

**IN THE CIRCUIT COURT FOR THE SEVENTH JUDICIAL CIRCUIT
IN AND FOR FLAGLER COUNTY, FLORIDA**

PALM COAST HOLDINGS, INC.
and FLORIDA LANDMARK
COMMUNITIES, LLC

Plaintiffs,

CASE NO: 2025 CA 000670
DIVISION: 49

v.

CITY OF PALM COAST,
a Florida municipal corporation,

Defendant.

_____ /

PLAINTIFFS' RULE 1.280 INITIAL DISCLOSURES

COME NOW, Plaintiffs, PALM COAST HOLDINGS, INC. and FLORIDA LANDMARK COMMUNITIES, LLC ("Plaintiffs"), by and through undersigned counsel, pursuant to Rule 1.280(a), Fla. R. Civ. P., and provide the following initial disclosures:

Rule 1.280(a)(1)(A) – Persons with potentially discoverable information:

*1. Jake Miller, ACE Financial Manager
Allete Clean Energy
30 W. Superior Street
Duluth, MN 55803*

Contact for Jake Miller:

c/o Kent Safriet, Holtzman Vogel
119 South Monroe Street, Suite 500
Tallahassee, FL 32301
(850) 270-5938 – Phone
kent@holtzmanvogel.com

Subject: Mr. Miller has knowledge of Plaintiffs' real estate holdings in Town Center at Palm Coast. Mr. Miller also has knowledge regarding the factual allegations in the Complaint.

2. *Jeffrey R. Douglas, President
Douglas Property & Development, Inc.
145 City Place, Suite 303
Palm Coast, FL 32164*

Contact for Jeffrey Douglas:

c/o Kent Safriet, Holtzman Vogel
119 South Monroe Street, Suite 500
Tallahassee, FL 32301
(850) 270-5938 – Phone
kent@holtzmanvogel.com

Subject: Mr. Douglas has knowledge of Plaintiffs' real estate holdings in Town Center at Palm Coast. Mr. Douglas also has knowledge regarding the factual allegations in the Complaint related to the failed contracts.

3. *Walker Douglas
Douglas Property & Development, Inc.
145 City Place, Suite 303
Palm Coast, FL 32164*

Contact for Walker Douglas:

c/o Kent Safriet, Holtzman Vogel
119 South Monroe Street, Suite 500
Tallahassee, FL 32301
(850) 270-5938 – Phone
kent@holtzmanvogel.com

Subject: Mr. Douglas has knowledge of Plaintiffs' real estate holdings in Town Center at Palm Coast. Mr. Douglas also has knowledge regarding the factual allegations in the Complaint related to the failed contracts.

4. *Brett Witte, P.E.
Singhofen Halff
11723 Orpington Street, Ste. 100
Orlando, FL 32817*

Contact for Brett Witte:

(407) 679-3001 (phone)
bwitte@halff.com

Subject: Signed and sealed calculations for water and sewer entitlement.

5. *Mike Norris, Mayor
City of Palm Coast
160 Lake Avenue,
Palm Coast, FL 32164*

Contact for Mike Norris:

c/o Jeremiah Blocker, Douglas Law Firm
100 Southpark Blvd., Suite 414
St. Augustine, FL 32806
(800) 705-5457 (phone)
jeremiah@dhclawyers.com

Subject: Mr. Norris is the current Mayor of Palm Coast and may have knowledge of the 2024 DEP Consent Order, the 2024 DRI DO, the current state of utility infrastructure and capacity in the City, and the City's finances.

6. *Ty Miller, Member, Palm Coast City Council*
160 Lake Avenue,
Palm Coast, FL 32164

Contact for Ty Miller:

c/o Jeremiah Blocker, Douglas Law Firm
100 Southpark Blvd., Suite 414
St. Augustine, FL 32806
(800) 705-5457 (phone)
jeremiah@dhclawyers.com

Subject: Mr. Miller is a current member of Palm Coast City Counsel and may have knowledge of the 2024 DEP Consent Order, the 2024 DRI DO, the current state of utility infrastructure and capacity in the City, and the City's finances.

