

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 50-2019-CA-014681-XXXX-MB
DIVISION: AG

CA FLORIDA HOLDINGS, LLC,
Publisher of THE PALM BEACH POST,

Plaintiff,

v.

JOSEPH ABRUZZO, as Clerk and
Comptroller of Palm Beach County,
Florida,

Defendant.

**CLERK OF THE CIRCUIT COURT & COMPTROLLER'S
ANSWER TO THE SECOND AMENDED COMPLAINT**

Defendant, Joseph Abruzzo in his official capacity as the Clerk of the Circuit Court & Comptroller, Palm Beach County (the "Clerk"), by and through his undersigned counsel, hereby files his Answer to the Second Amended Complaint and states as follows:

JURISDICTION

1. Paragraph 1 contains a legal conclusion and characterization of this action to which no response is required. To the extent a response is required, the Clerk admits that this Court has jurisdiction over this action.

PARTIES

2. The Clerk admits the allegations contained in Paragraph 2.
3. The Clerk admits the allegations contained in Paragraph 3.

INTRODUCTION

4. Paragraph 4 contains a characterization of the Palm Beach Post's (the "Post") action to which no response is required. To the extent that a response is required, the Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 4.

5. Paragraph 5 contains legal arguments and a characterization of this action to which no response is required. To the extent that a response is required, the Clerk refers the Post to section 905.27, Florida Statutes as the statute speaks for itself and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations.

6. Paragraph 6 contains legal arguments and a characterization of this action to which no response is required. To the extent that a response is required, the Clerk refers the Post to section 905.27, Florida Statutes as it speaks for itself and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations.

FACTUAL BACKGROUND

7. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 7.

A. First Epstein Sex Crimes Investigation, Indictment, and Plea Agreement: 2005-2008

8. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 8.

9. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 9.

10. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 10.

11. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 11.

12. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 12.

(1) Police Chief Reiter's Letter to the State Attorney.

13. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 13.

14. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 14.

(2) The July 2006 State Grand Jury Presentation.

15. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 15.

16. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 16.

17. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 17.

18. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 18.

19. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 19.

(3) The FBI's Investigation and Epstein's Non-Prosecution Agreement With Federal Authorities.

20. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 20.

21. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 21.

22. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 22.

23. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 23.

24. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 24.

25. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 25.

26. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 26.

27. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 27.

28. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 28.

(4) The Crime Victims' Rights Act Litigation.

29. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 29.

30. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 30.

31. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 31.

32. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 32.

33. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 33.

34. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 34.

B. Second Epstein Sex Crimes Investigation, Indictment, Suicide: 2019.

35. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 35.

36. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 36.

37. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 37.

38. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 38.

39. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 39.

40. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 40.

41. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 41.

C. The August 27, 2019, SDNY Hearing: Epstein's Victims Speak.

42. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 42.

43. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 43.

44. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 44.

45. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 45.

46. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 46.

47. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 47.

48. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 48.

D. The August 27, 2019, SDNY Hearing: Epstein's Victims Speak.

(1) The Palm Beach Post Has Reported Extensively On Epstein's Crimes For Nearly 15 Years.

49. The Clerk admits the allegations contained in Paragraph 49.

50. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 50.

51. The Clerk admits that the Post has extensively investigated and reported on the allegations against, the law enforcement investigation of, and the crimes committed by, Epstein and his co-conspirators. The Clerk, however, is without knowledge or information sufficient to

form a belief as to the truth of the remaining allegations contained in Paragraph 51, including subparts and Exhibit 1.

52. The Clerk admits the allegations contained in Paragraph 52.

(2) The Palm Beach Post's Standing and the Public Interest.

53. Paragraph 53 contains legal arguments to which no response is required. To the extent that a response is required, the Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 53.

54. Paragraph 54 contains legal arguments to which no response is required. To the extent that a response is required, the Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 54.

55. Paragraph 55 contains legal arguments and a characterization of this action to which no response is required. To the extent that a response is required, the Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 55.

56. Paragraph 56 contains legal arguments and a characterization of this action to which no response is required. To the extent that a response is required, the Clerk refers the Post to section 905.27 as the statute speaks for itself.

(3) The Court's Jurisdiction To Declare Rights And Construe Statutes.

57. Paragraph 57 contains a legal conclusion to which no response is required. To the extent that a response is required, the Clerk refers the Post to section 86.011 as the statute speaks for itself.

58. Paragraph 58 contains a legal conclusion to which no response is required. To the extent that a response is required, the Clerk refers the Post to section 86.011 as the statute speaks for itself.

59. Paragraph 59 contains a legal conclusion to which no response is required. To the extent that a response is required, the Clerk refers the Post to section 86.011 as the statute speaks for itself.

COUNT I

(Declaratory Relief – Florida Stat. Sections 86.011 et seq.)

60. The Clerk re-alleges and reincorporates its responses to Paragraphs 1 through 59 as if fully set forth herein.

61. Paragraph 61 contains a characterization of this action to which no response is required. To the extent that a response is required, the Clerk admits that the Second Amended Complaint purports to be an action for declaratory relief pursuant to Chapter 86, Florida Statutes, and other supplemental relief.

62. Paragraph 62 contains a characterization of this action to which no response is required. To the extent that a response is required, the Clerk admits that the Post is requesting that the Court declare pursuant to Fla. Stat. Sections 905.27(1) and (2)(c) that it is entitled access to the testimony, minutes, and other evidence presented in 2006 to the Palm Beach County grand jury.

63. The Clerk admits that the Post has sought access to the testimony, minutes, and other evidence presented in 2006 to the Palm Beach County grand jury. As for the remaining allegations, the Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations.

64. Paragraph 64 contains a legal conclusion to which no response is required. To the extent that a response is required, the Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 64.

65. Paragraph 65 contains legal arguments and a characterization of this action to which no response is required. To the extent that a response is required, the Clerk refers the Post to *CA Fla. Holdings, LLC v. Aronberg, et al.*, 360 So. 3d 1149 (Fla. 4th DCA 2023) as the matter speaks for itself.

66. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 66.

COUNT II

(Florida Stat. Section 905.27)

67. The Clerk re-alleges and reincorporates its responses to Paragraphs 1 through 66 as if fully set forth herein.

68. The Clerk is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 68.

69. Paragraph 69 contains legal arguments and a characterization of this action to which no response is required. To the extent that a response is required, the Clerk admits that the Post is requesting that it and the public be granted immediate access to the testimony, minutes, and other evidence presented in 2006 to the Palm Beach County grand jury.

70. Paragraph 70 contains legal arguments and a characterization of this action to which no response is required. To the extent that a response is required, the Clerk refers the Post to sections 905.27(1)(c) and (2)(c) as the statutes speak for themselves.

Dated: May 21, 2024

Respectfully submitted,

CLERK OF THE CIRCUIT COURT &
COMPTROLLER, PALM BEACH COUNTY

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CERTIFICATE OF SERVICE

I hereby certify that on May 21, 2024 the foregoing document was furnished upon the following via the Florida ePortal System:

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By: s/ Collin D. Jackson
Collin D. Jackson, Esq.