

Filing # 221344308 E-Filed 04/18/2025 09:10:53 PM

FORM 1.997 CIVIL COVER SHEET

The civil cover sheet and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form must be filed by the plaintiff or petitioner with the Clerk of Court for the purpose of reporting uniform data pursuant to section 25.075, Florida Statutes. (See instructions for completion.)

I. CASE STYLE

In the Circuit Court of the Seventh Judicial Circuit in and for FLAGLER COUNTY, FLORIDA

Amanda Rees
Plaintiff

Case #: 25-CA-2025 CA 000217

vs.

Judge: DAWN NICHOLS

City of Palm Coast
Defendant

II. AMOUNT OF CLAIM

Please indicate the estimated amount of the claim, rounded to the nearest dollar. The estimated amount of the claim is requested for data collection and clerical processing purposes only. The amount of the claim shall not be used for any other purpose. \$ _____.

- \$8,000 or less
- \$8,001 - \$30,000
- \$30,001- \$50,000
- \$50,001- \$75,000
- \$75,001 - \$100,000
- over \$100,000.00

III. TYPE OF CASE (If the case fits more than one type of case, select the most definitive category.)

If the most descriptive label is a subcategory (is indented under a broader category), place an x on both the main category and subcategory lines.

CIRCUIT CIVIL

- Condominium
- Contracts and indebtedness
- Eminent domain
- Auto negligence
- Negligence—other
 - Business governance
 - Business torts
 - Environmental/Toxic tort
 - Third party indemnification
 - Construction defect
 - Mass tort
 - Negligent security
 - Nursing home negligence
 - Premises liability—commercial

Premises liability—commercial

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- Premises liability—residential
- Products liability
- Real property/Mortgage foreclosure
 - Commercial foreclosure
 - Homestead residential foreclosure
 - Non-homestead residential foreclosure
 - Other real property actions
- Professional malpractice
 - Malpractice—business
 - Malpractice—medical
 - Malpractice—other professional
- Other
 - Antitrust/Trade regulation
 - Business transactions
 - Constitutional challenge—statute or ordinance
 - Constitutional challenge—proposed amendment
 - Corporate trusts
 - Discrimination—employment or other
 - Insurance claims
 - Intellectual property
 - Libel/Slander
 - Shareholder derivative action
 - Securities litigation
 - Trade secrets
 - Trust litigation

COUNTY CIVIL

- Small Claims
- Civil
- Real property/Mortgage foreclosure
- Replevins
- Evictions
 - Residential Evictions
 - Non-residential Evictions
- Other civil (non-monetary)

IV. REMEDIES SOUGHT (check all that apply):

- Monetary;
- Nonmonetary declaratory or injunctive relief;
- Punitive

V. NUMBER OF CAUSES OF ACTION: [4] (Specify)

Public Whistleblower Retaliation

VI. IS THIS CASE A CLASS ACTION LAWSUIT?

- yes
- no

VI. IS THIS CASE A CLASS ACTION LAWSUIT?

yes
 no

VII. HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?

no
 yes If "yes," list all related cases by name, case number, and court.

VIII. IS JURY TRIAL DEMANDED IN COMPLAINT?

yes
 no

IX. DOES THIS CASE INVOLVE ALLEGATIONS OF SEXUAL ABUSE?

yes
 no

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief, and that I have read and will comply with the requirements of Florida Rule of Judicial Administration 2.425.

Signature: 
(Attorney or party)

Fla. Bar #: 0739685
(Bar # if attorney)

Marie A. Mattox
(type or print name)

4/18/2025
(Date)

FORM 1.997. CIVIL COVER SHEET

The civil cover sheet and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form must be filed by the plaintiff or petitioner with the Clerk of Court for the purpose of reporting uniform data pursuant to section 25.075, Florida Statutes. (See instructions for completion.)

I. CASE STYLE

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

AMANDA REES
Plaintiff

Case # 2025 CA 000217
Judge DAWN NICHOLS

vs.
CITY OF PALM COAST
Defendant

II. AMOUNT OF CLAIM

Please indicate the estimated amount of the claim, rounded to the nearest dollar. The estimated amount of the claim is requested for data collection and clerical processing purposes only. The amount of the claim shall not be used for any other purpose.

- \$8,000 or less
- \$8,001 - \$30,000
- \$30,001 - \$50,000
- \$50,001 - \$75,000
- \$75,001 - \$100,000
- over \$100,000.00

III. TYPE OF CASE (If the case fits more than one type of case, select the most definitive category.) If the most descriptive label is a subcategory (is indented under a broader category), place an x on both the main category and subcategory lines.

CIRCUIT CIVIL

- Condominium
- Contracts and indebtedness
- Eminent domain
- Auto negligence
- Negligence—other
 - Business governance
 - Business torts
 - Environmental/Toxic tort
 - Third party indemnification
 - Construction defect
 - Mass tort
 - Negligent security
 - Nursing home negligence
 - Premises liability—commercial
 - Premises liability—residential
- Products liability
- Real Property/Mortgage foreclosure
 - Commercial foreclosure
 - Homestead residential foreclosure
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 - Malpractice—medical
 - Malpractice—other professional
- Other
 - Antitrust/Trade regulation
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 - Constitutional challenge—proposed amendment
 - Corporate trusts
 - Discrimination—employment or other
 - Insurance claims
 - Intellectual property
 - Libel/Slander
 - Shareholder derivative action
 - Securities litigation
 - Trade secrets
 - Trust litigation

COUNTY CIVIL

- Small Claims up to \$8,000
- Civil
- Real property/Mortgage foreclosure

- Replevins
- Evictions
 - Residential Evictions
 - Non-residential Evictions
- Other civil (non-monetary)

COMPLEX BUSINESS COURT

This action is appropriate for assignment to Complex Business Court as delineated and mandated by the Administrative Order. Yes No

IV. REMEDIES SOUGHT (check all that apply):

- Monetary;
- Nonmonetary declaratory or injunctive relief;
- Punitive

V. NUMBER OF CAUSES OF ACTION: []

(Specify)

1

VI. IS THIS CASE A CLASS ACTION LAWSUIT?

- yes
- no

VII. HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?

- no
- yes If "yes," list all related cases by name, case number, and court.

