

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

AFRICAN PEOPLE’S EDUCATION  
AND DEFENSE FUND, INC.,

Plaintiff,

v.

CASE NO.: 23-cv-2395

PINELLAS COUNTY, a political subdivision  
of the State of Florida, by and through the  
PINELLAS COUNTY BOARD OF COUNTY  
COMMISSIONERS,

Defendants.

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**COMPLAINT FOR DECLARATORY JUDGMENT, PRELIMINARY  
AND PERMANENT INJUNCTIVE RELIEF, DAMAGES, AND  
ATTORNEY’S FEES**

Plaintiff, the AFRICAN PEOPLE’S EDUCATION AND DEFENSE  
FUND, INC., hereby sues Defendant, PINELLAS COUNTY, a political  
subdivision of the State of Florida, by and through the PINELLAS COUNTY  
BOARD OF COUNTY COMMISSIONERS and alleges as follows:

**PARTIES**

1. Plaintiff, AFRICAN PEOPLE’S EDUCATION AND DEFENSE  
FUND, INC. (“APEDF”), is a Florida 501(c)(3) not-for-profit corporation  
headquartered in Pinellas County, Florida. It is an entity capable of bringing  
suit in court, including this action. The APEDF has served the black

community of South St. Petersburg in Pinellas County for 28 years with programs including a fitness gym, free HIV testing, free health fairs, an events venue and licensed kitchen, family festivals, marketplaces for neighborhood vendors, public forums, a community meeting place, a Saturday school, and backyard vegetable gardening education. The APEDF's mission is to defend the human and civil rights of the African community and end the disparities faced by African people in health, healthcare, education and economic development.

2. APEDF has a standing to bring claims on behalf of its members, including its volunteers, under the principles of third party and organizational standing, and also because the APEDF was the applicant on the ARPA Applications at issue herein. Specifically, its members, including its volunteers, would otherwise have standing to sue in their own right, the interests APEDF seeks to protect are germane to the organization's purpose, and neither the claims asserted, nor the relief requested, requires the participation of individual members in the lawsuit.

3. Defendant, PINELLAS COUNTY, a political subdivision of the State of Florida ("County"), is a political subdivision of the State of Florida, as provided for in Art VIII, § 1(a) of the Florida Constitution. Its actions at issue in this case were undertaken and performed under color of state law. It is an entity capable of being sued, including in the present case, and is capable of

being sued under 42 U.S.C. § 1983. It enjoys no lawful immunity from suit for the claims asserted herein.

4. The County has approved and ratified the acts, policies, practices, customs, and/or procedures of its personnel that deprived and are depriving Plaintiff of their fundamental constitutional rights as set forth in this complaint.

### **JURISDICTION AND VENUE**

5. This Court has subject matter jurisdiction over Plaintiff's claims pursuant to 42 U.S.C. § 1983, 42 U.S.C. § 1988, 28 U.S.C. § 1331, 28 U.S.C. § 1343, 28 U.S.C. §§ 2201-02, 42 USCS Section 2000e 2. et seq., Title VII of The Civil Rights Act of 1964 and the 14th Amendment to the United States Constitution.

6. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b)(1) and (b)(2) because it is the judicial district in which the defendant resides as well as because it is a district in which a substantial part of the events or omissions giving rise to the claims have occurred and future deprivations of Plaintiff's constitutional rights are threatened and likely to occur.

7. This Court has authority to grant the requested injunctive relief under 28 U.S.C. § 1343, the requested declaratory relief under 28 U.S.C. §§ 2201-02, and costs and attorneys' fees under 42 U.S.C § 1988(b).

8. The Plaintiff will perfect service of process to ensure the County has been properly served with a copy of the summons and original complaint in accordance with the Federal Rules of Civil Procedure. Any and all conditions precedent to the bringing of this suit have been satisfied, and Plaintiff's claims are ripe for review and decision.

9. Additionally, the COUNTY's prior unconstitutional actions, as described by this complaint, are likely to be repeated through future enforcement of the grant procedures against Plaintiff and other similarly situated persons and entities.

### **BACKGROUND**

10. Plaintiff is a nonprofit that has served the black community of south St. Petersburg in Pinellas County for 28 years with programs including a fitness gym, free HIV testing, free health fairs, an events venue and licensed kitchen, family festivals, marketplaces for neighborhood vendors, public forums, a community meeting place, a Saturday school and backyard vegetable gardening education.

