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IN THE CIRCUIT COURT OF THE 5th JUDICIAL CIRCUIT  
IN AND FOR MARION COUNTY, FLORIDA

DAVID HASKINS,

Plaintiff,

v.

CASE NO.:

THE REFUGE, A HEALING PLACE, LLC., a  
foreign limited liability company,

Defendant.

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**COMPLAINT AND DEMAND FOR JURY TRIAL**

**INTRODUCTION**

1. Plaintiff, DAVID HASKINS (“Plaintiff” or “Mr. Haskins”), brings this action pursuant to the Florida Whistleblower Statute, Section 448.102, Florida Statutes. Plaintiff seeks to recover from Defendant, back pay, other monetary damages, equitable relief, front pay, declaratory relief, compensatory damages, and reasonable attorneys’ fees and costs as permitted under statute.

**JURISDICTION**

2. The Court has jurisdiction over Plaintiff’s claims as they arise under Florida law, and the actions at issue here took place in Marion County, Florida.

**PARTIES**

3. At all times relevant hereto, Plaintiff was an employee of Defendant,
4. The Defendant, THE REFUGE, A HEALING PLACE, LLC (“Defendant” or “REFUGE”), is a substance abuse recovery center.

5. From 1997 until his illegal termination in April 2016, Plaintiff worked as a Maintenance Supervisor Facility Director.

6. REFUGE is foreign limited liability company, who operates in, among other places, Ocklawaha, Florida.

7. Plaintiff is a resident of Marion County, Florida, and the actions at issue took place in Marion County, Florida.

8. At all times relevant hereto, Defendant was an employer as defined by the Florida Whistleblower's Act in that Defendant employed ten (10) or more employees.

#### **FACTUAL ALLEGATIONS**

9. Plaintiff worked for Defendant for approximately two (2) decades.

10. Sometime in 2015, Defendant installed Dan Bucker as its CEO.

11. Prior to Mr. Buckner being installed as the CEO, Plaintiff had not received disciplinary action or poor evaluations regarding his performance.

12. Shortly after Mr. Bucker's installation, Plaintiff began noticing that Mr. Bucker was circumventing the appropriate bidding process for construction work at the facility at which Plaintiff worked.

13. To that end, he was allowing his former assistant and friend, Asa Pardee, operating under the business name of "J&E Builders" to secure many construction bids under "low ball" offers.

14. The reason these offers were so low, was that J&E Builders was performing work at the facility without appropriate permitting or permission from the EPA, since the land on which the facility is located in considered Florida wetlands.

15. This conduct by J&E Builders violated, among others, Florida Statute 448.127(h). Violations of Florida Statute 448.127(h) are punishable pursuant to 448.129 (1)(o).

16. When Plaintiff observed this illegal conduct, he immediately reported same to Mr. Bucker and objected that this conduct was illegal.

17. In response to these objections, Mr. Bucker would disregard same, and retaliate against Plaintiff by giving him reduced evaluations and unfair discipline.

18. Plaintiff refused to sign off on work orders performed by J&E Builders for the above reasons.

19. Despite this retaliation, however, Plaintiff continued to perform his job as required. To that end, Plaintiff kept objecting to Mr. Bucker's conduct, but same continued.

20. Accordingly, in the days prior to his termination, Plaintiff approached Nancy Jenkins, Defendant's head of Risk Management, and specifically objected to her that what Mr. Buckner was doing was illegal, and endangering the employees and clients of Defendant.

21. Plaintiff also documented the illegal conduct being permitted by Mr. Bucker with photographic proof.

22. Ms. Jenkins subsequently questioned Mr. Bucker on Plaintiff's concerns regarding the illegal conduct at issue.

23. Two (2) days after Plaintiff complained to Ms. Jenkins, he was terminated.

24. Plaintiff was terminated in retaliation for his objections to Mr. Bucker's illegal conduct, and in violation of Section 448.102 (3), Florida Statutes.

**COUNT I-**  
**WHISTLEBLOWER CLAIM UNDER SECTION 448.102, FLORIDA STATUTES**

25. Plaintiff reincorporates and readopts the allegations of Paragraphs 1-24 as if fully set forth herein.

26. In April 2016, in violation of Fla. Stat. § 448.102 (3), Defendant took adverse action against Plaintiff for his objections to Defendant's illegal behavior.

27. As a result of Defendant's intentional, willful and unlawful actions, Plaintiff has suffered damages, including, but not limited to, lost wages, lost benefits, lost employment status, as well as humiliation, pain and suffering and other monetary and non-monetary losses.

WHEREFORE, Plaintiff requests a judgment in his favor and against Defendant for his actual and compensatory damages, including front pay and back pay, as well as his costs and attorneys' fees, declaratory and injunctive relief, and such other and further relief as is deemed proper by this Court.

DATED this 10<sup>th</sup> day of October 2016.

By: /s/Richard Celler  
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