VIII. IS JURY TRIAL DEMANDED IN COMPLAINT?

- yes
- no

IX. DOES THIS CASE INVOLVE ALLEGATIONS OF SEXUAL ABUSE?

- yes
- no

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief, and that I have read and will comply with the requirements of Florida Rule of Judicial Administration 2.425.

Signature: s/ Marie A Mattox
Attorney or party

Fla. Bar # 739685
(Bar # if attorney)

Marie A Mattox
(type or print name)

04/18/2025
Date

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

AMANDA REES,

Plaintiff,

v.

CITY OF PALM COAST,

Defendant.

**CASE NO.: 25-CA-2025 CA 000217
FLA BAR NO.: 0739685**

COMPLAINT

Plaintiff, AMANDA REES, hereby sues Defendant, CITY OF PALM COAST, and alleges:

NATURE OF THE ACTION

1. This is an action brought under the Florida Whistleblower Act codified at Chapter 112, Florida Statutes.
2. This action involves claims which are, individually, in excess of Fifty Thousand Dollars (\$50,000.00), exclusive of costs and interest.

THE PARTIES

3. At all times pertinent hereto, AMANDA REES, has been a resident of the State of Florida and was employed by Defendant. Plaintiff is a member of a protected class due to reporting and disclosing Defendant's malfeasance, misfeasance and/or gross misconduct. Plaintiff was retaliated against after reporting Defendant's unlawful employment practices.

4. At all times pertinent hereto, Defendant, CITY OF PALM COAST, has been organized and existing under the laws of the State of Florida. At all times pertinent to this action,

Defendant has been an “employer” as that term is used under the applicable laws identified above. Defendant was Plaintiff’s employer as it relates to these claims.

CONDITIONS PRECEDENT

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

STATEMENT OF THE ULTIMATE FACTS

6. Plaintiff, a protected whistleblower, began her employment with Defendant on or about June 17, 2024, and held the position of Utility Director at the time of her wrongful termination on November 14, 2024.

7. Despite her stellar work performance during her employment with Defendant, Plaintiff was subjected to disparate treatment, different terms and conditions of employment, and was held to a different standard because she reported certain of Defendant’s activities and was subject to retaliation thereafter.

8. The disparate treatment and retaliation came at the hands of specifically but not limited to City Manager, Lauren Johnston, Director of Human Resources, Renina Fuller, and Chief of Staff, Jason DeLorenzo.

9. During her tenure, Plaintiff was responsible for overseeing the operations of the Defendant’s Utility Department, including the water and wastewater systems, and ensuring the effective maintenance of the city's infrastructure. Plaintiff was hired with the understanding that she would implement improvements and increase efficiency within the Utility Department.

10. Approximately two to four weeks after Plaintiff’s employment began, she attended a meeting with Johnston, who expressed a desire to terminate top management in the Utility Department, specifically Stephen Flanagan, Peter Roussell, and Danny Ashburn. Johnston stated that Utility Systems Assistant Manager, Stefanie Plummer, was promoted beyond her

capabilities and instructed Plaintiff to demote her. She also referred to Utility Supervisor, Mike Hughes as problematic but did not specify any reasons. Johnston attributed utility problems to Flanagan and Roussell's failed leadership, citing their promotion beyond qualifications but offered no supporting details.

11. Plaintiff requested documentation on these claims and was directed to consult Fuller. Johnston suggested demoting the employees or allowing them to resign. Johnston had been involved in Flanagan's prior demotion but provided no reasons beyond claims of inadequate leadership. Fuller informed Plaintiff that no documentation existed regarding Flanagan's discipline and would follow up with Johnston.

12. Early in her employment, Plaintiff encountered significant leadership challenges, particularly in the Water Distribution Construction section. The conduct of Hughes had been well-documented prior to Plaintiff's employment, with Human Resources previously involved in addressing these concerns.

13. Prior to Plaintiff's arrival, she was informed that Staff Members, Jim Melley and Mike Hughes had engaged in an altercation as Hughes resisted attempts to implement organizational changes within the department. Plaintiff was not present during the incident and did not review any associated documentation. However, it was understood that after the department underwent staff reassignments, with direct reports being shifted to Plummer, Mike Hughes refused to comply with the changes to his behavior and work practices, thereby displaying insubordination and contributing to a toxic work environment. This, in turn, led to discord among employees, who were aware that management was not aligned in its approach. Plummer experienced difficulties in managing Hughes, as he failed to follow her directives. It is

believed that Plummer felt constrained by a lack of support from prior leadership, hindering her ability to address the situation effectively.

14. Plaintiff, upon becoming aware of the issues, informed Plummer that she would assist in rectifying the situation within the department. Despite Plaintiff's ongoing efforts to foster accountability and improve team cohesion, including the implementation of measures such as requiring weekly reports and assigning additional supervisory responsibilities to staff, employee morale remained low, and resistance to change persisted.

