in whole or in part by the common law doctrine *in Pari Delicto* based on his own unethical, unprofessional, and potentially unlawful behavior that will be demonstrated at trial.

COUNTERCLAIM

Undersigned counsel brings this counterclaim and sues Philip S. Kaprow ("Kaprow") on behalf of the Seminole County Supervisor of Elections ("SOE"), and makes the following allegations:

JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction of the claims advanced in this pleading consistent with §26.012, Florida Statutes as the amount in controversy in this lawsuit is for damages of \$50,000 and more.

2. This Court has personal jurisdiction over Kaprow as he is a citizen of the State of Florida and resides and does business in Seminole County, Florida.

3. Seminole County is the proper venue for the issues involved in this lawsuit, pursuant to §47.011, Florida Statutes, because the actions giving rise to the claims asserted in this counterclaim transpired in Seminole County, Florida.

IDENTIFICATION OF PARTIES AND GENERAL ALLEGATIONS

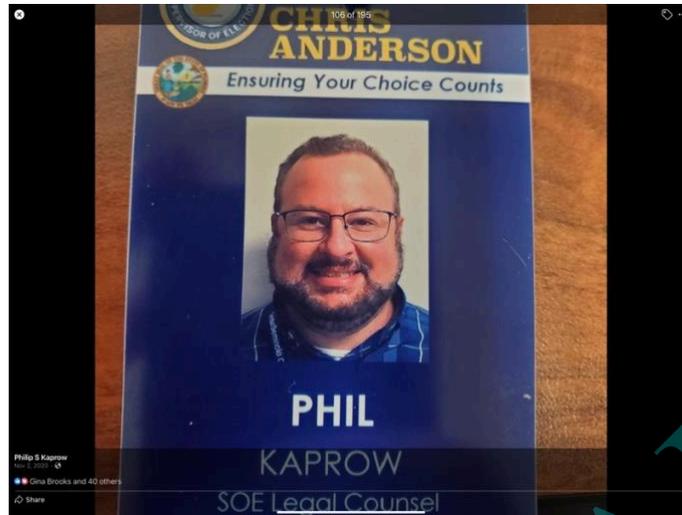
4. SOE is an executive office located in Seminole County, Florida that is established by and exists under Article VIII of the Florida Constitution, with the capacity to sue and be sued consistent with Florida law.

5. Kaprow is an individual is licensed by the state of Florida to practice law since September 9, 2000.

6. SOE retained, on or about 11 August 2020, Kaprow and Killgore, Pearlman, Semanie, Denius & Squires, PA (the law firm that employed Kaprow at the time) to perform legal services for SOE vis-à-vis a General Counsel and Standard Contract Addendum, a copy of which is attached as Exhibit B to Kaprow's pleadings.

7. Although SOE retained the Killgore Pearlman, Kaprow was the primary contact with the law firm, and he is the attorney from that law firm that provided most of the legal services (i.e., he provided legal advice) to SOE during the entirety of SOE's engagement of Kaprow and his law firm.





8. Kaprow and his law firm terminated their relationship with SOE on or about September 14, 2023, pursuant to the notice of termination that is attached as Exhibit D to Kaprow's pleadings.

9. Kaprow, as general counsel to SOE, had access to confidential and privileged information about SOE's operations, human resources issues, government relations issues, issues concerning SOE's administration and management of elections conducted in Seminole County, Florida, in addition to other customary and characteristic privileged information, communications, and documents that one would expect to transpire between a client and its attorney.

10. Kaprow, as general counsel to SOE, had a fiduciary duty to SOE to maintain the confidences of his client, including protecting the confidential and privileged nature of any communication and work product that transpired between himself and his client during the entirety of his representation of the client, a fiduciary duty that did not expire simply because he ceased being general counsel to SOE.

CONDITIONS PRECEDENT ALLEGATIONS

11. SOE has retained legal counsel to defend it against the claims brought about Kaprow against it, as well as to pursue its own claims against Kaprow concerning the acts and omissions that will be articulated throughout this pleading.

12. SOE is therefore, because of retaining legal counsel, obligated to pay its attorneys' a reasonable fee for services rendered, and to reimburse counsel for any third-party costs and expenses incurred by the lawyers in performing their duties to SOE.

13. All conditions precedent to filing this lawsuit have transpired, have lapsed, or have been effectively waived, thereby making the claims asserted herein ripe for the Court's consideration.

COUNT I – MALICIOUS PROSECUTION

14. SOE adopts and realleges the allegations and statements that it made in paragraphs 1 through 13 as if fully set forth in this count.

15. This is a claim against Kaprow for malicious prosecution that is based on his acts and omissions alleged in this claim.

16. Kaprow, using privileged and other information that he obtained while representing SOE, filed a lawsuit captioned *Mike Towers v. Christopher D. Anderson, individually and in his official capacity as Seminole County Supervisor of Elections*, Case No. 2024-CA-1571, which he filed in the Circuit Court of the 18<sup>th</sup> Judicial Circuit, in and for Seminole County, Florida; a copy of the Complaint that Kaprow filed on 14 August 2024 is affixed and identified as *Exhibit 1* to this counterclaim.

17. Kaprow filed Mike Towers lawsuit against SOE as part of a scheme to malign his former client (including the individual elected to serve in the constitutional position as supervisor of elections) in retaliation for having to terminate his beneficial contractual relationship with SOE, and to ensure that his colleague, Amy Pennock, would be in the best position to win the election primary on 20 August 2024.



18. In addition to filing the lawsuit with malicious intent, Kaprow filed this lawsuit with full knowledge and understanding that:

a. The two claims asserted lacked merit because he had absolutely no evidence to support the allegations in the complaint that he authored, orchestrated, and filed, while likewise knowing that he has no reasonable basis to conclude that he would ever obtain evidence to support the claims.

b. There was no probable cause to file the lawsuit because Kaprow the lawsuit was based on contrived facts and no reasonable evidence available to support either cause of action, especially the claim for injunctive relief.

c. He did no due diligence to confirm that the allegations in the pleading that he authored, signed and filed, including without limitation failing to produce a plaintiff that had any firsthand personal knowledge of the issues raised in the lawsuit, which was confirmed when the plaintiff testified at an evidentiary hearing on 19 August 2024.

d. Engaging in *ex parte* communications with the judge assigned to the lawsuit with full knowledge that additional inappropriate *ex parte* communications had occurred involving other members of the judiciary that would further bring into question Kaprow's motives and intentions in pursuing this lawsuit.

e. Engaging in *ex parte* communications and behavior to clandestinely and maliciously obtain an injunction order, on 16 August, that inequitably and materially obstructed SOE's ability to execute its obligations during on ongoing early election voting process, which had a considerable financial impact on SOE, among other things.

19. Attached and identified as **Exhibit 2** is a copy of email communications from Kaprow that confirms the nature of his communications with the judiciary in his clandestine efforts to obtain a preliminary injunction on an ex parte basis, without following the proper rules of civil procedure to obtain said preliminary injunction, and without evidence to support the relief that he requested.

20. A copy of the preliminary injunction wrongfully and maliciously obtained by Kaprow is attached and identified as **Exhibit 3** to this pleading.

21. An evidentiary hearing was conducted on 19 August, based on Kaprow's clandestine and roguish conduct on August 14 through 16, which resulted in a directed verdict on the merits in favor of SOE.

22. Particularly telling about Kaprow's malicious intent and the frivolous nature of the lawsuit that Kaprow filed are the following findings and rulings:

- 
3. The complaint was not filed as a Petition for Emergency Injunctive Relief pursuant to Fla. R. Civ. P. 1.610 nor was the Rule cited in the complaint; and no separate Petition for Emergency Injunctive Relief was filed in this case pursuant to said Rule.
  4. Even if the Court were to consider the complaint as a hybrid pleading intended to be adjudicated pursuant to Fla. R. Civ. P. 1.610, the pleading failed to include the necessary language required, which indicates that the movant's attorney certify in writing any efforts that [had] been made to give notice [of said proceeding] and [if no notice given] reasons why notice should not be required; and counsel's representation to the Court that he attempted to give the required Notice does not negate this requirement.
  5. Moreover, if the complaint had been properly filed pursuant to Fla. R. Civ. P. 1.610, insufficient evidence was presented during the hearing to sustain the injunction entered by the Court.

23. A full and complete copy of the Court's 19 August 2024 order is attached and identified as **Exhibit 4** to this pleading<sup>1</sup>.

24. The Court's 19 August 2024 order constitutes a full adjudication on the merits in favor of SOE, which satisfies the requirements to pursue this malicious prosecution claim.

25. In addition to the Court's 19 August 2024 order, Kaprow filed a Notice of Voluntary Dismissal of the August 14<sup>th</sup> lawsuit with prejudice, further solidifying the requirement that there be a full adjudication on the merits in favor of SOE.

26. SOE has suffered financial and other harm as a direct and proximate cause of Kaprow's acts and omissions alleged herein, including in the exhibits attached to this pleading.

WHEREFORE, the Seminole County Supervisor of Elections demands judgment in its favor and against Philip S. Kaprow for all economic and noneconomic damages available to it under the laws of the State of Florida, including attorneys' fees, and related litigation expenses, together with such further and additional relief this Court deems just.

#### **COUNT II – ABUSE OF PROCESS**

27. SOE adopts and realleges the allegations and statements that it made in paragraphs 1 through 13 as if fully set forth in this count.

28. This is a claim against Kaprow for abuse of process based on his acts and omissions alleged in this claim.

29. Kaprow, using privileged and other information that he obtained while representing SOE, filed a lawsuit captioned *Mike Towers v. Christopher D. Anderson, individually and in his official capacity as Seminole County Supervisor of Elections*, Case No. 2024-CA-1571, which he

---

<sup>1</sup> A copy of the transcript from this hearing will be filed separately as its own entry in the docket for this case.

filed in the Circuit Court of the 18<sup>th</sup> Judicial Circuit, in and for Seminole County, Florida; a copy of the Complaint that Kaprow filed on 14 August 2024 is affixed and identified as **Exhibit 1** to this counterclaim.

30. Kaprow filed this lawsuit against SOE as part of a scheme to malign his former client (including the individual elected to serve in the constitutional position as supervisor of elections) in retaliation for having to terminate his beneficial contractual relationship with SOE, and to ensure that his colleague, Amy Pennock, would be in the best position to win the election primary on 20 August 2024.



31. In addition to filing the lawsuit with malicious intent, Kaprow filed this lawsuit with full knowledge and understanding that:

a. The two claims asserted lacked merit because he had absolutely no evidence to support the allegations in the complaint that he authored, orchestrated, and filed, while likewise knowing that he has no reasonable basis to conclude that he would ever obtain evidence to support the claims.

b. There was no probable cause to file the lawsuit because Kaprow the lawsuit was based on contrived facts and no reasonable evidence available to support either cause of action, especially the claim for injunctive relief.

c. He did no due diligence to confirm that the allegations in the pleading that he authored, signed and filed, including without limitation failing to produce a plaintiff that had any firsthand personal knowledge of the issues raised in the lawsuit, which was confirmed when the plaintiff testified at an evidentiary hearing on 19 August 2024.

d. Engaging in *ex parte* communications with the judge assigned to the lawsuit with full knowledge that additional inappropriate *ex parte* communications had occurred involving other members of the judiciary that would further bring into question Kaprow's motives and intentions in pursuing this lawsuit.

e. Engaging in *ex parte* communications and behavior to clandestinely and maliciously obtain an injunction order, on 16 August, that inequitably and materially obstructed SOE's ability to execute its obligations during on ongoing early election voting process, which had a considerable financial impact on SOE, among other things.

32. Attached and identified as **Exhibit 2** is a copy of email communications from Kaprow that confirms the nature of his communications with the judiciary in his clandestine efforts to obtain a preliminary injunction on an ex parte basis, without following the proper rules of civil procedure to obtain said preliminary injunction, and without evidence to support the relief that he requested.

33. A copy of the preliminary injunction wrongfully and maliciously obtained by Kaprow is attached and identified as **Exhibit 3** to this pleading.

34. An evidentiary hearing was conducted on 19 August, based on Kaprow's clandestine and roguish conduct on August 14 through 16, which resulted in a directed verdict on the merits in favor of SOE.

35. Particularly telling about Kaprow's malicious intent and the frivolous nature of the lawsuit that Kaprow filed are the following findings and rulings:

- 
3. The complaint was not filed as a Petition for Emergency Injunctive Relief pursuant to Fla. R. Civ. P. 1.610 nor was the Rule cited in the complaint; and no separate Petition for Emergency Injunctive Relief was filed in this case pursuant to said Rule.
  4. Even if the Court were to consider the complaint as a hybrid pleading intended to be adjudicated pursuant to Fla. R. Civ. P. 1.610, the pleading failed to include the necessary language required, which indicates that the movant's attorney certify in writing any efforts that [had] been made to give notice [of said proceeding] and [if no notice given] reasons why notice should not be required; and counsel's representation to the Court that he attempted to give the required Notice does not negate this requirement.
  5. Moreover, if the complaint had been properly filed pursuant to Fla. R. Civ. P. 1.610, insufficient evidence was presented during the hearing to sustain the injunction entered by the Court.

36. A full and complete copy of the Court's 19 August 2024 order is attached and identified as **Exhibit 4** to this pleading.

37. The Court's 19 August 2024 order constitutes a full adjudication on the merits in favor of SOE, which satisfies the requirements to pursue this abuse of process claim.

38. In addition to the Court's 19 August 2024 order, Kaprow filed a Notice of Voluntary Dismissal of the August 14<sup>th</sup> lawsuit with prejudice, further solidifying the requirement that there be a full adjudication on the merits in favor of SOE.

39. SOE has suffered financial and other harm as a direct and proximate cause of Kaprow's acts and omissions alleged herein, including in the exhibits attached to this pleading.

WHEREFORE, the Seminole County Supervisor of Elections demands judgment in its favor and against Philip S. Kaprow for all economic and noneconomic damages available to it under the laws of the State of Florida, including attorneys' fees, and related litigation expenses, together with such further and additional relief this Court deems just.

### **COUNT III – BREACH FIDUCIARY DUTY**

40. SOE adopts and realleges the allegations and statements that it made in paragraphs 1 through 13 as if fully set forth in this count.