7. *David Sullivan, Member, Palm Coast City Council*
160 Lake Avenue,
Palm Coast, FL 32164

Contact for David Sullivan:

c/o Jeremiah Blocker, Douglas Law Firm
100 Southpark Blvd., Suite 414
St. Augustine, FL 32806
(800) 705-5457 (phone)
jeremiah@dhclawyers.com

Subject: Mr. Sullivan is a current member of Palm Coast City Counsel and may have knowledge of the current state of utility infrastructure and capacity in the City, and the City's finances.

8. *Charles A. Gambaro, Jr., Member, Palm Coast City Council*
160 Lake Avenue,
Palm Coast, FL 32164

Contact for Charles Gambaro:

c/o Jeremiah Blocker, Douglas Law Firm
100 Southpark Blvd., Suite 414
St. Augustine, FL 32806
(800) 705-5457 (phone)
jeremiah@dhclawyers.com

Subject: Mr. Gambaro is a current member of Palm Coast City Counsel and may have knowledge of the current state of utility infrastructure and capacity in the City, and the City's finances.

9. *Theresa Carli Pontieri, Vice Mayor, City of Palm Coast*
160 Lake Avenue,
Palm Coast, FL 32164

Contact for Theresa Pontieri:

c/o Jeremiah Blocker, Douglas Law Firm
100 Southpark Blvd., Suite 414
St. Augustine, FL 32806
(800) 705-5457 (phone)
jeremiah@dhclawyers.com

Subject: Ms. Pontieri is the current Vice Mayor of Palm Coast and may have knowledge of the 2022 DRI DO, the 2022 Interlocal Agreement, the 2023 Interlocal Agreement, the 2024 DEP Consent Order, the 2024 DRI DO, the current state of utility infrastructure and capacity in the City, and the City's finances.

10. *Ray Tyner, Land Use Administrator*
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164

Contact for Ray Tyner:

c/o Jeremiah Blocker, Douglas Law Firm
100 Southpark Blvd., Suite 414
St. Augustine, FL 32806
(800) 705-5457 (phone)
jeremiah@dhclawyers.com

Subject: Mr. Tyner is a planner who served as the previous Deputy Development Director for Palm Coast. He may have knowledge of the City's comprehensive planning, and all iterations of the DRI DO.

*11. John Zobler, Community Development Director
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164*

Contact for John Zobler:

c/o Jeremiah Blocker, Douglas Law Firm
100 Southpark Blvd., Suite 414
St. Augustine, FL 32806
(800) 705-5457 (phone)
jeremiah@dhclawyers.com

Subject: Mr. Zobler is the current Palm Coast Community Development Director. Mr. Zobler may have knowledge of the City's comprehensive planning, and the current state of utility infrastructure and capacity in the City.

*12. Hank Fishkind, PhD
3504 Lake Lynda Drive, Suite 107
Orlando, FL 32817*

Contact for Hank Fishkind:

c/o Kent Safriet, Holtzman Vogel
119 South Monroe Street, Suite 500
Tallahassee, FL 32301
(850) 270-5938 – Phone
kent@holtzmanvogel.com

Subject: Mr. Fishkind has been retained as Plaintiffs' damages expert.

*13. Summit Shah, Manager
PC Lane LLC
577 Barnes Boulevard, Suite 650
Rockledge, FL 32955*

Contact for Summit Shah:

c/o Kent Safriet, Holtzman Vogel
119 South Monroe Street, Suite 500
Tallahassee, FL 32301
(850) 270-5938 – Phone
kent@holtzmanvogel.com

Subject: Mr. Shah signed the PC Lane PSA on behalf of PC Lane LLC.

*14. Gregg A. Malphrus, Member
GB Land, LLC
24 Lucy Creek Drive
Beaufort, SC 29907*

Contact for Gregg Malphrus:

c/o Kent Safriet, Holtzman Vogel
119 South Monroe Street, Suite 500
Tallahassee, FL 32301
(850) 270-5938 – Phone
kent@holtzmanvogel.com

Subject: Mr. Malphrus signed the “Tract 15 & 17” PSA on behalf of GB Land, LLC.