15. Throughout Plaintiff's employment she reported her concerns regarding the future of the Defendant's wastewater treatment infrastructure, particularly the capacity of Wastewater Treatment Plant One ("WWTP1") to Johnston, DeLorenzo, Duffy in email and verbally in meetings. More specifically, Plaintiff reported that WWTP1 was operating at full capacity, and Defendant had overpromised water and sewer services to new developments. This led to the need to halt new Utility Agreements sending flow to the plant. Additionally, there was confusion over the ownership of the Otis Stone Wells, which had once been part of Defendant's water permit but were no longer included, affecting Defendant's ability to meet growing water demands.

16. On July 23, 2024, during a Council meeting of Defendant's City Council, Director of Stormwater and Engineering, Carl Cote, communicated with Plaintiff informing her that the information presented in the Comprehensive Plan conflicted with the Capital Plan and the numbers that had been discussed in prior meetings related to capacity needs. Plaintiff immediately sent a text message to DeLorenzo, which read, "I am just seeing the Utility Capital Projects section of the Comprehensive Plan – it is not reflective of what we are experiencing. It conflicts with our capacity needs. Just wanted you to know." Plaintiff noted that Johnston was

absent from that meeting with DeLorenzo attending in her place. DeLorenzo did not respond to the text message.

17. Prior to the commencement of the aforementioned Council meeting, Plaintiff spoke with DeLorenzo in the Council room, further addressing the discrepancies in the presentation and the inaccurate information presented to the City Council. Plaintiff informed him that the information needed to be corrected. DeLorenzo instructed Plaintiff to exercise caution in her statements and directed an employee to remove the relevant slide from the public presentation. However, the inaccurate information remained in the Council members' packets. Plaintiff interpreted DeLorenzo's cautionary remarks as a veiled threat to refrain from speaking the truth.

18. The slide in question, which was removed from the public presentation but not from packet, falsely indicated that sufficient water and sewer capacity existed for future needs. This misrepresentation was of particular concern, given that the Comprehensive Plan is a crucial document outlining the City's westward expansion. At the time, the City lacked the necessary water and sewer capacity for such an expansion. Furthermore, Plaintiff was later informed by Johnston that the westward expansion would be supported by the developer, Raydient LLC. However, as Plaintiff continued in her employment, it became clear that this assertion was false.

19. In a subsequent meeting in or around August 2024 with Paul Rice of Raydient LLC and DeLorenzo, Plaintiff was shown a map of the proposed westward expansion plan, which included a preliminary development design for a sports complex/stadium. Rice stated that the sports complex was of particular interest to the City of Palm Coast. Rice acknowledged that serving the westward expansion would require additional water and sewer capacity and mentioned having a proposal for such capacity. Plaintiff inferred that Rice's team at Rayonier

Corporation had drafted a Master Services Agreement between the City of Palm Coast and the proposed development. Plaintiff requested to review this agreement but Rice advised that it could be viewed at a later time. Plaintiff was never shown this proposed Agreement.

20. In a subsequent meeting in or around September 2024, between Palm Coast Utility Team and Rice, the parties discussed the current capacity constraints, and Plaintiff verbally emphasized the urgency of acquiring the Otis Stone Wells to secure additional water supply. Rice indicated that he would be willing to consider the proposal in May 2025, after the approval of the Comprehensive Plan.

21. Upon receiving a Consent Decree from FDEP on July 29, 2024, Plaintiff reviewed the document and reported concerns regarding certain clauses that imposed criminal liability, including imprisonment, for past or future misuse of sewer revenues for non-Utility related purposes. Plaintiff was aware from budget meetings that the City Council had approved a loan transferring funds from the Utility Fund to the General Fund for the road expansion project, which conflicted with the Consent Decree.

22. In August 2024, Plaintiff reported her concerns regarding the Consent Decree to several city officials, including Duffy, Johnston, DeLorenzo and Director of Finance, Helena Alves by email. Plaintiff proposed that Alves should sign the financial portions of the Consent Decree, given the financial implications. Alves responded that she had not seen such clauses in previous agreements, and Johnston instructed Plaintiff to consult with Duffy regarding these concerns.

23. On that same day, during a subsequent phone call with Johnston, Plaintiff verbally reported that, as she lacked the authority to transfer funds from the Utility Fund, the individual

with the authority to do so should be the one to sign the document. No further discussions regarding who should sign the document took place following this conversation.

24. During the forthcoming week, Plaintiff additionally reported her concerns to Duffy, who acknowledged that transferring funds from the Utility Fund to the General Fund could create complications in signing the Consent Decree. Plaintiff worked with Duffy to modify the language in the Consent Decree, ensuring it did not implicate the City or Plaintiff. Plaintiff sent emails to request modifications to the Consent Decree on the day of her termination.

25. Prior to the Plaintiff's scheduled presentation on the Utility Action Plan & Consent Decree Overview, she attended a meeting organized by Johnston, which was also attended by Councilwoman Theresa Pontieri and her child. During this meeting, they reviewed the presentation Plaintiff was set to deliver on October 3, 2024, which encompassed the Consent Decree and the Utility Action Plan. During the course of the meeting, Plaintiff suggested that revising the phrase "Growth pays for Growth" would be beneficial, as her analysis of the Utility's financials did not support this assertion. Plaintiff noted that she had heard this phrase repeated from the council podium, and her professional opinion was that, based on the financial data and the costs associated with new expansions, a more accurate representation should be provided to the public. Plaintiff left the meeting with the understanding that they had discussed significant and challenging issues.