41. This is a claim against Kaprow for breach of fiduciary duty under Florida law.

42. Kaprow, as a person licensed to practice law in the State of Florida, owes and continues to owe SOE (a former client) a fiduciary duty to take all steps reasonably necessary and appropriate to not disclose attorney client privileged information, to protect his clients confidences and interests, to protect privileged work product developed on behalf of a client, and to not convert information (privileged, confidential, and otherwise) of the client for his own personal use.

43. Kaprow, using privileged and other information that he obtained while representing SOE, filed a lawsuit captioned *Mike Towers v. Christopher D. Anderson, individually and in his official capacity as Seminole County Supervisor of Elections*, Case No. 2024-CA-1571, which he filed in the Circuit Court of the 18<sup>th</sup> Judicial Circuit, in and for Seminole County, Florida; a copy of the Complaint that Kaprow filed on 14 August 2024 is affixed and identified as ***Exhibit 1*** to this counterclaim.

44. Kaprow not only used confidential and privileged information and work product to prepare and pursue this lawsuit, but he also disclosed such information during an evidentiary hearing on 19 August 2024.

45. SOE raised, during the 19 August hearing, a conflict-of-interest objection to Kaprow's participation in the evidentiary hearing and continued use of confidential and privileged information that he learned while he was counsel to SOE; i.e., SOE moved to disqualify Kaprow during the hearing.

46. Kaprow chose to ignore the objection and notification that he was violating his ethical obligations to SOE and continued to divulge privileged information.

47. Additionally, the pleading that Kaprow filed initiating the instant lawsuit is rife with information and remarks that would be covered by the attorney client privileged and subject his duty to maintain the confidences of his client, SOE.

48. Kaprow has breached his fiduciary duty to SOE by virtue of the acts and omissions alleged herein, as he had both an ethical and a legal obligation to protect privileged information learned during the course of his representation of SOE and to take active steps to not disclose that information to third parties, let alone in a public forum.

49. SOE has suffered financial and other harm as a direct and proximate cause of Kaprow's acts and omissions alleged herein, including in the exhibits attached to this pleading.

WHEREFORE, the Seminole County Supervisor of Elections demands judgment in its favor and against Philip S. Kaprow for all economic and noneconomic damages available to it under the laws of the State of Florida, including attorneys' fees, and related litigation expenses, together with such further and additional relief this Court deems just.

Respectfully submitted,

/s/ Kevin K. Ross-Andino

Kevin K. Ross, FBN 66214

teamross@eclatlw.com

éclat law PA

851 South State Road 434, STE 1070-321

Altamonte Springs, Florida 32714

Phone: (407) 636-7004

Co-Counsel for Supervisor of Elections

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the foregoing was filed with the Clerk of the Court this 26th day of August 2024 by using the Florida Courts E-Filing Portal System. Accordingly, a copy of the foregoing is being served on this day to all attorney(s)/interested parties identified on the ePortal Electronic Service List, via transmission of Notices of Electronic Filing generated by the ePortal System.

/s/ Kevin K. Ross-Andino  
Kevin K. Ross-Andino

UNOFFICIAL

# Exhibit I

UNOFFICIAL

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY FLORIDA**

**MICHAEL TOWERS,**  
Plaintiff

Case Number:

v.

**CHRISTOPHER D. ANDERSON,**  
individually and in his official capacity  
as **SEMINOLE COUNTY SUPERVISOR  
OF ELECTIONS**

---

VERIFIED COMPLAINT FOR EMERGENCY TEMPORARY AND  
PERMANENT INJUNCTIVE RELIEF AND DECLARATORY JUDGMENT

Plaintiff, MICHAEL TOWERS (“Towers”) by and through his undersigned counsel, sues CHRISTOPHER D. ANDERSON, individually and in his official capacity as SEMINOLE COUNTY SUPERVISOR OF ELECTIONS, and states:

1. This is a complaint for Emergency And Permanent Injunctive Relief and Declaratory Judgment, to enjoin violations of §102.031 and §104.31 *Florida Statutes*.

2. Plaintiff Towers is a registered voter in, and a resident of, Seminole County, Florida.

3. Defendant CHRISTOPHER D. ANDERSON (“SOE”), is the current sitting Supervisor of Elections for Seminole County, Florida, and is currently on the ballot for the Primary Elections which are currently in the early voting period, followed by the Primary Election Day, August 20, 2024.

4. In addition to being the sitting supervisor of elections, SOE is also currently on the ballot with a primary challenger, Amy Pennock.

5. Towers has personally and through his company provided financial support of candidate Pennock, and as such, has standing as a result of the special damages he will suffer, as set forth more fully below.

6. §102.031(4)(a) *Florida Statutes* states, “No person, political committee, or other group or organization may solicit voters inside the polling place or within 150 feet of a secure ballot intake station or the entrance to any polling place...”

7. §102.031(4)(b) *Florida Statutes* states, “For the purpose of this subsection, the terms ‘solicit’ or ‘solicitation’ shall include, but not be limited to, seeking or attempting to seek any vote, fact, opinion, or contribution;...; and engaging in any activity with the intent to influence or effect of influencing a voter.”

8. §104.031(1) *Florida Statutes* states, “No officer or employee of the state or of any county or municipality thereof, except as hereinafter exempted from provision here, shall: (a) Use his or her official authority or influence for the purpose of interfering with an election or a nomination of office or coercing or influencing another person’s vote or affecting the result thereof.”

9. §104.031(2) *Florida Statutes* states, “An employee of the state or any political subdivision may not participate in any political campaign for an elective office while on duty.”

10. In the months leading up to the election, SOE has taken the following actions, which are improperly violative of the foregoing statutes:

- a. Replaced signage at the front of the main office of the Supervisor of Elections, which promotes his name in a substantially larger font than that of the office. The signage is within the 150 foot No Solicitation Zone of the Supervisor’s Office, an early voting poll site. A true and correct image of the signage taken directly from the website [www.voteseminole.gov](http://www.voteseminole.gov), is attached hereto as Exhibit “A” and incorporated by reference herein.
- b. Placed his name on signage at all polling locations including the “Early Voting Here” sandwich board signage. The signage is within the 150 foot No Solicitation Zone of each of the early poll sites, and will be within the 150 foot No Solicitation Zone of each poll site on August 20, 2024. A true and correct image of the signage is attached hereto as Exhibit “B” and incorporated by reference herein.
- c. Placed his name on the “Secure Ballot Intake Station” signage. The signage is placed within the 150 foot No Solicitation Zone at each

of the early voting sites. A true and correct image of the signage is attached hereto as Exhibit “C” and incorporated by reference herein.

- d. Placed his official name and logo on the sample ballots, which voters are welcome to take into the polling locations, and are of a size and nature which are disproportionate to any of the other lettering on the page, and which makes the sample ballot no longer exactly match the voting ballot. A true and correct image of the sample ballot is attached hereto as Exhibit “D” and incorporated by reference herein.
- e. Replaced logos on the front door to the Supervisor of Elections’ Office with logos that have his name in a larger font than previously provided.
- f. On August 13, 2024, was inside the early voting location at the Supervisor of Elections office, as one observer described it, “Although Mr. Anderson is running for election, he was greeting voters and shaking their hands as they received their ballot – a lot like he was a candidate shaking hands. Totally Inappropriate.” A true and correct copy of Deborah Bracknell’s Facebook post and image of her comment card is attached hereto as Exhibit “E” and incorporated by reference herein.

g. Placed logos with his name on the inside of the secret ballot stations.

As it is unlawful to take photographs inside the poll station pursuant to Florida law, attached as Exhibit “F” and incorporated by reference herein is the Affidavit of Charlotte Sladek in support of the Injunctive Relief.

11. The emergency nature of the Complaint is the ongoing early voting process and the Primary Election scheduled for August 20, 2024, six days from today, which makes service of process prior to action by the Court impractical and extremely prejudicial.

12. Plaintiff is entitled to injunctive and declaratory relief because, as an active and financial supporter of an opposing candidate in the current election, Plaintiff’s contributions and support are being undermined by the unlawful and improper actions by the incumbent; this places the Plaintiff at a different measure of loss over the general public.

13. Further, the Supervisor and the poll clerks would normally be expected to handle and maintain control at the polling locations, but in this case, the Supervisor is the putative bad actor, thus absent court intervention, there is no other place for redress. Public policy dictates that the Courts entertain this action in light of the emergent nature and the absence of other redress.

14. Attached hereto as Exhibit “G” and incorporated by reference herein, is the affidavit of Michael Towers in support of the emergency relief sought.

**COUNT I**  
**INJUNCTIVE RELIEF**

15. Plaintiff restates paragraphs 1 through 13, inclusive, as if they were set forth herein in the entirety.

16. SOE has stated numerous times that they “are” the office, and as such, they have blended their candidacy with their role as the constitutional officer to a point where they are inextricably intertwined in this set of circumstances.

17. Historically both SOE and his predecessor has traditionally avoided the types of actions to which they have engaged.

18. SOE has forced other candidates to remove their photo from city hall in the case of municipal election candidates, and to cover up any campaign related shirts in order to enter the polling sites, thereby suggesting that the behaviors enumerated herein were openly and notoriously malicious, willful, and wanton.

19. Failing to take immediate action could result in jeopardizing the integrity of the entire voting process for this primary election.

20. Plaintiff will suffer irreparable harm in the absence of court intervention.

21. Plaintiff has no adequate remedy at law or equity in the absence of injunctive relief.

22. Based on the allegations above, Plaintiff has a substantial likelihood of success on the merits.

23. As a result, a temporary injunction will serve the public interest.

24. Plaintiff requests only a minimum bond be required, if at all.

25. Because of the proximity to the early voting period, which is ongoing, and the primary election date being 6 days away, Plaintiff requests emergency consideration of an injunction, and to be expedited for hearing on a Preliminary Injunction.

WHEREFORE, Plaintiff demands this Court issue a temporary injunction against CHRISTOPHER D. ANDERSON, individually, and as SEMINOLE COUNTY SUPERVISOR OF ELECTIONS, and order the immediate issuance of a Temporary Injunction which includes:

- A. Enjoining the display of any reference to the Supervisor's name on all collateral within the 150 foot no solicitation zone at all early voting and polling locations; and
- B. Enjoining CHRISTOPHER D. ANDERSON from directly engaging with voters in the process of voting within the 150 foot no solicitation zone or within the poll sites; and further enjoining CHRISTOPHER D.

ANDERSON from being physically present in the polling sites unless directly and actively engaged in the course of official business which cannot be addressed by any other staff member, in addition to any further remedy deemed proper by this Court.

**COUNT II**  
**DECLARATORY JUDGMENT**

26. Plaintiff restates paragraphs 1 through 13, inclusive as if there were set forth herein in the entirety.

27. There exists a bona fide, actual, present practical need for a declaration because of the ongoing early voting and proximity to the Primary election, which will be subsequently followed by the general election in November 2024.

28. There exists a controversy over what the Supervisor of Elections may do with respect to signage and operating within a polling site when said Supervisor is a candidate on the ballot for election.

29. A prejudicial effect based on the operations of SOE, if unchecked, is dependent on a determination by this Court with regard to what an incumbent candidate supervisor of elections may or may not do within the 150 foot no solicitation zone and the polling sites, as well as on sample ballots and other collateral materials paid for by the office.

30. There currently exists actual persons with adverse interests regarding the limitations on what an incumbent candidate supervisor of elections may or may

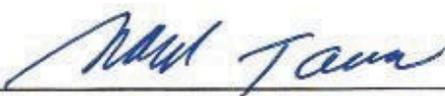
not do within the 150 foot no solicitation zone and the polling sites, as well as on sample ballots and other collateral materials paid for by the office.

31. The relief sought by this Court is not mere curiosity or in seeking a legal opinion from the Court, but rather because the parties are actually properly before this Court with a current and valid dispute as to the limitations on what an incumbent candidate supervisor of elections may or may not do within the 150 foot no solicitation zone and the polling sites, as well as on sample ballots and other collateral materials paid for by the office.

WHEREFORE, Plaintiff demands this Court issue a declaratory judgment indicating the limitations on what an incumbent candidate Supervisor of Elections can do within the 150 foot no solicitation zone and the polling sites, as well as on sample ballots and other collateral materials paid for by the office, in addition to any further remedy deemed proper by this Court.

**VERIFICATION PURSUANT TO §92.525(2)**

Under penalty of perjury, I declare that I have read the foregoing Verified Original Complaint and that the facts stated in it are true to the best of my know and belief.

  
\_\_\_\_\_  
Michael Towers

Date: 8-14-24

Respectfully submitted,

**KAPROW LAW, P.A.**  
5200 S. US Highway 17/92  
Suite 1000  
Casselberry, FL 32707



---

Philip S. Kaprow, Esq.  
Florida Bar Number 378940  
[pkaprow@kaprowlaw.com](mailto:pkaprow@kaprowlaw.com)  
[emma@kaprowlaw.com](mailto:emma@kaprowlaw.com)  
Attorney for Plaintiff

UNOFFICIAL

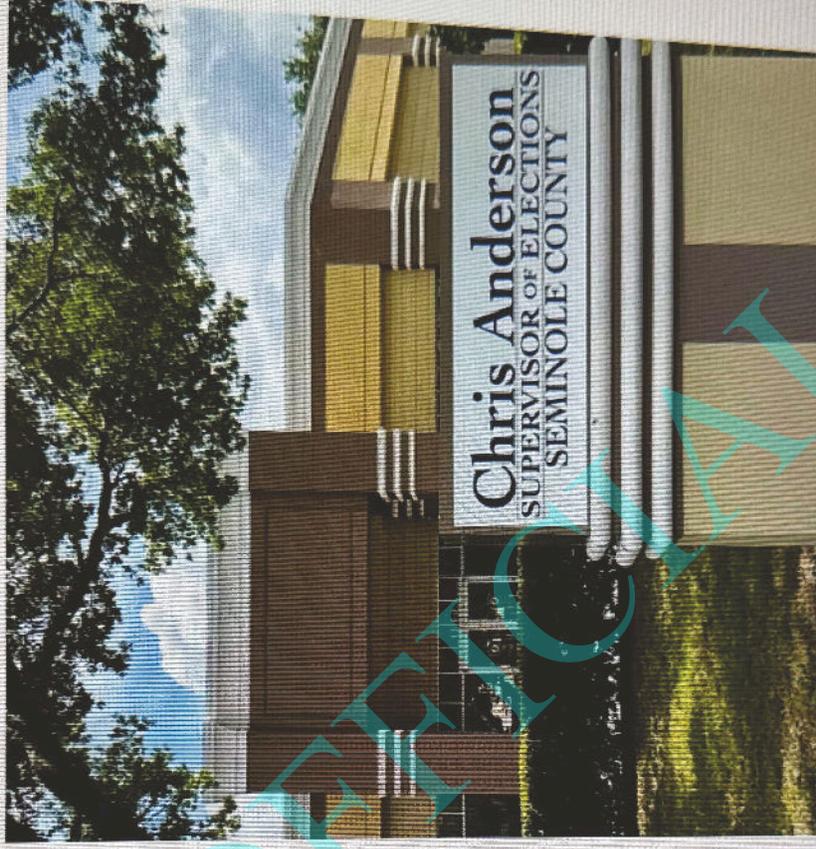
EXHIBIT "A"

UNOFFICIAL

# WELCOME TO SEMINOLE COUNTY

Thank you for visiting our website and for caring enough about our republic to be a registered and informed voter. Elections are the most important part of our American democracy. It's the time when we choose our leaders, the direction and future of our cities, county, state, and our country. To that end, our pledge to you is to deliver ELITE service to every voter by displaying EXCELLENCE in our organization, LEADING the way in voter trust, operating with INTEGRITY, providing TRANSPARENCY in our actions, and maintaining EFFICIENCY in all tasks. Our team has won national and international awards for running efficient, fair, and trusted elections. We are committed to Ensuring Your Choice Counts.

