

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY, FLORIDA

SEANPAUL REYES,

Case No.: 05-2025-CA-053072

Plaintiff,

v.

PAUL SIDNEY ALFREY,

Defendant.

**DEFENDANT'S MOTION FOR SANCTIONS PURSUANT TO SECTION 57.105,
FLORIDA STATUTES**

Defendant, PAUL SIDNEY ALFREY ("Defendant"), by and through the undersigned counsel, hereby moves this Court for an order for sanctions against Plaintiff, SEANPAUL REYES ("Plaintiff") pursuant to Section 57.105, Florida Statutes, for filing a Complaint, dated October 13, 2025, when they knew or should have known it is not supported by material facts necessary to establish them and was knowingly done in bad faith, and in support states as follows:

MEMORANDUM OF LAW

Florida Statute §57.105(1) states "[u]pon the court's initiative or motion of any party, the court shall award a reasonable attorney's fee, including prejudgment interest, to be paid to the prevailing party in equal amounts by the losing party and the losing party's attorney on any claim or defense at any time during a civil proceeding or action in which the court finds that the losing party or the losing party's attorney knew or should have known that a claim or defense when initially presented to the court or at any time

before trial: was not supported by the material facts necessary to establish the claim or defense.”

Florida Statute §57.105(4) states “[a] motion by a party seeking sanctions under this section must be served but may not be filed with or presented to the court unless, within 21 days after service of the motion, the challenged paper, claim, defense, contention, allegation, or denial is not withdrawn or appropriately corrected.

Parties, and lawyers, are expected to do investigation as to whether or not their claims are well founded and supported by evidence. *Yakovonis v. Dolphin*, 934 So.2d 615 (Fla. 4th DCA 2006). There is an affirmative obligation upon the parties and their lawyers to make good faith attempts to substantiate any allegations made. *Montgomery v. Larmoyeux*, 14 So.3d 1067 (Fla. 4th DCA 2009).

Uncorroborated claims do not constitute material facts. Attorney’s bald claims of belief that are unsupported by the record will not prevail. An attorney, to avoid the joint liability of Fla. Stat. §57.105, must have made an objectively reasonable investigation of the purported facts. Reliance on affidavits is not enough. Knowledge of the initial lawyer is imputed to all future lawyers. *Yang v. Georgalis*, 988 So. 2d 1180 (Fla. 1st DCA 2008).

Fla. Stat. §57.105 “does not require a finding of frivolousness to justify sanctions, but only a finding that the claim lacked a basis in material facts or then-existing law.” *Martin County v. Martin County*, 73 So. 3d 856 (Fla. 1st DCA 2011).

ARGUMENT

The allegations set forth in Plaintiff’s Complaint, when considered alongside Plaintiff’s publicly available conduct and content, demonstrate that this action was not filed to redress a legitimate personal grievance. Rather, the record reflects that Plaintiff

commenced this litigation to advance personal notoriety, increase viewership, and generate financial gain and not out of concern and personal protection. The Court should not permit the judicial system to be used as a mechanism for publicity or profit.

I. Plaintiff's Conduct and Motive

Plaintiff's publicly documented conduct reveals that his primary occupation is the creation of provocative and confrontational content involving public officials, law enforcement officers, and other governmental officials and staff. Plaintiff routinely records such encounters, frames them as allegations of misconduct or corruption, and disseminates them through monetized social-media platforms. This approach is not incidental, but central to Plaintiff's brand and revenue model.

Consistent with this pattern, Plaintiff's interaction with Defendant was used as a source of content designed to provoke controversy and maximize public attention. Plaintiff's own postings demonstrate that heated confrontation—not neutral inquiry or reviews of investigated work—is the means by which Plaintiff conducts himself, grows his audience, and derives income. Popularity in this field is not achieved through restraint or objectivity, but through dramatic and confrontational engagement. Plaintiff therefore had a clear financial and reputational incentive to escalate and sustain the dispute at issue here.

II. The City Council Appearance and Resulting Harm

Plaintiff's initial presence at the Melbourne City Council meeting was not motivated by concern for public policy or municipal governance. Defendant, acting in his capacity as Mayor, informed the public that Plaintiff had attended the meeting to publicize a private familial dispute regarding Defendant's roofing business, which he owned and operated

with his late brother. Plaintiff thereafter filed this cause of action and broadcasted commentary and footage relating to the lawsuit.

