

IN THE SEVENTEENTH JUDICIAL
CIRCUIT COURT IN AND FOR
BROWARD COUNTY, FLORIDA

CASE NO.

PATRICK GOGGINS, an individual

Plaintiff,

vs.

DONALD TRUMP, as President of the
United States, and as former Chairman of
the Trump Organization.

Defendants.

COMPLAINT FOR DECLATORY RELIEF

PATRICK GOGGINS, for himself, hereby sues DONALD TRUMP, as President of the United States, and as former Chairman of the Trump Organization, for a declaration pursuant to Sec. 86.011, Florida Statutes, that any emoluments paid to the Trump Organization during President Trump's term in office are unconstitutional pursuant to Article 2, Section 1, Clause 7 of the United States Constitution, which reads:

"The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them."

The Parties

1. Plaintiff Patrick Goggins, a member of The Florida Bar, a resident of Broward County, Florida, is a citizen of the United States of America, and as such is entitled to relief in her Courts.

2. Defendant Donald Trump is the 45th President of the United States of America, and as such, his emoluments are subject to the strictures and constraints of the United States Constitution. Donald Trump is also the former chairman of the Trump Organization, a series of interconnected business entities, in which President Donald Trump has a significant present ownership interest.

Nature of the Complaint

3. This is a complaint made pursuant to Florida's Declaratory Judgment Act, codified in Sec. 86.011, which gives this Court the power:

“within [its] jurisdictional amounts to declare rights, status, and other equitable or legal relations whether or not further relief is or could be claimed. No action or procedure is open to objection on the ground that a declaratory judgment is demanded. The court's declaration may be either affirmative or negative in form and effect and such declaration has the force and effect of a final judgment. The court may render declaratory judgments on the existence, or nonexistence:

- (1) Of any immunity, power, privilege, or right; or
- (2) Of any fact upon which the existence or nonexistence of such immunity, power, privilege, or right does or may depend, whether such immunity, power, privilege, or right now exists or will arise in the future. Any person seeking a declaratory judgment may also demand additional, alternative, coercive, subsequent, or supplemental relief in the same action.”

4. During his term in office, Donald Trump is bound by Article 2, Section 1, Clause 7 of the United States Constitution, which reads:

"The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them."

5. The question put to the Court is as follows: "Are any monies paid to the Trump Organization during Donald Trump's term in office violative of Article 2, Section 1, Clause 7 of the United States Constitution?"

Respectfully submitted, this 31st day of March, 2017.

PATRICK J. GOGGINS, P.A.

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By */s/ Patrick Goggins*

Patrick J. Goggins
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