Chris Anderson  
Supervisor of Elections



## STAY UP TO DATE

Need help? Check to confirm if it's official at [OfficialElectionMail.org](http://OfficialElectionMail.org)

## REQUEST A MAIL BALLOT

EXHIBIT “B”

UNOFFICIAL

NOTICE

VIDEO SURVEILLANCE IN USE ON THESE PREMISES

STAND CLEAR  
AUTOMATIC SLIDING DOOR

© 2004  
[unreadable]  
[unreadable]

Chris Anderson  
**SUPERVISOR  
OF ELECTIONS**  
SEMINOLE COUNTY

**Early Voting  
Here**

**Votación  
Anticipada  
Aquí**



EXHIBIT “C”

UNOFFICIAL

**CHRIS ANDERSON**  
SUPERVISOR OF ELECTIONS

**PLEASE READ! IPOR FAVOR LEA!**

My name is Chris Anderson, I am the Supervisor of Elections for Seminole County, Florida. I am pleased to announce that we are now accepting applications for the position of Supervisor of Elections. The position is a full-time, permanent position and is located in the Seminole County Administration Center, 10000 Lake Nona Blvd., Suite 100, Lake Nona, FL 32159. The position is a highly visible and important position and is responsible for the day-to-day operations of the Supervisor of Elections Office. The position is a highly visible and important position and is responsible for the day-to-day operations of the Supervisor of Elections Office. The position is a highly visible and important position and is responsible for the day-to-day operations of the Supervisor of Elections Office.

**SECURE BALLOT  
INTAKE STATION**

*Qviedo  
Aquatic*

Chris Anderson  
**SUPERVISOR  
OF ELECTIONS**  
SEMINOLE COUNTY



**EXHIBIT “D”**

UNOFFICIAL

# Take this sample ballot with you into the voting booth for quicker voting

Lleve esta papeleta de muestra con usted a la cabina de votación para una votación más rápida



**Voting Tips:** 1) You are not required to vote on every contest on the ballot for your vote to count. You can choose to vote in every contest, or only one.  
 2) Amendment questions are written so voting 'yes' means to change the Constitution or Charter, while voting 'no' means to not change it.

preguntas de votación 1) No es necesario que vote en todas las contiendas en la papeleta para que su voto cuente. Puede elegir votar en todas, o solo en una. 2) Las preguntas de la enmienda se escriben para que votar "sí" signifique cambiar la Constitución o el Estatuto, mientras que votar "no" significa no cambiarlo.

049

Official de la Elección Primaria, FL  
 No Partidista, Condado de Seminole, FL

To vote, fill in the oval completely next to your choice. Use a blue or black pen, or the marking device provided in the voting booth. If you make a mistake, ask for a new ballot. Do not cross out or your vote may not count.  
 Para votar, rellene el óvalo completamente al lado de su selección. Utilice un bolígrafo azul o negro, o el instrumento provisto en la cabina de votación. Si comete un error, pida una nueva papeleta. No tache o su voto puede no ser contado.

<b>18th Judicial Circuit</b> Group 17 (Vote for One) Juez de Circuito Circuito Judicial 18 Grupo 17 (Vote por Uno) <input type="radio"/> Andrea Fant <input type="radio"/> Kristen Smith-Rodriguez	<b>School Board Member</b> District 3 (Vote for One) Miembro de la Junta Escolar Distrito 3 (Vote por Uno) <input type="radio"/> Stephanie Arguello <input type="radio"/> Kelly Critz <input type="radio"/> Abby Sanchez	<b>School Board Member</b> District 4 (Vote for One) Miembro de la Junta Escolar Distrito 4 (Vote por Uno) <input type="radio"/> Robin Dehlinger <input type="radio"/> Carl Tipton
--	--	---

OFFICIAL

**Chris Anderson**  
 SEMINOLE COUNTY SUPERVISOR OF ELECT



TO BE OPENED BY MEMBER ONLY

AAA MEMBER CONFIRMED FOR ELIGIBILITY

YOUR ELIGIBILITY HAS B

Follow instructions (inside) a  
 reply by date requested.

4/12/2016  
 Kaprow Tr 20708-4141

# Your Election

August 20, 2024

Polls are open... Su lugar de votación el día de las elecciones, 20 de agosto de 2024. Las urnas estarán abiertas de...

On Election Day voters in your precinct will vote at:  
El día de las elecciones, los votantes de su recinto deberán votar en:

### Precinct 49

New Covenant Church  
800 Tuskawilla Rd  
Winter Springs FL 32708



Take this sample ballot with you to an early voting center or on Election Day for a faster voting process.

Lleve esta papeleta de muestra con usted a un centro de votación anticipado o el día de las elecciones para un proceso de votación más rápido.

CHRIS ANDERSON  
Seminole County  
Supervisor of Elections  
P.O. Box 1479  
Sanford, FL 32772-1479  
407.585.VOTE (8683)



NonProfit Org  
US Postage Paid  
Seminole County  
Supervisor of Elections

238185 - P12 - T579

OFFICIALELECTIONMAIL.ORG

\*\*\*\*\*AUTO\*\*5-DIGIT 32708  
049.7049  
WEINSTEIN, HANNA J  
1005 ANTELOPE TRL  
WINTER SPRINGS FL 32708-4141

## Chris Anderson

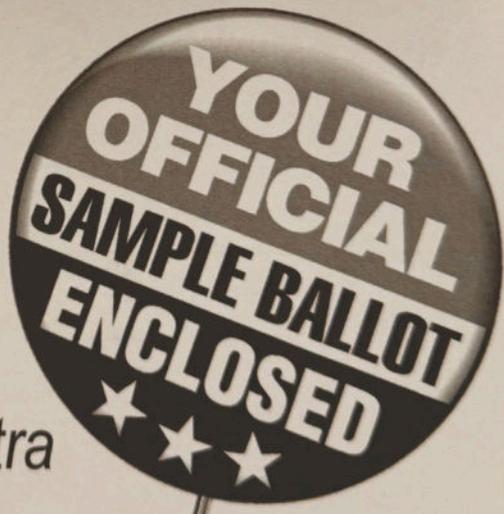
SEMINOLE COUNTY SUPERVISOR OF ELECTIONS

### Inside Your Sample Ballot:

- ✓ Your own personalized sample ballot
- ✓ How to vote early at an early voting center
- ✓ A detailed map to your Election Day precinct

### Dentro de su papeleta de muestra

- ✓ Su papeleta de muestra personalizada.
- ✓ Cómo votar temprano en un centro de votación anticipado.
- ✓ Un mapa detallado de su recinto electoral.



OFFICIALELECTIONMAIL.ORG



As our 8th... subject to the... the inherent risk... Experience reserv...

BE OPENED BY MEMBER ONLY  
CONFIRMED FOR ELIGIBILITY

EXHIBIT “E”

UNOFFICIAL

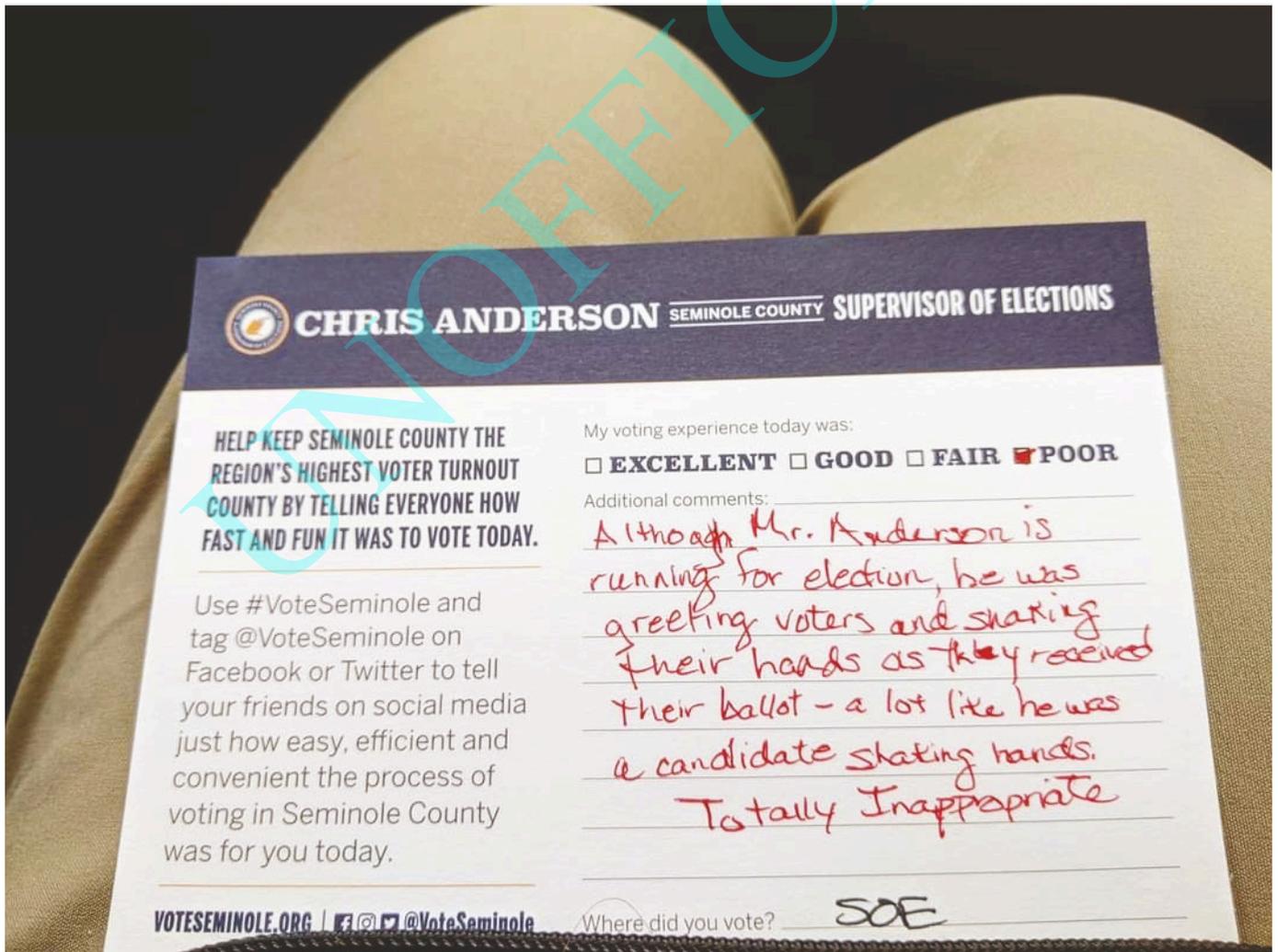


Deborah Bracknell



23m · 🌐

**#voteseminole** Dropped this in the mail today as soon as I voted. A candidate should not be trying to influence voters by standing there and shaking their hands. (Writing in a moving vehicle is hard.)



Like



Comment



Send



Share

**EXHIBIT “F”**

UNOFFICIAL

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY FLORIDA**

**MICHAEL TOWERS,**  
Plaintiff

Case Number:

v.

**CHRISTOPHER D. ANDERSON,**  
individually and in his official capacity as  
**SEMINOLE COUNTY SUPERVISOR OF  
ELECTIONS**

---

**AFFIDAVIT OF CHARLOTTE SLADEK IN SUPPORT OF  
INJUNCTIVE RELIEF**

AFFIANT, CHARLOTTE SLADEK, having been duly sworn states and attests as follows:

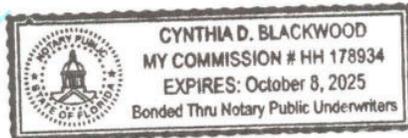
1. I am a resident of Seminole County, Florida and am over the age of eighteen (18).
2. I am a registered voter in Seminole County, Florida.
3. I voted in my first election on August 14, 2024 by voting in person at the Oviedo Library early voting site.
4. Inside the polling location, I was issued a ballot and instructed to vote in one of the privacy booths.

5. Upon walking up to the booth, I saw the name/logo of Christopher Anderson, Seminole County Supervisor of Elections, at the top of a piece of paper attached to the privacy divider such that it was the first thing I saw upon walking up to the booth. I didn't read much of the paper and don't remember what it was about, but I took note of Chris Anderson's logo/name in relatively large font at the top.
  
6. I did not see any other candidates' materials in the voting carousel.
  
7. In my opinion, his name/logo being prominently displayed felt to me like a form of campaign advertisement for Mr. Anderson, given he is on the ballot.

FURTHER AFFIANT SAYETH NAUGHT.