26. On or about September 2024, Plaintiff communicated via email to Johnston, reporting to her that the generator at WWTP1 required replacement due to its age and deteriorating condition. Plaintiff received a response from Johnston asking why it had not been included in the most recent budget; however, the budget preparations were made prior to Plaintiff's employment. Plaintiff replied in an email to Johnston that even though it was not

represented in the budget it needed to be purchased with emergency funds. Subsequently, when Hurricane Milton occurred, Plaintiff was forced to urgently rent a generator to ensure the continued operation of the facility.

27. On September 30, 2024, Plaintiff attended a formal meeting regarding a written warning issued by Director of Human Resources, Renina Fuller, Chief of Staff, DeLorenzo, and Plaintiff's direct supervisor, Acting City Manager, Lauren Johnston. During this meeting, Plaintiff was informed that Pontieri had expressed dissatisfaction with the tone Plaintiff used in a previous meeting with her. Plaintiff was advised that her failure to meet Pontieri's expectations regarding tone had led to the written warning.

28. Plaintiff subsequently declined to sign the write-up, as Plaintiff believed it was unfounded and did not accurately reflect the circumstances of the meetings/discussion with staff members.

29. Following this formal meeting, Plaintiff had a private conversation with Fuller in the HR conference room. During their discussion, Plaintiff inquired about the nature of the situation, to which Fuller responded, "If Councilwoman Pontieri had not made comments about your tone, we would just be having a verbal discussion about the comments made by employees, and it would be a verbal conversation—not a written warning."

30. Additionally, Fuller remarked, "Palm Coast is a very political city, and when the new city manager was appointed, the new city council would instruct that individual to terminate directors. Whether right, wrong, or indifferent, that would happen."

31. The written warning issued to Plaintiff by City Administration which followed her disclosures of wrongdoing and malfeasance within the City, significantly undermined Plaintiff's ability to lead her department and created a work environment where any employee

could make unfounded comments about Plaintiff, which would then be accepted as factual without affording Plaintiff an opportunity to defend herself. This policy effectively obstructed Plaintiff's ability to manage staff members and placed Plaintiff in a position where Plaintiff was set up to fail.

32. In an attempt to resolve the matter, Plaintiff sent an email to Johnston following the issuance of the written warning. In the email, Plaintiff expressed ongoing support for both Ms. Johnston and Pontieri and conveyed Plaintiff's willingness to personally apologize to Pontieri should she have been offended by Plaintiff's tone during the prior meeting.

33. Despite Plaintiff's outreach, Johnston did not respond to Plaintiff's email. In an in-person conversation, Ms. Johnston informed Plaintiff that it was unnecessary for Plaintiff to apologize to Pontieri, and Plaintiff followed her directive by refraining from discussing the matter with the Councilwoman.

34. Approximately two weeks before her dismissal, Plaintiff had a meeting with City Attorney, Marcus Duffy, Duffy's Colleague, Patrick L/N/U, DeLorenzo, and Johnston, where she proposed a resolution to halt new development agreements until WWTP1 capacity was expanded. Plaintiff's goal was to ensure responsible growth and protect the long-term sustainability of the City's wastewater treatment system.

35. On November 14, 2024, Plaintiff was summoned to a meeting with Fuller, during which she was informed that the City had decided she was "not the right fit" for her position, and that her employment would be terminated effective immediately. This decision was unquestionably linked to Plaintiff's previous reporting of concerns to the Defendant supporting the fact that her termination was retaliatory. Plaintiff was not provided with any specific reasons for her dismissal and, when inquiring about why Johnston was not present, Fuller did not

respond. Plaintiff was not provided with any formal documentation or explanation, except for a Non-Disclosure Confidentiality Agreement, which Plaintiff declined to sign. Plaintiff was offered the option of resigning to protect her reputation, but she declined.

36. On November 15, 2024, Plaintiff received a termination letter via email from Fuller, indicating that her dismissal was based on performance issues. This explanation is contradicted by the fact that Plaintiff had never been provided with a performance evaluation nor any feedback showing that she was not properly performing her duties, thereby highlighting a discrepancy between the stated grounds for her termination and the lack of prior performance assessments.

37. Following Plaintiff's termination, Defendant publicly released a statement to the press asserting that Plaintiff was fired for allegations of bullying employees. There is not one iota of support for this false statement nor any evidence that there were performance-based grounds for her termination. Defendant's false public announcement of the reasons for Plaintiff's termination was taken by Defendant to manipulate the public narrative and slander Plaintiff's name in retaliation for her reports of wrongdoing within the Defendant.

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

COUNT I
PUBLIC WHISTLEBLOWER RETALIATION

39. Paragraphs 1 through 38 above are incorporated herein by reference.

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

Statutes.

41. Plaintiff was a public employee protected under the provisions of Chapter 112, Florida Statutes.

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

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

44. Plaintiff's terminations was a direct adverse result of her reporting violations of rules, regulations or laws, and/or her reporting malfeasance, misfeasance or gross misconduct, and/or her participating in investigations, hearings or other inquiries, specified in part above.

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

46. As a direct and proximate result of the actions taken against her by Defendant, Plaintiff has suffered injury, including but not limited to past and future wage losses, loss of benefits, emotional pain and suffering, loss of the capacity for the enjoyment of life and other

benefits, emotional pain and suffering, loss of the capacity for the enjoyment of life and other tangible and intangible damages. These damages have occurred in the past, are occurring at present and will occur in the future. Plaintiff is entitled to injunctive relief.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment against Defendant for the following:

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

DEMAND FOR TRIAL BY JURY

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

DATED this 18th day of April 2025.

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

DATED this 18th day of April 2025.

12

Respectfully submitted,

/s/ Marie A. Mattox

Marie A. Mattox [FBN 0739685]

MARIE A. MATTOX, P. A.

