

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
PALM BEACH COUNTY DIVISION**

ILLOOMINATE MEDIA, INC., a Florida Corporation, and LAURA LOOMER, a Florida individual

Plaintiffs,

v.

CAIR FOUNDATION, a District of Columbia corporation, et. al.

Defendants.

Case No. 19-CV-81179

Judge Bruce E. Reinhart
U.S. Magistrate Judge

OBJECTION TO CERTIFICATION/NOTICE

Plaintiffs filed, on May 15, a “Notice” stating that both “Illoominate Media, Inc. and Laura Loomer, hereby provide notice of having earlier today complied with this Court’s order of May 3, 2023.” ECF No. 91. That Order read:

Plaintiffs malpractice allegations against their counsel are irrelevant to the Courts February 13, 2022, Order requiring them to complete under oath Florida Rule of Civil Procedure Form 1.977 (Fact Information Sheet) and serve it on the Defendants. Plaintiffs shall provide the completed Fact information Sheet, with all required attachments, to Defendants on or before May 15, 2023 at 5:00 p.m. Eastern Time. By the same date, Plaintiffs shall file a notice of compliance certifying that the required information was provided to Defendants. If Plaintiffs fail to certify compliance with this order by May 15, 2023 at 5:00 p.m. Eastern Time, a separate order to show cause why this Court should not certify facts to the District Judge and recommend that Plaintiffs be held in civil contempt will be entered

ECF No. 90. However, from the outset, Plaintiffs’ certification was untrue.

Plaintiffs initially served nothing at all from Illoominate Media, Inc. Defendants raised this failure to counsel for Plaintiffs, and Plaintiffs then improperly served a copy of the “Individual” Fact Information Sheet (which is noted in big letters at the top of the form, where it says “**FACT INFORMATION SHEET – INDIVIDUAL**”) — rather than the appropriate “Business” one. When Defendants initially followed up about the wrong Information Sheet form for the business, Plaintiffs’ counsel explained that “fact sheets were filled out by the client and she is an honest person. But I will

look into what you have reverted with.” May 16, 2023 Email from Larry Klayman.¹ Because the Individual form has nothing to do with corporations, virtually every answer on it, is simply “N/A”² — and the form does little to enlighten.

In addition to (1) not serving the Illoominate Media, Inc. Fact Information Sheet at all initially, and (2) filling out the (obviously) wrong form after filing its incorrect notice of Compliance with this Court, Plaintiffs have **not served a single document from Illoominate Media, Inc.** Had Plaintiffs filled out the [right sheet](#), they would have been required to serve:

1. Copies of state and federal income tax returns for the past 3 years.
2. All bank, savings and loan, and other account books and statements for accounts in institutions in which the entity had any legal or equitable interest for the past 3 years.
3. All canceled checks for the 12 months immediately preceding the service date of this Fact Information Sheet for accounts in which the entity held any legal or equitable interest.
4. All deeds, leases, mortgages, or other written instruments evidencing any interest in or ownership of real property at any time within the 12 months immediately preceding the date this lawsuit was filed.
5. Bills of sale or other written evidence of the gift, sale, purchase, or other transfer of any personal or real property to or from the entity within the 12 months immediately preceding the date this lawsuit was filed.
6. Motor vehicle or vessel documents, including titles and registrations relating to any motor vehicles or vessels owned by the entity alone or with others.
7. Financial statements as to the entity's assets, liabilities, and owner's equity prepared within the 12 months immediately preceding the service date of this Fact Information Sheet.
8. Minutes of all meetings of the entity's members, partners, shareholders, or board of directors held within 2 years of the service date of this Fact Information Sheet.
9. Resolutions of the entity's members, partners, shareholders, or board of directors passed within 2 years of the service date of this Fact Information Sheet.

Defendants have produced none of that for Illoominate Media, Inc. But even reading the *Individual* sheet, Plaintiff Illoominate Media, Inc. has fallen spectacularly short. That form requires:

- a. Your last pay stub.
- b. Your last 3 statements for each bank, savings, credit union, or other financial account.
- c. Your motor vehicle registrations and titles.
- d. Any deeds or titles to any real or personal property you own or are buying, or leases to property you are renting.
- e. Your financial statements, loan applications, or lists of assets and liabilities submitted to any person or entity within the last 3 years.