Charlotte Sladek  
Charlotte Sladek

STATE OF FLORIDA            )  
COUNTY OF SEMINOLE    )



Sworn to and subscribed before me in person on August 14, 2024 by Charlotte Sladek, who is \_\_\_ personally known to me or  who produced the following identification: FL DL.

Cynthia D. Blackwood  
Notary Public, State of Florida

**EXHIBIT “G”**

UNOFFICIAL

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY FLORIDA**

**MICHAEL TOWERS,**  
Plaintiff

Case Number:

v.

**CHRISTOPHER D. ANDERSON,**  
individually and in his official capacity as  
**SEMINOLE COUNTY SUPERVISOR OF  
ELECTIONS**

---

**AFFIDAVIT OF MICHAEL TOWERS IN SUPPORT OF  
INJUNCTIVE RELIEF**

AFFIANT, MICHAEL TOWERS, having been duly sworn states and attests as follows:

1. I am a resident of Seminole County, Florida and am over the age of eighteen (18).
2. I am a registered voter in Seminole County, Florida.
3. I have financially supported Amy Pennock as a candidate for Seminole County Supervisor of Elections.
4. I have personal knowledge of the facts and allegations set forth in the Complaint including the misuse of taxpayer dollars and inappropriate electioneering by the incumbent candidate supervisor of elections within the 150 foot no solicitation zone, as evidenced by Exhibits "A" through "E" inclusive, and have seen each of these items personally.
5. As a taxpayer and financial supporter of an opposing candidate, the improper actions of the supervisor of elections specially damage me by using my taxpayer dollars to undermine my support of the opposing candidate in the instant election.

6. Because of the ongoing early voting process and close proximity to Primary Election Day on Tuesday, August 20, 2024, an emergency injunction is required to avoid further prejudice to the integrity of the election process.
  
7. The actions described in my complaint blur the lines between candidate activity and official capacity activity to a point where the official capacity activity is perceived by myself and the general public as improper electioneering on behalf of the candidate with an intent to solicit support for the incumbent candidate supervisor within the 150 foot no solicitation zone and in the polling sites.

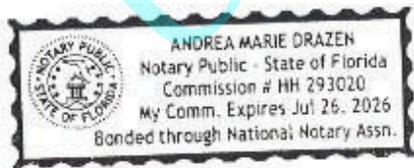
FURTHER AFFIANT SAYETH NAUGHT.



Michael Towers

STATE OF FLORIDA            )  
COUNTY OF SEMINOLE    )

Sworn to and subscribed before me in person on August 14, 2024 by Michael Towers, who is   X   personally known to me or        who produced the following identification:       N/A      .



Notary Public, State of Florida

# Exhibit II

UNOFFICIAL

**IN THE CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY, FLORIDA**

MICHAEL TOWERS,

Plaintiff,

v.

Case No. 2024 CA 1571

CHRISTOPHER D. ANDERSON,  
individually and in his official capacity  
as SEMINOLE COUNTY SUPERVISOR  
OF ELECTIONS,

Defendants.

\_\_\_\_\_ /

**AMENDED NOTICE OF FILING**

Defendant, Christopher D. Anderson, in his official capacity as Seminole County Supervisor of Elections, gives notice of filing as Exhibit 1, correspondence between the parties relative to *ex parte* communications between the trial court and counsel for Plaintiff, dated August 20, 2024.

Dated August 20, 2024.

Respectfully submitted,

*/s/ Leonard M. Collins*

\_\_\_\_\_  
Leonard M. Collins (FBN 423210)

GRAYROBINSON, P.A.

301 South Bronough Street, Suite 600

Tallahassee, Florida 32301

Telephone: 850-577-9090

leonard.collins@gray-robinson.com

vanessa.reichel@gray-robinson.com

*Attorney for Defendant, Christopher D.*

*Anderson, in his official capacity as Seminole  
County Supervisor of Elections*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been provided to the following via electronic mail on August 20, 2024.

Phillip S. Kaprow  
KAPROW LAW, P.A.  
5200 S. U.S. Highway 17/92, Suite 1000  
Casselberry, Florida 32707  
pkaprow@kaprowlaw.com  
*Attorney for Plaintiff*

Kevin K. Ross-Andino  
ÉCLAT LAW PA  
851 South State Road 434, Suite 1070-321  
Altamonte Springs, Florida 32714  
kevin.ross@eclatlw.com  
*Co-Counsel for Defendant*

*/s/ Leonard M. Collins*  
\_\_\_\_\_  
Leonard M. Collins (FBN 423210)  
GRAYROBINSON, P.A.

---

**From:** Leonard Collins  
**Sent:** Tuesday, August 20, 2024 4:24 PM  
**To:** Phil Kaprow  
**Cc:** Vanessa Reichel; Candace Brascomb; Kevin K. Ross-Andino  
**Subject:** Re: SERVICE OF COURT DOCUMENT 2024 CA 1571 Towers v. Christopher D. Anderson

Your questions do not make sense. I can't imagine that you somehow believe that we didn't scramble to prepare a response, review the law and guess as to what the hearing would concern. We were hired on Saturday and filed papers on Monday morning by 9. If you believe there is something improper, feel free to take whatever steps necessary to rectify that.

In terms of communications with you before the hearing, as you know Kevin objected to you serving as counsel based on your representation of the Office of the Supervisor and advice you gave in the position being inconsistent with the positions you are taking here and that you were or should have been disqualified.

I was under no obligation to speak to you, the hearing was set by court order. There was nothing to discuss. In addition, there are professionalism rules that preclude me from providing additional context to my response, but should it be necessary to address this with other officials, I would note that this isn't a complete response.

Nevertheless, we have every right to better understand the nature of the ex parte communications. Understanding what happened will guide our next steps.

Thank you,

On Aug 20, 2024, at 4:00 PM, Phil Kaprow <pkaprow@kaprowlaw.com> wrote:

**This message originated outside of GrayRobinson.**

---

Len:

I don't even know what that means. I asked you some simple questions. You ask for me to cooperate and extend professional courtesies, which, by the way, I have done throughout the process, and your response is anything but professional.

Again, I would appreciate an actual, rather than dismissive, response.

Philip S. Kaprow  
Kaprow Law, P.A.  
5200 South U.S Highway 17-92  
Casselberry, Florida 32707  
(407) 259-2726  
[pkaprow@kaprowlaw.com](mailto:pkaprow@kaprowlaw.com)



This e-mail may contain information protected by the attorney/client and work product privileges. It is intended only for the person named above. If the reader of this e-mail is not the intended recipient, or the person/agent responsible to deliver it to the intended recipient, you are hereby notified that any review, dissemination, distribution, or copying of this communication is prohibited. If this communication was received in error, please notify Kaprow Law, P.A. immediately by return e-mail. Kaprow Law, P.A. accepts no liability for the content of this e-mail, or for the consequences of any actions taken on the basis of the information provided, unless that information is subsequently confirmed in writing.

Additionally, although Kaprow Law, P.A. has taken reasonable precautions to ensure no viruses are present, computer viruses can be transmitted via e-mail. The company cannot accept responsibility for any loss or damage arising from the use of this e-mail or attachments. The recipient should check this e-mail and any attachments for the presence of viruses. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses.

---

**From:** Leonard Collins <leonard.collins@gray-robinson.com>  
**Sent:** Tuesday, August 20, 2024 3:53 PM  
**To:** Phil Kaprow <pkaprow@kaprowlaw.com>  
**Cc:** Vanessa Reichel <Vanessa.Reichel@gray-robinson.com>; Candace Brascomb <Candace.Brascomb@gray-robinson.com>; Kevin K. Ross-Andino <kevin.ross@eclatlaw.com>  
**Subject:** Re: SERVICE OF COURT DOCUMENT 2024 CA 1571 Towers v. Christopher D. Anderson

Phil,  
We will address all of this with the Court.

Thank you,

**Leonard Collins**  
Shareholder

**T** 850.577.9090  
**F** 850.577.3311



GrayRobinson, P.A. • 301 South Bronough Street, Suite 600, Tallahassee, Florida 32301

**GRAYROBINSON**  
ATTORNEYS | ADVISORS | CONSULTANTS

On Aug 20, 2024, at 3:38 PM, Phil Kaprow <[pkaprow@kaprowlaw.com](mailto:pkaprow@kaprowlaw.com)> wrote:

This message originated outside of GrayRobinson.

---

It wasn't a conversation per se. I waited in the hallway, someone came and took the proposed order, and a copy of the Verified Complaint.

After waiting an extended period of time, a deputy came out, asked me to follow him back to chambers.

Once in chambers (which by the way had an open door with the deputy and JA outside and well within earshot), the discussion was not about the case or the order, but rather about the fact that she received a call from the Chief judge with the assertion that she hadn't been moving on the case fast enough. I explained that I had no idea where that came from because I did not have any communication with the Chief Judge, and that I would never do something like that without making every attempt to resolve in person first. In fact, because I did not hear back from her JA was the reason I went down there in person.

She then explained that she granted in part and denied in part, and that she was scheduling a hearing on Monday. I understood that to mean that I needed to get the bond posted immediately and the parties served, which I did immediately after leaving the judge's chambers.

There was no conspiracy or attempt to willfully withhold information from anyone. The information we had lent itself to a belief that the activities were urgent and required an immediate action by the Court. I believe I attempted to reach both Candace Brascombe, and even put a call into Chris Carmody but reached no one.

On Saturday, I spoke with Damon Chase, and then spoke with your co-counsel Kevin Ross, and he advised me that he was unsure if he was even going to be taking the case.

I hope this clarifies things for you; in that same vein, can you provide me some insight...

You represented to the Court that you had not seen the complaint or the injunction, but you were retained on Saturday morning. You claimed you had no time to prepare, but you had time to draft a multi-page motion for reconsideration. You had access to my contact information, but did not see fit to file a Notice of Appearance or make a phone call to me to discuss your concerns. You represented that you couldn't figure out how to file the motion, but it is unfathomable that all of GrayRobinson doesn't have someone over the weekend that can assist you in an emergency filing.

It occurs to me that instead of taking steps to mitigate the injunction and/or seek a less intrusive alternative, that you allowed your client to languish and

scramble in the face of something that might have been resolvable or at least which could have had narrowed issues.

So my question for you is this: why didn't you take any of those numerous opportunities that you had to address this matter before the hearing?

Phil

Philip S. Kaprow  
Kaprow Law, P.A.  
5200 South U.S Highway 17-92  
Casselberry, Florida 32707  
(407) 259-2726  
[pkaprow@kaprowlaw.com](mailto:pkaprow@kaprowlaw.com)

<image001.png>

This e-mail may contain information protected by the attorney/client and work product privileges. It is intended only for the person named above. If the reader of this e-mail is not the intended recipient, or the person/agent responsible to deliver it to the intended recipient, you are hereby notified that any review, dissemination, distribution, or copying of this communication is prohibited. If this communication was received in error, please notify Kaprow Law, P.A. immediately by return e-mail. Kaprow Law, P.A. accepts no liability for the content of this e-mail, or for the consequences of any actions taken on the basis of the information provided, unless that information is subsequently confirmed in writing.

Additionally, although Kaprow Law, P.A. has taken reasonable precautions to ensure no viruses are present, computer viruses can be transmitted via e-mail. The company cannot accept responsibility for any loss or damage arising from the use of this e-mail or attachments. The recipient should check this e-mail and any attachments for the presence of viruses. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses.

---

**From:** Leonard Collins <[leonard.collins@gray-robinson.com](mailto:leonard.collins@gray-robinson.com)>

**Sent:** Tuesday, August 20, 2024 2:36 PM

**To:** Phil Kaprow <[pkaprow@kaprowlaw.com](mailto:pkaprow@kaprowlaw.com)>

**Cc:** Vanessa Reichel <[Vanessa.Reichel@gray-robinson.com](mailto:Vanessa.Reichel@gray-robinson.com)>; Candace Brascomb <[Candace.Brascomb@gray-robinson.com](mailto:Candace.Brascomb@gray-robinson.com)>; Kevin K. Ross-Andino <[kevin.ross@eclatlaw.com](mailto:kevin.ross@eclatlaw.com)>

**Subject:** Re: SERVICE OF COURT DOCUMENT 2024 CA 1571 Towers v. Christopher D. Anderson

One last question, did a court reporter record your conversation with Judge Goerner relative to entry of your proposed order?

Thank you,

**Leonard Collins**  
Shareholder

T 850.577.9090  
F 850.577.3311



GrayRobinson, P.A. • 301 South Bronough Street, Suite 600, Tallahassee, Florida 32301

**GRAYROBINSON**

ATTORNEYS | ADVISORS | CONSULTANTS

On Aug 20, 2024, at 2:01 PM, Phil Kaprow <[pkaprow@kaprowlaw.com](mailto:pkaprow@kaprowlaw.com)> wrote:

**This message originated outside of GrayRobinson.**

---

Seminole County Circuit Court; 2024 CA 1571  
Towers v. Christopher D. Anderson

Michael Towers Plaintiff, Christopher D. Anderson, Defendant

Attached is a copy of the only written communication I had with Judge Goerner's JA.

I do not read the rule as requiring me to go back in time, when the judge allowed for the communication. I believe under the rule, it is the Judge and JA that need to notate and file the same.

I believe that this accomplishes my obligations for service pursuant to the Rule.

If you disagree with my analysis, please provide your basis of that understanding. I am not saying that I won't provide the requested Notice of Filing, I am simply asking for you to provide me the basis by which you believe it is obligated, particularly when you are receiving service here.

Phil

Philip S. Kaprow  
Kaprow Law, P.A.  
5200 South U.S Highway 17-92

Casselberry, Florida 32707  
(407) 259-2726  
[pkaprow@kaprowlaw.com](mailto:pkaprow@kaprowlaw.com)

This e-mail may contain information protected by the attorney/client and work product privileges. It is intended only for the person named above. If the reader of this e-mail is not the intended recipient, or the person/agent responsible to deliver it to the intended recipient, you are hereby notified that any review, dissemination, distribution, or copying of this communication is prohibited. If this communication was received in error, please notify Kaprow Law, P.A. immediately by return e-mail. Kaprow Law, P.A. accepts no liability for the content of this e-mail, or for the consequences of any actions taken on the basis of the information provided, unless that information is subsequently confirmed in writing.