11. APEDF has worked to grow a healthy community by providing exercise facilities, health education and coaching for youth basketball. They provide assistance to neighborhood entrepreneurs to grow their businesses and facilities to produce healthy food for consumption by local families.

12. The APEDF's licensed kitchen provides a unique resource used by local entrepreneurs to build their food businesses, including the nonprofit organization, such as "Isaiah's Place," that prepared as many as 300 meals bi-monthly for distribution to unhoused residents of St. Petersburg.

13. For the past 5 years, APEDF has operated a noncommercial low power FM radio station, broadcasting music and public affairs programming produced by and for the local black community in South St. Petersburg, Florida ("South St. Pete").

14. WBPU's FM signal serves over 100,000 residents in "South St. Pete," Pinellas County's largest and most concentrated historically black community.

15. During hurricane season, APEDF broadcasts critical preparedness tips along with up-to-the-minute news on shelter and transportation availability.

16. Throughout the COVID pandemic, APEDF have provided timely and reliable information on public safety protocols, testing and vaccine availability and educational programming to help community members build healthy lifestyles and strong immune systems. WBPU also serves the community with unique access to the world of media communications.

17. APEDF has provided free training and internships to over 50 local residents, ranging from high school students to senior citizens.

18. WBPU has helped local unsigned artists build a fan base and secure recording contracts.

19. The American Rescue Plan Act (“ARPA”) includes a Nonprofit Capital Project Fund funds nonprofit capital purchases and projects to mitigate economic harm caused by the COVID-19 pandemic.

20. As stated in the ARPA overview, “the COVID-19 pandemic and the corresponding economic crisis have undermined the health and economic wellbeing of American workers. Millions of Americans, many of whom are people of color, immigrants, and low-wage workers, continue to put their lives on the line every day to keep the country functioning through the pandemic. And more than 9.5 million workers have lost their jobs in the wake of COVID-19, with 4 million out of work for half a year or longer. Without additional government assistance, the economic and public health crises could drag on and our national vaccination program will be hobbled at a critical moment.”

21. The ARPA Nonprofit Capital Project Fund is supported by federal award number SLFRP4653 awarded to Pinellas County Government by the U.S. Department of the Treasury.

22. The Pinellas Community Foundation (“PCF”), in collaboration with the Pinellas County Board of County Commissioners, has been administering the County’s nonprofit ARPA granting efforts to support capital needs in response to, and in recovery from, the COVID-19 pandemic. The PCF

was contracted to objectively rate and recommend ARPA applicants, and the County took and/or approved PCF's recommendations on almost all, except those initially approved or recommended for the APEDF, clearly evincing a discriminatory animus.

23. The County and their revocation and denial of Plaintiff's grants are the moving force behind the deprivations of Plaintiff's constitutional rights described herein.

24. The County and its officials are responsible for administering the County's nonprofit efforts to support capital needs in response to, and in recovery from, the COVID-19 pandemic, including the policies, practices, and procedures of its personnel as set forth in this complaint. These policies, practices, procedures, and/or customs are the moving force behind actions that deprived and are depriving Plaintiff of their fundamental constitutional rights, as set forth in this complaint.

### **FACTS**

25. On September 8, 2022, the APEDF applied for the purchase of radio station equipment to continue broadcasting timely information on local health and educational services and emergency alerts as well as free job training opportunities. A true and accurate copy of the Application is attached hereto as Exhibit "A."

26. On November 15, 2022, the APEDF grant for radio station equipment, having been vetted and recommended by the Pinellas Community Foundation's independent review board who ranked APEDF's application 4th highest out of 55 applicants, was approved by the Pinellas County Board of County Commissioners.

27. On January 9, 2023, the Pinellas Community Foundation sent a drafted contract to APEDF for the radio equipment grant.

28. On February 9, 2023, APEDF signed the contract and returned the signed contract to Pinellas Community Foundation. A true and correct copy of the Signed Contract is attached hereto as Exhibit "B."

29. On February 7, 2023, Chris Latvala, a member of the Pinellas County Board of County Commissioners, sent Tyler Bonneau, Latvala's "executive aide," screenshots through text messages, of the list of grants approved, and he asserts the APEDF is associated with the Uhuru Movement as a basis for denial. A copy of the text messages is attached hereto as Exhibit "C."