203 North Gadsden Street

Tallahassee, FL 32301

Telephone: (850) 383-4800

Facsimile: (850) 383-4801

Marie@mattoxlaw.com

Secondary emails:

marlene@mattoxlaw.com

michelle@mattoxlaw.com

discovery@mattoxlaw.com

ATTORNEYS FOR PLAINTIFF

Filing # 221344308 E-Filed 04/18/2025 09:10:53 PM

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

AMANDA REES,

Plaintiff,

v.

CITY OF PALM COAST,

Defendant.

**CASE NO.: 25-CA-2025 CA 000217
FLA BAR NO.: 0739685**

SUMMONS

THE STATE OF FLORIDA:

To Each Sheriff of the State:

YOU ARE COMMANDED to serve this summons and a copy of the complaint or petition in this action on Defendant:

**CITY OF PALM COAST
c/o DAVID ALFIN – MAYOR
160 LAKE AVENUE
PALM COAST, FLORIDA 32164**

Each defendant is required to serve written defenses to the complaint or petition on **Marie A. Mattox, P. A.**, Plaintiff's attorney, whose address is **203 North Gadsden Street, Tallahassee, FL 32301**, within 20 days after service of this summons on that defendant, exclusive of the day of service, and to file the original of the defenses with the clerk of this court, either before serve on plaintiff's attorney or immediately thereafter. If a defendant fails to do so, a default will be entered against that defendant for the relief demanded in the complaint or petition.

DATED on 4/22/2025, 2025.
Tom Bexley
CLERK OF THE CIRCUIT COURT



By: Margaret Ruiz

Electronically Received in the Office of the Clerk of the Circuit Court - Flagler County, Florida - 04/22/2025 08:08 AM - DIN: 5

Filing # 221674265 E-Filed 04/23/2025 06:43:59 PM

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

AMANDA REES,

Plaintiff,

v.

CITY OF PALM COAST,

Defendant.

**CASE NO.: 25-CA-217
FLA BAR NO.: 0739685**

SUMMONS

THE STATE OF FLORIDA:

To Each Sheriff of the State:

YOU ARE COMMANDED to serve this summons and a copy of the complaint or petition in this action on Defendant:

**CITY OF PALM COAST
c/o MIKE NORRIS – MAYOR
160 LAKE AVENUE
PALM COAST, FLORIDA 32164**

Each defendant is required to serve written defenses to the complaint or petition on **Marie A. Mattox, P. A.**, Plaintiff’s attorney, whose address is **203 North Gadsden Street, Tallahassee, FL 32301**, within 20 days after service of this summons on that defendant, exclusive of the day of service, and to file the original of the defenses with the clerk of this court, either before serve on plaintiff’s attorney or immediately thereafter. If a defendant fails to do so, a default will be entered against that defendant for the relief demanded in the complaint or petition.

DATED on 4/24/2025, 2025.

**Tom Bexley
CLERK OF THE CIRCUIT COURT**



BY: Margarete Ruiz

Electronically Received in the Office of the Clerk of the Circuit Court - Flagler County, Florida - 04/24/2025 12:57 PM - DIN: 8

Filing # 222088631 E-Filed 04/30/2025 09:34:34 AM



Rick Staly, Sheriff

FLAGLER COUNTY SHERIFF'S OFFICE

"An honor to serve, a duty to protect."

FLAGLER COUNTY SHERIFF'S OFFICE RETURN OF SERVICE

Court: Flagler Circuit Court
CSE No.:
Sheriff No.: 25000942
Case No.: 25-CA-217
County:

Plaintiff: Amanda Rees

Defendant: City of Palm Coast

Plaintiff/Attorney:

Accurate Serve of Tallahassee
400 CAITAL CIR SE STE 18291
TALLAHASSEE, FL 32301

Person to Serve: City of Palm Coast

I Karol Dombek, , state that I served this process as Follows:

Type of Process: **Summons/Complaint**

Received this process/pleading **on April 28, 2025**, at **1:02 PM**.

Service Date: **4/29/2025** Service Time: **11:00 AM**

Manner of Service: **Corporate**

Person Served: **Kaley Cook, City Clerk**

RICK STALY, SHERIFF
FLAGLER COUNTY, FLORIDA

Karol Dombek 924
Flagler County Sheriff's Office
1769 E. Moody Blvd
Bunnell, FL 32110
Tel: 386-313-4340, Fax: 386-437-4292

Distribution: Completed original to Civil Office
Linked To: GO N/A
FCSO Form #CIVIL-NEED # (06/17)

Distribution: Completed original to Civil Office
Linked To: GO N/A
FCSO Form #CIVIL-NEED # (06/17)

Electronically Received in the Office of the Clerk of the Circuit Court - Flagler County, Florida - 04/30/2025 10:15 AM - DIN: 10

Filing # 224071296 E-Filed 05/28/2025 07:04:08 PM

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

AMANDA REES,

Plaintiff,

v.

CASE NO.: 2025-CA-217

CITY OF PALM COAST,

Defendant.

_____ /

PLAINTIFF'S INITIAL DISCLOSURES

Plaintiff, AMANDA REES, through counsel, identifies the following witnesses who may be called to testify during the trial of this cause:

WITNESSES:

David Alfin
Former Mayor
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360

Has knowledge of participating in the decision to terminate Plaintiff; has knowledge of stating that he told Plaintiff to "get her house in order" shortly after her employment and meeting with Lauren Johnston and Jason DeLorenzo about it; has knowledge of discussing his displeasure in the way Stephan Flanagan presented potential consequences of not proceeding with the utility rate increase; has knowledge of overpromised water and sewer capacity by the City of Palm Coast; may have knowledge of other facts relevant to Plaintiff's claims.