Additionally, although Kaprow Law, P.A. has taken reasonable precautions to ensure no viruses are present, computer viruses can be transmitted via e-mail. The company cannot accept responsibility for any loss or damage arising from the use of this e-mail or attachments. The recipient should check this e-mail and any attachments for the presence of viruses. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses.

---

**From:** Leonard Collins <[leonard.collins@gray-robinson.com](mailto:leonard.collins@gray-robinson.com)>  
**Sent:** Tuesday, August 20, 2024 1:47 PM  
**To:** Phil Kaprow <[pkaprow@kaprowlaw.com](mailto:pkaprow@kaprowlaw.com)>  
**Cc:** Vanessa Reichel <[Vanessa.Reichel@gray-robinson.com](mailto:Vanessa.Reichel@gray-robinson.com)>; Candace Brascomb <[Candace.Brascomb@gray-robinson.com](mailto:Candace.Brascomb@gray-robinson.com)>; Kevin K. Ross-Andino <[kevin.ross@eclatlaw.com](mailto:kevin.ross@eclatlaw.com)>  
**Subject:** Re: Towers v. Anderson, Case. No. 2024 CA 1571 - Letter from Len Collins

My letter cites to the rule, see the footnote.

In light of your response I will file a motion to compel compliance with the same.

Thank you,

**Leonard Collins**  
Shareholder

**T** 850.577.9090  
**F** 850.577.3311



GrayRobinson, P.A. • 301 South Bronough Street, Suite 600, Tallahassee, Florida 32301

## GRAYROBINSON

ATTORNEYS | ADVISORS | CONSULTANTS

On Aug 20, 2024, at 1:26 PM, Phil Kaprow  
<[pkaprow@kaprowlaw.com](mailto:pkaprow@kaprowlaw.com)> wrote:

**This message originated outside of GrayRobinson.**

Attorney Collins:

Please provide whatever rule or caselaw you have which requires this action to be done, particularly when uploading additional items at this time is not only moot, but also lends itself to bring about confusion for the judge and the record.

This is particularly true considering no Notice of Appearance had been filed at the time that we reached out to the JA.

Additionally, please note that your position on the issuance of a temporary injunction requiring a separate petition is incorrect. There is substantial caselaw which allows for the issuance of a temporary injunction based on a complaint or a separate emergency petition.

Finally, while I offer your congratulations on your victory yesterday, I personally found your demeanor towards both the judge and myself to be grossly inappropriate. I would not expect you to agree with our position or our claims, but the manner in which you made allegations about the judge's conduct as well as my own in the case was not consistent with your obligation to maintain the respect due to courts of justice and judicial officers.

If there is more activity to be had on the case at this time, I invite you to call me and we can have a conversation like professionals.

Very truly yours,

Phil

Philip S. Kaprow  
Kaprow Law, P.A.  
5200 South U.S Highway 17-92  
Casselberry, Florida 32707  
(407) 259-2726  
[pkaprow@kaprowlaw.com](mailto:pkaprow@kaprowlaw.com)

<image001.png>

This e-mail may contain information protected by the attorney/client and work product privileges. It is intended only for the person named above. If the reader of this e-mail is not the intended recipient, or the person/agent responsible to deliver it to the intended recipient, you are hereby notified that any review, dissemination, distribution, or copying of this communication is prohibited. If this communication was received in error, please notify Kaprow Law, P.A. immediately by return e-mail. Kaprow Law, P.A. accepts no liability for the content of this e-mail, or for the consequences of any actions taken on the basis of the information provided, unless that information is subsequently confirmed in writing.

Additionally, although Kaprow Law, P.A. has taken reasonable precautions to ensure no viruses are present, computer viruses can be transmitted via e-mail. The company cannot accept responsibility for any loss or damage arising from the use of this e-mail or attachments. The recipient should check this e-mail and any attachments for the presence of viruses. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses.

---

**From:** Vanessa Reichel <[Vanessa.Reichel@gray-robinson.com](mailto:Vanessa.Reichel@gray-robinson.com)>

**Sent:** Tuesday, August 20, 2024 12:31 PM

**To:** Phil Kaprow <[pkaprow@kaprowlaw.com](mailto:pkaprow@kaprowlaw.com)>

**Cc:** Leonard Collins <[leonard.collins@gray-robinson.com](mailto:leonard.collins@gray-robinson.com)>; Candace Brascomb

<[Candace.Brascomb@gray-robinson.com](mailto:Candace.Brascomb@gray-robinson.com)>; Kevin K.

Ross-Andino <[kevin.ross@eclatlaw.com](mailto:kevin.ross@eclatlaw.com)>

**Subject:** Towers v. Anderson, Case. No. 2024 CA 1571 -  
Letter from Len Collins

Good afternoon Mr. Kaprow,

Please see attached letter from Len Collins.

Thanks,  
Vanessa

**Vanessa Reichel**  
Paralegal

**T** 850.577.9090  
**F** 850.577.3311



---

GrayRobinson, P.A. • 301 South Bronough Street, Suite 600, Tallahassee, Florida 32301

**GRAYROBINSON**  
ATTORNEYS | ADVISORS | CONSULTANTS

This e-mail is intended only for the individual(s) or entity(s) named within the message. This e-mail might contain confidential information. If you properly received this e-mail as a client or retained expert, please hold the attorney-client or work product privileges. Should the intended recipient forward or disclose this message to any party, that action could constitute a waiver of the attorney-client privilege. If the reader of this message is not the intended recipient, you are hereby notified that any review, copying or distribution of this communication is prohibited by the sender and to do so might constitute a violation of the Privacy Act, 18 U.S.C. section 2510-2521. If this communication was received in error we apologize for the error. Please contact the sender by reply e-mail and delete the original message without reading same. Nothing in this e-mail message shall create an attorney-client relationship with the sender.

Leonard M. Collins | leonard.collins@gray-robinson.com | D 850-577-5487  
301 South Bronough Street, Suite 600, Tallahassee, Florida 32301 | T 850-577-9090 | F 850-577-3311

August 20, 2024

**VIA E-MAIL**

Philip S. Kaprow  
Kaprow Law, P.A.  
5200 S. U.S. Highway 17/92,  
Suite 1000  
Casselberry, Florida 32707  
pkaprow@kaprowlaw.com

Re: *Michael Towers v. Christopher D. Anderson*  
Case No. 2024 CA 1571

Dear Mr. Kaprow:

Please allow this letter to serve as a request that you immediately provide, through a notice of filing through the electronic portal, all correspondence, in particular proposed orders, request for meeting, *etc.*, sent to the Court (including Judge Goerner and her judicial assistant), including attachments—from the date of filing the Complaint by Mr. Towers to the issuance of the Court’s order granting the Complaint. To the extent that no correspondence was sent via email and instead you met with the Judge, or her judicial assistant and hand delivered material to them, please immediately file the same through the e-portal.<sup>1</sup>

Time is of the essence with regard to this issue. To the extent that such records are not of record by the close of business today, we will address the same with the court.

Thank you for your attention to this matter.

Sincerely,

*/s/ Leonard M. Collins*

Leonard M. Collins

cc: Kevin Ross-Andino  
Candace Brascomb

---

<sup>1</sup> See, Fla. R. Jud. Admin. 2.516.

**IN THE CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY, FLORIDA**

MICHAEL TOWERS,

Plaintiff,

v.

Case No. 2024 CA 1571

CHRISTOPHER D. ANDERSON,  
individually and in his official capacity  
as SEMINOLE COUNTY SUPERVISOR  
OF ELECTIONS,

Defendants.

\_\_\_\_\_ /

**AMENDED NOTICE OF FILING**

Defendant, Christopher D. Anderson, in his official capacity as Seminole County Supervisor of Elections, gives notice of filing as Exhibit 1, Plaintiff's *ex parte* correspondence to the Court, dated August 15, 2024.

Dated August 20, 2024.

Respectfully submitted,

/s/ Leonard M. Collins

Leonard M. Collins (FBN 423210)

GRAYROBINSON, P.A.

301 South Bronough Street, Suite 600

Tallahassee, Florida 32301

Telephone: 850-577-9090

leonard.collins@gray-robinson.com

vanessa.reichel@gray-robinson.com

*Attorney for Defendant, Christopher D.*

*Anderson, in his official capacity as Seminole  
County Supervisor of Elections*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been provided to the following via electronic mail on August 20, 2024.

Phillip S. Kaprow  
KAPROW LAW, P.A.  
5200 S. U.S. Highway 17/92, Suite 1000  
Casselberry, Florida 32707  
pkaprow@kaprowlaw.com  
*Attorney for Plaintiff*

Kevin K. Ross-Andino  
ÉCLAT LAW PA  
851 South State Road 434, Suite 1070-321  
Altamonte Springs, Florida 32714  
kevin.ross@eclatlw.com  
*Co-Counsel for Defendant*

*/s/ Leonard M. Collins*  
\_\_\_\_\_  
Leonard M. Collins (FBN 423210)  
GRAYROBINSON, P.A.

# **Exhibit 1**

UNOFFICIAL

---

**From:** Phil Kaprow <pkaprow@kaprowlaw.com>  
**Sent:** Thursday, August 15, 2024 10:31 AM  
**To:** dawn.stallworth@flcourts18.org  
**Subject:** 2024 CA 1571 Towers v. Christopher D. Anderson  
**Attachments:** Proposed Order on Temporary Injunction.docx; 204750213 Complaint (File This First).pdf

**Importance:** High

Ms. Stallworth:

The above referenced matter was filed via an Emergency Verified Complaint for Injunctive and Declaratory Relief this morning.

I am unsure of the judge's procedures on emergency injunctions, however, because of the time sensitive nature of the issue in light of the current early voting period and Primary Election day scheduled for next Tuesday, August 20, 2024, I am provide you with a courtesy copy of the Complaint and a Proposed Order for Temporary Injunctive relief.

My cell phone is 407-415-0218 should you require any additional information. I appreciate the expedient consideration, and look forward to hearing from you should the need arise.

Very truly yours,

Phil

Philip S. Kaprow  
Kaprow Law, P.A.  
5200 South U.S Highway 17-92  
Casselberry, Florida 32707  
(407) 259-2726  
[pkaprow@kaprowlaw.com](mailto:pkaprow@kaprowlaw.com)



This e-mail may contain information protected by the attorney/client and work product privileges. It is intended only for the person named above. If the reader of this e-mail is not the intended recipient, or the person/agent responsible to deliver it to the intended recipient, you are hereby notified that any review, dissemination, distribution, or copying of this communication is prohibited. If this communication was received in error, please notify Kaprow Law, P.A. immediately by return e-mail. Kaprow Law, P.A. accepts no liability for the content of this e-mail, or for the consequences of any actions taken on the basis of the information provided, unless that information is subsequently confirmed in writing.

Additionally, although Kaprow Law, P.A. has taken reasonable precautions to ensure no viruses are present, computer viruses can be transmitted via e-mail. The company cannot accept responsibility for any loss or damage arising from the use of this e-mail or attachments. The recipient should check this e-mail and any attachments for the presence of viruses. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses.

UNOFFICIAL

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY FLORIDA**

**MICHAEL TOWERS,**  
Plaintiff

Case Number: 2024 CA 1571

v.

**CHRISTOPHER D. ANDERSON,**  
individually and in his official capacity  
as **SEMINOLE COUNTY SUPERVISOR  
OF ELECTIONS,**  
Defendant

---

**ORDER GRANTING PLAINTIFF'S EMERGENCY EXPARTE VERIFIED  
COMPLAINT FOR TEMPORARY INJUNCTION**

**THIS CAUSE**, having come before the Court on Plaintiff's Verified Complaint For Emergency Temporary and Permanent Injunctive Relief and Declaratory Judgment, the Court, having reviewed the Verified Complaint, its exhibits and attachments, including consideration of the affidavits provided therein, and being otherwise fully advised in the premises,

**FINDS AS FOLLOWS:**

1. This is an action for declaratory judgment and injunctive relief, brought by Plaintiff, MICHAEL TOWERS ("Towers") against CHRISTOPHER D. ANDERSON, individually and in his official capacity at SEMINOLE COUNTY SUPERVISOR OF ELECTIONS ("SOE"). Plaintiffs seek an injunction to prohibit

what is alleged to be violations of §102.31 and §104.31 *Florida Statutes*.

2. Pursuant to Fla. R. Civ. P. 1.610, Plaintiff have the express right to seek and obtain temporary injunctive relief from this Court and the Court has the express right to enter injunctions to protect the Plaintiff's, and the voters of Seminole County's, legitimate interests.

3. From the record, it appears that SOE has intermingled the official actions of the Supervisor with that of an incumbent candidate in a manner which is likely to be confusing to the voters and which has already been interpreted by voters as actively campaigning within the polling locations.

4. From the record, it appears that SOE has engaged in activity which is facially prohibited under §102.031 and §104.31, by engaging directly with voters within the 150 Foot No Solicitation Zone and the polling locations, in a manner which falls within the definition of soliciting under §102.031(4)(b) by greeting voters and introducing himself as voters are receiving ballots, and by having a recently implemented logo with his name in a font substantially larger than the remainder of the office logo, all of which has been recently implemented, in numerous locations throughout the polling site and within the 150 Foot No Solicitation Zone.

5. Plaintiff will suffer irreparable harm if SOE is not enjoined from displaying any reference to the Supervisor's name on any collateral within the 150 Foot No Solicitation Zone at all early voting and, for election day, all polling locations,

and further enjoining SOE from directly engaging with voters in the process of voting within the 150 Foot No Solicitation Zone or within the polling locations unless directly and actively engaged in the course of official business which cannot be addressed by any other staff member.

6. Plaintiff will have no adequate remedy at law and is likely to succeed on the merits of the case.

7. Greater harm would be inflicted upon Plaintiff by the denial of temporary injunctive relief than would be inflicted on Defendants by the granting of such relief.

8. It is in the best interest of the public to restrain the Defendant from interfering with the election process in any way.

9. Because of the ongoing early voting and proximity of the Primary Election in 5 days, the Court finds that temporary action on an ex-parte basis is appropriate until such time as a full hearing on a Preliminary Injunction may be heard.