30. On February 9, 2023, Chris Latvala sent Tyler Bonneau text messages asking him to find out if the APEDF or the "uhurus"(sic) are a hate group. Tyler Bonneau replied to Chris Latvala's text, stating, "the Uhuru movement has ties to antisemitic Black Nationalist Organizations." No response was provided explaining or supporting any such "ties" to the APEDF.



31. Included in these text messages, Chris Latvala then texts Tyler Bonneau and asks whether the radio equipment is for “black power 96.” Tyler Bonneau replies, “it doesn’t go into that much detail but it says online that it’s a project of the African Peoples Fund that’s listed on ARPA.” Chris Latvala ends the conversation with “great work.” A copy of the text messages is attached hereto as Exhibit “D.”

32. On February 9, 2023, at the Pinellas Board of County Commissioners’ Work Session, Chirs Latvala expressed his opposition to funding the APEDF because of being “associated with the Uhurus,” and asks Duggan Cooley, Pinellas Community Foundation CEO, “how would a group that has ties to anti-semitic nationalist groups get approved for funding?” See Exhibit “E,” p. 1.

33. Duggan Cooley responded that, “they went through the funding process like other organizations. We were concerned about some of the issues that have arisen because of the FBI investigation. We had some conversations with the county about this particular application um and asked questions as to whether or not some of that should be disqualifying for the organization and the feedback that we received especially around the FBI investigation was that If they are not on the list they are not on the list of organizations that can’t contract with the county or not on the list to be barred from receiving federal funds, that they should go through and be scored in this process like every

other organization.” A copy of the transcript of the February 9, 2023, Pinellas Board of County Commissioners Work Session is attached here to as Exhibit “E,” p.1.

34. At the same Work Session, Chris Latvala then asked Duggan Cooley, “do you believe that they’re a group or a story that should be considered a something that we should be proud of, based on your earlier statements.” Duggan Cooley responded, “I think it’s an organization that, based on the application that they submitted and the information that they requested um and reviewed publicly by a committee that there was belief that there would be reasonable community benefit from the allocation that they were offered.” (sic). See Exhibit “E,” p. 1.

35. On February 13, 2023, Chris Latvala sent a text message to Tyler Bonneau asking him to “write down that African group on a sheet a paper for the meeting. I think they received funding in both groups.” A copy of the text message is attached hereto as Exhibit “F.”

36. On February 14, 2023, at the Pinellas County Board of Commissioners Meeting on that date, with absolutely no notice and no opportunity for APEDF to be heard, the Commission rescinded the APEDF’s first, then approved, grant for radio station equipment as “Item 24” was being discussed at the meeting.

37. A true and correct copy of the Agenda, showing that “Item 24” was only described as, “County Commission New Business; Pertinent and Timely Committee Board Updates, Policy Considerations, Administrative/Procedural Considerations, and other new business-Skyway Lighting Resolutions,” is attached hereto as Exhibit “G.” The Pinellas County Board of County Commission minutes for February 14, 2023, and what discussion was had on “Item 24,” is attached hereto as Exhibit “H.”

38. When the original approval of the ARPA grant for the first APEDF Application was to be considered and was ultimately rescinded on February 14, 2023, absolutely no one associated with or representing the APEDF was notified or given even a modicum of “constructive notice” that this issue would be on the Agenda for that date. See Agenda, Exhibit “G.”

39. After the first application and long before it was rescinded, as described above, on January 14, 2023, the APEDF applied for a second ARPA grant through the Pinellas Community Foundation for the purchase and installation of a “whole building back-up power generator” because the APEDF facility in South St. Petersburg had experienced frequent power outages caused by storms and an aging power grid infrastructure, most notably in times of emergency.

40. In those instances when the power would go out, even if temporarily, the building would be forced to close its doors. The APEDF radio

station, which was relied upon by the community for critical emergency alerts, would go off the air. The kitchen would also be closed and substantial amounts of food stored in the 2 commercial refrigerators and 2 commercial freezers in the building would be lost. A true and accurate copy of this second Application is attached hereto as Exhibit “I.”

41. The APEDF had planned to acquire and install a generator system but has not been able to do so because of COVID-19 related limitations, lost revenue due to shut-downs, and diversion of staff away from fundraising activities, as well as other deprivations caused by the direct and indirect consequences of the COVID-19 pandemic. In reviewing this application, the reviewer comments gave this application an average score of 85%. See Exhibit “J.”