Danny Ashburn
Management Employee
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164

(386) 986-2360

Has knowledge of the immediate need to replace WWTP1 main generator and to his knowledge how that was addressed internally when he reported the issue to Plaintiff; has knowledge of all new projects and initiatives that the Utility was working on under Plaintiff's leadership; has knowledge of the state of the Utility prior to Plaintiff's employment, how long the Utility had reported issues to upper management prior to Plaintiff's employment, and executive leadership's response to the Utility on any reported issues; has knowledge of Plaintiff's leadership and effectiveness as Utility Director; may have knowledge of other facts relevant to Plaintiff's claims.

Mike Baldwin

City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164

(386) 986-2360

Has knowledge of all new projects and initiatives the Utility was working on under Plaintiff's leadership; has knowledge of the state of the Utility prior to Plaintiff's employment, how long the Utility had reported issues to upper management prior to Plaintiff's employment, and executive leadership's response to the Utility on any reported issues; has knowledge of all meetings he had with Plaintiff privately and with other staff members present; has knowledge of Plaintiff's leadership and effectiveness as Utility Director; may have knowledge of other facts relevant to Plaintiff's claims.

Ryan Bellerive

Utility Systems Manager
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164

(386) 986-2360

Has knowledge of all new projects and initiatives the Utility was working on under Plaintiff's leadership; has knowledge of the state of the Utility prior to Plaintiff's employment, how long the Utility had reported issues to upper management prior to Plaintiff's employment, and executive leadership's response to the Utility on any reported issues; has knowledge of all meetings he had with Plaintiff privately and with other staff members present; has knowledge of Plaintiff's leadership and effectiveness as Utility Director; may have knowledge of other facts relevant to Plaintiff's claims.

Kyle Berryhill

Fire Chief
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164

(386) 986-2360

Has knowledge of events surrounding Hurricane Milton and Plaintiff's performance during the hurricane; has knowledge of Plaintiff being present at City Hall before, during, and after the hurricane; has knowledge of Plaintiff's professionalism during the storm, how she

described challenges with ease and provided quick solutions to ensure that they resolved any environmental setbacks that might occur; has knowledge of texting Plaintiff after her first budget presentation that he was very impressed by her professionalism, how quickly she came up to speed on her budget, and that he felt she did an excellent job presenting the Utility budget in July 2024; may have knowledge of other facts relevant to Plaintiff's claims.

Brad Clark

Deputy Fire Chief
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360

Has knowledge of Plaintiff's performance during Hurricane Milton when he was present during the two-day span they were operating in out of City Hall; has knowledge of Plaintiff's professionalism and how she handled the Utility Department during this stressful time; has knowledge of how Plaintiff led her staff; has knowledge of telling Plaintiff what a great job she was doing during the hurricane; may have knowledge of other facts relevant to Plaintiff's claims.

Carl Cote

Director of Stormwater and Engineering
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360

Has knowledge of communicating with Plaintiff on July 23, 2024, informing Plaintiff that the information presented in the Comprehensive Plan conflicted with the Capital Plan and the numbers that had been discussed in prior meeting related to capacity needs; may have knowledge of other facts relevant to Plaintiff's claims.

Jason DeLorenzo

Chief of Staff
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360 or (386) 212-7810

Has knowledge of being present in meetings concerning all infrastructure challenges; has knowledge of Plaintiff's reports to him that WWTP1 was operating at full capacity and Defendant had overpromised water and sewer services to new developments; may have knowledge of other facts relevant to Plaintiff's claims.

Marcus Duffy

City Attorney
City of Palm Coast
160 Lake Avenue

Palm Coast, FL 32164
(386) 986-2360

Has knowledge of Plaintiff reporting her concerns regarding the Consent Decree to him and several other city officials including Lauren Johnston, Jason DeLorenzo and Helena Alves; has knowledge of acknowledging that transferring funds from the Utility Fund to the General Fund could create complications in signing the Consent Decree; has knowledge of working with Plaintiff to modify the language in the Consent Decree; may have knowledge of other facts relevant to Plaintiff's claims.

Stephen Flanagan
Utility Development Manager
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-360

Has knowledge of all meetings he had with Lauren Johnston concerning his position and demotion from Utility Director to Utility Development Director and the details of those meetings; has knowledge of the timeframe from when he gave his presentation to the City Council concerning the Utility Rate Study/Increase in correlation with his demotion; has knowledge of all new projects and initiatives that the Utility was working on under Plaintiff's leadership; has knowledge of the state of the Utility prior to Plaintiff's employment, how long the Utility had reported issues to upper management prior to Plaintiff's employment, and executive leadership's response to the Utility on any reported issues; has knowledge of all meetings he had prior to Plaintiff's employment on the FGUA agreement concerning water and sewer extensions outside city limits; has knowledge of Plaintiff's leadership and effectiveness as Utility Director; may have knowledge of other facts relevant to Plaintiff's claims.

Renina Fuller
Director of Human Resources
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164

City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360

Has knowledge of terminating Plaintiff's employment on November 14, 2024; has knowledge of Plaintiff's inquiries about Lauren Johnston's claims that certain employees in the Utility department needed to be terminated or demoted; has knowledge of her meetings with Plaintiff both privately and shared with other staff members; has knowledge of Plaintiff's write-up and her meeting with Plaintiff about it; may have knowledge of other facts relevant to Plaintiff's claims.