Accordingly, it is therefore, hereby:

**ORDERED AND ADJUDGED:**

1. The Court **GRANTS** a **TEMPORARY INJUNCTION** based on the pleadings and exhibits of the Emergency Verified Complaint Seeking Injunctive and Declaratory Relief.
2. Defendant SOE, are immediately enjoined and restrained, directly and

indirectly, from the following:

- a. Displaying any reference to the Supervisor of Election's name on any collateral within the 150 foot No Solicitation Zone at all early voting and polling locations, other than as a candidate on the ballots to be voted during the primary election, and then only on the portion of the ballot where voters cast their vote for Supervisor of Elections. All collateral of any type or nature will need to be properly removed or covered up immediately upon entry of this Order.
- b. Engaging with any voter who is in the Active Process of voting, unless the Supervisor is directly and actively engaging in the course of official business which cannot be addressed by an other staff member of the Office of the Seminole County Supervisor of Elections. As used in this provision, the Court intends the term "Active Process of voting" to mean any voter that is, at any time during open hours of the polling locations, inside the 150 Foot No Solicitation Zone until such time as they have exited the 150 Foot No Solicitation Zone, including any time that they are within the polling location itself. Specifically excluded from this provision, however, are voters which are within the Canvassing Board room, located in the back of the Seminole County Supervisor of Elections Office.

- c. Visiting or being otherwise physically present in the polling sites unless directly and actively engaged in the course of official business which cannot be addressed by any other staff member of the Office of the Seminole County Supervisor of Elections.
3. Florida Rule of Civil Procedure 1.610 requires a bond to be posted by a party moving for a temporary injunction. The Court hereby requires that Plaintiffs post a cash bond of \$100 with the Clerk of the Court conditioned upon the payment of all costs and damages sustained by the Defendants if the Defendants were wrongfully enjoined by this Order.
4. This injunction is entered this \_\_\_\_ day of August, 2024 in Chambers at Seminole County, Florida, and shall expire no earlier than November 6, 2024, unless modified or extended by such further Order of this Court.
5. A preliminary injunction hearing shall occur on this matter on August \_\_\_\_, 2024 at \_\_\_\_:\_\_\_\_ for a period of 90 minutes, at which time the Court will take evidence and a determination made on a Preliminary Injunction.

6. A copy of this Order shall be served upon Defendants, along with a copy of the Complaint, and, if prepared by the Clerk, the Summonses, at the earliest opportunity immediately following the entry of this Order. The Sherriff is asked to expedite the delivery of the same to the earliest possible time.

**DONE AND ORDERED** in Chambers at Sanford, Seminole County, Florida, this \_\_\_\_\_, August \_\_\_\_, 2024.

---

Donna Goerner, Circuit Judge

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing was furnished via e-mail and/or the e-filing portal to Philip S. Kaprow, counsel for Plaintiff, [pkaprow@kaprowlaw.com](mailto:pkaprow@kaprowlaw.com) and [emma@kaprowlaw.com](mailto:emma@kaprowlaw.com), on August \_\_\_\_, 2024.

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY FLORIDA**

**MICHAEL TOWERS,**  
Plaintiff

Case Number:

v.

**CHRISTOPHER D. ANDERSON,**  
individually and in his official capacity  
as **SEMINOLE COUNTY SUPERVISOR  
OF ELECTIONS**

---

**VERIFIED COMPLAINT FOR EMERGENCY TEMPORARY AND  
PERMANENT INJUNCTIVE RELIEF AND DECLARATORY JUDGMENT**

Plaintiff, MICHAEL TOWERS (“Towers”) by and through his undersigned counsel, sues CHRISTOPHER D. ANDERSON, individually and in his official capacity as SEMINOLE COUNTY SUPERVISOR OF ELECTIONS, and states:

1. This is a complaint for Emergency And Permanent Injunctive Relief and Declaratory Judgment, to enjoin violations of §102.031 and §104.31 *Florida Statutes*.

2. Plaintiff Towers is a registered voter in, and a resident of, Seminole County, Florida.

3. Defendant CHRISTOPHER D. ANDERSON (“SOE”), is the current sitting Supervisor of Elections for Seminole County, Florida, and is currently on the ballot for the Primary Elections which are currently in the early voting period, followed by the Primary Election Day, August 20, 2024.

4. In addition to being the sitting supervisor of elections, SOE is also currently on the ballot with a primary challenger, Amy Pennock.

5. Towers has personally and through his company provided financial support of candidate Pennock, and as such, has standing as a result of the special damages he will suffer, as set forth more fully below.

6. §102.031(4)(a) *Florida Statutes* states, “No person, political committee, or other group or organization may solicit voters inside the polling place or within 150 feet of a secure ballot intake station or the entrance to any polling place...”

7. §102.031(4)(b) *Florida Statutes* states, “For the purpose of this subsection, the terms ‘solicit’ or ‘solicitation’ shall include, but not be limited to, seeking or attempting to seek any vote, fact, opinion, or contribution;...; and engaging in any activity with the intent to influence or effect of influencing a voter.”

8. §104.031(1) *Florida Statutes* states, “No officer or employee of the state or of any county or municipality thereof, except as hereinafter exempted from provision here, shall: (a) Use his or her official authority or influence for the purpose of interfering with an election or a nomination of office or coercing or influencing another person’s vote or affecting the result thereof.”

9. §104.031(2) *Florida Statutes* states, “An employee of the state or any political subdivision may not participate in any political campaign for an elective office while on duty.”

10. In the months leading up to the election, SOE has taken the following actions, which are improperly violative of the foregoing statutes:

- a. Replaced signage at the front of the main office of the Supervisor of Elections, which promotes his name in a substantially larger font than that of the office. The signage is within the 150 foot No Solicitation Zone of the Supervisor’s Office, an early voting poll site. A true and correct image of the signage taken directly from the website [www.voteseminole.gov](http://www.voteseminole.gov), is attached hereto as Exhibit “A” and incorporated by reference herein.
- b. Placed his name on signage at all polling locations including the “Early Voting Here” sandwich board signage. The signage is within the 150 foot No Solicitation Zone of each of the early poll sites, and will be within the 150 foot No Solicitation Zone of each poll site on August 20, 2024. A true and correct image of the signage is attached hereto as Exhibit “B” and incorporated by reference herein.
- c. Placed his name on the “Secure Ballot Intake Station” signage. The signage is placed within the 150 foot No Solicitation Zone at each

of the early voting sites. A true and correct image of the signage is attached hereto as Exhibit “C” and incorporated by reference herein.

- d. Placed his official name and logo on the sample ballots, which voters are welcome to take into the polling locations, and are of a size and nature which are disproportionate to any of the other lettering on the page, and which makes the sample ballot no longer exactly match the voting ballot. A true and correct image of the sample ballot is attached hereto as Exhibit “D” and incorporated by reference herein.
- e. Replaced logos on the front door to the Supervisor of Elections’ Office with logos that have his name in a larger font than previously provided.
- f. On August 13, 2024, was inside the early voting location at the Supervisor of Elections office, as one observer described it, “Although Mr. Anderson is running for election, he was greeting voters and shaking their hands as they received their ballot – a lot like he was a candidate shaking hands. Totally Inappropriate.” A true and correct copy of Deborah Bracknell’s Facebook post and image of her comment card is attached hereto as Exhibit “E” and incorporated by reference herein.

g. Placed logos with his name on the inside of the secret ballot stations.

As it is unlawful to take photographs inside the poll station pursuant to Florida law, attached as Exhibit “F” and incorporated by reference herein is the Affidavit of Charlotte Sladek in support of the Injunctive Relief.

11. The emergency nature of the Complaint is the ongoing early voting process and the Primary Election scheduled for August 20, 2024, six days from today, which makes service of process prior to action by the Court impractical and extremely prejudicial.

12. Plaintiff is entitled to injunctive and declaratory relief because, as an active and financial supporter of an opposing candidate in the current election, Plaintiff’s contributions and support are being undermined by the unlawful and improper actions by the incumbent; this places the Plaintiff at a different measure of loss over the general public.

13. Further, the Supervisor and the poll clerks would normally be expected to handle and maintain control at the polling locations, but in this case, the Supervisor is the putative bad actor, thus absent court intervention, there is no other place for redress. Public policy dictates that the Courts entertain this action in light of the emergent nature and the absence of other redress.

14. Attached hereto as Exhibit “G” and incorporated by reference herein, is the affidavit of Michael Towers in support of the emergency relief sought.

**COUNT I**  
**INJUNCTIVE RELIEF**

15. Plaintiff restates paragraphs 1 through 13, inclusive, as if they were set forth herein in the entirety.

16. SOE has stated numerous times that they “are” the office, and as such, they have blended their candidacy with their role as the constitutional officer to a point where they are inextricably intertwined in this set of circumstances.

17. Historically both SOE and his predecessor has traditionally avoided the types of actions to which they have engaged.

18. SOE has forced other candidates to remove their photo from city hall in the case of municipal election candidates, and to cover up any campaign related shirts in order to enter the polling sites, thereby suggesting that the behaviors enumerated herein were openly and notoriously malicious, willful, and wanton.

19. Failing to take immediate action could result in jeopardizing the integrity of the entire voting process for this primary election.

20. Plaintiff will suffer irreparable harm in the absence of court intervention.

21. Plaintiff has no adequate remedy at law or equity in the absence of injunctive relief.

22. Based on the allegations above, Plaintiff has a substantial likelihood of success on the merits.

23. As a result, a temporary injunction will serve the public interest.

24. Plaintiff requests only a minimum bond be required, if at all.

25. Because of the proximity to the early voting period, which is ongoing, and the primary election date being 6 days away, Plaintiff requests emergency consideration of an injunction, and to be expedited for hearing on a Preliminary Injunction.

WHEREFORE, Plaintiff demands this Court issue a temporary injunction against CHRISTOPHER D. ANDERSON, individually, and as SEMINOLE COUNTY SUPERVISOR OF ELECTIONS, and order the immediate issuance of a Temporary Injunction which includes:

- A. Enjoining the display of any reference to the Supervisor's name on all collateral within the 150 foot no solicitation zone at all early voting and polling locations; and
- B. Enjoining CHRISTOPHER D. ANDERSON from directly engaging with voters in the process of voting within the 150 foot no solicitation zone or within the poll sites; and further enjoining CHRISTOPHER D.

ANDERSON from being physically present in the polling sites unless directly and actively engaged in the course of official business which cannot be addressed by any other staff member, in addition to any further remedy deemed proper by this Court.

**COUNT II**  
**DECLARATORY JUDGMENT**

26. Plaintiff restates paragraphs 1 through 13, inclusive as if there were set forth herein in the entirety.

27. There exists a bona fide, actual, present practical need for a declaration because of the ongoing early voting and proximity to the Primary election, which will be subsequently followed by the general election in November 2024.

28. There exists a controversy over what the Supervisor of Elections may do with respect to signage and operating within a polling site when said Supervisor is a candidate on the ballot for election.

29. A prejudicial effect based on the operations of SOE, if unchecked, is dependent on a determination by this Court with regard to what an incumbent candidate supervisor of elections may or may not do within the 150 foot no solicitation zone and the polling sites, as well as on sample ballots and other collateral materials paid for by the office.

30. There currently exists actual persons with adverse interests regarding the limitations on what an incumbent candidate supervisor of elections may or may

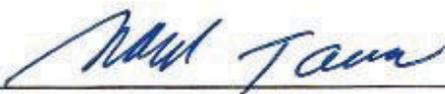
not do within the 150 foot no solicitation zone and the polling sites, as well as on sample ballots and other collateral materials paid for by the office.

31. The relief sought by this Court is not mere curiosity or in seeking a legal opinion from the Court, but rather because the parties are actually properly before this Court with a current and valid dispute as to the limitations on what an incumbent candidate supervisor of elections may or may not do within the 150 foot no solicitation zone and the polling sites, as well as on sample ballots and other collateral materials paid for by the office.

WHEREFORE, Plaintiff demands this Court issue a declaratory judgment indicating the limitations on what an incumbent candidate Supervisor of Elections can do within the 150 foot no solicitation zone and the polling sites, as well as on sample ballots and other collateral materials paid for by the office, in addition to any further remedy deemed proper by this Court.

**VERIFICATION PURSUANT TO §92.525(2)**

Under penalty of perjury, I declare that I have read the foregoing Verified Original Complaint and that the facts stated in it are true to the best of my know and belief.

  
\_\_\_\_\_  
Michael Towers

Date: 8-14-24

Respectfully submitted,

**KAPROW LAW, P.A.**  
5200 S. US Highway 17/92  
Suite 1000  
Casselberry, FL 32707



---

Philip S. Kaprow, Esq.  
Florida Bar Number 378940  
[pkaprow@kaprowlaw.com](mailto:pkaprow@kaprowlaw.com)  
[emma@kaprowlaw.com](mailto:emma@kaprowlaw.com)  
Attorney for Plaintiff

UNOFFICIAL

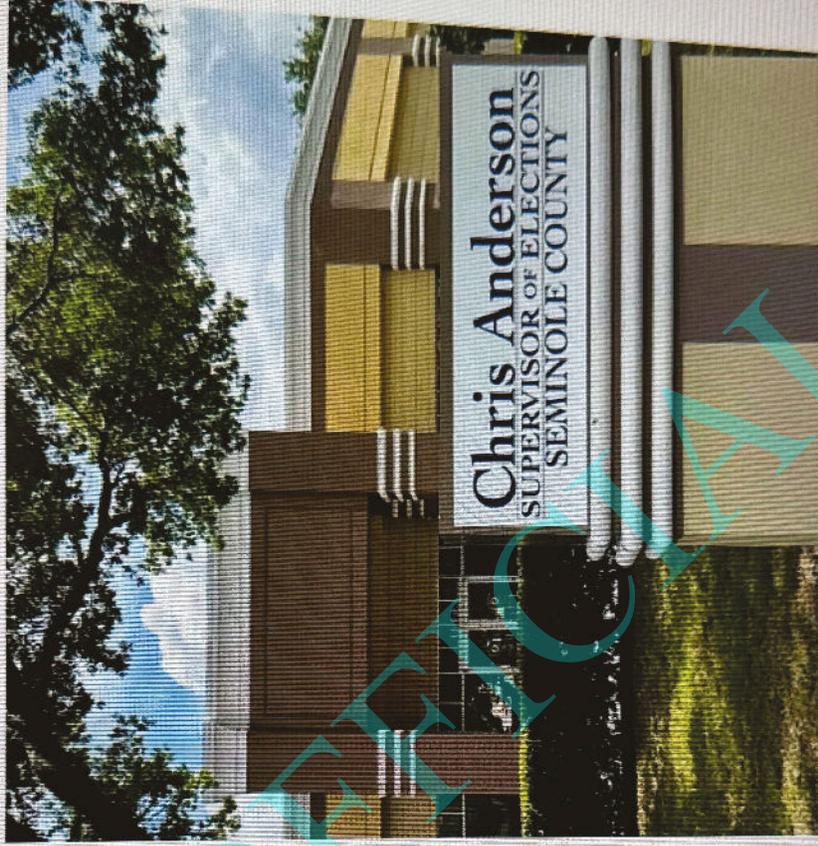
EXHIBIT "A"

UNOFFICIAL

# WELCOME TO SEMINOLE COUNTY

Thank you for visiting our website and for caring enough about our republic to be a registered and informed voter. Elections are the most important part of our American democracy. It's the time when we choose our leaders, the direction and future of our cities, county, state, and our country. To that end, our pledge to you is to deliver ELITE service to every voter by displaying EXCELLENCE in our organization, LEADING the way in voter trust, operating with INTEGRITY, providing TRANSPARENCY in our actions, and maintaining EFFICIENCY in all tasks. Our team has won national and international awards for running efficient, fair, and trusted elections. We are committed to Ensuring Your Choice Counts.