As a direct and foreseeable consequence of Plaintiff's actions, Defendant has been subjected to persistent harassment across multiple platforms, including hostile communications and death threats directed at Defendant and his family. Plaintiff has only fueled these messages directed at Defendant with Plaintiff's inflammatory rhetoric. Plaintiff profited off of, and continued to fuel, this controversy for financial gain. This is explicitly evident when Plaintiff held off service of process of the complaint until he returned to Melbourne in order to film the encounter for purposes of generating content and profit.

III. Plaintiff's Attempt to Manufacture a Defamation Claim

Plaintiff attempts to portray himself as a victim of defamation, but this framing is illusory. Plaintiff operates almost exclusively under the brand Long Island Audit. Indeed, Plaintiff's content identity, channel branding, merchandise, and public appearances all reference that moniker rather than Plaintiff's individual name.

Despite this, Plaintiff filed suit in his personal capacity, despite the fact that Defendant's statements did not identify Plaintiff by name, brand, or any uniquely identifying characteristic. Instead, Defendant made generalized remarks about an "out-of-town YouTuber." Plaintiff knew, or reasonably should have known, that such statements fail to satisfy the "of and concerning" requirement necessary to state a defamation claim. Plaintiff knew the comments were made by Defendant in his capacity as mayor, and Plaintiff knew that if any conclusion is drawn on who Defendant was speaking about, it would be Long Island Audit, not SeanPaul Reyes.

IV. Absence of Actionable Statements and Damages

Plaintiff's Complaint is further deficient because it does not allege any actionable statement of fact. When read in context, Defendant's remarks do not accuse Plaintiff of criminal conduct or other provably false facts. Rather, the statements reflect Defendant's opinion regarding Plaintiff's motives and the effects of Plaintiff's intrusion into a private family matter, and as stated several times, the death threats and harassment from Defendant's followers, along with harassing messages received from Defendant personally. Such statements are protected expressions of opinion on matters of public concern. Plaintiff knew the statement was made by the Mayor of Melbourne and in Defendant's capacity as Mayor of Melbourne. Moreover, as stated above, Plaintiff's standard conduct of ginning up and provoking heated confrontation is for the sole purpose of inviting those on the other side of the camera to respond in what Plaintiff hopes is a provocative response. Florida case law explicitly prohibits and provides as an absolute defense to defamation, of what is called "invited defamation." *Charles v. State Dept. of Children & Families Dist. Nine*, 914 So. 2d 1, 2 (Fla. 4th DCA 2005).

Moreover, Plaintiff cannot demonstrate damages. By Plaintiff's own admissions, he has gained followers, increased viewership, and generated revenue as a result of this controversy. Far from harming Plaintiff's reputation, the events underlying this litigation enhanced Plaintiff's visibility and financial position. Discovery would further confirm that Plaintiff experienced a measurable increase in engagement and income following the dispute. A party who profits from the very statements alleged to be defamatory should not be allowed to claim reputational injury.

V. Conclusion

At the time of filing, Plaintiff knew that:

1. Defendant's statements did not identify Plaintiff personally;
2. In context of the statement as a whole, no provably false statements of fact were made;
3. Plaintiff had suffered no actual damages, and had instead profited from this litigation; and
4. The controversy was generated for purposes of creating content, attention, and revenue for Plaintiff.

Nonetheless, Plaintiff initiated this action to extend the lifespan of a viral confrontation and to convert judicial proceedings into additional content. This constitutes an improper attempt to use litigation itself as a means of self-promotion and income generation. Courts are not stages for manufactured disputes, nor are they tools to advance personal branding campaigns.

SAFE-HARBOR COMPLIANCE

On March 10, 2026, Defendant through his undersigned counsel, provided Plaintiff with a formal written demand, attached hereto and incorporated as **Exhibit "A"**, along with this motion, which was both emailed and mailed via U.S. Mail and Certified Mail, to immediately and forthwith withdraw Plaintiff's Complaint.

The time period provided by the statutory "safe-harbor" provision of Fla. Stat. §57.105(4) permitting the Plaintiff to comply with Defendant's demand has passed with no compliance by Plaintiff.

As such and pursuant to Fla. Stat. §57.105(4), Defendant files the instant Motion

and demands the assessment of attorneys' fees and costs against Plaintiff for having to defend the instant action; for the preparation and filing of this Motion; prejudgment interest as provided by Fla. Stat. §57.105(1), and for all other relief provided by Fla. Stat. §57.105 and decisional law thereunder.