*15. Kaley Cook, City Clerk, City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164*

Contact for Kaley Cook:

c/o Jeremiah Blocker, Douglas Law Firm
100 Southpark Blvd., Suite 414
St. Augustine, FL 32806
(800) 705-5457 (phone)
jeremiah@dhclawyers.com

Subject: Ms. Cook is the Palm Coast City Clerk, and may have knowledge of the 2022 DRI DO, the 2022 Interlocal Agreement, the 2023 Interlocal Agreement, the 2024 DEP Consent Order, and the 2024 DRI DO.

16. Jason DeLorenzo, (Former) Chief of Staff, City of Palm Coast

Contact for Jason DeLorenzo:

c/o Jeremiah Blocker, Douglas Law Firm
100 Southpark Blvd., Suite 414
St. Augustine, FL 32806
(800) 705-5457 (phone)
jeremiah@dhclawyers.com

Subject: Mr. DeLorenzo is a former Chief of Staff for Palm Coast, and may have knowledge of the 2022 DRI DO, the 2022 Interlocal Agreement, the 2023 Interlocal Agreement, the 2024 DEP Consent Order, and the 2024 DRI DO.

*17. Thomas G. Kallemeyn, Assistant Director, Northeast District
Florida Department of Environmental Protection
8800 Baymeadows Way West, Suite 100
Jacksonville, FL 32256*

Contact for Thomas Kallemeyn:

(904) 256-1616 (phone)

Thomas.kallemeyn@dep.state.fl.us

Subject: Mr. Kallemeyn is the Assistant Director of Compliance Assurance for the Northeast District of the Florida Department of Environmental Protection. He may have knowledge of 2024 Consent Order with FDEP, and water and sewer capacity in Palm Coast as it relates to that Consent Order.

*18. Abhi Maturi, Compliance Assurance, Northeast District
Florida Department of Environmental Protection
8800 Baymeadows Way West, Suite 100
Jacksonville, FL 32256*

Contact for Abhi Maturi:

(904) 256-1584 (phone)

Abhi.maturi@floridadep.gov

Subject: Ms. Maturi works in Compliance Assurance for the Northeast District of the Florida Department of Environmental Protection. She may have knowledge of 2024 Consent Order with FDEP, and water and sewer capacity in Palm Coast as it relates to that Consent Order.

*19. James R. Maher, Assistant Director, Northeast District
Florida Department of Environmental Protection
8800 Baymeadows Way West, Suite 100
Jacksonville, FL 32256*

Contact for James Maher:

(904) 256-1700

Jim.maher@floridadep.gov

Subject: Mr. Maher is an Assistant Director for the Northeast District of the Florida Department of Environmental Protection. He may have knowledge of 2020 Consent Order with FDEP, and water and sewer capacity in Palm Coast as it relates to that Consent Order.

*20. Joe Mullins, Former Chair, Flagler County Commission
The Mullins Companies
300 Applecross Drive
Augusta, GA 30907*

Contact for Joe Mullins:

(706) 854-8636 (phone)

Subject: Mr. Mullins is a former Chairman of the Flagler County Board of County Commissioners and may have knowledge of 2022 Interlocal Agreement between Palm Coast and Flagler County.

*21. Gregory L. Hansen, County Commissioner, Flagler County
1769 East Moody Blvd
Bunnell, FL 32110*

Contact for Gregory Hansen:

(386) 313-4000 (phone)

ghansen@flaglercounty.gov

Subject: Mr. Hansen is a current County Commissioner on the Flagler County Board of County Commissioners and may have knowledge of 2023 Interlocal Agreement between Palm Coast and Flagler County.