Chris Anderson  
Supervisor of Elections



## STAY UP TO DATE

Need help? Check to confirm if it's official at [OfficialElectionMail.org](http://OfficialElectionMail.org)

## REQUEST A MAIL BALLOT

**EXHIBIT “B”**

UNOFFICIAL

NOTICE

VIDEO SURVEILLANCE IN USE ON THESE PREMISES

STAND CLEAR  
AUTOMATIC SLIDING DOOR

© 2014  
[unreadable]  
[unreadable]

Chris Anderson  
**SUPERVISOR  
OF ELECTIONS**  
SEMINOLE COUNTY

**Early Voting  
Here**

**Votación  
Anticipada  
Aquí**



EXHIBIT “C”

UNOFFICIAL

 **CHRIS ANDERSON**  
SUPERVISOR OF ELECTIONS

**PLEASE READ!**    **IPOR FAVOR LEA!**

My name is Chris Anderson, Supervisor of Elections for Seminole County. I am pleased to announce that we have selected Qviedo Aquatic as the provider of secure ballot intake stations for the 2022 general election. This is a significant milestone for our county and we are excited to partner with Qviedo Aquatic to ensure the integrity and security of our election process.

Qviedo Aquatic is a leading provider of secure ballot intake stations and has a proven track record of providing secure and reliable services to our clients. We are confident that Qviedo Aquatic will provide the highest quality of service to our voters and ensure the integrity of our election process.

For more information, please contact Qviedo Aquatic at 407.298.1111 or visit their website at [www.qviedo.com](http://www.qviedo.com).

 **CHRIS ANDERSON**  
SUPERVISOR OF ELECTIONS

**SECURE BALLOT  
INTAKE STATION**

*Qviedo  
Aquatic*

  
**Chris Anderson**  
**SUPERVISOR  
OF ELECTIONS**  
SEMINOLE COUNTY



**EXHIBIT “D”**

UNOFFICIAL

# Take this sample ballot with you into the voting booth for quicker voting

Lleve esta papeleta de muestra con usted a la cabina de votación para una votación más rápida



## Voting Tips:

- 1) You are not required to vote on every contest on the ballot for your vote to count. You can choose to vote in every contest, or only one.
- 2) Amendment questions are written so voting 'yes' means to change the Constitution or Charter, while voting 'no' means to not change it.

1) No es necesario que vote en todas las contiendas en la papeleta para que su voto cuente. Puede elegir votar en todas, o solo en una. 2) Las preguntas de la enmienda se escriben para que votar "sí" signifique cambiar la Constitución o el Estatuto, mientras que votar "no" significa no cambiarlo.

07  
049

Official de la Elección Primaria, 20 de agosto de 2024  
No Partidista, Condado de Seminole, FL

To vote, fill in the oval completely next to your choice. Use a blue or black pen, or the marking device provided in the voting booth. If you make a mistake, ask for a new ballot. Do not cross out or your vote may not count.  
Para votar, rellene el óvalo completamente al lado de su selección. Utilice un bolígrafo azul o negro, o el instrumento provisto en la cabina de votación. Si comete un error, pida una nueva papeleta. No tache o su voto puede no ser contado.

<b>18th Judicial Circuit</b> Group 17 (Vote for One) Juez de Circuito Circuito Judicial 18 Grupo 17 (Vote por Uno) <input type="radio"/> Andrea Fant <input type="radio"/> Kristen Smith-Rodriguez	<b>School Board Member</b> District 3 (Vote for One) Miembro de la Junta Escolar Distrito 3 (Vote por Uno) <input type="radio"/> Stephanie Arguello <input type="radio"/> Kelly Critz <input type="radio"/> Abby Sanchez	<b>School Board Member</b> District 4 (Vote for One) Miembro de la Junta Escolar Distrito 4 (Vote por Uno) <input type="radio"/> Robin Dehlinger <input type="radio"/> Carl Tipton
--	--	---

OFFICIAL

Chris Anderson  
SEMINOLE COUNTY SUPERVISOR OF ELECT



TO BE OPENED BY MEMBER ONLY

AAA MEMBER CONFIRMED FOR ELIGIBILITY

YOUR ELIGIBILITY HAS BEEN

Follow instructions (inside) and reply by date requested.

4/127/20405 Kaprow Tr 20708-4141

# Your Election

August 20, 2024

Polls are open... Su lugar de votación el día de las elecciones, 20 de agosto de 2024. Las urnas estarán abiertas de...

On Election Day voters in your precinct will vote at:  
El día de las elecciones, los votantes de su recinto deberán votar en:

### Precinct 49

New Covenant Church  
800 Tuskawilla Rd  
Winter Springs FL 32708



Take this sample ballot with you to an early voting center or on Election Day for a faster voting process.

Lleve esta papeleta de muestra con usted a un centro de votación anticipado o el día de las elecciones para un proceso de votación más rápido.

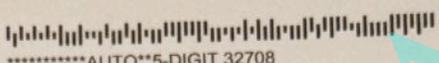
CHRIS ANDERSON  
Seminole County  
Supervisor of Elections  
P.O. Box 1479  
Sanford, FL 32772-1479  
407.585.VOTE (8683)



NonProfit Org  
US Postage Paid  
Seminole County  
Supervisor of Elections

238185 - P12 - T579

OfficialElectionMail.org



\*\*\*\*\*AUTO\*\*5-DIGIT 32708  
049.7049  
WEINSTEIN, HANNA J  
1005 ANTELOPE TRL  
WINTER SPRINGS FL 32708-4141

## Chris Anderson

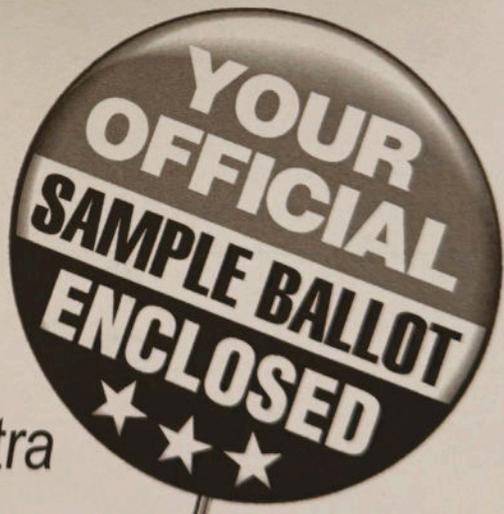
SEMINOLE COUNTY SUPERVISOR OF ELECTIONS

### Inside Your Sample Ballot:

- ✓ Your own personalized sample ballot
- ✓ How to vote early at an early voting center
- ✓ A detailed map to your Election Day precinct

### Dentro de su papeleta de muestra

- ✓ Su papeleta de muestra personalizada.
- ✓ Cómo votar temprano en un centro de votación anticipado.
- ✓ Un mapa detallado de su recinto electoral.



OfficialElectionMail.org



As our 8th... subject to... the inherent ris... Experience reserv

BE OPENED BY MEMBER ONLY  
CONFIRMED FOR ELIGIBILITY

EXHIBIT “E”

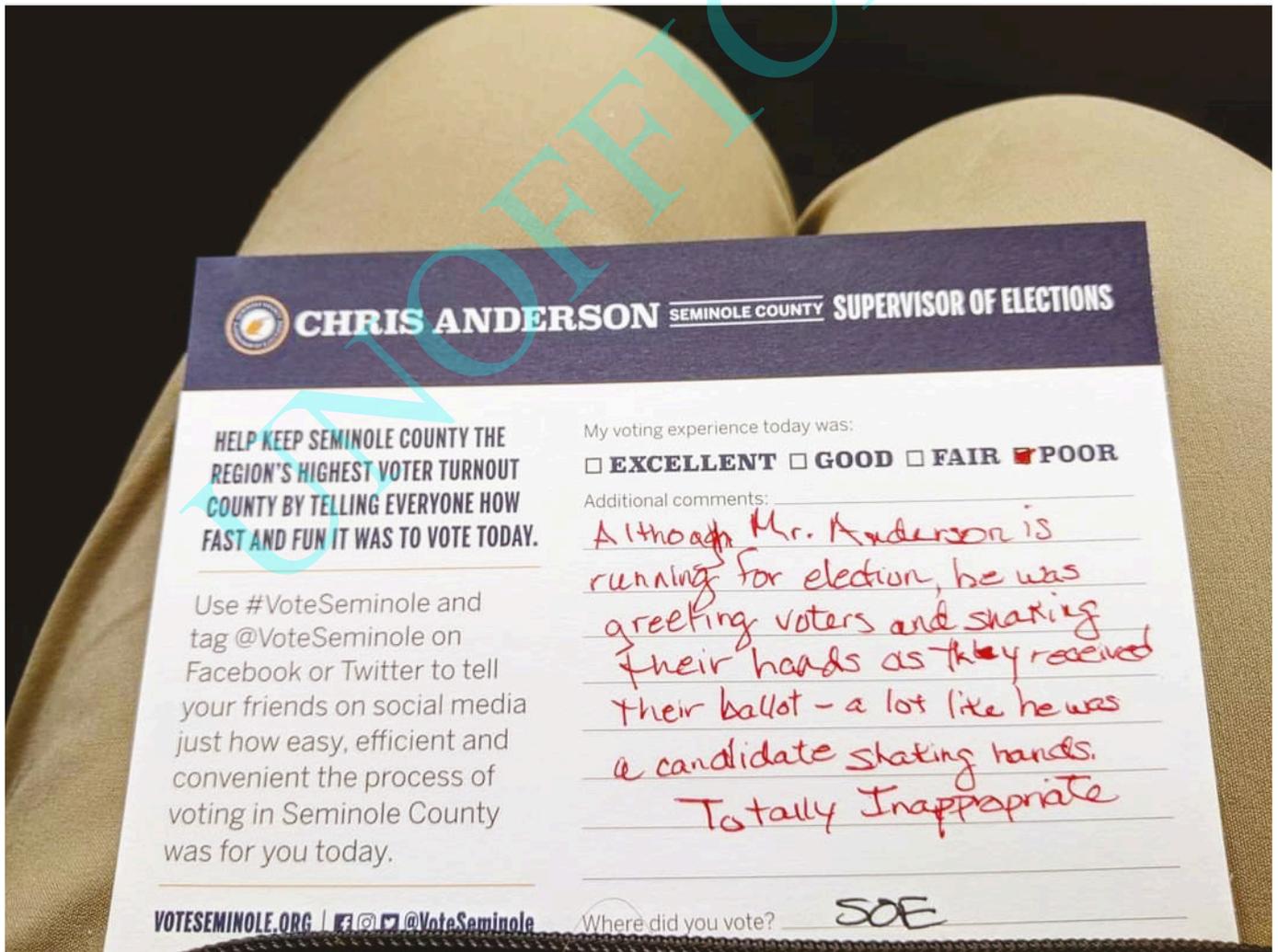


Deborah Bracknell



23m · 🌐

**#voteseminole** Dropped this in the mail today as soon as I voted. A candidate should not be trying to influence voters by standing there and shaking their hands. (Writing in a moving vehicle is hard.)



Like



Comment



Send



Share

**EXHIBIT “F”**

UNOFFICIAL

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY FLORIDA**

**MICHAEL TOWERS,**  
Plaintiff

Case Number:

v.

**CHRISTOPHER D. ANDERSON,**  
individually and in his official capacity as  
**SEMINOLE COUNTY SUPERVISOR OF  
ELECTIONS**

---

**AFFIDAVIT OF CHARLOTTE SLADEK IN SUPPORT OF  
INJUNCTIVE RELIEF**

AFFIANT, CHARLOTTE SLADEK, having been duly sworn states and attests as follows:

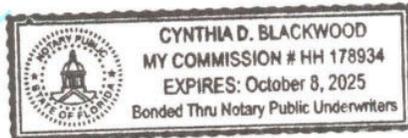
1. I am a resident of Seminole County, Florida and am over the age of eighteen (18).
2. I am a registered voter in Seminole County, Florida.
3. I voted in my first election on August 14, 2024 by voting in person at the Oviedo Library early voting site.
4. Inside the polling location, I was issued a ballot and instructed to vote in one of the privacy booths.

5. Upon walking up to the booth, I saw the name/logo of Christopher Anderson, Seminole County Supervisor of Elections, at the top of a piece of paper attached to the privacy divider such that it was the first thing I saw upon walking up to the booth. I didn't read much of the paper and don't remember what it was about, but I took note of Chris Anderson's logo/name in relatively large font at the top.
  
6. I did not see any other candidates' materials in the voting carousel.
  
7. In my opinion, his name/logo being prominently displayed felt to me like a form of campaign advertisement for Mr. Anderson, given he is on the ballot.

FURTHER AFFIANT SAYETH NAUGHT.