42. On February 28, 2023, the Pinellas Community Foundation wrongly asserted that the location for installation of the generators, applied for by the APEDF, is the same location as the African Peoples Socialist Party’s headquarters. Duggan Cooley stated in an email on February 28, 2023, that, “The ARPA Nonprofit Capital Project Fund eligibility requires that the funding benefit 501(c)3 direct service nonprofits. It is impossible to isolate the benefit of generators to solely benefit the African People’s Education and Defense Fund, the nonprofit which has applied for funding for the generator.” A true and correct copy of the email is attached hereto as Exhibit “K.”

43. Notably, the eligibility criteria posted on the Pinellas Community Foundation, ARPA Nonprofit Capital Project Fund website does not list any concern about nonprofits “sharing” a location or any other benefit with any type of group, and numerous other recipients of ARPA grants (*i.e.*, the YMCA) also provide utilization of their physical structures to “other groups” or other uses. A true and correct copy of the Eligibility Criteria is attached hereto as Exhibit “L.”

44. On March 9, 2023, Duggan Cooley, Pinellas Community Foundation, sent out a memorandum for the recommendations on funding grants. Attached to the memorandum was the “Large Capital Projects Committee Ranking and Review/Award Recommendations.” The APEDF application for the backup generator was ranked 4th out of 19 other approved applications, out of a total of 78 applications. A true and correct copy of the March 9, 2023, memorandum and rankings is attached hereto as Exhibit “M.” This document added a “footnote” reflecting a “concern” about nonprofits “sharing” what was described as “benefit” which could not be “isolated” to the 501(c)03) applicant. A true and correct copy of the memorandum and rankings is attached hereto as Exhibit “N.”

45. Actual communications between the Pinellas Community Foundation and any member of the County Commission are unknown, and, even though the APEDF was still listed, it was apparently placed under

significantly greater scrutiny than any other ARPA applicant, presumably because of pressure from the County.

46. On May 25, 2023, the Pinellas Community Foundation staff recommended changes to the list of application recommendations including a directive to “unassign the funding for the African People’s Education and Defense Fund, Inc.,” (because the project will also not directly counteract the effects of COVID 19). A screenshot of this communication is Attached as Exhibit “O.”

47. Despite its initial high position and recommendation for approval, the APEDF application for a back-up power generator was denied by the Pinellas County Board of County Commissioners at the Meeting on June 13, 2023. A copy of the Board of County Commissioners Agenda for June 13, 2023, is attached hereto as Exhibit “P.”

48. Plausibly, the County seems to have taken an unsupported and inaccurate view of the APEDF and has engaged in the following unconstitutional actions:

- a. The County disavowed the previously agreed to initial funding, and denied the second effort obtain funding, for reasons that were content-based, arbitrary and unconstitutional. The County rejected this funding because they have taken a position in direct conflict with the free speech protected activities of the Uhuru

Movement, and the County has tried to assert that the APEDF is directly associated with the Uhuru Movement, which is not accurate. The County's mention the "FBI raids" on the Uhuru Movement as a "red flag," is manifest "guilt by association," but the APEDF nonprofit, its Board, and its staff are NOT under FBI investigation nor indictment, and are NOT the Uhuru Movement.

- b. Members of the County made false statements, defaming APEDF with false accusations that APEDF carried out a "criminal act" of running candidates for office, which is prohibited and illegal for a nonprofit organization to do, and which would have prompted the IRS to revoke APEDF's nonprofit status which remains unchallenged. The APEDF has never run any candidates for political office.
- c. The County also slandered the APEDF as antisemitic. Tampa Bay Times reporter Jack Evans looked into this accusation and wrote, "The Anti-Defamation League, in a report issued last year, noted links between the Uhuru Movement and Black nationalist groups, such as the Nation of Islam, with a history of antisemitism, but it did not accuse the Uhurus of direct antisemitic activity." This erroneous and unsupported conclusion is based on entirely inaccurate information, and, without question, did not reflect any

aspect of the APEDF. For the record, the APEDF is not antisemitic.

- d. The APEDF was denied due process in the earlier decision to rescind and deny the recommended funding on February 14, 2023, because the vote to rescind was not properly noticed by the Board of County Commissioners for any action on that date. Commissioner Latvala introduced the motion to rescind the funding under Agenda Item #24, "County Commission New Business: Pertinent and Timely Committee/Board Updates, Policy Considerations, Administrative/Procedural Considerations, and other New Business." There was no mention of the APEDF or that their ARPA grant was going to be considered for any action of any kind.