*22. Brian Roche, Utility Director, City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164*

Contact for Brian Roche:

c/o Jeremiah Blocker, Douglas Law Firm

100 Southpark Blvd., Suite 414

St. Augustine, FL 32806

(800) 705-5457 (phone)

jeremiah@dhclawyers.com

Subject: Mr. Roche is the current Utility Director for Palm Coast and may have knowledge of the 2024 FDEP Consent Order and the current state of utility infrastructure and capacity in the City.

*23. Denise Bevan, Former City Manager (2021-2024), City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164*

Contact for Denise Bevan:

c/o Jeremiah Blocker, Douglas Law Firm

100 Southpark Blvd., Suite 414

St. Augustine, FL 32806

(800) 705-5457 (phone)

jeremiah@dhclawyers.com

Subject: Ms. Bevan is a former City Manager of Palm Coast. She may have knowledge of the 2022 DRI DO, the 2022 Interlocal Agreement, the 2023 Interlocal Agreement, the 2024 DEP Consent Order, and the 2024 DRI DO.

*24. Lauren Johnston, Acting City Manager, City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164*

Contact for Lauren Johnston:

c/o Jeremiah Blocker, Douglas Law Firm
100 Southpark Blvd., Suite 414
St. Augustine, FL 32806
(800) 705-5457 (phone)
jeremiah@dhclawyers.com

Subject: Ms. Johnston is the Acting City Manager for Palm Coast. She may have knowledge of the 2022 DRI DO, the 2022 Interlocal Agreement, the 2023 Interlocal Agreement, the 2024 DEP Consent Order, the 2024 DRI DO, the current state of utility infrastructure and capacity in the City, and the City's finances.

*25. Phong Nguyen, Planning Manager, Community Development, City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164*

Contact for Phon Nguyen:

c/o Jeremiah Blocker, Douglas Law Firm
100 Southpark Blvd., Suite 414
St. Augustine, FL 32806
(800) 705-5457 (phone)
jeremiah@dhclawyers.com

Subject: Mr. Nguyen is a Senior Planner for Palm Coast. He may have knowledge of the 2022 DRI DO, the 2022 Interlocal Agreement, the 2023 Interlocal Agreement, the 2024 DEP Consent Order, and the 2024 DRI DO.

26. Steve Flanagan, Former Utility Director, City of Palm Coast

Contact for Steve Flanagan: Unknown

Subject: Mr. Flanagan is the former Utility Director for Palm Coast. He may have knowledge of the 2003 DRI DO, the 2020 DEP Consent Order, the 2022 DRI DO, the 2022 Interlocal Agreement, the 2023 Interlocal Agreement, the 2024 DEP Consent Order and the 2024 DRI DO. He may also have knowledge of the state of the utility infrastructure and capacity availability at the time of the failed contracts, as well as potential communications with the potential buyers for the failed contracts.

27. Amanda Rees, Former Utility Director (2024), City of Palm Coast

Contact for Amanda Rees: Unknown

Subject: Ms. Rees is a former Utility Director for Palm Coast. She may have knowledge of the 2024 DEP Consent Order and the 2024 DRI DO. She may also have knowledge of the state of the utility infrastructure and capacity availability at the time of the failed contracts, as well as potential communications with the potential buyers for the failed contracts.

28. Richard Kelton, Former City Manager (2003), City of Palm Coast

Contact for Richard Kelton: Unknown

Subject: Mr. Kelton was the City Manager for Palm Coast in 2003 and may have knowledge of the 2003 DRI DO.

29. Jon Netts, Former Vice-Mayor (2003), City of Palm Coast

Contact for Jon Netts: Unknown

Subject: Mr. Netts was the Vice Mayor for Palm Coast in 2003 and may have knowledge of the 2003 DRI DO.

30. Jim Canfield, Former Mayor (2003), City of Palm Coast

Contact for Jim Canfield: Unknown

Subject: Mr. Canfield was the Mayor of Palm Coast in 2003 and may have knowledge of the 2003 DRI DO.

31. William Livingston, Former President (2003), Florida Landmark Communities

Contact for William Livingston: Unknown

Subject: Mr. Livingston signed 2003 DRI DO.

