

IN THE CIRCUIT COURT OF THE 17<sup>TH</sup>  
JUDICIAL COURT IN AND FOR  
BROWARD COUNTY, FLORIDA

KENNETH COOPER,

CASE NO.

Plaintiff,

v.

DEAN TRANTALIS, as Mayor-Elect of Fort Lauderdale,  
BROWARD COUNTY CANVASSING BOARD,  
PETER ANTONACCI,  
MICHAEL UDINE, and  
DANIEL J. KANNER, in their capacity as Board  
Members of Broward County Canvassing Board,  
and the Supervisor of Elections for Broward County,

Defendants.

**COMPLAINT**

The Plaintiff, KENNETH COOPER (“Plaintiff”), by and through the undersigned counsel, hereby sues Defendants, Supervisor of Elections for Broward County, DEAN TRANTALIS, BROWARD COUNTY CANVASSING BOARD, PETER ANTONACCI, MICHAEL UDINE, and DANIEL J. KANNER (“Defendants, collectively”), and in support alleges as follows:

1. This is an action contesting the 2020 Fort Lauderdale Mayoral Election results.

**JURISDICTION AND VENUE**

2. This Court has jurisdiction over this dispute because this complaint seeks declaratory relief, exclusive of interest and attorneys’ fees.
3. Venue is proper in Broward County, Florida, because the incident from which this cause of action arises occurred in Broward County, Florida.

## PARTIES

4. Plaintiff was, at all times material hereto, a resident of Broward County, Florida, was over the age of eighteen (18) years, and is otherwise *sui juris*.

5. Defendant DEAN TRANTALIS was, at all times material hereto, a resident of Broward County, Florida, was over the age of eighteen (18) years, and is otherwise *sui juris*.

6. Defendant BROWARD COUNTY CANVASSING BOARD and the SUPERVISOR OF ELECTIONS FOR BROWARD COUNTY, was, at all times material hereto, a governmental body situated within Broward County, Florida.

7. Defendant PETER ANTONACCI was, at all times material hereto, a resident of Broward County, Florida, was over the age of eighteen (18) years, and the Supervisor of Elections of Broward County, Florida.

8. Defendant MICHAEL UDINE was, at all times material hereto, a resident of Broward County, Florida, was over the age of eighteen (18) years, and Chairman of the Broward County Canvassing Board in Broward County, Florida.

9. Defendant DANIEL J. KANNER was, at all times material hereto, a resident of Broward County, Florida, was over the age of eighteen (18) years, the County Judge of Broward County, Florida, and Board Member of the Broward County Canvassing Board.

## GENERAL ALLEGATIONS

10. Plaintiff is entitled to relief against the Defendants upon the following facts:

11. Plaintiff and Defendant DEAN TRANTALIS were the only two candidates, and opposed each other, for the 2020 Fort Lauderdale Mayoral Election in Broward County, Florida. The election being contested is the general election held on Tuesday, November 3, 2020, in Broward County, Florida.

12. Defendant PETER ANTONACCI was at all times pertinent to this complaint and is now the Supervisor of Elections of Broward County, Florida. Defendant MICHAEL UDINE was at all times pertinent to this complaint and is now the Chairman of the Board of County Commissioners of Broward County, Florida. Defendant DANIEL J. KANNER was at all times pertinent to this complaint and is now the County Judge of Broward County, Florida. Defendants PETER ANTONACCI, MICHAEL UDINE, and DANIEL J. KANNER by virtue of Florida Statute § 102.141, constitute the BROWARD COUNTY CANVASSING BOARD . Defendants PETER ANTONACCI, MICHAEL UDINE, and DANIEL J. KANNER are sued herein in their capacities as members of such canvassing board of Broward County, Florida.

13. Said Defendants, PETER ANTONACCI, DANIEL J. KANNER, and MICHAEL UDINE met on the evening of Tuesday, November 3, 2020, following the closing of the polls and thereafter on or about Friday, November 13, 2020, completed their canvass and certified to the following result of such election, declaring Defendant DEAN TRANTALIS the duly elected Mayor of Fort Lauderdale in Broward County, Florida.

14. The canvass and certificate of said canvassing board was and is erroneous in that the absentee ballots should all be rejected inasmuch as the requirements of the statutes regulating absentee voting were generally disregarded and numerous absentee ballots were accepted and counted when the same were defective, to wit:

15. More than four (4) ballots were improperly received and counted even though the same were illegal and void because the purported absentee elector had not assigned any reason either in her/his application or upon her/his certificate for his inability to appear and vote in person at the polls.

16. More than two (2) such absentee ballots were improperly received and counted even though the same were illegal and void because the purported absentee elector had not assigned any reason on his application for an absentee ballot for his inability to appear and vote in person at the polls.

17. More than twelve (12) such absentee ballots were improperly received and counted even though the same were illegal and void because the purported absentee elector had not assigned any reason on her/his certificate enclosing said absentee ballot for his inability to appear and vote in person at the polls.

18. More than ten (10) such absentee ballots were improperly received and counted even though the same were illegal and void because the same has not been received by the supervisor of elections at his office.

19. More than ten (10) such absentee ballots were improperly received and counted even though the same were illegal and void because the application therefor had not been received by the supervisor of elections at his office.

20. More than six (6) such absentee ballots were improperly received and counted even though the same were illegal and void because the application for such ballot was not signed by the applicant therefor or was not delivered by him personally or by mail to the supervisor of elections.

21. More than twenty-five (25) absentee ballots were improperly received and counted even though the same were illegal and void because the date of the notarization of the application therefor was not inserted.

22. More than two (2) such absentee ballots were improperly received and counted even though the same were illegal and void because the application therefor was not dated.

23. More than four (4) such absentee ballots were improperly received and counted even though the same were illegal and void because the witnessing officer to the elector's certificate was not an officer authorized by law to execute the jurat to said certificate.

24. More than six (6) such absentee ballots were improperly received and counted even though the same were illegal and void because the witnessing officer to the elector's certificate did not complete the jurat thereto by failing to show his official title or address.

25. More than two (2) such absentee ballots were improperly received and counted even though the same were illegal and void because the application therefore was not witnessed by two witnesses as required by law.

26. More than six (6) such absentee ballots were improperly received and counted even though the same were illegal and void because of failure to comply with the statutory requirements for such absentee voting.
27. Six electors were illegally permitted to vote at the precinct polls even though they had theretofore cast their absentee ballots and which ballots were never surrendered to the precinct inspectors as required by law.
28. More than fifteen (15) such absentee ballots were improperly received and counted even though the same were illegal and void because the purported witnesses thereto had, in fact, not witnessed the execution of the application for such ballot.
29. The supervisor of elections failed to prepare and post a list of applicants for absentee ballots as required by law.
30. Two (2) absentee ballots were rejected, although obviously in proper form, and therefore should have been counted in any accurate count of absentee ballots.
31. The number of defective absentee ballots was and is sufficient to change the result of the election herein contested, and yet all of same were so commingled by said canvassing board with those absentee ballots which were valid that the same cannot be separated one from the other.

WHEREFORE, For the foregoing reasons, the absentee ballots should all be rejected, and the Plaintiff certified as the elected Mayor of Fort Lauderdale on the basis of the total vote rendered at the precincts in such election.

/s/ Kenneth D. Cooper

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