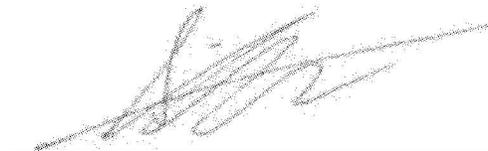
WHEREFORE, Defendant respectfully request that this Court (a) grant this Motion; (b) dismiss this entire matter with prejudice; (c) enter an order awarding attorneys' fees, costs, and prejudgment interest to Defendant from the Plaintiff and Plaintiff's counsel, pursuant to Florida Statute §57.105; and (d) award such other and further relief as the Court deems just and proper.

[CERTIFICATE OF SERVICE TO FOLLOW]

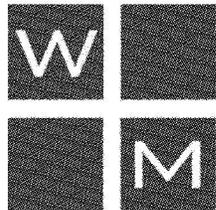
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been furnished via email to LongIslandAudit@gmail.com, US Mail and Certified Mail Number 9589 0710 5270 2723 7302 16 to SeanPaul Reyes at 66 S. Village Drive, Bellport, NY 11713 on March 10, 2026.

WIDERMAN MALEK, PL
1990 West New Haven Avenue
Second Floor
Melbourne, FL 32904
Tel. 321-255-2332
Fax 321-255-2351
Primary email:
Scott@USLegalTeam.com
Secondary emails:
JWiderman@USLegalTeam.com
Jessica@USLegalTeam.com
CDarrall@USLegalTeam.com



Scott D. Widerman, Esquire
Florida Bar No. 585823
Jared Widerman, Esquire
Florida Bar No. 1068922
Attorneys for PAUL SIDNEY ALFREY



**WIDERMANN
MALEK**
ATTORNEYS AT LAW

Exhibit "A"

PLEASE REPLY TO:
MELBOURNE OFFICE
1990 W. NEW HAVEN AVE.
SECOND FLOOR
MELBOURNE, FL 32904
321.255.2332

February 16, 2026

**Sent Via E-Mail to
longislandaudit@gmail.com, US Mail,
and Certified Mail
Return Receipt Requested
9589 0710 5270 2723 7285 58**

SeanPaul Reyes
66 S. Village Drive
Bellport, NY 11713

Re: *Reyes v. Alfrey*
Case No.: 05-2025-CA-053072
Our File No.: 9738.00003

Dear Mr. Reyes,

Please see the attached 57.105 Motion for Sanctions that we will file after 21 days, from the date of this letter, in the above case, if you do not withdraw your Complaint for Defamation filed 10/13/2025. Should you have any questions or need any further information, please feel free to contact the office.

Sincerely,

WIDERMANN MALEK, PL

Scott D. Widerman, Esquire
Scott@USLegalTeam.com

SDW:cnd
Attachment

 **PRIMERUS™**

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and demands the assessment of attorneys' fees and costs against Plaintiff for having to defend the instant action; for the preparation and filing of this Motion; prejudgment interest as provided by Fla. Stat. §57.105(1), and for all other relief provided by Fla. Stat. §57.105 and decisional law thereunder.

WHEREFORE, Defendant respectfully request that this Court (a) grant this Motion; (b) dismiss this entire matter with prejudice; (c) enter an order awarding attorneys' fees, costs, and prejudgment interest to Defendant from the Plaintiff and Plaintiff's counsel, pursuant to Florida Statute §57.105; and (d) award such other and further relief as the Court deems just and proper.

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DRAFT

Scott D. Widerman, Esquire
Florida Bar No. 585823
Jared Widerman, Esquire
Florida Bar No. 1068922
Attorneys for PAUL SIDNEY ALFREY

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SeanPaul Reyes
66. S. Village Drive
Bellport NY, 11713



9590 9402 9625 5121 4569 83

2. Article Number (Transfer from service label)

9589 0710 5270 2723 7285 58

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1? Yes**
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Mail Restricted Delivery (C)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

Certified Mail

- A receipt (CVS tag)
 - A unique address
 - Electronic verification
 - A record of delivery (signature) that is available for a specified period
- Important Reminders**
- You may purchase First-Class Mail® or Priority Mail®
 - Certified Mail service is available for international mail
 - Insurance coverage is available for Certified Mail with Certified Mail insurance coverage
 - For an additional endorsement on the following categories of delivery (see electronic version of PS Form 3800, Receipts):

PS Form 3800, July 2020