Charlotte Sladek  
Charlotte Sladek

STATE OF FLORIDA            )  
COUNTY OF SEMINOLE    )



Sworn to and subscribed before me in person on August 14, 2024 by Charlotte Sladek, who is \_\_\_ personally known to me or  who produced the following identification: FL DL.

Cynthia D. Blackwood  
Notary Public, State of Florida

**EXHIBIT “G”**

UNOFFICIAL

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY FLORIDA**

**MICHAEL TOWERS,**  
Plaintiff

Case Number:

v.

**CHRISTOPHER D. ANDERSON,**  
individually and in his official capacity as  
**SEMINOLE COUNTY SUPERVISOR OF  
ELECTIONS**

---

**AFFIDAVIT OF MICHAEL TOWERS IN SUPPORT OF  
INJUNCTIVE RELIEF**

AFFIANT, MICHAEL TOWERS, having been duly sworn states and attests as follows:

1. I am a resident of Seminole County, Florida and am over the age of eighteen (18).
2. I am a registered voter in Seminole County, Florida.
3. I have financially supported Amy Pennock as a candidate for Seminole County Supervisor of Elections.
4. I have personal knowledge of the facts and allegations set forth in the Complaint including the misuse of taxpayer dollars and inappropriate electioneering by the incumbent candidate supervisor of elections within the 150 foot no solicitation zone, as evidenced by Exhibits "A" through "E" inclusive, and have seen each of these items personally.
5. As a taxpayer and financial supporter of an opposing candidate, the improper actions of the supervisor of elections specially damage me by using my taxpayer dollars to undermine my support of the opposing candidate in the instant election.

6. Because of the ongoing early voting process and close proximity to Primary Election Day on Tuesday, August 20, 2024, an emergency injunction is required to avoid further prejudice to the integrity of the election process.
  
7. The actions described in my complaint blur the lines between candidate activity and official capacity activity to a point where the official capacity activity is perceived by myself and the general public as improper electioneering on behalf of the candidate with an intent to solicit support for the incumbent candidate supervisor within the 150 foot no solicitation zone and in the polling sites.

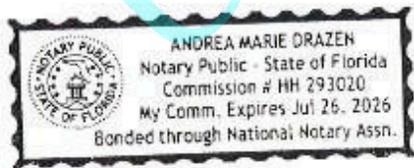
FURTHER AFFIANT SAYETH NAUGHT.



Michael Towers

STATE OF FLORIDA            )  
COUNTY OF SEMINOLE    )

Sworn to and subscribed before me in person on August 14, 2024 by Michael Towers, who is   X   personally known to me or        who produced the following identification:       N/A      .



Notary Public, State of Florida

# Exhibit III

UNOFFICIAL

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY FLORIDA

**MICHAEL TOWERS,**  
Plaintiff

Case Number: 2024 CA 1571

v.

**CHRISTOPHER D. ANDERSON,**  
individually and in his official capacity  
as **SEMINOLE COUNTY SUPERVISOR  
OF ELECTIONS,**  
Defendant

---

A TRUE COPY  
SHERIFF DENNIS M. LEMMA  
SEMINOLE COUNTY, FLORIDA  
SERVED AT 3:34 PM. ON  
THE 16 DAY OF August 20 24  
BY: [Signature] 17-8 D.S.

**ORDER GRANTING, IN PART, VERIFIED COMPLAINT FOR  
EMERGENCY TEMPORARY AND PERMANENT INJUNCTIVE RELIEF  
AND DECLATORY JUDGMENT**

**THIS CAUSE** came before the Court, ex parte, on Plaintiff's Verified Complaint for Emergency Temporary and Permanent Injunctive Relief and Declaratory Judgment, filed on August 14, 2024, at 6:56 PM, (Doc.# 2). The Court, read the Verified Complaint, its exhibits, attachments, and affidavits in support of said complaint. Considering the applicable statutes, the Court

**FINDS AS FOLLOWS:**

1. This is an action for declaratory judgment and injunctive relief, brought by Plaintiff, MICHAEL TOWERS against CHRISTOPHER D. ANDERSON, individually and in his official capacity at SEMINOLE COUNTY SUPERVISOR OF ELECTIONS. Plaintiffs seek an injunction to prohibit what is

alleged to be violations of §102.31 and §104.31 *Florida Statutes*.

2. Pursuant to Fla. R. Civ. P. 1.610, Plaintiff has the express right to seek and obtain temporary injunctive relief from this Court and the Court has the express right to enter injunctions to protect the Plaintiff's, and the voters of Seminole County's, legitimate interests.

3. Christopher D. Anderson is the current elected Supervisor of Elections in Seminole County, Florida and is currently a candidate for re-election.

4. Christopher D. Anderson has opposition to his re-election.

5. Petitioner alleges that certain activity and behavior of the current Supervisor of Elections constitute solicitation in violation of certain applicable Florida Statutes.

6. Florida Statute §102.031(4)(b) states:

(b) For the purpose of this subsection, the terms "solicit" or "solicitation" shall include, but not be limited to, seeking or attempting to seek any vote, fact, opinion, or contribution; distributing or attempting to distribute any political or campaign material, leaflet, or handout; conducting a poll except as specified in this paragraph; seeking or attempting to seek a signature on any petition; selling or attempting to sell any item; and engaging in any activity with the intent to influence or effect of influencing a voter. The terms "solicit" or "solicitation" may not be construed to prohibit an employee of, or a volunteer with, the supervisor from providing nonpartisan assistance to voters within the no-solicitation zone such as, but not limited to, giving items to voters, or to prohibit exit polling.

7. Christopher D. Anderson has signage posted at the Supervisor of Elections Office, early voting locations, voting ballot boxes, online on the Official

website for the Supervisor of Elections Office, on sample mailing ballots, etc., which include his name and identify him as the Supervisor of Elections.

8. The signage appears to identify the Supervisor of Elections Office location and various polling locations, while the written materials identify that the information is disseminated by the Supervisor of Elections Office.

9. It is disputed whether the signage and written materials identified herein constitute solicitation in violation of applicable Florida Statutes; but to the extent that the signage identifies polling locations or identifies the sender of a mailed sample ballot or mailed materials, without more, such does not appear to violate Florida Statutes.

10. It appears that there may also be signage within the actual voting booth that displays the name of the Supervisor of Elections, which, if true, appears to violate applicable Florida Statutes.

11. It is also disputed whether the font size on signage constitutes solicitation in violation of Florida Statutes §102.31 and §104.31.

12. From the record, it appears that SOE has intermingled the official actions of the Supervisor with that of an incumbent candidate in a manner which is likely to be confusing to the voters and which has already been interpreted by voters as actively campaigning within the polling locations by engaging directly with voters within the 150 Foot No Solicitation Zone and the polling locations, in a

manner which falls within the definition of soliciting under §102.031(4)(b) by greeting voters and introducing himself as voters are receiving ballots.

13. Plaintiff will suffer irreparable harm if SOE is not enjoined from directly engaging with voters in the process of voting within the 150 Foot No Solicitation Zone or within the polling locations unless directly and actively engaged in the course of official business which cannot be addressed by any other staff member.

14. Plaintiff will have no adequate remedy at law and is likely to succeed on the merits of the case.

15. Greater harm would be inflicted upon Plaintiff by the denial of temporary injunctive relief than would be inflicted on Defendants by the granting of such relief.

16. It is in the best interest of the public to restrain the Defendant from interfering with the election process in any way.

17. Because of the ongoing early voting and proximity of the Primary Election (in less than 5 days), the Court finds that temporary action on an ex-parte basis is appropriate until such time as a full hearing on a Preliminary Injunction may be heard.

Accordingly, it is hereby:

**ORDERED AND ADJUDGED** that:

1. The Court **GRANTS, in part, a TEMPORARY INJUNCTION** based on the pleadings and exhibits of the Emergency Verified Complaint Seeking Injunctive and Declaratory Relief.
2. Defendant SOE, is immediately enjoined and restrained, directly and indirectly, from the following:
  - a. Engaging with any voter who is in the Active Process of voting, unless the Supervisor is directly and actively engaging in the course of official business which cannot be addressed by another staff member of the Office of the Seminole County Supervisor of Elections. As used in this provision, the Court intends the term “Active Process of voting” to mean any voter that is, at any time during open hours of the polling locations, inside the 150 Foot No Solicitation Zone until such time as they have exited the 150 Foot No Solicitation Zone, including any time that they are within the polling location itself. Specifically excluded from this provision, however, are voters which are within the Canvassing Board room, located in the back of the Seminole County Supervisor of Elections Office.
  - b. Visiting or being otherwise physically present in the polling sites unless directly and actively engaged in the course of official business which cannot be addressed by any other staff member of the Office of

the Seminole County Supervisor of Elections.

- c. Posting or displaying any material(s), signage, or other information inside of any voting booth which includes the name of the Supervisor of Elections. Specifically, the inside of any voting booth must be free and clear of any and all signage.
3. Florida Rule of Civil Procedure 1.610 requires a bond to be posted by a party moving for a temporary injunction. The Court hereby requires that Plaintiffs post a cash bond of \$100 with the Clerk of the Court conditioned upon the payment of all costs and damages sustained by the Defendants if the Defendants were wrongfully enjoined by this Order.
4. This injunction is entered this 16<sup>th</sup> day of August, 2024, in Chambers at Seminole County, Florida, and shall expire no earlier than November 6, 2024, unless modified or extended by such further Order of this Court.
5. A preliminary injunction hearing shall occur on this matter on Monday, August 19, 2024, at 8:15 A.M. for a period of 45 minutes, at which time the Court will take evidence and a determination made on a Preliminary Injunction.
6. A copy of this Order shall be served upon Defendants, along with a copy of the Complaint, and, if prepared by the Clerk, the Summonses, at the earliest opportunity immediately following the entry of this Order. The Sherriff is

asked to expedite the delivery of the same to the earliest possible time.

**DONE AND ORDERED** in Chambers at Sanford, Seminole County,  
Florida, this Friday, August 16, 2024.

59-2024-CA-001571 08/16/2024 01:04:23 PM



Donna Goerner, Circuit Judge  
59-2024-CA-001571 08/16/2024 01:04:23 PM

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via e-mail and/or the e-filing on Friday, August 16, 2024 to Philip S. Kaprow, counsel for Plaintiff, [pkaprow@kaprowlaw.com](mailto:pkaprow@kaprowlaw.com), [emma@kaprowlaw.com](mailto:emma@kaprowlaw.com), [elections@voteseminole.gov](mailto:elections@voteseminole.gov), and [records@voteseminole.gov](mailto:records@voteseminole.gov).

59-2024-CA-001571 08/16/2024 01:05:07 PM



Dawn Stallworth, Judicial Assistant  
59-2024-CA-001571 08/16/2024 01:05:07 PM

# Exhibit IV

UNOFFICIAL

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY, FLORIDA

MICHAEL TOWERS,

Plaintiff,

Case Number: 2024CA001571

v.

CHRISTOPHER D. ANDERSON,  
individually and in his official capacity  
as SEMINOLE COUNTY SUPERVISOR  
OF ELECTIONS

/

**ORDER GRANTING MOTION FOR DIRECTED VERDICT AND QUASHING  
INJUNCTION ON VERIFIED COMPLAINT FOR EMERGENCY TEMPORARY  
AND PERMANENT INJUNCTIVE RELIEF AND DECLARATORY JUDGMENT**

THIS CAUSE came before the Court for a hearing on August 19, 2024, on the Verified Complaint for Emergency Temporary and Permanent Injunctive Relief and Declaratory Judgment, filed on August 14, 2024 (Doc.# 2). The Court read the pleading and issued a limited Order on August 16, 2024, granting, in part, the injunction. All parties were present for the hearing, each represented by counsel. The Court heard argument, testimony, and considered relevant statutory authority. No case law was presented by either party. The Court

**FINDS AS FOLLOWS:**

1. This is an action for declaratory judgment and injunctive relief, brought by Plaintiff, MICHAEL TOWERS against CHRISTOPHER D. ANDERSON, individually and in his official capacity as SEMINOLE COUNTY SUPERVISOR OF ELECTIONS. Plaintiffs seek an injunction to prohibit what is alleged to be violations of §102.31 and §104.31 *Florida Statutes*.
2. As indicated, the complaint was filed pursuant to Florida Statutes §102.31 and §104.31.

3. The complaint was not filed as a Petition for Emergency Injunctive Relief pursuant to Fla. R. Civ. P. 1.610 nor was the Rule cited in the complaint; and no separate Petition for Emergency Injunctive Relief was filed in this case pursuant to said Rule.
4. Even if the Court were to consider the complaint as a hybrid pleading intended to be adjudicated pursuant to Fla. R. Civ. P. 1.610, the pleading failed to include the necessary language required, which indicates that the movant's attorney certify in writing any efforts that [had] been made to give notice [of said proceeding] and [if no notice given] reasons why notice should not be required; and counsel's representation to the Court that he attempted to give the required Notice does not negate this requirement.
5. Moreover, if the complaint had been properly filed pursuant to Fla. R. Civ. P. 1.610, insufficient evidence was presented during the hearing to sustain the injunction entered by the Court.
6. As a matter of law, the Court is required to quash the injunction.

Accordingly, it is hereby

**ORDERED AND ADJUDGED** that Defendant's motion for directed verdict is GRANTED, and the order granting Plaintiff's Verified Complaint for Emergency Temporary and Permanent Injunctive Relief and Declaratory Judgment, issued on August 16, 2024, is QUASHED.

**DONE AND ORDERED** in Chambers, Sanford, Seminole County, Florida on Monday, August 19, 2024.

59-2024-CA-001571 08/19/2024 04:01:30 PM



Donna Goerner, Circuit Judge  
59-2024-CA-001571 08/19/2024 04:01:30 PM

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the foregoing was provided by U.S. mail or by e-service on this Monday, August 19, 2024 to:

PHILIP S KAPROW

pkaprow@kaprowlaw.com

LEONARD MICHAEL COLLINS

len.collins@gray-robinson.com

59-2024-CA-001571 08/19/2024 04:06:13 PM

A handwritten signature in black ink, appearing to read "Dawn Stallworth", is written over a horizontal line.

Dawn Stallworth, Judicial Assistant

59-2024-CA-001571 08/19/2024 04:06:13 PM

*Copies provided via e-service only through the Florida Courts E-Filing Portal. Moving party is responsible for service of all non-registered parties.*