¹ If the Court seeks to review the meet and confer emails on this topic, Defendants will submit them under separate cover..

² Plaintiffs unilaterally stamped the form with a “CONFIDENTIALITY” mark. Defendants have agreed in principle to some confidentiality for some subset of documents, but asked Plaintiffs to propose an order, which they agreed to do. No proposal has been made yet. Defendants can submit a copy of the improper Illoominate form *in camera* or under seal if the Court would like to review it.

f. Your last 2 income tax returns filed.

With two exceptions, namely records of a bank account and an incidental Schedule C³, none of *Illoominate Media, Inc*'s tax returns, financials statements, asset lists were produced.

Defendants have spent significant effort over the course of the week attempting to follow up with Plaintiffs. Plaintiffs have not yet responded in any substance, and indeed, after a lengthy explanation of this problem, pretended they did not understand the deficiency, saying, “advise on what you think was not produced” in response to an email from Defendants doing exactly that.

At this point, as far as Illoominate Media, Inc. is concerned, there is little question it has failed to comply with the Court's Order. First, it is unreasonable for an attorney to have their corporate client fill out the “Individual” form. Second, Illoominate Media, Inc. has actually known since May 16 it served the wrong form. Illoomiante Media, Inc. never sought relief from this Court or an extension of time nor even indicated it *understands* it violated a Court order. Third, even assuming Illoominate Media, Inc. had a good faith basis to fill out the Individual Form, it failed to produce the documents explicitly required by that form (including its tax returns, financial statements, etc.). That puts aside that Illoominate Media, Inc. is also in default and violation of the Court's Order as to the many other documents required by the *right* Business Form.

Therefore, Defendants ask the Court (1) reject the certification at ECF No. 91 as untrue; and (2) and direct Illoominate Media, Inc.⁴ to show cause why it should not be held in contempt, as contemplated by ECF No. 90. At this stage, Illoominate Media, Inc. has had every opportunity to comply with the Court's Order.

³ The production does include Schedule Cs from Ms. Loomer's individual tax returns, which state — from a tax perspective — the profit/loss of Illoominate. But that is not the same thing as receiving Illoominate's own tax filings.

⁴ Ms. Loomer, appears to have at least complied in good faith. However, Defendants have pointed out to Plaintiffs' counsel that there are deficiencies in her production, Defendants intend to address those through the ordinary discovery process.

Dated: May 19, 2023

Respectfully submitted,

BY: /s/ Darren Spielman

Darren Spielman

THE CONCEPT LAW GROUP, P.A.

6400 North Andrews Avenue

Suite 500

Fort Lauderdale, FL 33309

(754) 300-1500

dspielman@conceptlaw.com

Remy Green (*admitted pro hac vice*)

COHEN&GREEN P.L.L.C

1639 Centre St.

Suite 216

Ridgewood, NY 11385

(929) 888-9480

CAIR LEGAL DEFENSE FUND

LEFA F. MASRI (DC: 1000019)

JUSTIN SADOWSKY (DC: 977642)

453 New Jersey Ave, SE

Washington, DC 20003

Phone: (202) 742-6420

ldf@cair.com

Counsel for CAIR-Florida, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 19, 2023, I have filed the foregoing document with the Clerk of Court using the CM/ECF system. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified in the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

/s/ Darren Spielman
Darren Spielman

SERVICE LIST:

Larry Klayman, Esq.
KLAYMAN LAW GROUP, P.A.
7050 W. Palmetto Park Rd
Boca Raton, FL, 33433
Telephone: (561)558-5336
Email: leklayman@gmail.com

Ron Coleman
Dhillon Law Group, Inc.
347-996-4840
RColeman@dhillonlaw.com
646-358-8082
256 5th Ave., 4th Floor
New York, NY 10001

Craig W. Young, Esq.
CWY Legal & Consulting, LLC
2500 Quantum Lakes Dr., Suite 100,
Boynton Beach, FL 33426
Tel: (561) 568-1000
Email: Craig@cwylegal.com