Charles Gambaro
City Council Member
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164

(386) 986-2360

Has knowledge of the receipt of Plaintiff's letter to the Defendant that he received via email on November 23, 2024, and by certified mail on December 12, 2024; has knowledge of Plaintiff's request to meet him to discuss the Utility issues that were affecting Palm Coast citizens which went unanswered by him; may have knowledge of other facts relevant to Plaintiff's claims.

Patrick Henderson
Deputy Utility Manager
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360

Has knowledge of all new projects and initiatives the Utility was working on under Plaintiff's leadership; has knowledge of the state of the Utility prior to Plaintiff's employment, how long the Utility had reported issues to upper management prior to Plaintiff's employment, and executive leadership's response to the Utility on any reported issues; has knowledge of all meetings he had with Plaintiff privately and with other staff members present; has knowledge of Plaintiff's leadership and effectiveness as Utility Director; may have knowledge of other facts relevant to Plaintiff's claims.

Donnie Holcomb

Director; may have knowledge of other facts relevant to Plaintiff's claims.

Donnie Holcomb

Utility Chief Operator
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360

Has knowledge of all new projects and initiatives the Utility was working on under Plaintiff's leadership; has knowledge of the state of the Utility prior to Plaintiff's employment, how long the Utility had reported issues to upper management prior to Plaintiff's employment, and executive leadership's response to the Utility on any reported issues; has knowledge of all meetings he had with Plaintiff privately and with other staff members present; has knowledge of Plaintiff's leadership and effectiveness as Utility Director; may have knowledge of other facts relevant to Plaintiff's claims.

Robert Hubbard

Utility Chief Operator
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360

Has knowledge of all new projects and initiatives the Utility was working on under Plaintiff's leadership; has knowledge of the state of the Utility prior to Plaintiff's employment, how long the Utility had reported issues to upper management prior to Plaintiff's employment, and executive leadership's response to the Utility on any reported issues; has knowledge of all meetings he had with Plaintiff privately and with other staff

members present; has knowledge of Plaintiff's leadership and effectiveness as Utility Director; may have knowledge of other facts relevant to Plaintiff's claims.

Mike Hughes

Utility Supervisor
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360

Has knowledge of the significant leadership challenges Plaintiff encountered from him in the workplace; has knowledge of his altercation with Jim Melley when he resisted attempts to implement organizational changes within the department; has knowledge of the department undergoing staff reassignments with direct reports being shifted to Stefanie Plummer; has knowledge of his refusal to comply with the changes to his behavior and work practices which contributed to a toxic work environment; has knowledge that his behavior created difficulties to Plummer as he refused to follow her directives; may have knowledge of other facts relevant to Plaintiff's claims.

work practices which contributed to a toxic work environment; has knowledge that his behavior created difficulties to Plummer as he refused to follow her directives; may have knowledge of other facts relevant to Plaintiff's claims.

Terry Jarvis

Administrative Coordinator
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360

Has knowledge of all new projects and initiatives the Utility was working on under Plaintiff's leadership; has knowledge of the state of the Utility prior to Plaintiff's employment, how long the Utility had reported issues to upper management prior to Plaintiff's employment, and executive leadership's response to the Utility on any reported issues; has knowledge of all meetings she had with Plaintiff privately and with other staff members present; has knowledge of Plaintiff's leadership and effectiveness as Utility Director; may have knowledge of other facts relevant to Plaintiff's claims.

Lauren Johnston

City Manager
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360 or (386) 283-1344

Has knowledge of participating in the decision to terminate Plaintiff; has knowledge of her meeting with Plaintiff a few weeks after Plaintiff began working for the Defendant; has knowledge of telling Plaintiff of her desire to terminate top management in the Utility Department, specifically Stephan Flanagan, Peter Roussel, and Danny Ashburn; has knowledge of instructing Plaintiff to demote Stefanie Plummer, Utility Systems Assistant Manager; has knowledge of describing Mike Hughes, Utility Supervisor, as problematic; may have knowledge of other facts relevant to Plaintiff's claims.

Sarah Lewis

Aunt
1301 N. Ocean Shore Boulevard
Flagler Beach, FL 32136
(303) 947-9436

Has knowledge of Plaintiff's emotional distress; may have knowledge of other facts relevant to Plaintiff's claims.

Lisa Magary, DNP, APRN

True Access Primary Care
55 Plaza Drive, Unit D7
Palm Coast, FL 32137
(386) 227-7027

Has knowledge of treating Plaintiff for emotional distress; may have knowledge of other facts relevant to Plaintiff's claims.

55 Plaza Drive, Unit D7
Palm Coast, FL 32137
(386) 227-7027

Has knowledge of treating Plaintiff for emotional distress; may have knowledge of other facts relevant to Plaintiff's claims.

Jim Melley

Staff Member
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360

Has knowledge of his write-up or formal discussion surrounding his altercation with Michael Hughes, Utility Systems Manager, that resulted in discussions with Human Resources and Lauren Johnston, Acting City Manager; has knowledge of all changes made to administrative staff and direct reports as a result of this altercation; has knowledge of all new projects or initiatives the Utility was working on under Plaintiff's leadership; has knowledge of the state of the Utility prior to Plaintiff's employment, how long the Utility had reported issues to upper management prior to Plaintiff's employment, and executive leadership's response to the Utility on any reported issues; has knowledge of Plaintiff's leadership and effectiveness as Utility Director; may have knowledge of other facts relevant to Plaintiff's claims.

Ty Miller

City Council Member
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360

Has knowledge of discussing Plaintiff's dismissal with her on 12/19/24; has knowledge of Plaintiff discussing with him the challenges in the Utility Department, being retaliated against and then wrongfully terminated on November 14, 2024; has knowledge of the Utility's water and sewer capacity and his understanding of the WWTP1's Consent Decree and exceeding wastewater treatment capacity; has knowledge of Plaintiff's email to the city letting them know they had overpromised capacity; may have knowledge of other facts relevant to Plaintiff's claims.