49. In sum, the baseless accusations directed to the APEDF, the efforts by the County to impugn the APEDF on the basis of "associations" with other entities, and denial/rescission of the ARPA grants applied for and to which the APEDF is clearly entitled, profoundly infringe upon the APEDF's First Amendment and other rights, manifest racial discrimination, violate the APEDF's due process rights, and have caused irreparable harm to the APEDF. ON these bases, the APEDF brings this action for relief from this Honorable Court.



**COUNT I:  
First Amendment to the U.S. Constitution  
(Freedom of Association)  
(42 U.S.C. § 1983)**

50. The allegations of paragraphs 1 through 49 are hereby incorporated and realleged as if fully stated herein.

51. The revocation and denial of the Grants violates rights guaranteed to the Plaintiff under the First Amendment to the U.S. Constitution because, the Plaintiff's grants were revoked and denied based on their website and house being perceived as being associated with the "Uhurus," thus, violating Plaintiff's right to freedom of association.

52. By reason of the County's Revocation and Denial of the Plaintiff's Grants, which has been created, adopted, and enforced under color of state law, the County has deprived and continues to deprive Plaintiff and its members of their rights, in violation of the Freedom of Association protected by the First Amendment, as applied to the states and their political subdivisions by the Fourteenth Amendment to the United States Constitution.

53. As a direct and proximate result of the County's violation of the Freedom of Association protected by the First Amendment, Plaintiff has suffered, and will continue to suffer in the future, irreparable harm, including the loss of their constitutional rights, entitling them to declaratory and

injunctive relief and damages, both nominal and compensatory, pursuant to 42 U.S.C. § 1983.

**COUNT II:  
Violation of the Due Process Clause  
Of the Fourteenth Amendment to the U.S. Constitution**

54. The allegations of paragraphs 1 through 49 are hereby incorporated and realleged as if fully stated herein.

55. The County has been authorized to create and administer a program of general economic relief, widely available to a large class of nonprofit organizations, through the administration of ARPA grants.

56. This complaint deals with the adverse and disparate exclusion of Plaintiff from receipt of the two ARPA grants that the APEDF met all necessary qualifications to receive.

57. The County has crafted and engineered an improper and unconstitutional policy of economic exclusion against the APEDF based on their perceived association with the Uhuru Movement.

58. The ARPA Grants are available to 501(c)(3) nonprofits, but, based on information and belief, the Pinellas County Board of County Commissioners opposes 501(C)(3) nonprofits that it deems to be “associated” with any group that the Pinellas County Board of County Commissioners deems to be controversial or “political.”

59. In this case, the Pinellas County Board of County Commissioners treats similarly situated individuals and organizations seeking ARPA relief differently, based on the perceived content of the positions espoused by individuals, entities, or other groups never directly established as having any formal connection to APEDF, thus infringing on the exercise of the constitutional right to freedom of association.

60. This is an unconstitutional distinction prohibiting those who exercise fundamental constitutional rights from obtaining much needed ARPA grants, while allowing those who do not exercise similar fundamental constitutional rights to obtain them. This improperly violates the equal protection component of the Fourteenth Amendment's Due Process Clause.

61. Like other not-for-profit entities that are coping with the economic impact of COVID-19, the APEDF is in dire need of the infusion of funds sought through their ARPA grant applications. They are otherwise eligible for then grants they sought through the ARPA program.

62. The Pinellas County Board of County Commissioners prohibited Plaintiff from obtaining this needed grant money for no other reason than the perceived association with the Uhuru Movement, which, to any greater or lesser degree, would involve the exercise of fundamental constitutional rights. This violates the equal protection component of the Fourteenth Amendment.

63. Additionally, the rescissions of the APEDF's first approved application, with no notice and no legitimate opportunity to be heard, on February 14, 2023, is also a manifest denial of due process rights.

64. The Equal Protection Clause requires that governmental conduct affecting First Amendment interests be narrowly tailored to serve legitimate objectives.

65. The denial of the ARPA grants based on the County's imagined political affiliation between APEDF and the Uhuru Movement is not narrowly tailored, and it is not supported by any legitimate evidence. It is based on nothing more than speculation and innuendo.

66. The County does not have a legitimate interest in preventing APEDF from obtaining the legitimately sought for ARPA grants at issue herein, for conduct that would, under any analysis, be the exercise of fundamental constitutional rights.

**COUNT III:**  
**Violation of the Equal Protection Clause (42 U.S.C. Sec 1983)**  
**Racial Discrimination**

67. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1 through 49 above with the same force and effect as if fully set forth herein.

