

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

Case No.:

**SANDI ADLER,**  
Plaintiff,

-VS-

**STARBOARD GROUP MANAGEMENT  
COMPANY INCORPORATED, ANDREW  
LEVY & KEVIN HOLBROOK,**  
Defendant.

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**COMPLAINT UNDER FLORIDA PRIVATE WHISTLE BLOWERS ACT**

Plaintiff, SANDI ADLER (“ADLER”), by counsel, sues the Defendants, STARBOARD GROUP MANAGEMENT COMPANY INCORPORATED (“STARBOARD GROUP”), ANDREW LEVY and KEVIN HOLBROOK, and as grounds for her Complaint, alleges as follows:

1. This is an action brought pursuant to The Florida Private Whistle Blowers Statute, 448.101 *et seq.* Florida Statutes, and the Florida Civil Rights Act, §760.01 *et seq.*, Florida Statutes.
2. The amount in controversy, exclusive of interest and costs, exceeds the sum of \$30,000.00.
3. Plaintiff is an individual and a resident of Broward County, Florida.
4. Defendant, STARBOARD GROUP, is a Florida corporation with facilities located in Broward County, Florida. The STARBOARD GROUP is an “employer” within the meaning of the Florida Private Whistle Blowers Act.
5. Defendant, LEVY, is an individual who serves as CEO of STARBOARD GROUP.

6. Defendant, HOLBROOK, is an individual residing in Florida who is an officer of STARBOARD GROUP.
7. ADLER was employed by STARBOARD GROUP as Vice President of Legal Affairs and Human Resources after being recruited by HOLBROOK in January 2019.
8. HOLBROOK, who became ADLER'S superior, soon directed unwelcome attention on ADLER, as follows and among other things:
  - (a) He would call her regularly at nights and on weekends where he would discuss his personal business and his sexual conquests;
  - (b) Holbrook would describe oral sex episodes he had, and how he liked large breasts;
  - (c) He told her he had almost missed disembarkation from a cruise ship because he was receiving oral sex in his cabin from a woman;
  - (d) In one call, he relayed how he had seen a woman in tight pants and as a result, he could see her vaginal lips which had sexually excited him;
  - (e) He explained how he had caught his ex-girlfriend cheating and went into her house confronting her and a man with a shotgun. He relayed how he asked the man as to whether he could taste his own sexual encounter with the woman. This account frightened ADLER;
  - (f) He pressed ADLER to go on a vacation trip with him to Europe.
9. In the late fall, ADLER and HOLBROOK met with ANDREW LEVY, the owner of STARBOARD GROUP. In the presence of HOLBROOK, she explained how

she objected to HOLBROOK'S calls and advances. Rather than investigate these complaints, LEVY instead ratified HOLBROOK'S conduct asking ADLER, "why don't you guys just fuck already and get it over with?"

10. HOLBROOK personally approved an advance bonus for himself, and then when LEVY questioned it at the same meeting in the paragraph above, demanded that she sign a promissory note to return the money and threatened if she revealed that he too had an advance bonus.
11. LEVY, for his part, ordered ADLER to contact creditors, landlords, vendors, and suppliers and claim that the company could not meet its financial obligations because it had not received PPP funding.
12. In fact, as LEVY, HOLBROOK, and ADLER knew, these statements to creditors were false. STARBOARD GROUP had received PPP funding in the approximated amount of \$9,000,000.
13. Some of these PPP funds, approximately one million dollars, were diverted to LEVY personally to finance a house he had just purchased in Montana.
14. LEVY directed ADLER to place certain personal employees in Montana as corporate employees. The effect of this, in view of the PPP funding, was to defraud the United States and the Small Business Administration.
15. ADLER complained to HOLBROOK about these practices and orders and HOLBROOK took no action other than to fire her as a direct result of her objection.

16. ADLER was fired because of her objection to the employment practices and policies which violated laws, rules and regulations as will be more fully set forth herein.

**COUNT I - FLORIDA PRIVATE WHISTLEBLOWER ACT  
HOLBROOK HARASMENT ALLEGATIONS**

17. Plaintiff re-alleges ¶¶ 1-16.
18. In late fall of 2019, and in the Spring of 2020, ADLER objected to her management of HOLBROOK'S creation of a sexually hostile environment in violation of Chapter 760 of the Florida Statutes.
19. ADLER's objection to the owner and CEO grew out of HOLBROOK'S repeated and aggressively sexually suggestive phone calls to her outside of work.
20. STARBOARD GROUP'S owner LEVY, rather than investigating these issues, ratified them and actually suggested that she sleep with HOLBROOK.
21. As a direct and proximate result of STARBOARD GROUP'S unlawful and retaliatory acts, ADLER was caused to suffer loss of earning capacity, loss of earnings, loss of enjoyment of life, injury to reputation and severe emotional distress.
22. ADLER has hired counsel and is obligated to compensate them for their services.