32. David Alfin, Former Mayor (2022), City of Palm Coast

Contact for David Alfin: Unknown

Subject: Mr. Alfin signed the 2022 and 2024 DRI DOs and may have knowledge of the 2022 Interlocal Agreement between Palm Coast and Flagler County and the 2023 Interlocal Agreement between Palm Coast and Flagler County.

33. Patrick Cutshall, Former CFO (2022 & 2024), Florida Landmark Communities & Palm Coast Holdings

Contact for Patrick Cutshall: Unknown

Subject: Mr. Cutshall signed the 2022 and 2024 DRI Dos and signed the “Tract 15 & 17” PSA on behalf of Florida Landmark Communities, LLC, in 2024.

34. Richard Adams, Former Utility Director, City of Palm Coast

Contact for Richard Adams: Unknown

Subject: Mr. Adams may have knowledge of 2020 DEP Consent Order.

35. Marco Pubill

Contact for Marco Pubill: Unknown

Subject: Mr. Pubill may have knowledge of 2024 DEP Consent Order.

36. Danny Ashburn

Contact for Danny Ashburn: Unknown

Subject: Mr. Ashburn may have knowledge of 2024 DEP Consent Order.

37. Peter Roussell

Contact for Peter Roussell: Unknown

Subject: Mr. Roussell may have knowledge of 2024 DEP Consent Order.

*38. Steven Morris, Former President, Palm Coast Holdings, Inc & Palm Coast Land, LLC;
Manager, FLC LLC*

Contact for Steven Morris: Unknown

Subject: Mr. Morris signed the PC Lane PSA on behalf of Palm Coast Holdings, Inc., Palm Coast Land, LLC, and Florida Landmark Communities, LLC.

39. Ralph Carter, Former Member (2003), City Council, City of Palm Coast

Contact for Ralph Carter: Unknown

Subject: Mr. Carter was a member of Palm Coast City Council in 2003 and may have knowledge of the 2003 DRI DO.

40. Thomas E. Lawrence, Former Member (2003), City Council, City of Palm Coast

Contact for Thomas E. Lawrence: Unknown

Subject: Mr. Lawrence was a member of Palm Coast City Council in 2003 and may have knowledge of the 2003 DRI DO.

41. William Venne, Former Member (2003), City Council, City of Palm Coast

Contact for William Venne: Unknown

Subject: Mr. Venne was a member of Palm Coast City Council in 2003 and may have knowledge of the 2003 DRI DO.

42. Matt Morton, Former City Manager (2019-2021), City of Palm Coast

Contact for Matt Morton: Unknown

Subject: Mr. Morton may have knowledge of the 2020 DEP Consent Order.

Rule 1.280(a)(1)(B) – Documents:

In addition to the documents attached to the Complaint, Plaintiffs will provide a share file link with documents that may be relevant to Plaintiffs' claims.

1. Vested Rights Application, including all exhibits (A through L), dated August 18, 2025 (1,078 pages)
2. Expert Report, (Hank Fishkind, PhD), dated November 13, 2025

Rule 1.280(a)(1)(C) – Damages:

Plaintiffs claim \$15,701,300 in damages, exclusive of attorneys' fees and costs. A copy of Plaintiffs' damages computation will be provided via share file.

Rule 1.280(a)(1)(D) – Insurance:

Plaintiffs do not have knowledge of any insurance policy or agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Date: December 29, 2025

/s/ D. Kent Safriet

D. Kent Safriet (FBN 174939)

Patrice Boyes (FBN 892520)

Valerie L. Chartier-Hogancamp (FBN 1011269)

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Tallahassee, Florida 32301

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*Counsel for Plaintiffs, Palm Coast Holdings, Inc.
and Florida Landmark Communities, LLC*

CERTIFICATE OF SERVICE

I certify that a copy of this document was filed via Florida Courts E-filing Portal this **29th**
day of December, 2025 which will transmit a copy to all counsel of record.

/s/ D. Kent Safriet

Attorney