68. By the acts and omissions described above, the County, while acting under color of state law, has purposely treated APEDF differently than other ARPA applicants similarly situated.

69. The County violated the equal protection guarantees of the Fourteenth Amendment by discriminatorily denying Plaintiff ARPA funding to which it was entitled, while other ARPA applicants were granted funding, giving rise to Plaintiff's claims for relief under 42 U.S.C. § 1983.

70. The County has, by the actions described herein, acted under the color of state law to discriminate against Plaintiff on the basis of race, thereby depriving Plaintiff of rights, privileges, and immunities secured to them by the Constitution and laws of the United States and the State of Florida, and in direct violation of the Fourteenth Amendment to the United States Constitution.

71. Such injury has been and will continue to be irreparable.

72. As a direct and proximate result of these acts, Plaintiff has been deprived of its civil rights, suffered, and will continue to suffer irreparable harm as a result of race-based discrimination in the County's treatment and deprivation of Plaintiff's ARPA grants.

73. The actions of Defendant, in depriving Plaintiff and their members of their constitutional and civil rights, were willful and malicious and constitute a continuing violation of the Fourteenth Amendment

**COUNT IV:  
Declaratory Judgment Relief  
(28 U.S.C. §§ 2201-02)**

74. The allegations of paragraphs 1 through 49 are hereby incorporated and realleged as if fully stated herein.

75. An actual controversy exists between the parties concerning the constitutionality of the policies and procedures of revocation and denial of the Plaintiff's Grants.

76. A declaratory judgment is necessary and appropriate as it would serve a useful purpose in clarifying and settling particular legal issues between the parties and thereby afford relief from much of the uncertainty and controversy giving rise to this proceeding.

77. Accordingly, under 28 U.S.C. §§ 2201-02 and Rule 57 of the Federal Rules of Civil Procedure, Plaintiff prays for declaratory and related relief declaring and defining the rights among the parties.

**COUNT V:  
Preliminary and Permanent Injunction**

78. The allegations of paragraphs 1 through 49 are hereby incorporated and realleged as if fully stated herein.

79. The Plaintiff has a clear right to freedom of association under the First Amendment to the United States Constitution and the other rights to due process and freedom from racial discrimination under the 14<sup>th</sup> Amendment.

80. The Plaintiff will suffer irreparable injury if an injunction is not issued. The violation of the freedom of the constitutional rights at issue herein is so serious that, as a matter of law, irreparable injury is established.

81. The Plaintiff has no adequate remedy at law.

82. The public interest would be served by the granting of injunctive relief. In fact, the public interest is disserved by governmental conduct which interferes the constitutional rights at issue herein and violates the constitutional rights of the citizenry.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that this Court grant the following relief:

1. Assume jurisdiction over this action;
2. Declare that the Pinellas County Board of Commissioners is violating and threatens to further violate Plaintiff's clearly established and fundamental federal constitutional rights, as set forth in this complaint.
3. Declare that the Pinellas County Board of Commissioners has substantially burdened, unlawfully infringed upon, and violated Plaintiff's rights under the First and Fourteenth Amendments;
6. Enter a preliminary injunction as soon as practicable enjoining the Pinellas County Board of Commissioners (and the other entities and persons

set forth in Federal Rule of Civil Procedure 65(d)(2)) from depriving the Plaintiff of the benefit of the ARAP grants it is entitled to and ordering the County to retain sufficient funds in any unissued ARPA grants to satisfy the amount rescinded and/or denied by the County.

7. Enter a permanent injunction enjoining the Pinellas County Board of Commissioners (and the other entities and persons set forth in Federal Rule of Civil Procedure 65(d)(2)) from depriving the Plaintiff of the benefit of the ARAP grants it is entitled to.

8. Award Plaintiff nominal and compensatory damages for the claims asserted in this complaint;

9. Award Plaintiff their reasonable attorneys' fees, costs, and expenses pursuant to 42 U.S.C. §1988, and as otherwise provided by law;

10. Tax costs of this action against the County;

11. Award Plaintiff prejudgment and post-judgment interest; and

12. Grant Plaintiff such other and further relief as this Court may deem just and proper.

### **JURY TRIAL DEMAND**

Plaintiffs hereby demand a trial by jury of all issues in this action that are so triable.

DATED: October 20, 2023.

Respectfully submitted,



/s/ Luke Lirot

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