WHEREFORE, Plaintiff prays that this Court:

- (a) Declare STARBOARD GROUP'S conduct to be violations of ADLER's rights under-Florida's Private Whistle Blowers Statute;
- (b) Enjoin STARBOARD GROUP from engaging in such conduct;

- (c) Award restitutionary damages to ADLER for all lost wages, loss of promotional opportunity, benefits, and other remuneration;
- (d) Award compensatory damages to ADLER for her pain and suffering;
- (e) Award ADLER's costs and attorneys' fees;
- (f) Award ADLER pre-judgment and post-judgment interest as permitted by applicable law; and
- (g) Grant such other and further relief as may be deemed just and proper.

## **COUNT II - ASSAULT**

- 23. Plaintiff re-alleges ¶¶ 1-16.
- 24. The threatening and unremitting conduct of HOLBROOK placed ADLER in immediate fear of an unwelcome touch.
- 25. These fears were increased as a result of LEVY's suggestion that she allow HOLBROOK to have sex with her.
- 26. As such, HOLBROOK committed an assault which was ratified expressly by LEVY and STARBOARD GROUP.
- 27. As a direct and proximate result of HOLBROOK's assault which was ratified by STARBOARD GROUP and LEVY, ADLER was caused to suffer loss of earning capacity, loss of earnings, loss of enjoyment of life, injury to reputation and severe emotional distress.

WHEREFORE, Plaintiff prays that this Court:

- (a) Award restitutionary damages to ADLER for all lost wages, loss of promotional opportunity, benefits and other remuneration;
- (b) Award compensatory damages to ADLER for her pain and suffering; and
- (c) Grant such other and further relief as may be deemed just and proper.

**COUNT III - FLORIDA PRIVATE WHISTLEBLOWER ACT  
DECEPTIVE AND UNFAIR TRADE PRACTICES**

- 28. Plaintiff re-alleges ¶¶ 1-16.
- 29. ADLER was compelled by LEVY and HOLBROOK, over objection, to give false and fraudulent information to its creditors, landlords, vendors, and suppliers when STARBOARD GROUP, LEVY, and HOLBROOK knew that the information she was disseminating was false and that STARBOARD GROUP had not been turned down for PPP grants and had in fact received \$9,000,000 in grants.
- 30. On June 1, 2020, STARBOARD GROUP terminated Plaintiff in retaliation for her protected conduct relating to her objection to delivering fraudulent claims to creditors.
- 31. As a direct and proximate result of STARBOARD GROUP'S unlawful and retaliatory acts, ADLER was caused to suffer loss of earning capacity, loss of earnings, loss of enjoyment of life, injury to reputation and severe emotional distress.
- 32. ADLER has hired counsel and is obligated to compensate them for their services.

WHEREFORE, Plaintiff prays that this Court:

- (a) Declare STARBOARD GROUP'S conduct to be violations of ADLER'S rights under-Florida's Private Whistle Blowers Statute;
- (b) Enjoin STARBOARD GROUP from engaging in such conduct;
- (c) Award restitutionary damages to ADLER for all lost wages, loss of promotional opportunity, benefits, and other remuneration;
- (d) Award compensatory damages to ADLER for her pain and suffering;
- (e) Award ADLER's costs and attorneys' fees;
- (f) Award ADLER pre-judgment and post-judgment interest as permitted by applicable law; and
- (g) Grant such other and further relief as may be deemed just and proper.

**COUNT IV - FLORIDA PRIVATE WHISTLEBLOWER ACT  
CARES ACT**

33. Plaintiff re-alleges ¶¶ 1-16.

34. ADLER was compelled by LEVY and HOLBROOK, over objection, to give false and fraudulent information to its creditors, landlords, vendors, and suppliers when STARBOARD GROUP, LEVY, and HOLBROOK knew that the information she was disseminating was false and that STARBOARD GROUP had not been turned down for PPP grants and had in fact received \$9,000,000 in grants.

35. On June 1, 2020, STARBOARD GROUP terminated Plaintiff in retaliation for her protected conduct relating to her objection to delivering fraudulent claims to creditors.

36. As a direct and proximate result of STARBOARD GROUP's unlawful and retaliatory acts, ADLER was caused to suffer loss of earning capacity, loss of earnings, loss of enjoyment of life, injury to reputation and severe emotional distress.

37. ADLER has hired counsel and is obligated to compensate them for their services.

WHEREFORE, Plaintiff prays that this Court:

- (a) Declare STARBOARD GROUP's conduct to be violations of ADLER's rights under-Florida's Private Whistle Blowers Statute;
- (b) Enjoin STARBOARD GROUP from engaging in such conduct;
- (c) Award restitutionary damages to ADLER for all lost wages, loss of promotional opportunity, benefits, and other remuneration;
- (d) Award compensatory damages to ADLER for her pain and suffering;
- (e) Award ADLER's costs and attorneys' fees;
- (f) Award ADLER pre-judgment and post-judgment interest as permitted by applicable law; and
- (g) Grant such other and further relief as may be deemed just and proper.

**DEMAND FOR JURY TRIAL**

Plaintiff, ADLER, requests trial by jury of all issues so triable as a matter of right.

BY: /s/ G. Ware Cornell, Jr.

G. Ware Cornell, Jr.

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**CORNELL & ASSOCIATES, P.A.**

*Counsel for the Plaintiff*

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