Mike Norris

Mayor
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360 or (386) 264-9164

Has knowledge of his 17 minute phone conversation with Plaintiff on November 15, 2024, where they discussed Plaintiff's termination; has knowledge of Plaintiff's claims that her

(386) 986-2360 or (386) 264-9164

Has knowledge of his 17 minute phone conversation with Plaintiff on November 15, 2024, where they discussed Plaintiff's termination; has knowledge of Plaintiff's claims that her name had been slandered and she had been retaliated against by City Administration for upholding her responsibilities of her position tackling tough challenges the city faced in the Utility Department; has knowledge of telling Plaintiff her termination was political and he would work to get her reinstated after he was sworn in as the new Mayor; has knowledge of overpromised water and sewer capacity by the City of Palm Coast, etc.; may have knowledge of other facts relevant to Plaintiff's claims.

Stefanie Plummer

Utility Systems Assistant Manager
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360

Has knowledge of the issues she encountered with Mike Hughes' refusal to comply with changes to his behavior and work practices; has knowledge of Hughes creating a toxic work environment which resulted in discord among employees; has knowledge of Hughes refusal to follow her directives and Plaintiff's offer of assistance to help rectify the situation within the department; has knowledge of her one on one meetings with Plaintiff and how she got emotional about work issues and viewed Plaintiff's efforts to correct problems in her section as personal attacks; has knowledge of Plaintiff's efforts to soothe her in those meetings and convey that she thought she may be taking suggestions and new goals personally; has knowledge of Plaintiff attempting to convey to her that just because some items needed a different course or new tactics applied did not mean Plaintiff didn't think she wasn't doing a good job; may have knowledge of other facts relevant to Plaintiff's claims.

Theresa Pontieri

City Council Member
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360

Has knowledge of participating in the decision to terminate Plaintiff; has knowledge of being present at specific meetings regarding infrastructure challenges; has knowledge of her meeting with Plaintiff and Lauren Johnston regarding the Consent Decree and Plaintiff's upcoming presentation that would be delivered to the public; has knowledge of the meeting that Plaintiff suggested developers should be responsible in the future for the

cost of PEP tank installs and all related costs saving the Defendant 30 million dollars; may have knowledge of other facts relevant to Plaintiff's claims.

cost of PEP tank installs and all related costs saving the Defendant 30 million dollars; may have knowledge of other facts relevant to Plaintiff's claims.

Michael Rees

Father
254 West Seaview Circle
Marathon, FL
(618) 795-8174

Has knowledge of Plaintiff's emotional distress; may have knowledge of other facts relevant to Plaintiff's claims.

Peter Roussel

Management Employee
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360

Has knowledge of all new projects and initiatives the Utility was working on under Plaintiff's leadership; has knowledge of the state of the Utility prior to Plaintiff's employment, how long the Utility had reported issues to upper management prior to Plaintiff's employment, and executive leadership's response to the Utility on any reported issues; has knowledge of all meetings he had with Plaintiff privately and with other staff members present; has knowledge of Plaintiff's leadership and effectiveness as Utility Director; may have knowledge of other facts relevant to Plaintiff's claims.

Cynthia Schweers

City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
(386) 986-2360

Has knowledge of all new projects and initiatives the Utility was working on under Plaintiff's leadership; has knowledge of the state of the Utility prior to Plaintiff's employment, how long the Utility had reported issues to upper management prior to Plaintiff's employment, and executive leadership's response to the Utility on any reported issues; has knowledge of all meetings she had with Plaintiff privately and with other staff members present; has knowledge of Plaintiff's leadership and effectiveness as Utility Director; has knowledge of the series of text messages she exchanged with Plaintiff that began June 3, 2024 through November 7, 2024 related to the Utility Department and work communications on their personal devices that show a productive, transparent, professional, and collaborative relationship; may have knowledge of other facts relevant to Plaintiff's claims.

DOCUMENTS:

Plaintiff does not have any documents to share at this time.

DAMAGES:

Plaintiff was earning weekly wages of approximately **\$2,596.15** when she was employed with the Defendant. After her wrongful termination on November 14, 2024, Plaintiff has not found new employment. From November 14, 2024 to the current date of May 28, 2025, is approximately 28 weeks. \$2,596.15 for 28 weeks is approximately **\$72,692.20** Plaintiff suffered in lost wages during this period. In addition to her lost wages, Plaintiff withdrew funds from her retirement account to help pay for living expenses. That withdrawal incurred federal taxes in the amount of **\$2,419.38**. As of this date, May 28, 2025, Plaintiff has spent approximately **\$500.00** searching for new employment without success.

As of this date, May 28, 2025, Plaintiff estimates her damages at approximately **\$75,611.58** for lost wages, taxes, and expenses. These damages are continuing and ongoing.

Respectfully submitted,

/s/ Marie A. Mattox _____
Marie A. Mattox [FBN 0739685]
MARIE A. MATTOX, P.A.
203 N. Gadsden Street
Tallahassee, FL 32301
Primary Email: marie@mattoxlaw.com
Secondary Email: bonny@mattoxlaw.com
michelle2@mattoxlaw.com
Telephone: (850) 383-4800
Facsimile: (850) 383-4801
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been electronically filed with the Clerk via the Florida Court e-Filing Portal on this 28th day of May 2025, which will send Notification of Electronic Filing to all counsel of record.

/s/ Marie A. Mattox _____
Marie A. Mattox